

SHIRE *of* **DANDARAGAN**

AGENDA AND BUSINESS PAPERS

for the

ORDINARY COUNCIL MEETING

to be held

AT THE COUNCIL CHAMBERS, JURIEN BAY

on

THURSDAY 23 FEBRUARY 2023

COMMENCING AT 4.00PM

(THIS DOCUMENT IS AVAILABLE IN LARGER PRINT ON REQUEST)



ORDINARY COUNCIL MEETING

THURSDAY 23 FEBRUARY 2023

Welcome to the Ordinary Council Meeting of the Shire of Dandaragan.

Please be advised that the Ordinary Meeting of Council will be held on the following dates, times and venues:

DAY	DATE	TIME	MEETING VENUE
Thurs	23 February 2023	4.00pm	Jurien Bay
Thurs	23 March 2023	4.00pm	Jurien Bay
Thurs	27 April 2023	4.00pm	Badgingarra
Thurs	25 May 2023	4.00pm	Jurien Bay
Thurs	22 June 2023	4.00pm	Jurien Bay

Brent Bailey
CHIEF EXECUTIVE OFFICER



DISCLAIMER

INFORMATION FOR THE PUBLIC ATTENDING A COUNCIL MEETING

Please note:

The recommendations contained in this agenda are Officer's Recommendations only and should not be acted upon until Council has considered the recommendations and resolved accordingly.

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.

Brent Bailey
CHIEF EXECUTIVE OFFICER



COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee, Working Party or Steering group to examine subjects and then report to Council.
3. 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. 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.
4. 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 response is included in the 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 meeting of Council.

Council has prepared an appropriate form and Public Question Time Guideline to assist.

5. **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.

6. 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 staff. An Agenda item including a recommendation will then be submitted to Council for consideration should it be determined appropriate by the Chief Executive Officer.

The Agenda closes the Monday 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.

7. Agendas for Ordinary Meetings are available in the Shire of Dandaragan Administration Centre and all four libraries as well as on the website www.dandaragan.wa.gov.au seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. 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 3).
9. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Shire of Dandaragan Libraries and on the website www.dandaragan.wa.gov.au within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it.
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

SHIRE OF DANDARAGAN QUESTIONS FROM THE PUBLIC

The Shire of Dandaragan welcomes community participation during public question time as per the Shire of Dandaragan Standing Orders Local Law.

A member of the public who raises a question during question time is requested to:

- (a) provide a copy of his or her questions at least 15 minutes prior to the commencement of the meeting;
- (b) first state his or her name and address;
- (c) direct the question to the President or the Presiding Member;
- (d) ask the question briefly and concisely;
- (e) limit any preamble to matters directly relevant to the question;
- (f) ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question;
- (g) each **member of the public** with a question is **entitled to ask up to 3 questions** before other members of the public will be invited to ask their questions;
- (h) when a member of the public gives written notice of a question, the President or Presiding Member may determine that the question is to be responded to as normal business correspondence.

The following is a summary of procedure and a guide to completion of the required form.

1. This is a "question" time only. Orations, explanations or statements of belief will not be accepted or allowed.
2. Questions must relate to a matter affecting the Shire of Dandaragan.
3. Questions must be appropriate and made in good faith. Those containing defamatory remarks, offensive language or question the competency or personal affairs of council members or employees may be ruled inappropriate by the Presiding Member and therefore not considered.
4. Frame your question so that it is both precise and yet fully understood. Long questions covering a multitude of subjects are easily misunderstood and can result in poor replies being given.
5. Write your question down on the attached form, it helps you to express the question clearly and provides staff with an accurate record of exactly what you want to know.
6. When the President or presiding member calls for any questions from the public, stand up and wait until you are acknowledged and invited to speak. Please start by giving your name and address first, then ask the question.
7. Questions to be put to the President or presiding member and answered by the Council. No questions can be put to individual Councillors.
8. The question time will be very early in the meeting. **There is only 15 minutes available for Question Time.** Questions not asked may still be submitted to the meeting and will be responded to by mail.
9. When you have put your question, resume your seat and await the reply. If possible, the President or presiding member will answer directly or invite a staff member with special knowledge to answer in his place. However, it is more likely that the question will have to be researched, in which case the President or presiding member will advise that the question will be received and that an answer will be forwarded in writing. Please note under NO circumstances, will the question be debated or discussed by Council at that meeting.
10. To maximise public participation only three questions per person will initially be considered with a time limit of 2 minutes per person. If there is time after all interested persons have put their questions the President or presiding member will allow further questions, again in limits of two per person.
11. To fill out the form, just enter your name and address in the appropriate areas together with details of any group you are representing, then write out your question.
12. Please ensure your form is submitted to the minute's secretary.

If you have difficulty in or are incapable of writing the question, Shire staff are available on request to assist in this task.

We hope this note assists you in the asking of your question and thank you for your interest and participation in the affairs of our Shire.

SHIRE OF DANDARAGAN

QUESTIONS FROM THE PUBLIC

Any member of the public wishing to participate in Public Question Time during Council or Committee meetings is welcome to do so, however, Council requires your name, address and written questions to be provided to the meeting secretary.

Name: _____ Signature: _____

Address: _____

Contact No: _____ Meeting Date: _____

Council Agenda
Item No: _____

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. 15 Minutes is allotted to Public Question Time at Council Meetings.

Please see notes on Public Question Time overleaf...

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
1.1	DECLARATION OF OPENING	1
1.2	DISCLAIMER READING.....	1
2	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE.....	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4	PUBLIC QUESTION TIME.....	2
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	2
6	CONFIRMATION OF MINUTES	2
6.1	MINUTES OF THE ORDINARY MEETING HELD 25 JANUARY 2023.....	2
7	NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	2
8	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	2
9	REPORTS OF COMMITTEES AND OFFICERS	3
9.1	CORPORATE & COMMUNITY SERVICES.....	3
9.1.1	FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 DECEMBER 2022	3
9.1.2	FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JANUARY 2023.....	5
9.1.3	ACCOUNTS FOR PAYMENT – JANUARY 2023	7
9.1.4	REVIEW OF COMMUNITY GRANT APPLICATIONS	9
9.2	INFRASTRUCTURE SERVICES	13
9.3	DEVELOPMENT SERVICES	13
9.3.1	DISPOSAL OF LOTS 115 & 116 (NO. 17 & 19) DOUST STREET, JURIE BAY.....	13
9.3.2	PROPOSED CLUB PREMISES – LOT 503 BASHFORD STREET (RESERVE 31884) JURIE BAY	19
9.3.3	PROPOSED HOLIDAY HOUSE – LOT 401 (NO.14) WESTLAKE WAY, JURIE BAY.....	25
9.3.4	PROPOSED LUXURY PICNIC EXPERIENCE – JURIE BAY FORESHORE.....	33
9.3.5	PROPOSED OUTBUILDING – LOT 80 (NO. 3) COOK STREET, JURIE BAY	40
9.3.6	ENDORSEMENT OF ADDITIONAL OFF-LEASH DOG EXERCISE AREAS.....	47
9.4	GOVERNANCE & ADMINISTRATION	51
9.4.1	2023 REVIEW OF DELEGATIONS REGISTER	51
9.5	COUNCILLOR INFORMATION BULLETIN.....	54
9.5.1	SHIRE OF DANDARAGAN – JANUARY 2023 COUNCIL STATUS REPORT.....	54
9.5.2	SHIRE OF DANDARAGAN – BUILDING STATISTICS – JANUARY 2023	54
9.5.3	SHIRE OF DANDARAGAN – PLANNING STATISTICS – JANUARY 2023.....	54
9.5.4	SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR JANUARY 2023.....	54
10	NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING	54
11	CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC.....	54
12	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	54
13	CLOSURE OF MEETING	54

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 DECLARATION OF OPENING

"I would like to acknowledge the traditional owners of the land we are meeting on today, the Yued people of the great Nyungar Nation and we pay our respects to Elders both past, present and emerging."

1.2 DISCLAIMER READING

"No responsibility whatsoever is implied or accepted by the Shire of Dandaragan for any act, omission, statement or intimation occurring during this meeting."

It is strongly advised that persons do not act on what is heard, and should only rely on written confirmation of Council's decision, which will be provided within fourteen days."

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Members

Councillor L Holmes	(President)
Councillor P Scharf	(Deputy President)
Councillor J Clarke	
Councillor A Eyre	
Councillor W Gibson	
Councillor R Glasfurd	
Councillor M McDonald	
Councillor R Rybarczyk	
Councillor R Shanhun	

Staff

Mr B Bailey	(Chief Executive Officer)
Mr S Clayton	(Executive Manager Corporate & Community Services)
Mr L Fouché	(Executive Manager Development Services)
Mr B Pepper	(Executive Manager Infrastructure)
Mrs N Winsloe	(Executive Secretary)
Mr R Mackay	(Principal Planning & Building Officer)
Ms R Sutton	(Acting Manager Community & Customer Service)

Apologies

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023**Approved Leave of Absence****3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****4 PUBLIC QUESTION TIME****5 APPLICATIONS FOR LEAVE OF ABSENCE****6 CONFIRMATION OF MINUTES****6.1 MINUTES OF THE ORDINARY MEETING HELD 25 JANUARY 2023****7 NOTICES AND ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****8 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

9 REPORTS OF COMMITTEES AND OFFICERS

9.1 CORPORATE & COMMUNITY SERVICES

9.1.1 FINANCIAL STATEMENTS – MONTHLY REPORTING FOR THE PERIOD ENDING 31 DECEMBER 2022

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Department Management / Reporting / Monthly Financial Statements / 2022-2023
Disclosure of Interest:	N / A
Date:	13 February 2023
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 December 2022.

BACKGROUND

In accordance with the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 December 2022.

COMMENT

Regulation 34 of the Financial Management Regulations (1996) requires the following information to be provided to Council:

1. Net Current Assets

Council's adjusted net current assets surplus / (deficit) position as at the 31 December 2022 was \$4,832,897. Net current Asset are calculated by deducting current liabilities from current assets as reported in the Statement of Financial Position. In accordance with regulation 34 of the Local Government Financial Management Regulations (1996) the net current assets are adjusted to establish a surplus / (deficit) position within the monthly financial statements. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The adjusted net current assets position is reflected on page 10 and reconciled with the Rate Setting Statement on page 3 of the financial statements.

The amount raised from rates, shown on the Rate Setting Statement (page 3), reconciles with note 2 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

Note 14 (page 24) of the attached report details any significant variances.

Should Councillors wish to raise any issues relating to the 31 December 2022 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Financial statements for the period ending 31 December 2022
(Doc Id: SODR-1743450996-2835)

(Marked 9.1.1)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period 31 December 2022 be adopted.

9.1.2 FINANCIAL STATEMENTS - MONTHLY REPORTING FOR THE PERIOD ENDING 31 JANUARY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder	Corporate Services / Department Management / Reporting / Monthly Financial Statements / 2022-2023
Disclosure of Interest:	None
Date:	13 February 2023
Author:	Scott Clayton, Executive Manager Corporate and Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To table and adopt the monthly financial statements for the period ending 31 January 2023.

BACKGROUND

In accordance with the Local Government Act 1995 and Financial Management Regulations (1996), monthly financial statements are required to be presented to Council. Circulated are the monthly financial statements for the period ending 31 January 2023.

COMMENT

Regulation 34 of the Financial Management Regulations (1996) requires the following information to be provided to Council:

1. Net Current Assets

Council's adjusted net current assets surplus / (deficit) position as at the 31 January 2023 was \$4,118,198. Net current Asset are calculated by deducting current liabilities from current assets as reported in the Statement of Financial Position. In accordance with regulation 34 of the Local Government Financial Management Regulations (1996) the net current assets are adjusted to establish a surplus / (deficit) position within the monthly financial statements. The current position indicates that Council can easily meet its short-term liquidity or solvency.

The adjusted net current assets position is reflected on page 10 and reconciled with the Rate Setting Statement on page 3 of the financial statements.

The amount raised from rates, shown on the Rate Setting Statement (page 3), reconciles with note 2 (page 9) of the financial statements and provides information to Council on the budget vs actual rates raised.

2. Material Variances

During budget adoption a 10 percent and \$10,000 threshold for these variances to be reported was set.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

Note 14 (page 24) of the attached report details any significant variances.

Should Councillors wish to raise any issues relating to the 31 January 2023 financial statements, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting in order that research can be undertaken, and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 34 of the Local Government Financial Management Regulations (1996)

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Financial statements for the period ending 31 January 2023 (Doc Id: SODR-1743450996-2843)

(Marked 9.1.2)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the monthly financial statements for the period 31 January 2023 be adopted.

9.1.3 ACCOUNTS FOR PAYMENT – JANUARY 2023

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Corporate Services / Finance and Rates / Creditors / Expenditure
Disclosure of Interest:	None
Date:	13 February 2023
Author:	Scott Clayton, Executive Manager Corporate & Community Services
Senior Officer:	Brent Bailey, Chief Executive Officer

PROPOSAL

To accept the cheque, EFT, BPAY and direct debit listing for the month of January 2023.

BACKGROUND

In accordance with the Local Government Act 1995, and Financial Management Regulations 1996, a list of expenditure payments is required to be presented to Council.

COMMENT

The cheque, electronic funds transfer (EFT), BPAY and direct debit payments for January 2023 totalled \$873,041.62 for the Municipal Fund.

Should Councillors wish to raise any issues relating to the January 2023 Accounts for payment, please do not hesitate to contact the Executive Manager Corporate and Community Services prior to the Council Meeting, in order that research can be undertaken and details provided either at the time of the query or at the meeting.

CONSULTATION

- Chief Executive Officer

STATUTORY ENVIRONMENT

- Regulation 13 of the Local Government Financial Management Regulations 1997.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no adverse trends to report at this time.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023**ATTACHMENTS**

Circulated with the agenda are the following items relevant to this report:

- Cheque, EFT and direct debit listings for January 2023 (Doc Id: SODR-2042075298-51516)

(Marked 9.1.3)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Cheque, EFT, BPAY and direct debit payment listing for the period ending 31 January 2023 totalling \$873,041.62 be adopted.

9.1.4 REVIEW OF COMMUNITY GRANT APPLICATIONS

Location:	N/A
Applicant:	Shire of Dandaragan
Folder Path:	Customer and Community Services / Community Development / Shire Grants Program / Community Grants / 2022 / Nov 2022 – Round 2
Disclosure of Interest:	Nil
Date	10 February 2023
Author:	Rhiarn Sutton, Acting Manager Customer & Community Services
Senior Officer:	Scott Clayton, Executive Manager Corporate and Community Services

PROPOSAL

The purpose of this report is to authorise the allocation of funds for the Shire of Dandaragan Community Grants for 2022 / 2023 – Round 2.

BACKGROUND

The objective of the Community Grants is to provide funds to community-based organisations and individuals, to support the promotion and development of social, economic, recreation, art and cultural benefits for the residents of the Shire of Dandaragan.

This will be the fourteenth consecutive year of the Shire of Dandaragan Community Grants Program. The assistance provided by the Shire is to support community events and is not intended to be the sole source of funding.

In accordance with the Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants, the promotion of the 2022 / 23 grant round began in April 2022 when the grant program was advertised via Shire newsletters, on social media and in local newspapers around the Shire.

In August 2022, Council endorsed the recommendation to use the remaining funds that were unallocated in the Community Grant round, and to align the impending Large Event Grant round this financial year, authorising the CEO to facilitate a second grant round of the Community Grants Program in the 2022 / 23 financial year and to allocate the remaining funds of \$21,187 for small events and activities.

COMMENT

This year, the funding pool, including a carryover from the previous financial year, is \$28,637.

The first round of the Grants Program received a total of 5 applications with funding requests amounting to \$7,450, which was less than recent years. The second round of the Community Grant received a total of 6 applicants with the funding request amounting to \$10,140.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023
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The following is a summary of the applications received in the current round:

ORGANISATION	PROJECT DESCRIPTION	GRANT REQUEST
Badgingarra Community Association	Amp Up of Community T20 Cricket Match	\$2,000
Badgingarra Playgroup	Annual Easter Event	\$1,320
Cervantes Historical Society	Outback Graves	\$820
Jurien Bay Football Club	50 th Anniversary Gala Dinner	\$2,000
Jurien Bay Progress Association	Family Fun Day	\$2,000
Jurien Bay Sport and Recreation Centre	A.B Facey's - A Fortunate Life	\$2,000
TOTAL		\$10,140

The Community Grants Committee met on 25 January 2023 to consider the applications. Firstly, the committee considered eligibility in order to remove any ineligible applications. All applications were deemed eligible. The Committee then discussed several issues with some events and provided recommendations on the following funding amounts and event conditions:

Applicant: Jurien Sport and Recreation Centre
Request: A. B Facey's - A Fortunate Life
Comment: The panel mentioned that this applicant has received previous funding for live performances over the last previous years, it was recommended to fund \$1,700 rather than the full amount requested.

Applicant: Jurien Bay Football Club
Request: 50th Anniversary Gala Dinner
Comment: The applicant has anticipated a significant profit from their ticket and bar sales from this event which would cover the cost of the entertainment. It was recommended not to fund this event.

Applicant: Badgingarra Community Association
Request: Amp up of Community T20 Cricket Match
Comment: The panel has recommended that the applicant receive full funding subject to the proposed cricket clinic to be open to the wider community.

A number of operational suggestions as to how the program was presented were also discussed with the committee. This included;

- The misalignment of the application form, acquittal statement, 'Conditions of Application' and the Shire of Dandaragan C-5CG01 – Community Grant Policy.
- Potential for applicants to include quotes from suppliers to support their application.
- Timeline of expenditure of the Community Grant

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

- Projected target, goals, measures of success methods and outcomes to allow evaluation of the Community Grant's deliverables.

A review of the policy has commenced and these suggestions will be incorporated into a draft document for Council consideration.

CONSULTATION

Community Grants Committee

STATUTORY ENVIRONMENT

There is no statutory environment relevant to this item.

POLICY IMPLICATIONS

In accordance with Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants.

FINANCIAL IMPLICATIONS

Council has made provision in the annual budget to allocate 0.5% of the gross yield of budgeted rates income to fund recurring and annual community grants. In 2022 / 2023 a total of \$28,637 was available.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

04 - Community	The Shire's resident population will be the fastest growing population in the region supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities.
Priority Outcome	Our role
A Shire built on the strengths of community spirit and resilient, connected communities	Recognise and support the value of our community volunteers and provide meaningful opportunities to contribute to Shire projects and improving local living.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Shire of Dandaragan Policy 5.1 C-5CG01 – Community Grants (Doc Id: SODR-437506902-5696)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION
That

Council:

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

1. Endorse the allocation of Community Grant funding in accordance with the following table:

ORGANISATION	PROJECT DESCRIPTION	GRANT AWARDED
Badgingarra Community Association	Amp Up of Community T20 Cricket Match	\$2,000
Badgingarra Playgroup	Annual Easter Event	\$1,320
Cervantes Historical Society	Outback Graves	\$820
Jurien Bay Progress Association	Family Fun Day	\$2,000
Jurien Bay Sport and Recreation Centre	A.B Facey's - A Fortunate Life	\$1,700
TOTAL		\$7,840

2. Not endorse funding in accordance with the following table:

ORGANISATION	PROJECT DESCRIPTION	GRANT REQUESTED	Grant AWARDED
Jurien Bay Football Club	50 th Anniversary Gala Dinner	\$2,000	\$0

9.2 INFRASTRUCTURE SERVICES

9.3 DEVELOPMENT SERVICES

9.3.1 DISPOSAL OF LOTS 115 & 116 (NO. 17 & 19) DOUST STREET, JURIE BAY

Location:	Lots 115 & 116 Doust St, Jurien Bay
Folder Path:	Development Services/ Planning/ Reserves/ Land Rationalisation Strategy/ 17, 19 Doust Street, Jurien Bay
Disclosure of Interest:	Nil
Date:	30 January 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouché, Executive of Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider the disposal of Lots 115 and 116, (No. 17 and 19) Doust Street, Jurien Bay and if disposal is supported, determine an appropriate method of disposal.

BACKGROUND

17 and 19 Doust Street are vacant, undeveloped 'Regional Centre' zoned lots to the north of the Jurien Bay town centre.



Location plan – Lots 115 & 116 (No. 17 & 19) Doust Street, Jurien Bay

17 and 19 Doust Street are of 1,012m² and 1,143m² respectively.

In January 2023 an unsolicited offer to purchase the subject properties was received from a business owner within the Shire. This has triggered a review of the Shire's ongoing requirements for

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

these properties revealing that the properties are surplus to the Shire's current operational needs as first identified in the 2019 Land Rationalisation Project review process.

Currently these unencumbered properties are not used for any purpose. The Infrastructure Department undertakes regular maintenance mowing on the site to manage weeds and visual appearance.

COMMENT

Council consideration is being sought to provide guidance the appropriateness of disposing these properties. Disposal of the lots will be consistent with the recommendations of the 2019 Land Rationalisation Project review. Ideally the future land use will also contribute to the Shire's economic development and support new business or an expansion of an existing business. In order to ensure that this development occurs, Council could impose a "time to build" caveat on the property. This will require the new owner to develop the land within the specified timeframe.

There are several options suitable for a disposal of land in this situation as outlined below.

Disposal Type	Advantages	Disadvantages
Outright sale (incl. by Tender, Private Treaty and Auction)	Capital from sale realised on settlement. Greater security and long-term opportunity for buyer. Limited Regional Centre lots available presents strong marketability.	No future lots currently available for Shire purposes if required in Jurien Bay town centre.
Lease via Tender	Reduced timeframe for execution. Fixed lease to govern terms and land use.	Would require Council to predetermine key conditions such as the lease term which may limit offers.
Request for Proposals – Lease by Private Treaty	Fixed lease to govern terms and land use. Increased flexibility for negotiation on key outcomes including term of lease. Greater scrutiny and evaluation of offers. Increased public transparency over proposed land use.	Longer timeframe for execution. More complicated for prospective lessees needing to address response criteria. Increased staff resources and cost implications.
Utilise local real estate agent – Lease by Private Treaty	Fixed lease to govern terms and land use. Increased flexibility for negotiation on key outcomes including term of lease. Increased public transparency over proposed land use. Simpler for lessees to discuss and submit offers through the agent.	Increased external costs in disposition and ongoing management.

If disposal of either or both of these lots is supported by Council, given the site is currently undeveloped and has limited

attractiveness as a leasehold investment, the recommended option of disposal is to utilise a local real estate agent to facilitate and evaluate a tender for outright sale process. Shire staff would work with the agent to develop a summarised report for Council's consideration after a minimum advertising and response timeframe of 4 weeks.

In accordance with Section 3.58(3) of the Local Government Act 1995, the disposal of property using this method would then require public advertising and for Council to consider any submissions. At the conclusion of this process a finalised sale document can be executed.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Planning Scheme No.7 –

The Regional Centre zone of has the following objectives:

- *Provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment.*
- *Ensure that there is a provision to transition between the uses in the regional centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimised.*
- *Provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre.*
- *Encourage high quality, pedestrian-friendly, street-oriented development that responds to and enhances the key elements of the Regional Centre, to develop areas for public interaction.*
- *Ensure that the provision of residential opportunities within the Regional Centre, including high density housing and tourist accommodation that supports the role of the regional centre and meets the needs of the community.*

Local Government Act 1995 S3.58 – Disposing of Property – Local Government (Functions and General) Regulations 1996 Section 30

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local

government, the most acceptable tender, whether, or not, it is the highest tender.

- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
 - (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include*
 - (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government based on a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
 - (a) *a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

30. Dispositions of property excluded from Act s. 3.58

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*
 - (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) *its market value is less than \$5 000; and*

(ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;

or

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

POLICY IMPLICATIONS

Land Rationalisation Strategy 2019

The Strategy recommends both parcels for disposal as the Shire is unlikely to develop the land.

Jurien Bay Central Business District Urban Design Plan

The two subject properties are within the 'Northern Edge' precinct of this plan, where the desired outcome is to 'provide opportunity for future growth'.

The major proposal for this precinct is the market-led introduction of another grocery store i.e. Coles and Woolworths and associated retail and commercial offerings. However, space for such a development has been provided by the 'Turquoise Coast' developer Ardross Group of Companies at the 'Booka Valley' node south of the existing Jurien Bay townsite. It is considered that this greenfield offering will be a more viable option for grocery store tenants when the Jurien Bay populations grows to the estimated supporting figure of 5,000 (as determined by Taktics4 Economic Needs Assessment).

It is therefore considered that the subject proposal aligns with the desired design objectives for this precinct by accommodating market-led commercial expansion.

FINANCIAL IMPLICATIONS

There will be market valuation and real estate fees estimated at < \$4,000 associated with the proposed process.

For reference, the nearby 6 Murray Street of 1997m² and the same Regional Centre zoning sold for \$825,000 in April 2022.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

02 – Prosperity	The Shire will experience broad economic and population growth with decreasing economic barriers, diversified agriculture and fisheries output and vibrant visitor economy
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities. Identify and activate under-utilised economic and land assets to promote employment and economic activity.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Land Rationalisation Strategy 2019 Site Plan (Doc Id: SODR-877026889-3571)
- Taktics4 Economic Needs Assessment (Doc Id: SODR-877026889-1191)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. **Endorse the commencement of a process to offer for outright sale, in accordance with Section 3.58(3) of the Local Government Act 1995, Lots 115 and 116 (No.17 and 19) Doust Street, Jurien Bay.**
2. **Endorse a minimum of 4 weeks public advertising and response timeframe for the outright sale opportunity.**
3. **Authorise the Chief Executive Officer to appoint a local real estate agent to advertise the outright sale proposal, collate and evaluate offers for the property for Council consideration.**

9.3.2 PROPOSED CLUB PREMISES – LOT 503 BASHFORD STREET (RESERVE 31884) JURIEBAY

Location:	Lot 503 (Reserve 31884) Bashford Street, JurieBAY
Applicant:	JurieBAY RSL Sub-branch
Folder Path:	Development Services / Applications / Development / 2023 / 4
Disclosure of Interest:	Nil
Date:	4 October 2022
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

Council is requested to consider granting landowner's consent and development approval for the development of a club premises within the Returned and Services League of Australia WA Branch Incorporated – JurieBAY Sub-Branch (RSL) leased site at JurieBAY Recreation Reserve 31884.

BACKGROUND

On 14 November 2022, Council authorised the demolition of the JurieBAY Town Hall and approved a lease of the former JurieBAY Town Hall site to the RSL with the following material lease conditions:

- *Lease Term: 21 Years*
- *Further term: Nil*
- *Annual Rent: \$1*
- *Council to meet all lease preparation costs.*
- *The Shire to contribute \$60,000 towards the demolition and site preparation works subject to the salvaging of the timber flooring and structurally viable timbers from the building.*
- *Subject to the material being safe to reuse, the new RSL building is to feature the use of a significant quantity of the salvaged flooring and timbers to the satisfaction of the Shire of Dandaragan.*
- *Subject to the material being safe to reuse, all remaining salvaged flooring and structural timbers will be returned to the Shire of Dandaragan.*
- *The RSL is to design, install and maintain a suitable memorial plaque and foundation featuring an image and acknowledgement of the JurieBAY Town Hall within the leased area to the satisfaction of the Shire of Dandaragan.*

The subject development application proposes the construction of a 313m² 'club premises' for the RSL which includes an incidental 'exhibition centre' for the display of former army artillery.

The proposed development will be located within JurieBAY Recreation Reserve 31884, which is vested with and under the care, control and management of the Shire. As such, Council is required to give landowner's consent for the application. Should Council not

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

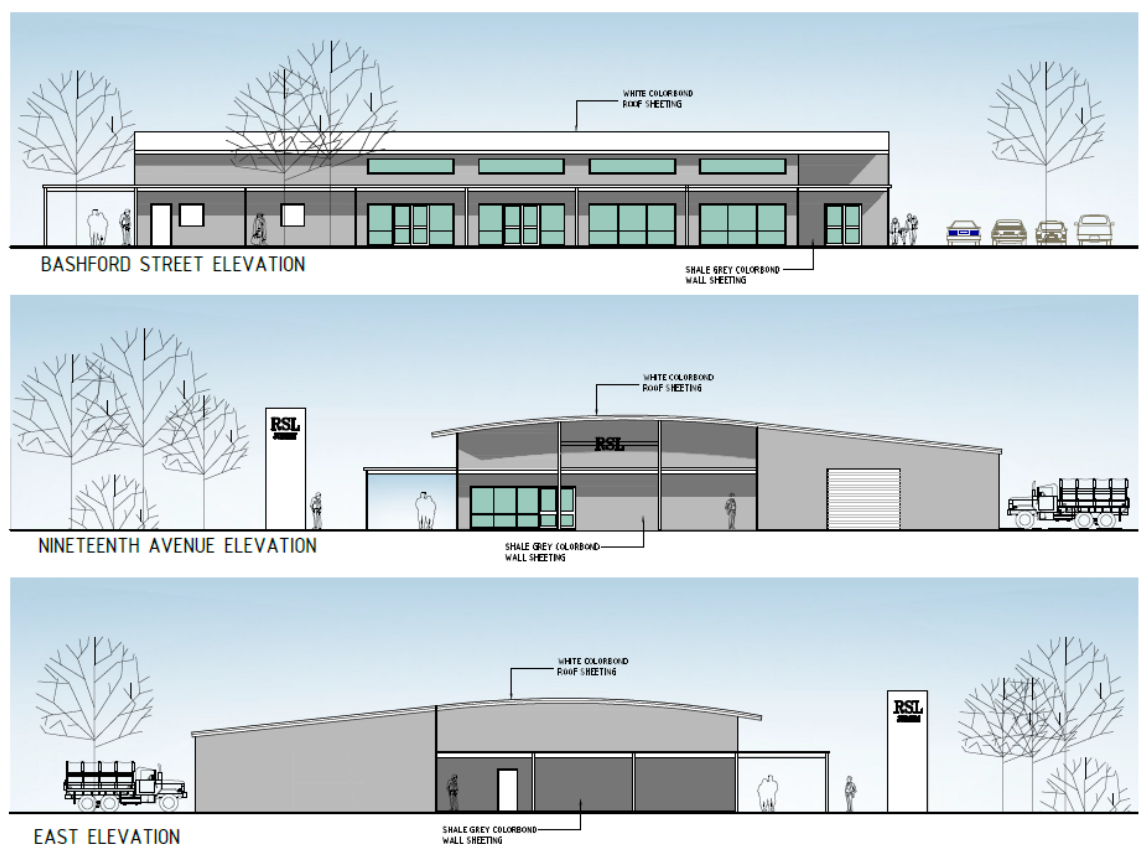
grant this consent, the applications cannot proceed. Determination of the applications is then not required.

Reserve 31884 is reserved for the purposes of 'Parks and Recreation' under the Scheme and has the land purposes of 'community centre' and 'recreation'. A RSL development aligns with this reservation and purposes.

COMMENT

The club premises will be constructed on a prominent site off Bashford Street, replacing the Jurien Town Hall building. As such, the proposed building should have a compatible appearance with the streetscape which includes the Acacia Village aged person accommodation adjacent to the south and the wider recreational ground buildings in the foreground.

The proposed building will be clad in Colorbond with a white roof, grey walls and addressing verandahs to both street frontages of Bashford Street and Nineteenth Avenue, as shown below in the submitted elevation plans. The dominant roof will be curved at a low pitch.



It is considered that the built form height and massing (bulk and scale) and the use of material and finishes are responsive to the existing streetscape as well as the prominent landmark site where

it is situated. The RSL club premises will contribute positively to the character of the public realm in this locality, and provide good amenity outcomes via its attractive, logical and intuitive layout.

The development will be set back approximately 24m from both the Bashford Street and Nineteenth Avenue Road Reserves. This results in the retainment of existing access ways and parking to the development site. The area of parking available complies with the parking requirements of the Scheme which require the development to have minimum of 7 car parking bays (within the leased area).

Given the above, it is recommended that Council approve the development application subjects to conditions. This includes a condition requiring the submission and adherence to a construction management plan given the development site is adjacent to a noise sensitive receptor (aged persons accommodation).

CONSULTATION

The subject development application was publicly advertised from 19 January 2023 to 17 February 2023. At the time of writing no submissions were received.

STATUTORY ENVIRONMENT

Local Planning Scheme No 7:

2.4.1. A person must not —

- a) use a Local Reserve; or*
- b) commence or carry out development on a Local Reserve, without first having obtained development approval under Part 7 of the deemed provisions.*

2.4.2. In determining an application for development approval, the local government is to have due regard to —

- a) the matters set out in clause 67 of the deemed provisions;*
- and*
- b) the ultimate purpose intended for the Reserve.*

A Club premises is defined by the Shire's Local Planning Scheme No.7 (Scheme) as:

premises used by a legally constituted club or association or other body of persons united by a common interest.

Exhibition centre is defined by the Scheme as:

premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery.

Land Administration Act 1997:

*41. Reserving Crown land, Minister's powers as to
Subject to section 45(6), the Minister may by order reserve
Crown land to the Crown for one or more purposes in the public
interest.*

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The development application fee has been waived as the RSL is a not-for-profit community group in accordance with Delegation Register section 1.2.21: Defer, Grant Discounts, Waive or Write Off Debts.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029:

01 - Infrastructure	The Shire will work cooperatively with private enterprise and government agencies to develop and maintain a dynamic infrastructure network responsive to usage demand that attracts and retains residents and businesses.
Priority Outcomes	Our Roles
Our investments in public assets are based on responsible and sustainable asset custodianship.	Work with community groups to review existing facilities, plan for renewal and ascertain the feasibility of any proposed new facilities.
02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
The Shire is home to a successful and growing market for domestic and international tourism.	Support the development of new products and services that increase the attraction of the region to the tourism market, in particular Indigenous cultural experiences.
Jurien Bay continues to grow as a regional centre that services and delivers benefits throughout the Shire.	Leverage public and private sector partnerships to deliver new infrastructure required to achieve sustainable economic and population growth.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Development plans 04/23 (SODR-1262144384-16379, SODR-1262144384-16378, SODR-1262144384-16377)

(Marked 9.3.2)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION 1

That Council agrees to provide landowner's consent for the development application for a club premises and an exhibition centre on the Lot 503 (Reserve 31884) Bashford Street, Jurien Bay to the Returned and Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch.

OFFICER RECOMMENDATION 2

That Council grant development approval for a club premises and an exhibition centre to be developed on Lot 503 (Reserve 31884) Bashford Street, Jurien Bay in accordance with the following conditions:

- A. All development shall be carried out only in accordance with the details of the application as approved herein and any approved plan. Subject to any modifications required as a consequence of any conditions of this approval the approved plans shall not be altered without the prior written approval of the Shire of Dandaragan.
- B. All stormwater must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Dandaragan.
- C. All areas of outdoor storage must be screened from public view. Design plans for the location, materials and construction of the proposed screening are to be included on the development plans to the satisfaction of the Shire of Dandaragan prior to lodging an application for a building permit.
- D. All piped, ducted and wired services, air conditioners, hot water systems, water storage tanks, service meters and bin storage areas must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Shire of Dandaragan, prior to lodging an application for a building permit.
- E. Prior to occupation of the development, a detailed landscaping plan for the subject property must be submitted to, and approved by the Shire of Dandaragan, and must include the following:
 - a. the location, number, size and species type of existing ground covers, shrubs and trees;
 - b. any existing landscape areas to be retained; and
 - c. those areas to be updated, reticulated or irrigated.
- F. The approved landscaping plan must be fully implemented within the first available planting season after occupation of the development, and maintained thereafter, to the satisfaction of the Shire of Dandaragan. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the Shire of Dandaragan.

- G. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Shire of Dandaragan and thereafter implement to the satisfaction of the Shire of Dandaragan, a construction management plan addressing the following matters:**
- a. How materials and equipment will be delivered and removed from the site;**
 - b. How materials and equipment will be stored on the site;**
 - c. Parking arrangements for contractors;**
 - d. Construction waste disposal strategy and location of waste disposal bins;**
 - e. How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works; and**
 - f. Other matters likely to impact on the surrounding properties.**

9.3.3 PROPOSED HOLIDAY HOUSE – LOT 401 (NO.14) WESTLAKE WAY, JURIE BAY

Location:	Lot 401 (No.14) Westlake Way, Jurien Bay
Applicant/Landowner:	GS Attenborough & FA Jack
File Ref:	Development Services/ Applications/ Holiday House/ 2022/ 141
Disclosure of Interest:	Nil
Date:	3 February 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The proponent is seeking development approval for the use of Lot 401 (No.14) Westlake Way, Jurien Bay as a commercial holiday house.



Location Pan – Lot 401 (No.14) Westlake Way, Jurien Bay

BACKGROUND

The proponent has lodged a development application to seek approval to accommodate up to eight guests for short stay bookings, not exceeding three consecutive months.

The initial application was made for up to nine guests, but this was amended to eight guests on the advice that the application for nine was unlikely to be supported.

The premises is the applicants' primary place of residence when they are not working fly-in-fly-out.

The application was advertised to immediate neighbouring landowners from 10 January 2023 until 30 January 2023. A total of two submissions were received, one supporting and one objecting to the proposal. The objection results in a Council determination being required for the application in accordance with Delegation 9.1.2 (Town Planning – Other Use and Development).

The non-compliance of the application with *Local Planning Policy 9.12 Short-Term Rental Accommodation* in relation to the deemed-to-comply provisions relating to Dwelling Design (bedroom areas) and overcrowding also warrants referral to Council.

The subject property and surrounding area are zoned 'Residential' with dual density coding of R12.5/R25 under the Shire's *Local Planning Scheme No.7* (Scheme). The higher density coding of R25 can be obtained when a property is connected to deep sewer.

Local Planning Policy 9.12 Short-Term Rental Accommodation (Policy) has been adopted by Council to guide the assessment of holiday house development applications. The subject application for up to eight guests within a single dwelling is classified as a 'Holiday House' under the Policy. The Policy has the following objectives:

- *To support the role of un-hosted short-term rental accommodation as part of the tourism industry.*
- *To provide for the safety of guests who may be less familiar with the dwelling and surrounding environment.*
- *To establish development standards for un-hosted short-term rental accommodation to avoid off-site impacts and maintain the desired amenity of the Residential, Rural Residential and Regional Centre zones.*
- *To encourage the provision of good quality, well managed un-hosted short-term rental accommodation.*

There are currently several commercial holiday houses approved in close proximity to this proposal:

- 3 Westlake Way
- 12 Westlake Way
- 17 Westlake Way
- 19 Westlake Way
- 10 Bower Street
- 16 Bower Street
- 1/21 Bower Street
- 47 Bower Street
- 49 Bower Street
- 11 Hasting Street

COMMENT

Dwellings provide places for people to shelter, to retreat, to eat and to gather. While temporary accommodation (such as a holiday house) may be said to also provide these, the intensity, and the

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

manner of these two land uses is not the same. This is because in the context of a holiday house, the premises are not being occupied as a dwelling (permanent residence) but for tourist accommodation.

For example, it was noted in Hope and City of Joondalup [2007], that outdoor areas are routinely used more intensively and for longer hours in short stay accommodation than would often be the case for permanent residential use. Additionally, each time a booking begins, and ends, people enter and leave the premises; this regular movement of different people into and out of the premises has consequential amenity impacts on the surrounding locality.

'Amenity' is defined within the Deemed Provisions of LPS7 to mean:

All those factors which combine to form the character of an area and include the present and likely future amenity.

It is for the reasons above that holiday house development applications have to be considered carefully, because if the premises is deemed suitable for use as a holiday house, then those who choose to stay there, should be entitled to use the premises in an ordinary manner that one may use a holiday house.

It is acknowledged that this tourist land use within an established residential area of Jurien Bay can negatively affect the amenity of nearby permanent residents. The objections received raised this concern as detailed in the consultation section below.

The premises will be managed locally by Ray White Jurien Bay who currently manage several commercial holiday houses in Jurien Bay with no incidents reported to the Shire to date. This management arrangement provides a local point of call for neighbouring landowners/tenants surrounding the proposed holiday and complies with clause 7.5 Management Protocols of the Policy which requires holiday house property managers to reside or have their office within 30 minutes driving distance from the premises and be contactable between 9am and 5pm Monday to Saturday (excluding public holidays) and 9am to 12pm on Sunday and public holidays.

An assessment of the proposal against the deemed-to-comply criteria of the Policy is displayed in the following table.

Deemed-to-comply Provision	Proposed
<u>Utility Servicing</u> The premises is: 1. connected to reticulated water for the exclusive use of the premises; and	<u>Compliance</u> Connected to reticulated water and an approved septic system; and has an active rubbish collection service.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

Deemed-to-comply Provision	Proposed
2. located within the Shire's kerbside refuse collection area; and 3. connected to reticulated sewerage, or there is an approved on-site effluent disposal system with adequate capacity for the proposed number of guests.	
<u>Vehicle Parking</u> The premises will have constructed on-site car parking bays, consistent with the size and manoeuvrability criteria set out in the Residential Design Codes of Western Australia, but with no more than any of two bays arranged one behind the other in accordance with the following rates: 9-12 guests = minimum of 4 bays	<u>Compliance</u> Sufficient grassed street setback area on the property for parking vehicles on the premises.
<u>Dwelling Design</u> 1. The premises is an existing, lawful dwelling. 2. There is 5.5m ² per guest in each bedroom utilising beds. 3. Bedrooms in a premises are provided in accordance with the following rates: 8-12 guests = 4 bedrooms 4. Bathrooms and toilets are provided in accordance with the following rates: 7-12 guests = 1 or 2 bathrooms and 2 toilets	<u>Compliance</u> <ul style="list-style-type: none"> ▪ Lawful 4-bedroom dwelling ▪ 1st bedroom (2 guests, queen bed) – 13m² ▪ 2nd bedroom (2 guests, queen bed) – 11m² ▪ 3rd bedroom (2 guests, queen bed) – 11m² ▪ 4th bedroom (2 guests, queen bed) – 11m² ▪ 2 bathrooms and 2 toilets
<u>Overcrowding</u> Each occupant over the age of 10 years has 14m ³ of airspace within a bedroom for sleeping purposes. Each occupant 10 years and under has 8m ³ of airspace within a bedroom for sleeping purposes.	<u>Compliance</u> <ul style="list-style-type: none"> ▪ 1st bedroom (2 guests, queen bed) – 31m³ <u>Non-Compliance</u> <ul style="list-style-type: none"> ▪ 2nd bedroom (2 guests, queen bed) – 26m³ (less than required 28m³) ▪ 3rd bedroom (2 guests, double bed) – 26m³ (less than required 28m³) ▪ 4th bedroom (2 guests, double bed) – 26m³ (less than required 28m³)

Where a proposal does not meet the deemed-to-comply provisions of the Policy it is required to be assessed against the relevant performance criteria to determine its acceptability. The following performance criteria relate to the outlined non-compliance for the subject proposal.

Overcrowding - The Shire is satisfied the proposed maximum number of occupants can meet the sleeping airspace requirements by use of a suitable habitable room which is not a bedroom.

In this instance there is a minor 7% (2m³) variation for 3 of the 4 bedrooms not meeting the required cubic space to sleep two guests within. It is considered that the intent of the subject performance requirement of preventing overcrowding within the proposed holiday

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

house is achieved as it reasonable that 2 guests be permitted to sleep within bedrooms 2-4 which have a standard ceiling height of 2.4m as required under the Building Code of Australia. This is further supported by the application meeting the deem-to-comply provisions for dwelling design as outlined in the table above.

Given the above, granting conditional development approval is recommended until 30 June 2023. On cessation of this period, any complaints received against the premises will be reviewed before renewal for another 12-month period is provided (if forthcoming).

CONSULTATION

As detailed previously, two objections were received from surrounding landowners.

<u>Comment</u>	<u>Officer Response</u>
We are the owners of X Westlake Way and have no objection to the proposal of 14 Westlake becoming a short-term holiday rental.	Noted.
<p>I would like to Object to the proposed commercial holiday house.</p> <ol style="list-style-type: none"> 1. During the 2022 Christmas New Year period the new owners set up a table and chairs in the roofed area of their carport immediately outside my bedroom window. 2. They made me aware of how disruptive the noise will be if there is a commercial use of the house for holiday use. Generally, people utilising a Holiday house, are always in party mode and are usually loud and lack respect for surrounding neighbours. 3. I ceased renting out another Jurien Bay property I owned for holiday use because of the disruption to the neighbours. 4. If the practice of entertaining in the carport area continues until early hours of the morning, which it usually does, the negative effect to my family's ability to sleep will have a detrimental impact on our freedom and mental health. Further, it should be noted that I am imminently about to retire to my property. 	<ol style="list-style-type: none"> 1. Noted. This is however not a relevant consideration for the subject holiday house development application. 2. A guest code of conduct which amongst other matters covers guest noise – 'noise should generally cease after 9pm Sunday through to Thursday and after midnight Friday and Saturday'. The property manager will be responsible for upholding the guest code of conduct as per a condition of development approval. Anti-social behaviour after business hours should also be reported to the Police. 3. See 1 above. 4. See 2 above.

STATUTORY ENVIRONMENT

- Deemed Provisions for local planning schemes.
 67. Consideration of application by local government
 - (2) In considering an application for development approval (other than an application on which approval cannot be granted under subclause (1)), the local government is to have due

regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
 - (b) the requirements of orderly and proper any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving; planning including
 - (g) any local planning policy for the Scheme area;
 - (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
 - (y) any submissions received on the application;
- Local Planning Scheme No.7 – as outlined.
 - Health Local Laws 2005:
 - Overcrowding
 - 3.2.2 *The owner or occupier of a house shall not permit—*
 - a) *a room in the house that is not a habitable room to be used for sleeping purposes; or*
 - b) *a habitable room in the house to be used for sleeping purposes unless—*
 - (i) *for every person over the age of 10 years using the room there is at least 14 cubic metres of air space per person; and*
 - (ii) *for every person between the ages of 1 and 10 years there is at least 8 cubic metres of air space per person; or*
 - c) *any garage or shed to be used for sleeping purposes.*

The owner or occupier of the house can seek direction from the local government to vary the above requirements via the exercise of discretion. In this instance discretion is recommended as the variation in relation to the cubic space within bedrooms 2-4 is of minor nature and the room design complies with the Building Code of Australia in terms of ceiling height.

POLICY IMPLICATIONS

Local Planning Policy 9.12 Short-Term Rental Accommodation – as outlined.

FINANCIAL IMPLICATIONS

The applicant has paid the required fee for the development application.

STRATEGIC IMPLICATIONS

Strategic Community Plan – Envision 2029:

02 Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
Our Shire has a contemporary land use planning system that responds to, and creates, economic opportunities.	Ensuring that our planning framework is modern and meets the needs of industry, small business and emerging opportunities.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Holiday house management documents (SODR-1262144384-16605)

(Marked 9.3.3)

VOTING REQUIREMENT

Simple majority.

OFFICER RECOMMENDATION

That Council approve the development application for the proposed Holiday House at Lot 401 (No.14) Westlake Way, Jurien Bay, subject to following conditions and advice:

Conditions:

- 1. All development shall be carried out only in accordance with the details of the application as approved herein and any approved plan. Subject to any modifications required as a consequence of any conditions of this approval the approved plans shall not be altered without the prior written approval of the Shire of Dandaragan.**
- 2. The Holiday House must not cause nuisance or degrade the amenity of the neighbourhood in any way, including by reason of the emission of noise, light, odour, fumes, smoke, vapour or other pollutant, or impact on public safety or otherwise, to the satisfaction of the Shire of Dandaragan.**
- 3. The total number of people to be accommodated in the Holiday House shall not exceed eight (8) guests at all times.**
- 4. The Holiday House shall be operated be in accordance with the 'Code of Conduct', and the 'Fire and Emergency Plan'**

submitted with the subject development application date stamped 6 February 2023.

5. The listed 'Property Manager' shall undertake the duties listed on the 'Property Management Plan' submitted with the subject development application date stamped 6 February 2023.
6. All vehicle parking must be confined to the Holiday House premises, to the satisfaction of the Shire of Dandaragan.
7. A sign up to 0.2m² in area listing the approved property manager's contact details is to be erected / placed on a frontage wall, fence, or entry statement to the premises to the satisfaction of the Shire of Dandaragan prior to the commencement of the development.
8. This development approval is valid until 30 June 2023. The Holiday House land use should cease before or on this date unless otherwise approved in writing by the Shire of Dandaragan.

Advice notes:

- A. This is a development approval of the Shire of Dandaragan under its *Local Planning Scheme No.7*. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits, and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
- B. In relation to condition 6, parking is not permitted on road verges, footpaths, vacant lots etc. in order not to adversely affect the amenity of the locality.
- C. Development approval does not affect the existing and future use of the premises as a Single House.
- D. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.

9.3.4 PROPOSED LUXURY PICNIC EXPERIENCE – JURIEN BAY FORESHORE

Location:	Dobbyn-, Fauntleroy- and Memorial Park (Reserve 28541, Lots 66, 67, 68, 303, 352, 411, 1223), Jurien Bay
Applicant:	Luxury Picnic Experience
File Ref:	Development Services/ Applications/ Development/ 2023/ 13
Disclosure of Interest:	Nil
Date:	7 February 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to consider granting landowner's consent and development approval for the commercial use of the Jurien Bay Foreshore for pop-up picnic platters. A land user agreement is also recommended to further control the activity.

BACKGROUND

The applicant, Luxury Picnic Experience (LPE) is an accredited Western Australian tourism provider based in Jurien Bay. LPE provides unique picnic experiences throughout the Shire of Dandaragan showcasing the coastal environment to locals, domestic and international tourists. LPE use local produce, producers and businesses where possible to showcase Wheatbelt communities.

LPE is operated by the following two persons:

- Tracey Illich: Event management business owner for 25 years.
- Jemma Sargent: involved in the hospitality industry for nearly 35 years employed in restaurants, resorts, kitchens and bars and hospitality management positions and owning service companies. Has owned and operated Turquoise Coast Picnics & Platters since 2021.

To date the Shire has issued the following regulatory approvals to LPE:

Foreshore pop-up picnic

LPE begun operation of the pop-up picnic experience by a three-month permit under the *Local Government Property Local Law*. This permit allowed LPE to operate as desired from the Jurien Bay Foreshore without the need to have development approval provided the business activity did not exceed 48 hours in total. On expiry of the three-month permit, LPE has now chosen to lodge a development application for the pop-up picnic experience (the subject of this report).

Consumption of Alcohol

LPE also holds a consumption of alcohol permit under the Local Government Property Local Law linked to the above pop-up picnic offering. This permit is due for renewal on 1 July 2023.

Stall only pop-up

LPE also held a three-month permit under the *Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Laws* which permitted the set-up of a cart/stall where customers collect their food goods and consume their goods elsewhere at their leisure.

Medium risk food licence

LPE also holds a medium risk food licence under the Food Act 2008 for their picnic offerings.

The applicant advised that the proposed pop-up picnic venture will involve a food stall and a number of picnic tables and/or blankets of which customers consume their purchased food goods around/on for up to two hours. Approval is sought to run the picnics from 7am to 8pm from within the Jurien Bay Foreshore (Dobbyn-, Fauntleroy- and Memorial Park).

The set-up will include:

- Remove picnic blanket/table/benches from trailer.
- Place picnic blanket on the ground
- Place table and benches on ground/picnic table on blanket
- Decorate table and place cushions on blanket.
- Place plates and cutlery on table and place food onto table

The packing down will include:

- Remove left over food, plates and cutlery from table.
- Place any rubbish bag to be disposed of in household waste bin.
- Pack up table decorations and cushions into bags.
- Fold down picnic blanket/table/benches and store in trailer

The applicant has also sought approval for the use of Federation Memorial Park for the commercial pop-up business.

The proponent currently has public liability insurance for the business.

All three foreshore parks down to the high-water mark of the ocean (which form part of the application) are managed by the Shire for purposes of 'Foreshore Protection' and 'Recreation' and has a zoning of 'Parks and Recreation' under Local Planning Scheme No.7 (Scheme). It is considered the proposal for a pop-up commercial activity is a form of recreation consistent with the vested purpose and zoning of these reserves.

Council is required to give landowner's consent for the application. Should Council not grant this consent, the application cannot proceed. Determination of the applications is then not required.

COMMENT

The proposed development through the quasi-trial period under the three-month Property Local law Permit has shown that the business can operate successfully with no interruptions to general users of Fauntleroy- and Dobbyn Park. Nonetheless, where there is conflicting recreational or event use of the foreshore, LPE will be required relocate their land use in accordance with the Policy.

The Policy does not apply to the proposed use of Memorial Park for the business venture. The use of this park is however considered appropriate as this park is sufficiently separated from residential properties and the tourism activity aligns with the Shire's strategic planning framework for tourism outcomes.

Given the above, it is recommended that Council provide landowner's consent and grant development approval for the proposal subject to relevant conditions. It is further recommended that Council enter into an agreement with the applicant to use the outlined Shire managed Foreshore reserves within the Jurien Bay locality.

CONSULTATION

No consultation was undertaken for the item as the proposal is generally consistent with Council Policy.

STATUTORY ENVIRONMENT

Local Planning Scheme No.7:

With Reserve 28541 a "Local Reserve" under the Shire of Dandaragan Local Planning Scheme No.7, any activity of a commercial nature is subject to development approval being issued by the Council.

Local Government Property Local Law

Division 5 When a permit is required

Activities needing a permit

3.13 (1) A person shall not without a permit –

- (a) subject to subclause 3, hire local government property;*
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.*
- (3) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).*

As the proponent has sought development approval for their commercial activity it is considered appropriate to exempt the

proponent under subclause 2 above from requiring the renewal of their permit under this local law.

POLICY IMPLICATIONS

- Local Planning Policy 9.11 – Mobile and Itinerant Vendors and Commercial Activities on Reserves:
Each application is assessed on its merits. The Shire encourages applications that are creative and innovative that would support the attraction of the Shire as a tourist destination.

- Local Planning Policy 9.14 Jurien Bay Foreshore Commercial Development Plan:
3.2.2 *Development approval is required for uses where:*
a) *Permanent or transportable structures are proposed; or*
b) *The operation of the proposed activity is to exceed a 48 hour period or a series of dates, at the Shire's discretion.*
3.5.5. *The Shire of Dandaragan reserves the right to make any approved location unavailable for a set period of time for community events, infrastructure works or any other reason the Shire deems necessary.*

This Policy outlines how the Shire plans to activate the Jurien Bay Foreshore area and encourage use of the foreshore by commercial operators in a manner that supports tourism operators and other users of the public spaces. LPE falls under the land use category of pop-up which is defined in the Policy as:
a seasonal or temporary hospitality land use activity.

The Policy lists Fauntleroy Park as Commercial Activity Area Zone 1 which is:
intended to accommodate all of the commercial uses such as seasonal community events and markets, recreational based commercial activities, as well as the use of permanent and transportable structures as part of lease agreements...

Dobbyn Park is listed by the Policy as Commercial Activity Area Zone 2 which is:
intended to accommodate the civic and passive use of fixed public recreational infrastructure located within this area.

FINANCIAL IMPLICATIONS

The applicant has paid the required development application fee of \$147.

In accordance with the Council's Reserve User Fee the applicant will be required to pay a discounted annual fee of \$250 for the first two years of operation. After two years this annual user fee shall rise to \$500.

STRATEGIC IMPLICATIONS

▪ Local Tourism Planning Strategy:

The Shire of Dandaragan develops a sustainable tourism industry that celebrates its natural assets, supports the local community and meets the needs of the visitors.

▪ Strategic Community Plan:

02 - Prosperity	The region will experience economic and population growth with increasing economic opportunities, diversifying primary production and a vibrant visitor economy.
Priority Outcomes	Our Roles
The Shire is home to a successful and growing market for domestic and international tourism.	Support the development of new products and services that increase the attraction of the region to the tourism market, in particular Indigenous cultural experiences.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION 1

That Council agrees to provide landowner's consent for the development application from Luxury Picnic Experience for the proposed commercial activity of pop-up picnics within Dobbyn-, Fauntleroy- and Federation Memorial Park (Reserve 28541, Lots 66, 67, 68, 303, 352, 411, 1223), Jurien Bay.

OFFICER RECOMMENDATION 2

That Council Exempt Luxury Picnic Experience in accordance with clause 3.13(2) of the *Shire of Dandaragan Local Government Property Local Law* from requiring a permit under this local law.

OFFICER RECOMMENDATION 3

That Council grant development approval for the proposed commercial activity of pop-up picnics within Dobbyn, Fauntleroy and Federation Memorial Park (Reserve 28541, Lots 66, 67, 68, 303, 352, 411, 1223), Jurien Bay subject to the following conditions and advice:

Conditions:

A. All development shall be carried out only in accordance with the details of the application as approved herein and any approved plan. Subject to any modifications required as a consequence of any conditions of this approval the

- approved plans shall not be altered without the prior written approval of the Shire of Dandaragan.
- B. This approval is non-exclusive and allows for equal access and right of use of Dobbyn, Fauntleroy and Federation Memorial Parks, Jurien Bay and associated infrastructure by the general public, to the satisfaction of the Shire of Dandaragan.
 - C. The approval for the use hereby permitted allows the use to be operated by Luxury Picnic Experience. If the operator ceases to operate the use on the subject sites, the approval for the use shall expire.
 - D. The development hereby permitted is restricted in its hours of operation to 7am to 8pm, 7 days a week.
 - E. The development must not cause nuisance or degrade the amenity of the neighbourhood in any way, including by reason of the emission of noise, light, vibration, electrical interference, odour, fumes, smoke or other pollutant, vapour, steam, soot, ash, dust, wastewater, water products, grit, oil or impact on public safety or otherwise.
 - F. Unless otherwise authorised in writing, the pop-up picnic activities shall not be operated within 100m of a permanent business premises selling a similar product/s, if that business is open, to the satisfaction of the Shire of Dandaragan.
 - G. This development approval is valid until 30 June 2023. The development should cease before or on this date unless otherwise approved in writing by the Shire of Dandaragan.

Advice Note:

If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of the determination.

OFFICER RECOMMENDATION 4

That Council authorise the Chief Executive Officer to enter into a land user agreement with Luxury Picnic Experience for the commercial use of Dobbyn-, Fauntleroy- and Federation Memorial Park (Reserve 28541, Lots 66, 67, 68, 303, 352, 411, 1223), Jurien Bay for the commercial activity of pop-up picnics subject to the following material conditions:

- A. That the proponent be in possession of an Australian approved public liability insurance policy to a minimum value of \$10 million for the period of the agreement.
- B. That the proponent be in possession of all appropriate food, liquor licences and other relevant approvals required for the approved business activity.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

- C. In the event of damage to infrastructure or the environment the Shire of Dandaragan may seek costs for repair and restoration works.**
- D. In response to an issue of public safety operation shall cease until the matter has been resolved to the satisfaction of the Shire of Dandaragan.**

9.3.5 PROPOSED OUTBUILDING – LOT 80 (NO. 3) COOK STREET, JURIE BAY

Location:	Lot 80 (No.3) Cook Street, Jurie Bay
Applicant:	Nusteel Patios & Sheds Moora on behalf Kevin O'Keefe & Jennifer Walmsley of Silver Sunset Pty Ltd
File Ref:	Development Services/ Applications/ Development/ 2023/ 2
Disclosure of Interest:	Nil
Date:	6 February 2023
Author:	Rory Mackay, Principal Planning & Building Officer
Senior Officer:	Louis Fouché, Executive Manager of Development Services

PROPOSAL

The proponent is seeking development approval for an oversized outbuilding at Lot 80 (No.3) Cook Street, Jurie Bay.



Location Plan – Lot 80 (No.3) Cook Street, Jurie Bay

BACKGROUND

The applicant is seeking development approval to construct a 10m by 12m (120m²) enclosed outbuilding with a wall height of 4.4m and a ridge height of 5.4m at the rear of the 863m² property. The outbuilding will be a steel frame clad in Colorbond steel sheeting.

The outbuilding will be set back a minimum of 1.5m from the rear boundary and will be built up to the adjoining side boundary of Lot 79, which the proponent also owns. The roller doors for vehicle access also address the neighbouring property i.e. cannot be accessed without the use of the adjoining property.

As the property is being developed for residential purposes with the construction of a single house and the proposed ancillary outbuilding, *Local Planning Policy 9.4: Outbuildings Residential Areas* (Policy) has been used to assess the application. This Policy outlines the following parameters for outbuildings:

The proponent has sought the above outbuilding area variation for storage needs for the following large recreational vehicles:

- The proponent has included pictures of these vehicles with their application as attached and described that the height of both vehicles is substantially higher and would not fit in a standard outbuilding. The larger sized outbuilding is also sought by the proponent so they can freely walk around both vehicles inside the shed and provide added storage within.

COMMENT

Doc Id: SODR-1739978813-6078

against the design principles of the Policy (which is as per the R-Codes). The R-Codes design principles applicable for the proposed outbuilding and the officer's assessment of each are as follows.

Lot boundary setback 5.1.3, P3.2

Buildings built up to boundaries (other than the street boundary) where this:

- *makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;*
- *does not compromise the design principle contained in clause 5.1.3 P3.1;*
 - *reduce impacts of building bulk on adjoining properties;*
 - *provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
 - *minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*
- *does not have any adverse impact on the amenity of the adjoining property.*

Outbuildings 5.4.3, P3

Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

The proposal complies with the deemed-to-comply provisions of the R-Codes for overshadowing as the outbuilding will not cast a shadow more than 25% on adjoining southern properties at midday on winter solstice.

The nil boundary setback provides additional outdoor space in the opposing rear corner of the subject property for the proponent to utilise. However, the nil boundary setback facing roller doors does not provide privacy between Lots 80 and 79 Cook Street and would not be accessible should the ownership of the property change in future years.

The oversized outbuilding both in height and area proposed will have a building bulk and scale that will appear more dominant than the approved dwelling for the site. This can negatively affect current and future adjoining landowners (particularly Lot 79 Cook Street) and the overall streetscape in a prominent location of Jurien Bay.

The character of the locality is in a period of transition as a number of original Jurien Bay 'beach shacks' in this locality are being demolished and replaced with new dwellings or commercial development.

The proposed oversized outbuilding would result in an ancillary building being substantially larger than the dwelling under construction on the property. This will result in the amenity of the

streetscape and views along Cook Street being detracted from as result of the proposed outbuilding being visually intrusive.

Furthermore, the subject property could be subdivided into 7 unit lots. The proposed outbuilding is the same size as the average lot size required for unit subdivision of 120m². Therefore, approval of the oversized outbuilding would be unwanted, to avoid the visual and amenity impacts on potential future higher density development in this locality of Jurien Bay.

Local Planning Scheme No.7

The following relevant Scheme provisions also apply to the proposed development:

4.23 Development in the Regional Centre Zone

- *Development to be in accordance with the Jurien Bay City Centre Strategy Plan or any successive document.*
- *Development shall address matters including, but not limited to, achieving high quality-built form, appropriate setbacks to street boundaries and adjoining residential zoned lots, site responsive design, landscaping, efficient access and parking to the satisfaction of the local government.*

The City Centre Strategy Plan (Strategy) earmarks the subject area for accommodating offices as well as residential development by the Regional Centre mixed use zoning -

Where only residential development occurs a coding of R80 should apply as this enables the option of multiple dwellings (apartments) as well grouped dwellings. This provides more intensive development of a different housing form more suited to mixed use areas and where ground floor levels may be used for office uses....

An appropriate scale within the City Centre should be established based on all new developments, including private housing, being respectful of the small-scale nature of the original Jurien Bay houses and ensure that designs are created which modulate larger buildings to read as a collection of smaller buildings.

As such, in general a maximum height of 2 storeys is appropriate for residential areas and 3 storeys for non- residential areas within the City Centre...

Building form should ensure that buildings do not dominate at street level...

The proposed ancillary residential outbuilding is not considered to be consistent with the above as it will be the dominant building on a mixed use zoned property which is intended by the landowner to be used for low density residential development. The proposed structure will have greater building mass than the modest dwelling to be constructed and will not achieve a site responsive design as set out within the Strategy. The bulk and scale of the proposed

outbuilding is not considered compatible with the desired future character of the locality. Furthermore, the proposed outbuilding has the potential to lead to undesirable amenity impacts on surrounding properties and the streetscape.

The storage needs of the applicant is not a valid town planning consideration under the Shire's Local Planning Framework and it is considered that there is sufficient room to store the applicant's recreational vehicles within an 80m² outbuilding.

The approval of the proposal which seeks variation to the Policy's maximum heights and area would set an undesirable precedent for future like development applications. Every approval of development of this nature that significantly varies from Council's Policy and the R-Codes has the potential to adversely instead of positively impact the current and future character of the locality.

In summary, it is recommended, for the above reasoning, that Council refuse the subject development application.

CONSULTATION

The proposal was forwarded to adjoining landowners for comment and no responses were received.

STATUTORY ENVIRONMENT

- Planning and Development (Local Planning Schemes) Regulations 2015
 - Deemed provisions for local planning schemes
 - Cl.67. Consideration of application by local government
 - (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
 - (b) the requirements of orderly and proper planning...
 - (e) any policy of the Commission;
 - (f) any policy of the State;
 - (g) any local planning policy for the Scheme area;
 - (fa) any local planning strategy for this Scheme endorsed by the Commission;
 - (m) the compatibility of the development with its setting, including —
 - (i) the compatibility of the development with the desired future character of its setting; and
 - (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
 - (n) the amenity of the locality including the following —
 - (ii) the character of the locality;

- Local Planning Scheme No 7:
 Clause 4.2 of the Scheme outlines *State Planning Policy 3.1 - Residential Design Codes* is to read as part of the Scheme.

The subject property is zoned 'Regional Centre' under the Shire's Local Planning Scheme No.7 (Scheme). The objectives of this zone are:

- *Provide a range of services and uses to cater for both the local and regional community, including but not limited to specialty shopping, restaurants, cafes and entertainment.*
- *Ensure that there is a provision to transition between the uses in the regional centre and the surrounding residential areas to ensure that the impacts from the operation of the regional centre are minimised.*
- *Provide a broad range of employment opportunities to encourage diversity and self-sufficiency within the Centre.*
- *Encourage high quality, pedestrian-friendly, street-oriented development that responds to and enhances the key elements of the Regional Centre, to develop areas for public interaction.*
- *Ensure that the provision of residential opportunities within the Regional Centre, including high density housing and tourist accommodation that supports the role of the regional centre and meets the needs of the community.*

POLICY IMPLICATIONS

- *Residential Design Codes (R-Codes) (State Planning Policy 7.3)*
 An outbuilding is defined by the R-Codes as:
An enclosed non-habitable structure that is detached from any dwelling.
- Local Planning Policy 9.4 Outbuildings Residential Areas

FINANCIAL IMPLICATIONS

The applicant has paid the required fee for the development application.

STRATEGIC IMPLICATIONS

- Jurien Bay City Strategy Plan – as outlined in the Comment section of the report.
- Local Planning Strategy 2020 –
 Actions – Settlement Planning
 In response to population growth, demographic change and economic opportunity facilitate staged development of the townsite consistent with the Jurien Bay Growth Plan and the Jurien Bay City Centre Strategy Plan.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Development application 2/23 (Doc Id: SODR-1262144384-15223, SODR-1262144384-16607, SODR-1262144384-16273, SODR-1262144384-16272, SODR-1262144384-16271)
(Marked 9.3.5)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council refuse the development application for the proposed outbuilding at Lot 80 (No.3) Cook Street, Jurien Bay as the development would:

- not be compatible with its setting and the desired character of the locality in terms of the likely effect of its orientation and appearance (Clause 67(2)(m) of the Deemed Provisions for local planning schemes);
- have an adverse amenity impact on the character of the locality (Clause 67(2)(n) of the Deemed Provisions for local planning schemes); and
- not comply with orderly and proper planning for the locality and if approved, set an undesirable precedent for similar development applications in the future, inconsistent with *Local Planning Policy 9.4 Outbuilding – Residential Areas* (clause 67(2)(b & g) of the Deemed Provisions for local planning schemes).

Advice to applicant:

If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*. An application must be submitted within 28 days of this determination.

9.3.6 ENDORSEMENT OF ADDITIONAL OFF-LEASH DOG EXERCISE AREAS

Location:	Cervantes & Jurien Bay
Folder Path:	Development Services / Ranger Services / Dog Exercising
Disclosure of Interest:	Nil
Date:	23 February 2023
Author:	Trinity Burlas, Principal Environmental Health & Regulatory Officer
Senior Officer:	Louis Fouché, Executive Manager Development Services

PROPOSAL

The purpose of the report is for Council to endorse new off-leash dog exercise areas within the townsites of Cervantes and Jurien Bay which have been on trial since June 2021.

BACKGROUND

On 27 May 2021, Council resolved the following:

That Council:

1. Specify the following areas to be off-leash dog exercise areas in accordance with Section 31 (3A) of the Dog Act 1976 for a trial period of six-months from the date of this decision:
 - a. Weld Park (northwards of the basketball court to Aquilla Street)
 - b. Passamani Park
 - c. Dibbler Park
 - d. Djidi Djal Park
 - e. Jurien Bay beach south from Cook Street
 - f. Jurien Bay beach north from Memorial Park
 - g. Cervantes beach south from Talavera Road
2. Advise surrounding landowners / occupiers of this decision and the Shire Rangers' contact numbers for reporting purposes.

The initial six-month trial period was extended to 18 months. New signage marking the trial areas has since been displayed for more than 9 months and submissions have been received, providing sufficient opportunity to ascertain a direction forward with the trial areas.

Currently there are 565 dogs registered in the Shire, 379 of these registered in Jurien Bay and 83 in Cervantes. Sporting ovals (when not in use for organised sport) and limited beach areas within Cervantes and Jurien Bay are currently the only options to exercise dogs off-lead other than the above areas being trialled.

Given this limitation, in accordance with the Shire's Corporate Business Plan, consultation was undertaken with the Cervantes and Jurien Bay communities to provide more Shire managed public open space as off-leash dog exercise areas. Additional areas within the townsites of Badgingarra and Dandaragan were not explored as that the sporting ovals within both these towns are considered

sufficient for these purposes. Dandaragan only has 52 registered dogs and Badgingarra 53 registered dogs. Jurien Bay and Cervantes are the more urbanised townsites in the shire, generally with smaller lots and a higher demand for dog exercise areas.

Under the *Dog Act 1976* (the Act), when in any public place in Western Australia, dogs must be tethered or on a leash unless the place is a designated dog exercise area. Dog owners may exercise their dog off the leash in designated dog exercise areas, however they are still fully responsible for the (effective) control and behaviour of their dog.

COMMENT

Ensuring dogs get adequate exercise is essential to their health and wellbeing. It keeps them happy, prevents boredom and can prolong their life. However, the following concerns have been noted by community and/or Shire Rangers in relation to this project:

- Dogs off leash near playgrounds, picnic/BBQ areas, cycle paths can create concern to other users.
- Residents that live near dog exercise areas may be adversely impacted by dog owners' behaviour when approaching and leaving parks.
- Some sensitive environmental areas and fauna may be impacted by dogs off leash.

Following the trial and the public feedback received, the following areas are recommended to be declared as dog exercise areas:

- Weld Park – 18,000m² in total of open grassed area with an old skate park. The specific proposed area is northwards from the Basketball Court to Aquilla Street.
- Passamani Park – 8,722m² grassed area with playground and seasonal stormwater runoff area.
- Dibbler Park – 27,276m² grassed area with picnic tables.
- Djidi Djal Park – 26,115m² – half grassed area, half bushland with Barbeque and playground area.
- The Jurien Bay beach southwards of Cook St and northwards of Memorial Park (Excludes "Secret Beach" and the Boat Harbour Beach within the Jurien Bay Boat Harbour which is managed by the Department of Transport and were outside the scope of this trial).
- The Cervantes beach south of Talavera Road.

Jurien Bay beach north from Memorial Park was the only trial off-lead location that received two submissions of concern during the trial and advertising period. Issues raised include that Jurien Bay beach north of Memorial Park is a perfect beach for families with young children who may not want to be approached by dogs off lead. Concerns regarding the impact of dogs on bird activity were also noted. The officer's recommendation responds to these concerns raised by reinstating these beach areas as on-leash only.

Weld Park was another off-leash trial area that caused confusion to a member of the public as the exact designation of the area north of the basketball court is not clear. The off-leash area of Weld Park was difficult to indicate with limited signage alone and there is concern it will be difficult to manage as an off-leash dog exercise area when south of the basketball court at Weld Park is an on-leash dog area. For Weld Park to be established as a permanent off-leash dog exercise area, it is proposed that in addition to signage, the park will be delineated with a visual barrier such as additional tree planting and physical landscaping to clearly separate the off-leash dog exercise area and on-leash dog area.

Installed signage in these locations acknowledge that dog owners must have effective control of their dogs in these reserves. This essentially means they must be in reasonably close proximity to ensure their dog does not interfere with other users of the given reserve. If a dog owner chooses to exercise their dog off a lead and their dog is involved in a dog attack incident as the aggressor, they may be held responsible for that offence.

CONSULTATION

Surrounding landowners of the proposed parks within Jurien Bay were written to in early May 2021 to advise of consideration of this proposal. Since this date, the Shire has received no comments from surrounding landowners. The public were also invited to provide feedback on the trial off-lead areas. These comments have been noted above.

STATUTORY ENVIRONMENT

Dog Act 1976:

31. Control of dogs in certain public places

- (1) A dog shall not be in a public place unless it is —*
 - (a) held by a person who is capable of controlling the dog; or*
 - (b) securely tethered for a temporary purpose, by means of a chain, cord, leash or harness of sufficient strength and not exceeding the prescribed length.*
- (2A) Despite subsection (1), a dog shall not be in a public place —*
 - (a) at all if the place is specified under subsection (2B) as a place where dogs are prohibited at all times; or*
 - (b) at a time when the place is specified under subsection (2B) as a place where dogs are prohibited at that time.*
- (2B) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —*
 - (a) at all times; or*
 - (b) at specified times.*

- (3A) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

Suggestions have been received from the public comments to install a fenced off-leash dog play area within a declared park i.e. Dibbler Park or Weld Park. This will form part of future budget considerations.

Additional signage to indicate off-leash dog exercise areas will be required to clearly identify these areas for the public.

STRATEGIC IMPLICATIONS

Corporate Business Plan:

Dog Exercise Areas

Undertake a review of Council's approved dog exercise areas and consult with the public about suitable public open space to proclaim as dog exercise areas.

ATTACHMENTS

Circulated with the agenda are the following items relevant to this report:

- Reference Maps 1: Trialled and Current approved Off-leash Dog Exercise Areas
(Doc Id: SODR-410361963-618)
- Reference Maps 2: Revised Dog Off-Leash Exercise Areas and Prohibited Areas in accordance with Officer's Recommendation.
(Doc Id: SODR-410361961-620)

(Marked 9.3.6)

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council specify the following additional areas as indicated in Attachment SODR-410361963-618 and SODR-410361961-620 to be off-leash dog exercise areas in accordance with Section 31 (3A) of the *Dog Act 1976*:

- 1. Weld Park - northwards of the basketball court to Aquilla Street**
- 2. Passamani Park**
- 3. Dibbler Park**
- 4. Djidi Djal Park**
- 5. Jurien Bay beach southwards from Cook Street**
- 6. Cervantes beach southwards from Talavera Rd**

9.4 GOVERNANCE & ADMINISTRATION

9.4.1 2023 REVIEW OF DELEGATIONS REGISTER

Location:	Shire of Dandaragan
Applicant:	N/A
Folder Path:	Office of the CEO / Governance / Authorisations-Delegations / Delegations Register
Disclosure of Interest:	None
Date:	13 February 2023
Author:	Brent Bailey, Chief Executive Officer

PROPOSAL

To review the Shire of Dandaragan's Delegations Register in accordance with the Local Government Act 1995.

BACKGROUND

The Local Government Act 1995 provides for a local government to delegate some of its powers and duties to the Chief Executive Officer and in some circumstances a committee. The Act also provides for the Chief Executive Officer to delegate any of his / her powers or functions to any employee of the local government. All of the above-mentioned delegations are required to be recorded in a register of delegations and that register must be reviewed on an annual basis.

COMMENT

Under the Local Government Act 1995 Section 5.46, and as part of the annual Compliance Audit Return, delegations are to be reviewed at least once every financial year, in this case 2022-2023.

A review of the Shire's Delegations Register has resulted in changes being made primarily to reflect the roles and responsibilities of the current organisational structure.

Council approval is also sought to delegate power to the CEO, the authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the Dog Act 1976 [s.3].

CONSULTATION

Nil

STATUTORY ENVIRONMENT

The Local Government Act 1995 Section 5.46 establishes the requirement to maintain a delegations register.

Other legislative requirements and references are incorporated within the Delegations Register itself.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

There are no financial implications relevant to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relevant to this item.

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Shire of Dandaragan Delegations (Doc Id: SODR-878193511-2911)

(Marked 9.4.1)

VOTING REQUIREMENT

Absolute majority

OFFICER RECOMMENDATION

That Council:

- 1) **Acknowledge that following a review of its Delegations Register (Doc Id SODR-878193511-2911), in accordance Section 5.46 of the Local Government Act 1995, noting changes have been made to this document to reflect the roles and responsibilities of the current organisational structure.**
- 2) **Approve delegation of authority to the CEO power to appoint a registration officer under the Dog Act 1976 as follows:**

5.1.8 Appoint Registration Officer

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.3 Terms Used (<i>Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act</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>	1. Authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the Dog Act 1976 [s.3].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. A register of Authorised Persons is to be maintained as a Local Government Record.

AGENDA FOR ORDINARY COUNCIL MEETING TO BE HELD THURSDAY 23 FEBRUARY 2023

	<p>c. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</p> <p>d. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</p>
Express Power to Sub-Delegate:	<p><i>Dog Act 1976:</i></p> <p>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil
Compliance Links:	Dogs Local Law
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

9.5 COUNCILLOR INFORMATION BULLETIN**9.5.1 SHIRE OF DANDARAGAN – JANUARY 2023 COUNCIL STATUS REPORT**

Document ID: [SODR-1739978813-6170]

Attached to the agenda is a copy of the Shire's status report from the Council Meeting held 25 January 2023. **(Marked 9.5.1)**

9.5.2 SHIRE OF DANDARAGAN – BUILDING STATISTICS – JANUARY 2023

Document ID: [SODR-2045798944-4183]

Attached to the agenda is a copy of the Shire of Dandaragan Building Statistics for January 2023. **(Marked 9.5.2)**

9.5.3 SHIRE OF DANDARAGAN – PLANNING STATISTICS – JANUARY 2023

Document ID: [SODR-2045798944-4184]

Attached to the agenda is a copy of the Shire of Dandaragan Planning Statistics for January 2023. **(Marked 9.5.3)**

9.5.4 SHIRE OF DANDARAGAN TOURISM / LIBRARY / COMMUNITY ACTIVITIES REPORT FOR JANUARY 2023

Document ID: [SODR-1876982588-1218]

Attached to the agenda is monthly report for Tourism / Library for January 2023. **(Marked 9.5.4)**

10 NEW BUSINESS OF AN URGENT NATURE – INTRODUCED BY RESOLUTION OF THE MEETING**11 CONFIDENTIAL ITEMS FOR WHICH MEETING IS CLOSED TO THE PUBLIC****12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****13 CLOSURE OF MEETING**



ATTACHMENTS

FOR ORDINARY COUNCIL MEETING 23 FEBRUARY 2023



Monthly Statements

for the period ending 31 December 2022

Rates Setting Statement	3
Statement of Financial Position	4
Income Statement by Nature or Type	5
Statement of Changes in Equity	6
Note 1 (a) Key Terms and Definitions	7
Note 1 (b) Key Terms and Definitions	8
Note 2 Rates and Service Charges	9
Note 3 (a) Rate Setting Statement Information	10
Note 3 (b) Net Current Assets & Funding	11
Note 3 (c) Significant Accounting Policies	12
Note 4 Financially Backed Reserves	13
Note 5 (a) Fixed Assets	14
Note 5 (b) Disposal of Assets	15
Note 6 Asset Depreciation	16
Note 7 Information on Borrowings	17
Note 8 Lease Liabilities	18
Note 9 Program Information	19
Note 10 Trust Funds	20
Note 11 - Budget Amendments	21
Note 12 - Grants & Contributions	22
Note 13 - Cash, Investments & Receivables	23
Note 14 Variances	24
Supplementary Information Detailed Acquisition	25

SHIRE OF DANDARAGAN
RATE SETTING STATEMENT BY NATURE OR TYPE
FOR THE PERIOD ENDED 31 DECEMBER 2022

	Leg.	Note	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
OPERATING ACTIVITIES					
Adjusted net current assets at start of financial year - surplus/(deficit)	FMR34(2)(a)		3,015,610	2,907,963	2,907,963
Revenue from operating activities (excluding rates)					
Operating grants, subsidies and contributions			710,253	550,501	564,101
Fees and charges			2,570,718	1,886,710	1,876,866
Interest earnings			36,430	23,210	18,238
Other revenue			120,933	59,967	48,948
Profit on asset disposals			42,563	7,431	6,623
			3,480,897	2,527,819	2,514,775
Expenditure from operating activities					
Employee costs			(4,545,587)	(2,120,292)	(2,023,477)
Materials and contracts			(3,979,082)	(1,950,863)	(1,820,654)
Utility charges			(395,881)	(189,942)	(173,611)
Depreciation on non-current assets		6	(5,925,282)	(2,962,642)	(3,961,507)
Borrowing costs expense			(53,186)	(26,998)	(17,662)
Insurance expenses			(329,132)	(327,401)	(317,348)
Other expenses			(748,329)	(492,012)	(448,343)
Loss on asset disposals			(50,615)	0	0
			(16,027,094)	(8,070,150)	(8,762,602)
Non-cash amounts excluded from operating activities		3(a)(i)	5,933,334	2,955,211	4,023,249
Amount attributable to operating activities			(3,597,253)	320,843	683,385
INVESTING ACTIVITIES					
Non-operating grants, subsidies and contributions			9,151,263	141,000	139,506
Proceeds from disposal of assets		5(b)	157,000	0	40,000
Purchase land and buildings		5(a)	(2,235,778)	(1,700,126)	(649,917)
Purchase furniture and equipment		5(a)	(118,500)	(70,773)	(28,706)
Purchase plant and equipment		5(a)	(1,095,883)	(60,000)	(103,959)
Purchase infrastructure assets - roads		5(a)	(8,798,671)	(4,683,182)	(1,308,448)
Purchase infrastructure assets - parks & reserves		5(a)	(604,336)	(534,001)	(123,059)
Purchase infrastructure assets - other		5(a)	(642,297)	(584,252)	(758,627)
Amount attributable to investing activities			(4,187,201)	(7,491,334)	(2,793,211)
FINANCING ACTIVITIES					
Proceeds from new borrowings			0	0	0
Repayment of borrowings		7	(163,019)	(81,104)	(81,104)
Payment of self supporting loan to community group		7	0	0	0
Self-supporting loan principal income		7	20,648	10,288	10,288
Community group cash advance principal income		7	0	0	0
Payment of right of use lease		8	(33,971)	(16,985)	(18,259)
Transfers to cash backed reserves (restricted assets)		4	(420,388)	(10,000)	(2,282)
Transfers from cash backed reserves (restricted assets)		4	719,059	0	0
Amount attributable to financing activities			122,330	(97,802)	(91,357)
Budgeted deficiency before general rates			(7,662,124)	(7,268,293)	(2,201,183)
Estimated amount to be raised from general rates		2(a)	7,045,744	7,043,939	7,034,079
Adjusted net current assets at end of financial year - surplus/(deficit)	FMR34(2)(a)	3(a)(iii)	(616,380)	(224,354)	4,832,897
Budget adjustment - Provisions	FMR32(f)		616,380		
Budget Surplus / (Deficiency)			0		

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

STATEMENT OF FINANCIAL POSITION
AS AT 31 DECEMBER 2022

Description	Notes	2022	2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	13	10,475,021	10,479,741
Trade receivables		728,345	1,914,091
Other financial assets at amortised cost		20,648	10,360
Other current assets		0	0
Inventories		28,503	21,738
TOTAL CURRENT ASSETS		11,252,518	12,425,930
NON-CURRENT ASSETS			
Other financial assets at amortised cost		157,733	157,733
Trade receivables		68,365	0
Land		2,674,000	2,674,000
Buildings and improvements		29,808,295	29,931,191
Furniture and equipment		1,146,461	1,103,889
Plant and equipment		3,072,528	2,863,524
Right of use assets		72,403	55,476
Infrastructure		291,944,334	291,067,772
TOTAL NON-CURRENT ASSETS		328,944,119	327,853,586
TOTAL ASSETS		340,196,637	340,279,517
CURRENT LIABILITIES			
Trade and other payables		(1,626,946)	(232,160)
Contract liabilities	12	(1,530,729)	(2,360,566)
Lease liabilities	8	(33,971)	(15,712)
Borrowings	7	(163,019)	(81,915)
Employee related provisions		(616,380)	(437,816)
TOTAL CURRENT LIABILITIES		(3,971,046)	(3,128,168)
NON-CURRENT LIABILITIES			
Lease liabilities	8	(38,990)	(38,990)
Borrowings	7	(2,241,022)	(2,241,022)
Employee related provisions		(113,631)	(113,631)
TOTAL NON-CURRENT LIABILITIES		(2,393,644)	(2,393,644)
TOTAL LIABILITIES		(6,364,689)	(5,521,812)
TOTAL NET ASSETS		333,831,948	334,757,705
EQUITY			
Retained earnings		(202,620,856)	(203,544,332)
Reserves - cash backed		(4,549,851)	(4,552,133)
Revaluation surplus		(126,661,240)	(126,661,240)
TOTAL EQUITY		333,831,948	334,757,705

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

SHIRE OF DANDARAGAN
STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE
FOR THE PERIOD ENDED 31 DECEMBER 2022

	Note	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
Revenue				
Rates	2(a)	7,045,744	7,043,939	7,034,079
Operating grants, subsidies and contributions		710,253	550,501	564,101
Fees and charges		2,570,718	1,886,710	1,876,866
Interest earnings		36,430	23,210	18,238
Other revenue		120,933	59,967	48,948
		10,484,078	9,564,327	9,542,231
Expenses				
Employee costs		(4,545,587)	(2,120,292)	(2,023,477)
Materials and contracts		(3,979,082)	(1,950,863)	(1,820,654)
Utility charges		(395,881)	(189,942)	(173,611)
Depreciation on non-current assets	6	(5,925,282)	(2,962,642)	(3,961,507)
Borrowing costs expense		(53,186)	(26,998)	(17,662)
Insurance expenses		(329,132)	(327,401)	(317,348)
Other expenses		(748,329)	(492,012)	(448,343)
		(15,976,479)	(8,070,150)	(8,762,602)
		(5,492,401)	1,494,177	779,629
Non-operating grants, subsidies and contributions		9,151,263	141,000	139,506
Profit on asset disposals	5 (b)	42,563	7,431	6,623
Loss on asset disposals	5 (b)	(50,615)	0	0
Net result		3,650,810	1,642,608	925,758
Other comprehensive income				
Changes on revaluation of non-current assets		0	0	0
Total other comprehensive income		0	0	0
Total comprehensive income		3,650,810	1,642,608	925,758

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

SHIRE OF DANDARAGAN
STATEMENT OF CHANGES IN EQUITY
AS AT 31 DECEMBER 2022

	Note	Retained Surplus	Reserves Cash Backed	Revaluation Surplus	Total Equity
		\$	\$	\$	\$
Balance as at 30 June 2022		202,620,856	4,549,851	126,661,240	333,831,948
Comprehensive Income					
Net result		925,758	0	0	925,758
Changes on revaluation of non-current assets		0	0	0	0
Total comprehensive income		925,758	0	0	925,758
Transfers from/(to) reserves		(2,282)	2,282	0	0
Balance as at 31 December 2022		203,544,332	4,552,133	126,661,240	334,757,705

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

SHIRE OF DANDARAGAN
NOTES TO AND FORMING THE MONTHLY FINANCIAL STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

1 (a) KEY TERMS AND DEFINITIONS - NATURE OR TYPE

REVENUES

RATES

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

SERVICE CHARGES

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services.

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

PROFIT ON ASSET DISPOSAL

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

FEES AND CHARGES

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, and rebates. Reimbursements and recoveries should be separated by note to ensure the correct calculation of ratios.

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets includes loss on disposal of long term investments.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation and amortisation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

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

SHIRE OF DANDARAGAN
NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

1 (b) KEY TERMS AND DEFINITIONS - REPORTING PROGRAMS

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources	Includes the activities of members of Council and the administrative support available to the Council for the provision of governance of the district. Other costs relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific local government services.
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services	Rates, general purpose government grants and interest revenue
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.
HEALTH	To provide an operational framework for environmental and community health	Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal.
EDUCATION AND WELFARE	To provide services to disadvantaged persons, the elderly, children and youth.	Provision of youth, aged and disability services.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resource which will help the social well being of the community.	Maintenance of public halls, civic centres, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities.
TRANSPORT	To provide safe, effective and efficient transport services to the community	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
ECONOMIC SERVICES	To help promote the local government and its economic wellbeing	Tourism and area promotion Provision of rural services including weed control, vermin control and standpipes. Building control.
OTHER PROPERTY AND SERVICES	To monitor and control operating accounts	Private works operation, plant repair and costs.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

2 RATES AND SERVICE CHARGES

(a) Rating Information

RATE TYPE	Rate in	Number of properties	Rateable value	2022/2023 Budgeted rate revenue	2022/2023 Budgeted interim rates	2022/2023 Budgeted back rates	2022/2023 Budgeted total revenue	2022/2023 Actual total revenue	2022/2023 Actual total revenue
	\$		\$	\$	\$	\$	\$	\$	\$
General rate									
Gross rental valuations									
GRV - General	8.8874	1,923	32,487,886	2,875,032	0	0	2,875,032	2,878,656	2,878,656
Unimproved valuations									
UV - General	0.6688	357	453,664,880	3,005,984	0		3,005,984	3,007,908	3,007,908
Sub-Totals		2,280	486,152,766	5,881,016	0	0	5,881,016	5,886,564	5,886,564
Minimum									
Minimum payment	\$								
Gross rental valuations									
General Minimum s.6.35(3)(a)	1,054	952	5,239,717	992,844	0	0	992,844	992,844	992,844
Dandaragan & Badgingarra	796	33	146,660	22,852	0	0	22,852	22,852	22,852
Unimproved valuations									
Mining	995	95	2,037,479	93,575	0	0	93,575	93,575	93,575
Other UV	765	394	29,385,400	298,652	0	0	298,652	298,652	298,652
Sub-Totals		1,474	36,809,256	1,407,923	0	0	1,407,923	1,407,923	1,407,923
		3,754	522,962,022	7,288,939	0	0	7,288,939	7,294,487	7,294,487
Discount							(245,000)	(267,077)	(267,077)
Total amount raised from general rates							7,043,939	7,027,410	7,027,410
Ex Gratia Rates							1,805	6,669	6,669
Total rates							7,045,744	7,034,079	7,034,079

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
AS AT 31 DECEMBER 2022

3(a). RATE SETTING STATEMENT INFORMATION

	2022/2023 Budget	2022/2023 Actual
(i) Operating activities excluded from budgeted deficiency		
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Rate Setting Statement in accordance with Financial Management Regulation 32.		
Profit on asset disposals	(42,563)	(6,623)
Loss on asset disposals	50,615	0
Movement in employee provisions	0	0
Movement in deferred rates	0	68,365
Depreciation on assets	5,925,282	3,961,507
Non cash amounts excluded from operating activities	5,933,334	4,023,249
Surplus/(deficit) after imposition of general rates		
The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.		
(ii) Current Assets and liabilities excluded from budgeted deficiency		
Less: Cash - restricted reserves	(4,251,180)	(4,552,133)
Less: Other financial assets at amortised cost - self support loan	(20,938)	(10,360)
Add: Current liabilities not expected to be cleared at end of year		
- Current portion of borrowings	166,294	81,915
- Current portion of lease liabilities	33,955	15,712
Total adjustments to net current assets	(4,071,868)	(4,464,866)
(iii) Adjusted Net Current Asset / (Deficit) used in Rate Setting Statement		
Total current assets	5,669,162	12,425,930
Less: Total current liabilities	(2,213,674)	(3,128,168)
Net current assets	3,455,488	9,297,762
Less: Total adjustments to net current assets	(4,071,868)	(4,464,866)
Adjusted Net Current Asset / (Deficit) used in Rate Setting Statement	(616,380)	4,832,896

3(b). NET CURRENT ASSETS & FUNDING SURPLUS / (DEFICIT) (CONTINUED)

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the 's operational cycle. In the case of liabilities where the does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the 's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the prior to the end of the financial year that are unpaid and arise when the Shire of Dandaragan becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

CONTRACT ASSETS

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

PROVISIONS

Provisions are recognised when the has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

INVENTORIES

General

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

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

LEASE LIABILITIES

The present value of future lease payments not paid at the reporting date discounted using the incremental borrowing rate where the implicit interest rate in the lease is not readily determined

SUPERANNUATION

The Shire of Dandaragan contributes to a number of superannuation funds on behalf of employees.

All funds to which the Shire of Dandaragan contributes are defined contribution plans.

TRADE AND OTHER RECEIVABLES

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

CONTRACT LIABILITIES

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the are recognised as a liability until such time as the satisfies its obligations under the agreement.

EMPLOYEE BENEFITS

Short-term employee benefits

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

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

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
AS AT 31 DECEMBER 2022**

3(c) SIGNIFICANT ACCOUNTING POLICIES - OTHER INFORMATION

GOODS AND SERVICES TAX (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a budget in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

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

COMPARATIVE FIGURES

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

BUDGET COMPARATIVE FIGURES

Unless otherwise stated, the budget comparative figures shown in the budget relate to the original budget estimate for the relevant item of disclosure.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

4 FINANCIALLY BACKED RESERVES

Financially Backed Reserves - Movement

	2022/2023 Actual Opening Balance	2022/2023 Actual Transfer to (to)	2022/2023 Actual Transfer (from)	2022/2023 Change In Use Adjustment	2022/2023 Actual Closing Balance
	\$	\$	\$		\$
Plant Reserve	360,893	181	0	0	361,074
Building Renewal Reserve	706,736	354	0	0	707,090
Rubbish Reserve	436,804	219	0	0	437,023
Community Centre Reserve	401,682	201	0	0	401,883
Television Services Reserve	53,077	27	0	0	53,103
Information Technology Reserve Reserve	57,339	29	0	0	57,368
Caravan Park Reserve	0	0	0	0	0
Land Development Reserve	71,060	36	0	0	71,095
Parking Requirements (Lot 1154 Sandpiper Street) Reserve	11,469	6	0	0	11,475
Parks and Recreation Grounds Development (Seagate) Reserve	150,903	76	0	0	150,979
Sport and Recreation Reserve	163,599	82	0	0	163,681
Landscaping Reserve	2,662	1	0	0	2,663
Aerodrome Reserve	174,811	88	0	0	174,899
Public Open Space Renewal Reserve	212,439	107	0	0	212,546
Infrastructure Renewal Reserve	679,419	341	0	0	679,760
Public Open Space Construction Reserve	9,437	5	0	0	9,442
Infrastructure Construction Reserve	146,534	73	0	0	146,607
Building Construction Reserve	26,845	13	0	0	26,859
Leave Reserve	181,285	91	0	0	181,376
Economic Development Initiatives Reserve	648,291	325	0	0	648,616
Turquoise Way Path Reserve	52,057	26	0	0	52,083
Cash in lieu of landscaping – Lot 1146 Sandpiper Street Reserve	2,509	1	0	0	2,510
WALGGC Roads Component Overpayment	0	0	0	0	0
Public Art/Percent for Art	0	0	0	0	0
Cervantes Community Infrastructure Development	0	0	0	0	0
	4,549,851	2,282	0	0	4,552,133

NOTES TO AND FORMING PART OF THE BUDGET
FOR THE PERIOD ENDED 31 DECEMBER 2022

5 FIXED ASSETS

(a) Acquisition of Assets

Asset class	2022/2023 Budget Total	2022/2023 Actual Total
	\$	\$
<u>Property, Plant and Equipment</u>		
Buildings	2,235,778	649,917
Furniture and equipment	118,500	28,706
Plant and equipment	1,095,883	103,959
	<u>3,450,161</u>	<u>782,582</u>
<u>Infrastructure</u>		
Infrastructure - Roads	8,798,671	1,308,448
Infrastructure - Footpaths	340,812	248,804
Infrastructure - Parks and Reserves	604,336	123,059
Infrastructure - Other	301,485	509,823
	<u>10,045,303</u>	<u>2,190,135</u>
<u>Right of use assets</u>		
	<u>0</u>	<u>0</u>
	<u>13,495,464</u>	<u>2,972,717</u>

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022**

5(b) DISPOSAL OF ASSETS

The following assets are budgeted to be disposed of during the year.

	2022 / 2023 Actual Net Book Value	2022 / 2023 Actual Sale Proceeds	2022 / 2023 Actual Profit	2022 / 2023 Actual Loss
	\$	\$	\$	\$
By Program				
Other property and services	33,377	40,000	6,623	0
	33,377	40,000	6,623	0
By Class				
Plant and equipment	33,377	40,000	6,623	0
	33,377	40,000	6,623	0

SIGNIFICANT ACCOUNTING POLICIES

GAINS AND LOSSES ON DISPOSAL

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

6 ASSET DEPRECIATION

	2022/2023 Budget	2022/2023 Actual
	\$	\$
By Program		
Governance	192,671	94,958
Law, order, public safety	108,673	52,668
Health	21,509	10,609
Education and welfare	0	5,071
Community amenities	294,499	133,134
Recreation and culture	1,217,481	552,140
Transport	3,398,642	2,766,750
Economic services	55,333	30,579
Other property and services	636,474	315,598
	<u>5,925,282</u>	<u>3,961,507</u>
By Class		
Buildings	1,169,649	527,021
Furniture and equipment	125,888	71,277
Plant and equipment	566,027	279,586
Right of use asset	34,327	16,927
Infrastructure - Roads	2,779,328	2,455,198
Infrastructure - Footpaths	303,498	153,749
Infrastructure - Parks and Reserves	177,680	76,424
Infrastructure - Other	768,885	381,325
	<u>5,925,282</u>	<u>3,961,507</u>

SIGNIFICANT ACCOUNTING POLICIES

DEPRECIATION

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use.

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

Major depreciation periods used for each class of depreciable asset are:

Asset Class	Useful life
Buildings	25 - 50 years
Furniture and equipment	5 - 20 years
Plant and equipment	2 - 20 years
Infrastructure - Roads	
Formation – All roads	Perpetual life
Pavement – Thin Surfaced Flexible Rural	100 years
Pavement – Thin Surfaced Flexible Urban	100 years
Pavement – Unsealed Rural	50 years
Pavement – Unsealed Urban	50 years
Surface – Asphalt	100 years
Surface – Brick	60 years
Surface – Chip seal	60 years
Surface – Concrete	100 years
Surface – Slurry Seal	100 years
Infrastructure - Footpaths	
Black Asphalt	36 years
Brick Paving	36 years
Concrete Slabs	36 years
Gravel	12 years
In-situ Concrete	48 years
Red Asphalt	36 years
Sand	12 years
Timber	36 years
Other	48 years
Infrastructure - Drainage	60 years
Infrastructure - Other	5 - 80 years
Infrastructure - Parks and reserves	10 - 45 years

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

7 INFORMATION ON BORROWINGS

Borrowing repayments

Movement in borrowings and interest between the beginning and the end of the current financial year.

Purpose	Budget Principal 1 July 2022	2022/2023 Budget New loans	2022/2023 Budget Principal repayments	2022/2023 Budget Interest repayments	2022/2023 Principal outstanding 30 June 2023	Actual Principal 1 July 2022	2022/2023 Actual New loans	2022/2023 Actual Principal repayments	2022/2023 Actual Interest repayments	2022/2023 Principal outstanding 31 Dec 2022
	\$	\$	\$	\$	\$			\$	\$	\$
Education and welfare										
Loan 136	613,488	0	59,816	10,670	553,671	613,488	0	29,775	3,585	583,712
Recreation and culture										
Loan 137	1,470,901	0	59,298	36,564	1,411,603	1,470,901	0	29,464	12,110	1,441,437
Other property and services										
Loan 138	238,526	0	23,257	4,149	215,269	238,526	0	11,577	1,394	226,949
	2,322,914	0	142,371	51,383	2,180,544	2,322,914	0	70,816	17,089	2,252,098
Self Supporting Loans										
Recreation and culture										
Loan 133	29,623	0	7,134	691	22,489	29,623	0	3,545	63	26,078
Loan 134	16,335	0	3,547	204	12,788	16,335	0	1,768	95	14,567
Loan 135	35,169	0	9,967	212	25,202	35,169	0	4,976	33	30,194
Other property and services										
	81,127	0	20,648	1,106	60,478	81,127	0	10,288	191	70,838
	2,404,041	0	163,019	52,489	2,241,022	2,404,041	0	81,104	17,280	2,322,937

All borrowing repayments, other than self supporting loans, will be financed by general purpose revenue.

The self supporting loan(s) repayment will be fully reimbursed.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

8 LEASE LIABILITIES

Purpose	FA Number	Institution	Lease Interest Rate	Lease Term	Lease Principal 1 July	2022/2023	2022/2023	2022/2023	2022/2023	Actual Principal 1 July 2022	2022/2023	2022/2023	2022/2023	2022/2023
						Budget New leases	Budget Principal repayments	Budget Interest repayments	Principal outstanding 30 June 2023		Actual New leases	Actual Principal repayments	Actual Interest repayments	Principal outstanding 31 Dec 2022
					\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Governance														
Photocopier Lease	FA3190	Ricoh Finance	1.33%	5 yrs	28,612		14,211	381	14,401	28,612		8,290	190	20,322
Water filter lease	FA3235	Waterlogic Aust	0.51%	3 yrs	6,937		3,073	47	3,864	6,937		1,536	20	5,401
Recreation and culture														
Water filter lease	FA3233	Waterlogic Aust	0.51%	3 yrs	20,908		9,261	142	11,647	20,908		4,630	59	16,278
Transport														
Water filter lease	FA3234	Waterlogic Aust	0.51%	3 yrs	14,355		6,358	98	7,996	14,355		3,179	41	11,176
Economic services														
Photocopier Lease	FA3236	Ricoh Finance	1.33%	5 years	2,149		1,068	29	1,082	2,149		623	14	1,526
					72,961	0	33,971	697	38,990	72,961	0	18,259	324	54,703

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022**

9 PROGRAM INFORMATION

(a) Fees and Charges Revenue

	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
	\$		\$
Governance	525	250	(13,970)
General purpose funding	36,300	24,200	20,469
Law, order, public safety	381,789	379,939	386,094
Health	19,290	9,490	17,588
Education and welfare	46,800	23,400	24,577
Community amenities	1,198,818	1,038,518	998,749
Recreation and culture	554,476	256,100	278,188
Transport	30,328	18,828	24,798
Economic services	268,391	122,485	126,784
Other property and services	34,000	13,500	13,588
	2,570,718	1,886,710	1,876,866

(b) Expenses

	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
	\$		\$
Governance	(518,737)	(242,011)	(266,506)
General purpose funding	(257,208)	(124,504)	(89,799)
Law, order & public safety	(1,560,864)	(896,733)	(787,731)
Health	(366,234)	(181,695)	(153,994)
Education & welfare	(115,558)	(72,084)	(74,380)
Community amenities	(2,444,656)	(1,245,088)	(1,155,162)
Recreation and culture	(3,708,668)	(1,826,111)	(1,716,872)
Transport	(5,867,887)	(2,923,135)	(3,882,964)
Economic services	(816,842)	(380,005)	(350,551)
Other property and services	(370,439)	(178,784)	(284,643)
	(16,027,094)	(8,070,150)	(8,762,602)

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022**

10 TRUST FUNDS

Funds held at balance date over which the local government has no control and which are not included in the financial statements are as follows:

Trust Fund

Detail	Balance	Movements		Balance
	30-Jun-22	Inwards	Outwards	as at 30 June 2023
	\$	\$		\$
Cash In Lieu POS - L9000 Valencia	200,277			200,277
	200,277	0	0	200,277

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

11 BUDGET AMMENDMENTS

Description	Council Resolution	Schedule	Classification	Non-Cash Adjustment	Increase in cash available	Decrease in cash available	Amended Budget Running Balance
Budget Adoption							Opening Surplus
Permanent Changes							
				0	0	0	0

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

12 GRANTS & CONTRIBUTIONS

Program / Details	Grant Provider	In Advance payments	Budget 2022/23	2022/23 Budget Amendments	Received	Recoup Status		
						Revenue/ Expenditure	Liability	Not Received
				\$	\$	\$		
Operating								
Other General Purpose Income								
Grants Commission - General	WALGGS		160,510		158,654	158,654		1856.00
					18,848	18,848		
Fire Prevention								
ESL Operating Grant	FESA		43,500		13,784	-	262	29716.50
ESL Operating Grant - Extra volunteer insurance	FESA		9,000				14,046	9000.00
BRMC Contribution to offset mitigation works	FESA		15,000					15000.00
Mitigation Activity Fund	DEFES			242,500	121,250		121,250	121250.00
Other Welfare								
Spray the Grey	Dept of Communities		1,000		1,000	1,000		0.00
Spray the Grey	LotteryWest			7,500	7,500	7,500		
Swimming Areas and Beaches								
CHRMAP			50,000		25,000		25,000	25000.00
Other Recreation and Sport								
Karda Mountain Bike Trail	GLGSC		20,000		20,000		20,000	0.00
Regional Sport Grant	Australian Sport		3,000		3,000		3,000	0.00
Thank a Volunteer Grant	Dept of Communities			2,000	2,000	2,000		
Meerilinga Young Childrens week Grant	Meerilinga			1,000	1,000	1,000		
Libraries								
Encouraging Promising Practices Grant - Living Green	State Library WA			5,000	5,000	5,000		
Streets Roads Bridges Depots Maint								
MRWA Direct Grant	MRWA		281,915		287,979	287,979		-6064.00
Street Light Subsidy			3,400					3400.00
		-	587,325	258,000	665,015	481,719	183,296	199,159
Non-Operating								
Other Recreation and Sport								
Jurien Irrigation Project	Rural Water Council		100,000					100,000
Queens Jubilee Trees			10,000		10,000	10,000	-	-
Local Roads and Comm Inf - Round 1	LRCI		295,465				-	295,465
Other Recreation and Sport								
Local Roads and Comm Inf - Round 3	LRCI		1,181,858		590,929		590,929	590,929
Streets Roads Bridges Depots Maint								
Regional Road Group RRG	RRG		917,580		367,034		367,034	550,546
WSFN -	WSFN		800,800		800,800	800,800		-
WSFN - ROS008 & A	WSFN		1,176,373		141,493		141,493	1,034,880
WSFN - ROS856 & A	WSFN		1,660,400					1,660,400
WABN - Cervantes	WABN		10,000		10,000		10,000	-
DoT RBN Grant - Cervantes Path	DoT		80,000		50,000		50,000	
Commodity Route - Sandy Cape	SCR		146,500		58,600		58,600	87,900
Local Roads and Comm Inf - Round 2	LCRI		143,941					143,941
RTR Grant - Bibby Rd	RTR		554,113		158,415		158,415	395,698
	MRR		552,500	552,500				-
Remote Rural Upgrade Pilot - Agaton Rd	RRUP		1,390,733				-	1,390,733
TWP Realign (Coastwest)(herbarium)			38,500		38,500	38,500	-	-
Airfields								
RAD Grant - Taxiway	RAP		92,500		91,006	91,006	-	1,494
			9,151,263	552,500	2,316,776	139,506	2,177,270	6,251,987
		-	9,738,588	294,500	2,981,791	621,225	2,360,566	6,451,145.23

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

13 CASH, INVESTMENTS & RECEIVABLES

Cash And Cash Equivalents

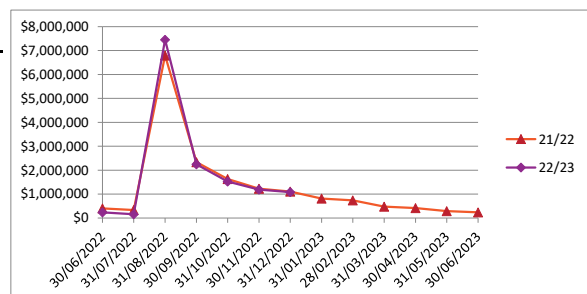
Note	2022	2023
	\$	\$
Unrestricted	5,925,170	5,927,608
Restricted	4,549,851	4,552,133
	<u>10,475,021</u>	<u>10,479,741</u>

Receivables

Rates outstanding	238,005	1,085,778
Sundry debtors	405,580	829,409
	<u>498,715</u>	<u>1,915,187</u>

Rates Outstanding

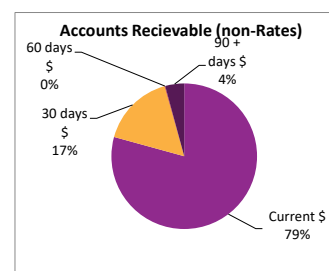
	YTD	31/12/2022
Opening Arrears Previous Years	238,005	399,437
Levied this Year	8,557,004	8,083,544
Less Collections to date	- 7,709,231	- 8,269,053
Equals Current Outstanding	<u>1,085,778</u>	<u>238,005</u>
Net Rates Collectable	1,085,778	238,005
% Collected	88	97



Sundry Debtors

	Current	30 days	60 days	90 + days
	\$	\$	\$	\$
Receivables General	<u>657465.53</u>	<u>135913.21</u>	<u>1070</u>	<u>34960.25</u>
Total Receivables General Outstanding				<u><u>829,408.99</u></u>

Amounts shown above include GST (where applicable)



NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

14 VARIANCES

Reporting Program	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Revenue from operating activities (excluding rates)					
Operating grants, subsidies and contributions	13,600	102%	▲		
Fees and charges	(9,844)	99%	▼		
Interest earnings	(4,972)	79%	▼		
Other revenue	(11,019)	82%	▼	Permanent	Fuel Rebate claimed less than expected due to legislation changes
Profit on asset disposals	(808)	100%	▼		
Expenditure from operating activities					
Employee costs	96,814	95%	▲		
Materials and contracts	130,209	93%	▲		
Utility charges	16,332	91%	▲		
Depreciation on non-current assets	(998,865)	134%	▼	Permanent	Depreciation higher than expected due to revaluation
Borrowing costs expense	9,336	65%	▲		
Insurance expenses	10,053	97%	▲		
Other expenses	43,670	91%	▲		
Loss on asset disposals	0	100%	▲		

SUPPLEMENTARY NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 DECEMBER 2022

S1. DETAILED ACQUISITION

Description	Schedule	2022/2023 Actual	2022/2023 Budget
Jurien Bay Admin. - Internal Reconfiguration	Governance	18,400	235,000
JB Admin - roof replacement (grant funded)	Governance	-	150,000
JB Admin - front windows (grant funded)	Governance	-	80,000
JB Admin - internal painting (grant funded)	Governance	-	75,000
JB Admin - Ceiling and wall repair (grant funded)	Governance	-	11,000
JB Admin- Renewal of AC system (grant funded)	Governance	-	460,000
Light Vehicle - Utility	Law Order & Public Safety	-	55,000
Dandaragan GROH House	Education	(159)	0
Jurien Tip Cell Fence	Community Amenities	-	14,000
Light Vehicle - Admin	Community Amenities	-	57,883
JB Cemetery Grave Retainment	Community Amenities	-	20,000
Sandy Cape Replacement of toilet block	Community Amenities	13,532	160,000
Badgingarra Amenities - replace	Community Amenities	-	160,000
Dand Transit Park renovate, waterproof and re-tile	Community Amenities	2,551	60,000
Catalonia Park Amenities - internal refit	Community Amenities	2,373	45,000
Catalonia Park Amenities - enclose gable ends	Community Amenities	2,450	4,000
Civic Centre - amphitheatre lights and bollards	Recreation & Culture	1,000	55,000
Civic Centre - external repaint	Recreation & Culture	9,772	40,000
Civic Centre - window repairs	Recreation & Culture	1,327	25,000
Dandaragan Community Centre - Auto Door Entry	Recreation & Culture	11,792	18,000
Dandaragan Community Centre - hot water services	Recreation & Culture	2,355	8,000
Jurien Irrigation Project	Recreation & Culture	-	170,000
JB Fshore - Power Upgrade	Recreation & Culture	273,652	300,114
JB Foreshore Shelter/Seating/BBQ	Recreation & Culture	75,503	80,000
JB Foreshore playground	Recreation & Culture	390	0
2 x Shade Shelter Pioneer Pk Dand.	Recreation & Culture	-	40,000
Queens Jubilee Tree Planting	Recreation & Culture	34,541	14,222
JB Fshore - Ablution/Pavillion	Recreation & Culture	429,020	404,975
JSRC function room roof repair	Recreation & Culture	55,872	50,000
JBRC Security fence	Recreation & Culture	2,050	-
Redexim Verti Drain	Recreation & Culture	-	60,000
Jiff Bin Cleaner	Recreation & Culture	-	40,000
Mower	Recreation & Culture	-	90,000
Cellular booster - Sandy Cape	Recreation & Culture	-	30,000
Television Rebroadcast equipment	Recreation & Culture	14,410	75,000
Aggies Cottage - Annual renewal works contribution	Recreation & Culture	-	10,000
WABN Cervantes Connectivity	Transport	87,992	180,000
TWP realignment (Coastwest)	Transport	160,812	160,812
Swale Renewal	Transport	7,273	18,000
Electric Roller Door DN Depot	Transport	-	20,000
Skid Steer	Transport	-	120,000
Truck 4 Wheeler	Transport	-	150,000
Marchagee Track	Transport	31,907	11,400
Baberton West Road	Transport	54,049	118,952
Yeramullah Road	Transport	-	175,847
McKays Road	Transport	110,491	158,595
Wandawallah Road	Transport	-	166,425
Capitela Road	Transport	-	111,359
Cantabilling Road	Transport	-	14,625
Stockyard Road	Transport	-	124,518
Harris Street	Transport	4,065	18,000
Bibby Road	Transport	-	552,500
Sandy Cape	Transport	-	222,336
Watheroo West Road	Transport	341,660	890,447
Watheroo West Road	Transport	-	379,000
Jurien East Road	Transport	4,091	825,773
Jurien East Road	Transport	-	1,358,812
Cataby Road	Transport	25,596	186,595
Cataby Road	Transport	58,067	520,115
Dandaragan Road	Transport	89,643	530,761
Dandaragan Road	Transport	-	199,000
Agaton Road	Transport	29,938	1,623,469
Bibby Road	Transport	558,942	610,141
Taxiway	Transport	190,283	180,985
JB Taxiway Enrichment Seal	Transport	19,030	20,000
JB Airport Fence, Water, RFDS Tidy	Transport	-	15,000
Smooth Drum	Transport	-	310,000
Pedestrian Roller	Transport	-	25,000
Trailer for Pedestrian Roller	Transport	-	10,000
Jurien Townsite Precinct Signs	Economic Services	13,079	9,000
Ezy Dump Increase Capacity - JB, Badgy, SC	Economic Services	19,523	24,500
Light Vehicle - SUV	Other Property & Services	52,778	60,000
Portable Aircon 48in	Other Property & Services	-	8,000
HD Por Diagnostic Tool	Other Property & Services	12,579	13,500
JB Depot Building	Other Property & Services	98,909	164,803
Light Vehicle - Utility	Other Property & Services	-	55,000
Light Vehicle - Utility	Other Property & Services	51,181	55,000
Total		2,972,717	13,495,464

Carryover Works in Progress from 21/22

Description	Schedule	2022/2023 Actual	2022/2023 Budget
TWP realignment (Coastwest)		52,000	52,000
Jurien Bay Admin. - Internal Reconfiguration		-	109
JB Fshore - Power Upgrade		347,146	347,146
JB Foreshore Shelter/Seating/BBQ		16,672	16,672
JB Fshore - Ablution/Pavillion		1,032,344	1,032,344
JB Depot Building		-	175,389
Jurien East Road		-	1,333,667
Taxiway		4,015	4,015
Dandaragan GROH House		547,786	547,786
		1,999,963	3,509,128



Monthly Statements

for the period ending 31 January 2023

Rates Setting Statement	3
Statement of Financial Position	4
Income Statement by Nature or Type	5
Statement of Changes in Equity	6
Note 1 (a) Key Terms and Definitions	7
Note 1 (b) Key Terms and Definitions	8
Note 2 Rates and Service Charges	9
Note 3 (a) Rate Setting Statement Information	10
Note 3 (b) Net Current Assets & Funding	11
Note 3 (c) Significant Accounting Policies	12
Note 4 Financially Backed Reserves	13
Note 5 (a) Fixed Assets	14
Note 5 (b) Disposal of Assets	15
Note 6 Asset Depreciation	16
Note 7 Information on Borrowings	17
Note 8 Lease Liabilities	18
Note 9 Program Information	19
Note 10 Trust Funds	20
Note 11 - Budget Amendments	21
Note 12 - Grants & Contributions	22
Note 13 - Cash, Investments & Receivables	23
Note 14 Variances	24
Supplementary Information Detailed Acquisition	25

SHIRE OF DANDARAGAN
RATE SETTING STATEMENT BY NATURE OR TYPE
FOR THE PERIOD ENDED 31 JANUARY 2023

	Leg.	Note	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
OPERATING ACTIVITIES					
Adjusted net current assets at start of financial year - surplus/(deficit)	FMR34(2)(a)		3,015,610	2,907,963	2,907,963
Revenue from operating activities (excluding rates)					
Operating grants, subsidies and contributions			710,253	545,759	567,110
Fees and charges			2,570,718	1,967,875	1,985,135
Interest earnings			36,430	25,412	19,979
Other revenue			120,933	69,961	54,590
Profit on asset disposals			42,563	7,431	10,200
			3,480,897	2,616,439	2,637,014
Expenditure from operating activities					
Employee costs			(4,545,587)	(2,452,532)	(2,326,457)
Materials and contracts			(3,979,082)	(2,299,137)	(2,166,423)
Utility charges			(395,881)	(230,931)	(230,135)
Depreciation on non-current assets		6	(5,925,282)	(3,456,415)	(4,636,978)
Borrowing costs expense			(53,186)	(27,056)	(17,696)
Insurance expenses			(329,132)	(327,401)	(318,440)
Other expenses			(748,329)	(449,769)	(450,319)
Loss on asset disposals			(50,615)	0	0
			(16,027,094)	(9,243,242)	(10,146,449)
Non-cash amounts excluded from operating activities		3(a)(i)	5,933,334	3,448,984	4,695,143
Amount attributable to operating activities			(3,597,253)	(269,855)	93,671
INVESTING ACTIVITIES					
Non-operating grants, subsidies and contributions			9,151,263	141,000	139,506
Proceeds from disposal of assets		5(b)	157,000	0	52,727
Purchase land and buildings		5(a)	(2,235,778)	(1,902,651)	(656,827)
Purchase furniture and equipment		5(a)	(118,500)	(80,318)	(28,706)
Purchase plant and equipment		5(a)	(1,095,883)	(60,000)	(163,635)
Purchase infrastructure assets - roads		5(a)	(8,798,671)	(5,461,812)	(1,377,177)
Purchase infrastructure assets - parks & reserves		5(a)	(604,336)	(561,456)	(123,059)
Purchase infrastructure assets - other		5(a)	(642,297)	(628,023)	(762,882)
Amount attributable to investing activities			(4,187,201)	(8,553,261)	(2,920,053)
FINANCING ACTIVITIES					
Proceeds from new borrowings			0	0	0
Repayment of borrowings		7	(163,019)	(81,104)	(81,104)
Payment of self supporting loan to community group		7	0	0	0
Self-supporting loan principal income		7	20,648	10,288	10,288
Community group cash advance principal income		7	0	0	0
Payment of right of use lease		8	(33,971)	(19,816)	(19,532)
Transfers to cash backed reserves (restricted assets)		4	(420,388)	(412,054)	(2,681)
Transfers from cash backed reserves (restricted assets)		4	719,059	0	0
Amount attributable to financing activities			122,330	(502,687)	(93,029)
Budgeted deficiency before general rates			(7,662,124)	(9,325,803)	(2,919,411)
Estimated amount to be raised from general rates		2(a)	7,045,744	7,043,939	7,037,609
Adjusted net current assets at end of financial year - surplus/(deficit)	FMR34(2)(a)	3(a)(iii)	(616,380)	(2,281,864)	4,118,198
Budget adjustment - Provisions	FMR32(f)		616,380		
Budget Surplus / (Deficiency)			0		

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

STATEMENT OF FINANCIAL POSITION
AS AT 31 JANUARY 2023

Description	Notes	2022	2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	13	10,475,021	10,812,997
Trade receivables		728,345	914,359
Other financial assets at amortised cost		20,648	10,360
Other current assets		0	0
Inventories		28,503	32,149
TOTAL CURRENT ASSETS		11,252,518	11,769,865
NON-CURRENT ASSETS			
Other financial assets at amortised cost		157,733	157,733
Trade receivables		68,365	0
Land		2,674,000	2,674,000
Buildings and improvements		29,808,295	29,838,619
Furniture and equipment		1,146,461	1,091,908
Plant and equipment		3,072,528	2,865,721
Right of use assets		72,403	52,655
Infrastructure		291,944,334	290,627,898
TOTAL NON-CURRENT ASSETS		328,944,119	327,308,535
TOTAL ASSETS		340,196,637	339,078,400
CURRENT LIABILITIES			
Trade and other payables		(1,626,946)	(368,648)
Contract liabilities	12	(1,530,729)	(2,379,112)
Lease liabilities	8	(33,971)	(14,439)
Borrowings	7	(163,019)	(81,915)
Employee related provisions		(616,380)	(341,016)
TOTAL CURRENT LIABILITIES		(3,971,046)	(3,185,130)
NON-CURRENT LIABILITIES			
Lease liabilities	8	(38,990)	(38,990)
Borrowings	7	(2,241,022)	(2,241,022)
Employee related provisions		(113,631)	(113,631)
TOTAL NON-CURRENT LIABILITIES		(2,393,644)	(2,393,644)
TOTAL LIABILITIES		(6,364,689)	(5,578,773)
TOTAL NET ASSETS		333,831,948	333,499,627
EQUITY			
Retained earnings		(202,620,856)	(202,285,855)
Reserves - cash backed		(4,549,851)	(4,552,532)
Revaluation surplus		(126,661,240)	(126,661,240)
TOTAL EQUITY		333,831,948	333,499,627

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

SHIRE OF DANDARAGAN
STATEMENT OF COMPREHENSIVE INCOME BY NATURE OR TYPE
FOR THE PERIOD ENDED 31 JANUARY 2023

	Note	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
Revenue				
Rates	2(a)	7,045,744	7,043,939	7,037,609
Operating grants, subsidies and contributions		710,253	545,759	567,110
Fees and charges		2,570,718	1,967,875	1,985,135
Interest earnings		36,430	25,412	19,979
Other revenue		120,933	69,961	54,590
		10,484,078	9,652,947	9,664,422
Expenses				
Employee costs		(4,545,587)	(2,452,532)	(2,326,457)
Materials and contracts		(3,979,082)	(2,299,137)	(2,166,423)
Utility charges		(395,881)	(230,931)	(230,135)
Depreciation on non-current assets	6	(5,925,282)	(3,456,415)	(4,636,978)
Borrowing costs expense		(53,186)	(27,056)	(17,696)
Insurance expenses		(329,132)	(327,401)	(318,440)
Other expenses		(748,329)	(449,769)	(450,319)
		(15,976,479)	(9,243,242)	(10,146,449)
		(5,492,401)	409,705	(482,027)
Non-operating grants, subsidies and contributions		9,151,263	141,000	139,506
Profit on asset disposals	5 (b)	42,563	7,431	10,200
Loss on asset disposals	5 (b)	(50,615)	0	0
Net result		3,650,810	558,136	(332,320)
Other comprehensive income				
Changes on revaluation of non-current assets		0	0	0
Total other comprehensive income		0	0	0
Total comprehensive income		3,650,810	558,136	(332,320)

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

SHIRE OF DANDARAGAN
STATEMENT OF CHANGES IN EQUITY
AS AT 31 JANUARY 2023

		Reserves		
	Retained	Cash	Revaluation	Total
Note	Surplus	Backed	Surplus	Equity
	\$	\$	\$	\$
Balance as at 30 June 2022	202,620,856	4,549,851	126,661,240	333,831,948
Comprehensive Income				
Net result	(332,320)	0	0	(332,320)
Changes on revaluation of non-current assets	0	0	0	0
Total comprehensive income	(332,320)	0	0	(332,320)
Transfers from/(to) reserves	(2,681)	2,681	0	0
Balance as at 31 January 2023	202,285,855	4,552,532	126,661,240	333,499,627

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

SHIRE OF DANDARAGAN
NOTES TO AND FORMING THE MONTHLY FINANCIAL STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

1 (a) KEY TERMS AND DEFINITIONS - NATURE OR TYPE

REVENUES

RATES

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

SERVICE CHARGES

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services.

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

PROFIT ON ASSET DISPOSAL

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

FEES AND CHARGES

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

Other revenue, which can not be classified under the above headings, includes dividends, discounts, and rebates. Reimbursements and recoveries should be separated by note to ensure the correct calculation of ratios.

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Loss on the disposal of fixed assets includes loss on disposal of long term investments.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation and amortisation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

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

SHIRE OF DANDARAGAN
NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

1 (b) KEY TERMS AND DEFINITIONS - REPORTING PROGRAMS

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources	Includes the activities of members of Council and the administrative support available to the Council for the provision of governance of the district. Other costs relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific local government services.
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services	Rates, general purpose government grants and interest revenue
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.
HEALTH	To provide an operational framework for environmental and community health	Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal.
EDUCATION AND WELFARE	To provide services to disadvantaged persons, the elderly, children and youth.	Provision of youth, aged and disability services.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences.
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resource which will help the social well being of the community.	Maintenance of public halls, civic centres, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities.
TRANSPORT	To provide safe, effective and efficient transport services to the community	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
ECONOMIC SERVICES	To help promote the local government and its economic wellbeing	Tourism and area promotion Provision of rural services including weed control, vermin control and standpipes. Building control.
OTHER PROPERTY AND SERVICES	To monitor and control operating accounts	Private works operation, plant repair and costs.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

2 RATES AND SERVICE CHARGES

(a) Rating Information

RATE TYPE	Rate in	Number of properties	Rateable value	2022/2023 Budgeted rate revenue	2022/2023 Budgeted interim rates	2022/2023 Budgeted back rates	2022/2023 Budgeted total revenue	2022/2023 Actual total revenue	2022/2023 Actual total revenue
	\$		\$	\$	\$	\$	\$	\$	\$
General rate									
Gross rental valuations									
GRV - General	8.8874	1,923	32,487,886	2,875,032	0	0	2,875,032	2,883,478	2,883,478
Unimproved valuations									
UV - General	0.6688	357	453,664,880	3,005,984	0		3,005,984	3,007,171	3,007,171
Sub-Totals		2,280	486,152,766	5,881,016	0	0	5,881,016	5,890,649	5,890,649
Minimum									
Minimum payment	\$								
Gross rental valuations									
General Minimum s.6.35(3)(a)	1,054	952	5,239,717	992,844	0	0	992,844	992,844	992,844
Dandaragan & Badgingarra	796	33	146,660	22,852	0	0	22,852	22,852	22,852
Unimproved valuations									
Mining	995	95	2,037,479	93,575	0	0	93,575	93,575	93,575
Other UV	765	394	29,385,400	298,652	0	0	298,652	298,652	298,652
Sub-Totals		1,474	36,809,256	1,407,923	0	0	1,407,923	1,407,923	1,407,923
		3,754	522,962,022	7,288,939	0	0	7,288,939	7,298,572	7,298,572
Discount							(245,000)	(267,632)	(267,632)
Total amount raised from general rates							7,043,939	7,030,940	7,030,940
Ex Gratia Rates							1,805	6,669	6,669
Total rates							7,045,744	7,037,609	7,037,609

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
AS AT 31 JANUARY 2023

3(a). RATE SETTING STATEMENT INFORMATION

	2022/2023 Budget	2022/2023 Actual
(i) Operating activities excluded from budgeted deficiency		
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Rate Setting Statement in accordance with Financial Management Regulation 32.		
Profit on asset disposals	(42,563)	(10,200)
Loss on asset disposals	50,615	0
Movement in employee provisions	0	0
Movement in deferred rates	0	68,365
Depreciation on assets	5,925,282	4,636,978
Non cash amounts excluded from operating activities	5,933,334	4,695,143
Surplus/(deficit) after imposition of general rates		
The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement in accordance with Financial Management Regulation 32 to agree to the surplus/(deficit) after imposition of general rates.		
(ii) Current Assets and liabilities excluded from budgeted deficiency		
Less: Cash - restricted reserves	(4,251,180)	(4,552,532)
Less: Other financial assets at amortised cost - self support loan	(20,938)	(10,360)
Add: Current liabilities not expected to be cleared at end of year		
- Current portion of borrowings	166,294	81,915
- Current portion of lease liabilities	33,955	14,439
Total adjustments to net current assets	(4,071,868)	(4,466,538)
(iii) Adjusted Net Current Asset / (Deficit) used in Rate Setting Statement		
Total current assets	5,669,162	11,769,865
Less: Total current liabilities	(2,213,674)	(3,185,130)
Net current assets	3,455,488	8,584,735
Less: Total adjustments to net current assets	(4,071,868)	(4,466,538)
Adjusted Net Current Asset / (Deficit) used in Rate Setting Statement	(616,380)	4,118,197

3(b). NET CURRENT ASSETS & FUNDING SURPLUS / (DEFICIT) (CONTINUED)

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the 's operational cycle. In the case of liabilities where the does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the 's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the prior to the end of the financial year that are unpaid and arise when the Shire of Dandaragan becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

CONTRACT ASSETS

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

PROVISIONS

Provisions are recognised when the has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

INVENTORIES

General

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

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

LEASE LIABILITIES

The present value of future lease payments not paid at the reporting date discounted using the incremental borrowing rate where the implicit interest rate in the lease is not readily determined

SUPERANNUATION

The Shire of Dandaragan contributes to a number of superannuation funds on behalf of employees.

All funds to which the Shire of Dandaragan contributes are defined contribution plans.

TRADE AND OTHER RECEIVABLES

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

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

CONTRACT LIABILITIES

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer. Grants to acquire or construct recognisable non-financial assets to be controlled by the are recognised as a liability until such time as the satisfies its obligations under the agreement.

EMPLOYEE BENEFITS

Short-term employee benefits

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

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

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
AS AT 31 JANUARY 2023**

3(c) SIGNIFICANT ACCOUNTING POLICIES - OTHER INFORMATION

GOODS AND SERVICES TAX (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a budget in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

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

COMPARATIVE FIGURES

Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

BUDGET COMPARATIVE FIGURES

Unless otherwise stated, the budget comparative figures shown in the budget relate to the original budget estimate for the relevant item of disclosure.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

4 FINANCIALLY BACKED RESERVES

Financially Backed Reserves - Movement

	2022/2023 Actual Opening Balance	2022/2023 Actual Transfer to (to)	2022/2023 Actual Transfer (from)	2022/2023 Change In Use Adjustment	2022/2023 Actual Closing Balance
	\$	\$	\$		\$
Plant Reserve	360,893	213	0	0	361,106
Building Renewal Reserve	706,736	416	0	0	707,152
Rubbish Reserve	436,804	257	0	0	437,062
Community Centre Reserve	401,682	237	0	0	401,919
Television Services Reserve	53,077	31	0	0	53,108
Information Technology Reserve Reserve	57,339	34	0	0	57,373
Caravan Park Reserve	0	0	0	0	0
Land Development Reserve	71,060	42	0	0	71,102
Parking Requirements (Lot 1154 Sandpiper Street) Reserve	11,469	7	0	0	11,476
Parks and Recreation Grounds Development (Seagate) Reserve	150,903	89	0	0	150,992
Sport and Recreation Reserve	163,599	96	0	0	163,696
Landscaping Reserve	2,662	2	0	0	2,663
Aerodrome Reserve	174,811	103	0	0	174,914
Public Open Space Renewal Reserve	212,439	125	0	0	212,564
Infrastructure Renewal Reserve	679,419	400	0	0	679,819
Public Open Space Construction Reserve	9,437	6	0	0	9,443
Infrastructure Construction Reserve	146,534	86	0	0	146,620
Building Construction Reserve	26,845	16	0	0	26,861
Leave Reserve	181,285	107	0	0	181,392
Economic Development Initiatives Reserve	648,291	382	0	0	648,673
Turquoise Way Path Reserve	52,057	31	0	0	52,088
Cash in lieu of landscaping – Lot 1146 Sandpiper Street Reserve	2,509	1	0	0	2,510
WALGGC Roads Component Overpayment	0	0	0	0	0
Public Art/Percent for Art	0	0	0	0	0
Cervantes Community Infrastructure Development	0	0	0	0	0
	4,549,851	2,681	0	0	4,552,532

NOTES TO AND FORMING PART OF THE BUDGET
FOR THE PERIOD ENDED 31 JANUARY 2023

5 FIXED ASSETS

(a) Acquisition of Assets

Asset class	2022/2023 Budget Total	2022/2023 Actual Total
	\$	\$
<u>Property, Plant and Equipment</u>		
Buildings	2,235,778	656,827
Furniture and equipment	118,500	28,706
Plant and equipment	1,095,883	163,635
	<u>3,450,161</u>	<u>849,168</u>
<u>Infrastructure</u>		
Infrastructure - Roads	8,798,671	1,377,177
Infrastructure - Footpaths	340,812	250,554
Infrastructure - Parks and Reserves	604,336	123,059
Infrastructure - Other	301,485	512,328
	<u>10,045,303</u>	<u>2,263,119</u>
<u>Right of use assets</u>		
	<u>0</u>	<u>0</u>
	<u>13,495,464</u>	<u>3,112,286</u>

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023**

5(b) DISPOSAL OF ASSETS

The following assets are budgeted to be disposed of during the year.

	2022 / 2023 Actual Net Book Value	2022 / 2023 Actual Sale Proceeds	2022 / 2023 Actual Profit	2022 / 2023 Actual Loss
	\$	\$	\$	\$
By Program				
Other property and services	42,527	52,727	10,200	0
	42,527	52,727	10,200	0
By Class				
Plant and equipment	42,527	52,727	10,200	0
	42,527	52,727	10,200	0

SIGNIFICANT ACCOUNTING POLICIES

GAINS AND LOSSES ON DISPOSAL

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

6 ASSET DEPRECIATION

	2022/2023 Budget	2022/2023 Actual
	\$	\$
By Program		
Governance	192,671	110,781
Law, order, public safety	108,673	61,041
Health	21,509	12,377
Education and welfare	0	6,085
Community amenities	294,499	156,666
Recreation and culture	1,217,481	655,206
Transport	3,398,642	3,229,082
Economic services	55,333	35,743
Other property and services	636,474	369,997
	5,925,282	4,636,978
By Class		
Buildings	1,169,649	626,503
Furniture and equipment	125,888	83,258
Plant and equipment	566,027	327,915
Right of use asset	34,327	19,748
Infrastructure - Roads	2,779,328	2,865,254
Infrastructure - Footpaths	303,498	179,726
Infrastructure - Parks and Reserves	177,680	89,360
Infrastructure - Other	768,885	445,214
	5,925,282	4,636,978

SIGNIFICANT ACCOUNTING POLICIES

DEPRECIATION

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use.

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

Major depreciation periods used for each class of depreciable asset are:

Asset Class	Useful life
Buildings	25 - 50 years
Furniture and equipment	5 - 20 years
Plant and equipment	2 - 20 years
Infrastructure - Roads	
Formation – All roads	Perpetual life
Pavement – Thin Surfaced Flexible Ru	100 years
Pavement – Thin Surfaced Flexible Ur	100 years
Pavement – Unsealed Rural	50 years
Pavement – Unsealed Urban	50 years
Surface – Asphalt	100 years
Surface – Brick	60 years
Surface – Chip seal	60 years
Surface – Concrete	100 years
Surface – Slurry Seal	100 years
Infrastructure - Footpaths	
Black Asphalt	36 years
Brick Paving	36 years
Concrete Slabs	36 years
Gravel	12 years
In-situ Concrete	48 years
Red Asphalt	36 years
Sand	12 years
Timber	36 years
Other	48 years
Infrastructure - Drainage	60 years
Infrastructure - Other	5 - 80 years
Infrastructure - Parks and reserves	10 - 45 years

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

7 INFORMATION ON BORROWINGS

Borrowing repayments

Movement in borrowings and interest between the beginning and the end of the current financial year.

Purpose	Budget Principal 1 July 2022	2022/2023 Budget New loans	2022/2023 Budget Principal repayments	2022/2023 Budget Interest repayments	2022/2023 Principal outstanding 30 June 2023	Actual Principal 1 July 2022	2022/2023 Actual New loans	2022/2023 Actual Principal repayments	2022/2023 Actual Interest repayments	2022/2023 Principal outstanding 31 Jan 2023
	\$	\$	\$	\$	\$			\$	\$	\$
Education and welfare										
Loan 136	613,488	0	59,816	10,670	553,671	613,488	0	29,775	3,585	583,712
Recreation and culture										
Loan 137	1,470,901	0	59,298	36,564	1,411,603	1,470,901	0	29,464	12,110	1,441,437
Other property and services										
Loan 138	238,526	0	23,257	4,149	215,269	238,526	0	11,577	1,394	226,949
	2,322,914	0	142,371	51,383	2,180,544	2,322,914	0	70,816	17,089	2,252,098
Self Supporting Loans										
Recreation and culture										
Loan 133	29,623	0	7,134	691	22,489	29,623	0	3,545	63	26,078
Loan 134	16,335	0	3,547	204	12,788	16,335	0	1,768	95	14,567
Loan 135	35,169	0	9,967	212	25,202	35,169	0	4,976	33	30,194
Other property and services										
	81,127	0	20,648	1,106	60,478	81,127	0	10,288	191	70,838
	2,404,041	0	163,019	52,489	2,241,022	2,404,041	0	81,104	17,280	2,322,937

All borrowing repayments, other than self supporting loans, will be financed by general purpose revenue.

The self supporting loan(s) repayment will be fully reimbursed.

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

8 LEASE LIABILITIES

Purpose	FA Number	Institution	Lease Interest Rate	Lease Term	Lease Principal 1 July	2022/2023	2022/2023	2022/2023	2022/2023	Actual Principal 1 July 2022	2022/2023	2022/2023	2022/2023	2022/2023
						Budget New leases	Budget Principal repayments	Budget Interest repayments	Principal outstanding 30 June 2023		Actual New leases	Actual Principal repayments	Actual Interest repayments	Principal outstanding 31 Jan 2023
					\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Governance														
Photocopier Lease	FA3190	Ricoh Finance	1.33%	5 yrs	28,612		14,211	381	14,401	28,612		9,474	222	19,138
Water filter lease	FA3235	Waterlogic Aust	0.51%	3 yrs	6,937		3,073	47	3,864	6,937		1,536	20	5,401
Recreation and culture														
Water filter lease	FA3233	Waterlogic Aust	0.51%	3 yrs	20,908		9,261	142	11,647	20,908		4,630	59	16,278
Transport														
Water filter lease	FA3234	Waterlogic Aust	0.51%	3 yrs	14,355		6,358	98	7,996	14,355		3,179	41	11,176
Economic services														
Photocopier Lease	FA3236	Ricoh Finance	1.33%	5 years	2,149		1,068	29	1,082	2,149		712	17	1,438
					72,961	0	33,971	697	38,990	72,961	0	19,532	358	53,429

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023**

9 PROGRAM INFORMATION

(a) Fees and Charges Revenue

	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
	\$		\$
Governance	525	292	10
General purpose funding	36,300	26,217	21,529
Law, order, public safety	381,789	380,289	389,591
Health	19,290	10,490	18,988
Education and welfare	46,800	27,300	28,317
Community amenities	1,198,818	1,060,618	999,779
Recreation and culture	554,476	298,940	347,383
Transport	30,328	20,745	27,141
Economic services	268,391	129,735	136,358
Other property and services	34,000	13,250	16,038
	2,570,718	1,967,875	1,985,135

(b) Expenses

	2022/2023 Budget	2022/2023 Y-T-D Budget	2022/2023 Actual
	\$		\$
Governance	(518,737)	(310,795)	(297,069)
General purpose funding	(257,208)	(143,065)	(118,004)
Law, order & public safety	(1,560,864)	(945,897)	(883,940)
Health	(366,234)	(211,581)	(191,056)
Education & welfare	(115,558)	(77,454)	(84,945)
Community amenities	(2,444,656)	(1,433,768)	(1,327,837)
Recreation and culture	(3,708,668)	(2,088,406)	(1,964,396)
Transport	(5,867,887)	(3,409,678)	(4,470,371)
Economic services	(816,842)	(449,489)	(420,743)
Other property and services	(370,439)	(173,108)	(388,087)
	(16,027,094)	(9,243,242)	(10,146,449)

**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023**

10 TRUST FUNDS

Funds held at balance date over which the local government has no control and which are not included in the financial statements are as follows:

Trust Fund

Detail	Balance	Movements		Balance
	30-Jun-22	Inwards	Outwards	as at 30 June 2023
	\$	\$		\$
Cash In Lieu POS - L9000 Valencia	200,277			200,277
	200,277	0	0	200,277

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

11 BUDGET AMMENDMENTS

Description	Council Resolution	Schedule	Classification	Non-Cash Adjustment	Increase in cash available	Decrease in cash available	Amended Budget Running Balance
Budget Adoption							Opening Surplus
Permanent Changes							
				0	0	0	0

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

12 GRANTS & CONTRIBUTIONS

Program / Details	Grant Provider	In Advance payments	Budget 2022/23	2022/23 Budget Amendments	Received	Recoup Status		Not Received
						Revenue/ Expenditure	Liability	
				\$	\$	\$		
Operating								
Other General Purpose Income								
Grants Commission - General	WALGGS		160,510		158,654 18,848	158,654 18,848		1856.00
Fire Prevention								
ESL Operating Grant	FESA		43,500	3,682	35,387	11,796	23,591	11795.50
ESL Operating Grant Adjustment			-	14,307	- 14,307	14,307	-	
ESL Operating Grant - Extra volunteer insurance	FESA		9,000		6,750	2,250	4,500	2250.00
BRMC Contribution to offset mitigation works	FESA		15,000					15000.00
Mitigation Activity Fund	DEFES			242,500	121,250		121,250	121250.00
Other Welfare								
Spray the Grey	Dept of Communities		1,000		1,000	1,000		0.00
Spray the Grey	LotteryWest			7,500	7,500	7,500		
Swimming Areas and Beaches								
CHRMAP			50,000		25,000		25,000	25000.00
Other Recreation and Sport								
Karda Mountain Bike Trail	GLGSC		20,000		20,000		20,000	0.00
Regional Sport Grant	Australian Sport		3,000		3,000	3,000	-	0.00
Thank a Volunteer Grant	Dept of Communities			2,000	2,000	2,000		
Meerilinga Young Childrens week Grant	Meerilinga			1,000	1,000	1,000		
Libraries								
Encouraging Promising Practices Grant - Living Green	State Library WA			5,000	5,000	5,000		
Streets Roads Bridges Depots Maint								
MRWA Direct Grant	MRWA		281,915		287,979	287,979		-6064.00
Street Light Subsidy			3,400					3400.00
		-	587,325	247,375	679,061	484,720	194,341	174,488
Non-Operating								
Other Recreation and Sport								
Jurien Irrigation Project	Rural Water Council		100,000					100,000
Queens Jubilee Trees			10,000		10,000	10,000	-	-
Local Roads and Comm Inf - Round 1	LRCI		295,465				-	295,465
Other Recreation and Sport								
Local Roads and Comm Inf - Round 3	LRCI		1,181,858		590,929		590,929	590,929
Streets Roads Bridges Depots Maint								
Regional Road Group RRG	RRG		917,580		367,034		367,034	550,546
WSFN -	WSFN		800,800		800,800		800,800	-
WSFN - ROS008 & A	WSFN		1,176,373		141,493		141,493	1,034,880
WSFN - ROS856 & A	WSFN		1,660,400					1,660,400
WABN - Cervantes	WABN		10,000		10,000		10,000	-
DoT RBN Grant - Cervantes Path	DoT		80,000		57,500		57,500	
Commodity Route - Sandy Cape	SCR		146,500		58,600		58,600	87,900
Local Roads and Comm Inf - Round 2	LCRI		143,941					143,941
RTR Grant - Bibby Rd	RTR		554,113		158,415		158,415	395,698
	MRR		552,500	552,500				-
Remote Rural Upgrade Pilot - Agaton Rd	RRUP		1,390,733				-	1,390,733
TWP Realign (Coastwest)(herbarium)			38,500		38,500	38,500	-	-
Airfields								
RAD Grant - Taxiway	RAP		92,500		91,006	91,006	-	1,494
			9,151,263	- 552,500	2,324,276	139,506	2,184,770	6,251,987
		-	9,738,588	- 305,125	3,003,337	624,226	2,379,111	6,426,474.23

NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

13 CASH, INVESTMENTS & RECEIVABLES

Cash And Cash Equivalents

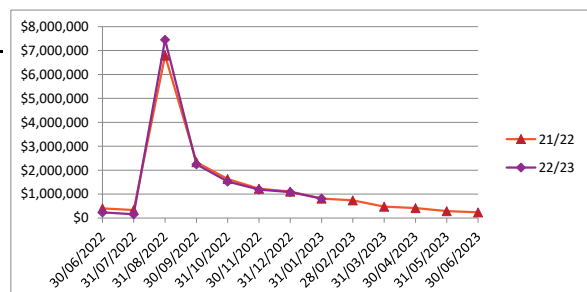
Note	2022	2023
	\$	\$
Unrestricted	5,925,170	6,260,465
Restricted	4,549,851	4,552,532
	<u>10,475,021</u>	<u>10,812,997</u>

Receivables

Rates outstanding	238,005	816,718
Sundry debtors	405,580	58,615
	<u>498,715</u>	<u>875,333</u>

Rates Outstanding

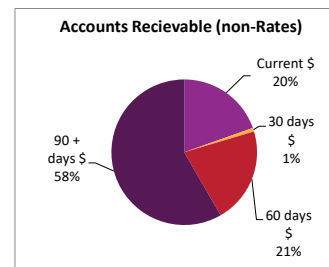
	YTD	31/01/2023
Opening Arrears Previous Years	238,005	399,437
Levied this Year	8,557,004	8,083,544
Less Collections to date	- 7,978,291	- 8,269,053
Equals Current Outstanding	<u>816,718</u>	<u>238,005</u>
Net Rates Collectable	816,718	238,005
% Collected	<u>91</u>	<u>97</u>



Sundry Debtors

	Current	30 days	60 days	90 + days
	\$	\$	\$	\$
Receivables General	11476.16	481.57	12468.61	34188.25
Total Receivables General Outstanding				<u>58,614.59</u>

Amounts shown above include GST (where applicable)



**NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023**

14 VARIANCES

Reporting Program	Var \$	Var %	Var	Timing / Permanent	Explanation of Variance
Revenue from operating activities (excluding rates)					
Operating grants, subsidies and contributions	21,350	104%	▲		
Fees and charges	17,259	101%	▲		
Interest earnings	(5,432)	79%	▼		
Other revenue	(15,372)	78%	▼	Permanent	Fuel Rebate claimed less than expected due to legislation changes
Profit on asset disposals	2,769	100%	▲		
Expenditure from operating activities					
Employee costs	126,075	95%	▲		
Materials and contracts	132,714	94%	▲		
Utility charges	796	100%	▲		
Depreciation on non-current assets	(1,180,563)	134%	▼	Permanent	Depreciation higher than expected due to revaluation
Borrowing costs expense	9,360	65%	▲		
Insurance expenses	8,961	97%	▲		
Other expenses	(550)	100%	▼		
Loss on asset disposals	0	100%	▲		

SUPPLEMENTARY NOTES TO AND FORMING PART OF THE MONTHLY STATEMENTS
FOR THE PERIOD ENDED 31 JANUARY 2023

S1. DETAILED ACQUISITION

Description	Schedule	2022/2023 Actual	2022/2023 Budget
Jurien Bay Admin. - Internal Reconfiguration	Governance	18,400	235,000
JB Admin - roof replacement (grant funded)	Governance	-	150,000
JB Admin - front windows (grant funded)	Governance	-	80,000
JB Admin - internal painting (grant funded)	Governance	-	75,000
JB Admin - Ceiling and wall repair (grant funded)	Governance	-	11,000
JB Admin- Renewal of AC system (grant funded)	Governance	4,500	460,000
Light Vehicle - Utility	Law Order & Public Safety	-	55,000
Dandaragan GROH House	Education	(159)	0
Jurien Tip Cell Fence	Community Amenities	-	14,000
Light Vehicle - Admin	Community Amenities	-	57,883
JB Cemetery Grave Retainment	Community Amenities	-	20,000
Sandy Cape Replacement of toilet block	Community Amenities	13,532	160,000
Badgingarra Amenities - replace	Community Amenities	-	160,000
Dand Transit Park renovate, waterproof and re-tile	Community Amenities	2,559	60,000
Catalonia Park Amenities - internal refit	Community Amenities	2,373	45,000
Catalonia Park Amenities - enclose gable ends	Community Amenities	2,450	4,000
Civic Centre - amphitheatre lights and bollards	Recreation & Culture	1,000	55,000
Civic Centre - external repaint	Recreation & Culture	10,302	40,000
Civic Centre - window repairs	Recreation & Culture	1,327	25,000
Dandaragan Community Centre - Auto Door Entry	Recreation & Culture	11,792	18,000
Dandaragan Community Centre - hot water services	Recreation & Culture	2,355	8,000
Jurien Irrigation Project	Recreation & Culture	-	170,000
JB Fshore - Power Upgrade	Recreation & Culture	276,157	300,114
JB Foreshore Shelter/Seating/BBQ	Recreation & Culture	75,503	80,000
JB Foreshore playground	Recreation & Culture	390	0
2 x Shade Shelter Pioneer Pk Dand.	Recreation & Culture	-	40,000
Queens Jubilee Tree Planting	Recreation & Culture	34,541	14,222
JB Fshore - Ablution/Pavillion	Recreation & Culture	430,891	404,975
JSRC function room roof repair	Recreation & Culture	55,872	50,000
JB FRC Security fence	Recreation & Culture	2,050	-
Redexim Verti Drain	Recreation & Culture	-	60,000
Jiff Bin Cleaner	Recreation & Culture	-	40,000
Mower	Recreation & Culture	-	90,000
Cellular booster - Sandy Cape	Recreation & Culture	-	30,000
Television Rebroadcast equipment	Recreation & Culture	14,410	75,000
Aggies Cottage - Annual renewal works contribution	Recreation & Culture	-	10,000
WABN Cervantes Connectivity	Transport	89,742	180,000
TWP realignment (Coastwest)	Transport	160,812	160,812
Swale Renewal	Transport	7,273	18,000
Electric Roller Door DN Depot	Transport	-	20,000
Skid Steer	Transport	-	120,000
Truck 4 Wheeler	Transport	-	150,000
Marchagee Track	Transport	31,907	11,400
Baberton West Road	Transport	54,049	118,952
Yeramullah Road	Transport	-	175,847
McKays Road	Transport	110,491	158,595
Wandawallah Road	Transport	-	166,425
Capitela Road	Transport	-	111,359
Cantabilling Road	Transport	-	14,625
Stockyard Road	Transport	-	124,518
Harris Street	Transport	4,065	18,000
Bibby Road	Transport	-	552,500
Sandy Cape	Transport	-	222,336
Watheroo West Road	Transport	341,660	890,447
Watheroo West Road	Transport	-	379,000
Jurien East Road	Transport	4,091	825,773
Jurien East Road	Transport	-	1,358,812
Cataby Road	Transport	25,596	186,595
Cataby Road	Transport	58,067	520,115
Dandaragan Road	Transport	134,501	530,761
Dandaragan Road	Transport	-	199,000
Agaton Road	Transport	29,938	1,623,469
Bibby Road	Transport	582,813	610,141
Taxiway	Transport	190,283	180,985
JB Taxiway Enrichment Seal	Transport	19,030	20,000
JB Airport Fence, Water, RFDS Tidy	Transport	-	15,000
Smooth Drum	Transport	-	310,000
Pedestrian Roller	Transport	-	25,000
Trailer for Pedestrian Roller	Transport	-	10,000
Jurien Townsite Precinct Signs	Economic Services	13,079	9,000
Ezy Dump Increase Capacity - JB, Badgy, SC	Economic Services	19,523	24,500
Light Vehicle - SUV	Other Property & Services	52,778	60,000
Portable Aircon 48in	Other Property & Services	7,250	8,000
HD Por Diagnostic Tool	Other Property & Services	12,579	13,500
JB Depot Building	Other Property & Services	98,909	164,803
Light Vehicle - Utility	Other Property & Services	52,426	55,000
Light Vehicle - Utility	Other Property & Services	51,181	55,000
Total		3,112,287	13,495,464

Carryover Works in Progress from 21/22

Description	Schedule	2022/2023 Actual	2022/2023 Budget
TWP realignment (Coastwest)		52,000	52,000
Jurien Bay Admin. - Internal Reconfiguration		-	109
JB Fshore - Power Upgrade		347,146	347,146
JB Foreshore Shelter/Seating/BBQ		16,672	16,672
JB Fshore - Ablution/Pavillion		1,032,344	1,032,344
JB Depot Building		-	175,389
Jurien East Road		-	1,333,667
Taxiway		4,015	4,015
Dandaragan GROH House		547,786	547,786
		1,999,963	3,509,128

Shire of Dandaragan

**ACCOUNTS FOR PAYMENT
FOR THE PERIOD ENDING
31 JANUARY 2023**

SUMMARY OF SCHEDULE OF ACCOUNTS JANUARY 2023

<u>FUND</u>					<u>AMOUNT</u>
<u>MUNICIPAL FUND</u>					
CHEQUES	NA		- NA		\$0.00
EFT'S	EFT	621	- EFT	647	\$777,792.00
DIRECT DEBITS	GJBDEB	4986	GJBDEB	5000	\$70,232.07
BPAY	BPAY	BPAY130123A	- BPAY	BPAY200123	\$25,017.55
TOTAL MUNICIPAL FUND					<u>\$873,041.62</u>

<u>TRUST FUND</u>					
CHEQUES	N/A		- N/A		\$0.00
EFT'S	EFT	N/A	- EFT	N/A	\$0.00
TRANSFER	Trust	N/A	- Muni	N/A	\$0.00
					<u>\$0.00</u>

This schedule of accounts to be passed for payment, covering vouchers as detailed above, which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown the amounts show are due for payment.

Posting Date	Document Type	Document No.	Bank Account No.	Description	Amount
5/01/2023		GJBDEB-4986	MUNI	Salary Packaging	1,116.73
5/01/2023		GJBDEB-4987	MUNI	SuperChoice - 03/01/22	23,772.82
18/01/2023		GJBDEB-4988	MUNI	SuperChoice - 17/01/23	23,680.14
19/01/2023		GJBDEB-4989	MUNI	Salary Packaging	1,116.73
3/01/2023	Payment	GJBDEB-4990	MUNI	BWA - Maintenance fee	20.00
3/01/2023	Payment	GJBDEB-4991	MUNI	ANZ Merchant Fee	303.22
3/01/2023	Payment	GJBDEB-4992	MUNI	CBA Merchant Fee	378.12
3/01/2023	Payment	GJBDEB-4993	MUNI	CBA Merchant Fee	67.39
4/01/2023	Payment	GJBDEB-4994	MUNI	Wex - Fuel cards	2,441.93
16/01/2023	Payment	GJBDEB-4995	MUNI	SecurePay fees	5.24
23/01/2023	Payment	GJBDEB-4996	MUNI	WATC - Gov G'Tee Fee - Loan 134	8,375.49
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C BWS Refreshments	116.00
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Gamato - Aircon repairs BCC	1,315.00
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Guildford Hotel - Refreshments for meeting	74.21
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Safety Culture iAuditor Annual Plan	117.88
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C ARA General Reporting Award entry	545.00
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Adobe subscription fee	21.99
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Adobe subscription fees	3,605.55
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Annual credit card fee	39.00
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Van Heusen - Staff uniforms	119.00
19/01/2023	Payment	GJBDEB-4996	MUNI	M/C Emission Assessment - Asbestos inspection	55.00
3/01/2023	Payment	GJBDEB-4997	MUNI	BPay Transaction Fee	174.40
19/01/2023	Payment	GJBDEB-4998	MUNI	M/C The Good Guys - Vacuum Cleaner	581.00
24/01/2023	Payment	GJBDEB-4999	MUNI	Australia Post Fees	26.90
24/01/2023	Payment	GJBDEB-5000	MUNI	Australia Post Refunds	2,163.33
Total Direct Debits					\$ 70,232.07

Date	Cheque Number	Vendor	Invoice	Description	Amount
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No payments made

Date	BPAY Number	Vendor	Invoice	Description	Amount
13/01/2023	BPAY130123A	V80818 - Telstra Corporation	2175531686/JAN23	Mobile Usage to 01/01/23	\$ 792.75
			7863675800/DEC22	JB Office Shared Data Dec 22	\$ 11,004.90
			2503689339/JAN23	Library usage to 1/1/23	\$ 134.97
				Total V80818	\$ 11,932.62
				Total BPAY130123A	\$ 11,932.62
13/01/2023	BPAY130123B	V81671 - Water Corporation	9007278989/DEC22	Jurien Cemetary 26/10 to 21/12/22	\$ 601.36
			9007276262/DEC22	Jurien Depot 26/10-21/12/22	\$ 511.85
			9007272237/DEC22	JCC 26/10-21/12/22	\$ 551.01
			9009758951/DEC22	306 Pinetree Cct 27/10-22/12/22	\$ 265.94
			9016739556/JAN23	31C Dandaragan Rd S/Charge 01/01-28/02/23	\$ 45.52
			9007248739/JAN23	BCC 03/11/22 to 05/01/23	\$ 1,076.85
			9007258523/JAN23	7B Dandaragan Rd 03/11/22 to 05/01/23	\$ 59.81
			9007258355/JAN23	Dandaragan rd Standpipe 03/11/22 to 05/01/23	\$ 803.09
			9007258494/JAN23	Dandaragan Depot 03/11/22 to 05/01/23	\$ 67.13
			9007258515/JAN23	6 Dandaragan Rd S/Charge 01/01 to 28/02/23	\$ 44.57
			9008594764/JAN23	Badgingarra Standpipe 03/11/22 to 05/01/23	\$ 913.73
			9007258566/JAN23	31B Dandaragan Rd S/Charge 01/01 to 28/02/23	\$ 44.57
			9007258558/JAN23	31A Dandaragan Rd S/Charge 01/01 - 28/02/23	\$ 48.38
			9007258531/JAN23	7A Dandaragan rd 03/11/22 to 05/01/23	\$ 63.62
			9007258646/JAN23	Dandaragan CC 03/11/22 to 05/01/23	\$ 369.34
			9007258734/JAN23	21L Quinn Pl 03/11/22 to 05/01/23	\$ 56.00
			9007256376/DEC22	Cervantes CBD Toilets 17/10-14/12/22	\$ 30.48
			9007253079/DEC22	Corunna Rd Toilets 18/10-15/12/22	\$ 422.35
			9007252543/DEC22	Cervantes Gym Hall 17/10-14/12/22	\$ 25.17
			9007251663/DEC22	Catalonia St Toilets/Retic Tanks 17/10-14/12/22	\$ 201.38
			9010675344/DEC22	Cerv Waste Trf Stn 17/10-14/12/22	\$ 48.96
			9007269433/DEC22	Dobbyn Pk Toilets 21/10-14/12/22	\$ 179.01
			9024528601/DEC22	Dobbyn Pk New Toilets 24/10-15/12/22	\$ 674.14
			9024550163/DEC22	Jurien Ezy Dump 21/10-14/12/22	\$ 318.86
			9011461671/DEC22	Jurien Admin Centre 24/10-15/12/22	\$ 836.50
			9007268959/DEC22	Furien F/S Amenities 24/10-15/12/22	\$ 287.96
			9007269986/DEC22	Family Resource Centre 24/10-15/12/22	\$ 474.36
			9007271154/DEC22	2 York St 21/10-15/12/22	\$ 118.47
				Total V81671	\$ 9,140.41
				Total BPAY130123B	\$ 9,140.41
20/01/2023	BPAY200123	V80818 - Telstra Corporation	5258987000/JAN23	Phone usage to 01/01/2023	\$ 3,698.49
			2175532049/JAN23	Mobile usage to 01/01/23	\$ 187.99
			2175531868/JAN23	Fuel Systems Jan 23	\$ 29.98
				Total V80818	\$ 3,916.46
		V84421 - Optus Billing Services Pty Ltd	61939377/DEC22	Sat Phone Plan 05/11/22 to 04/12/22	\$ 30.00
			CR61939377/JAN23	Service charges	\$ 1.94
				Total V84421	\$ 28.06
				Total BPAY200123	\$ 3,944.52
				Grand Total - BPAY	\$ 25,017.55

Date	EFT Number	Vendor	Invoice	Description	Amount
5/01/2023	621	Payroll	Payroll FNE 03/01/2023	Payroll FNE 03/01/2023	\$ 141,977.76
				Total 621	\$ 141,977.76
6/01/2023	644/1142				
		V81006 - Seton Australia	9351763110	Custom Toilet Direction Signs (Pavilion)	\$ 165.99
				Total V81006	\$ 165.99
		V81848 - Professionals Jurien Bayview Realty	280123	Staff Housing 15/01 - 28/01/23	\$ 920.00
			220123	Staff Housing 09/01 - 22/01/23	\$ 740.00
				Total V81848	\$ 1,660.00
		V81874 - Child Support	PJ003889	Child Support	\$ 202.04
				Total V81874	\$ 202.04
		V82557 - Moora Toyota	RI11100018	Toyota Hilux 4x4	\$ 43,623.60
				Total V82557	\$ 43,623.60
		V84422 - Jurien Tyre & Auto	60781	Service / Tyres	\$ 1,835.80
				Total V84422	\$ 1,835.80
		V84458 - Ray White Jurien Bay	270123	Staff Housing 14/01 - 27/01/23	\$ 670.00
				Total V84458	\$ 670.00
		V84554 - Cloud Collections Pty Ltd	3754A	Legal Expenses - Dec 22	\$ 7,581.67
				Total V84554	\$ 7,581.67
				Total 644/1142	\$ 55,739.10
12/01/2023	645/1143				
		V80021 - BOC Gases	5005954584	Cylinder Hire/Usage 28/11 to 28/12/22	\$ 82.81
				Total V80021	\$ 82.81
		V80028 - Dandaragan Community Rec Club	1051	Bar Facilities - Council Meeting 22 September 2022	\$ 209.40
				Total V80028	\$ 209.40
		V80033 - Derricks Auto-Ag & Hardware Plus	10294900	PVC footvalve and connections to suit	\$ 471.20
			10296272	Lube filter	\$ 54.52
			10297058	20 metres of lay flat hose	\$ 101.20
				Total V80033	\$ 626.92
		V80087 - Synergy	411619200/DEC22	New Admin Centre 18/11 to 15/12/22	\$ 3,772.69
			295333350/DEC22	Zendora Rd Standpipe 26/10-27/12/22	\$ 120.87
			610385240/DEC22	Cambewarra Dr Standpipe 26/10 to 22/12/22	\$ 118.47
			298673950/DEC22	Badgingarra Oval Lights 27/10 to 22/12/22	\$ 111.45
			915293230/DEC22	Aggies Cottage 27/10 to 22/12/22	\$ 105.61
			153530590/DEC22	Badgingarra Oval 27/10 to 22/12/22	\$ 2,358.69
			089860550/DEC22	Badgy Fire Shed 27/10 to 22/12/22	\$ 156.37
			429026190/DEC22	Jurien Bay Depot 18/11 to 15/12/22	\$ 1,518.61
			378052310/JAN23	Jurien Bay Landfill 27/10 to 23/12/22	\$ 178.34
			208476200/JAN23	Two Way Towers 20/10 to 07/12/22	\$ 132.89
			182506710/JAN23	Jurien Bay Vista Fire Hydrant 27/10 to 23/12/22	\$ 114.58
			721287150/JAN23	Street Lights 25/10 to 24/12/22	\$ 16,239.18
			164741840/JAN23	Oceanview Pde Fire Hydrant 27/10 to 23/12/22	\$ 112.49
			185507110/JAN23	Adriana 4A Park 28/11 to 27/12/22	\$ 120.75
			113698450/JAN23	Canover Standpipe 27/10 to 23/12/22	\$ 194.51
			393919840/JAN23	Lot237 Grigson St 30/9-15/12/22	\$ 1,885.95
			438517550/DEC22	Pioneer Pk Toilets 22/10-20/12/22	\$ 811.16
			513665230/DEC22	Dam Pump 10/11-14/12/22	\$ 1,122.72
			415004990/DEC22	Dand Depot 22/10-20/12/22	\$ 655.50
			825693/DEC22	Creek Pump 22/10-20/12/22	\$ 422.49
				Total V80087	\$ 30,253.32
		V80150 - RDI Transport	3980	Additional Bins - Freight	\$ 96.53
			4071	Additional Bins - Freight	\$ 236.81
				Total V80150	\$ 333.34
		V80163 - Badgingarra Community Assn	2022#132	Badgingarra Town Maintenance December 22	\$ 4,330.51
				Total V80163	\$ 4,330.51
		V80240 - RBC Rural	31725	Meterplan charge - Dec 22	\$ 3,047.95
				Total V80240	\$ 3,047.95
		V80279 - Jurien Sport and Recreation Centre		28/12/2022 BookEasy Operator Return	\$ 725.00
				03/01/23 Bookeasy Operator Return	\$ 6,155.00
				Total V80279	\$ 6,880.00
		V80549 - BP Jurien Bay	10148	Service & fit 4 new tyres	\$ 1,760.88
			10381	Tyres	\$ 270.00
				Total V80549	\$ 2,030.88
		V80616 - Cervantes Pinnacles Motel	03/01/23 OP RETURN	BookEasy booking 11395700	\$ 131.25
				Total V80616	\$ 131.25
		V81002 - Landgate	380582	Valuation Expenses GRV 29/10-25/11/22	\$ 292.81
			380695	Valuation Expenses Mining Tenements 09/11-13/12/22	\$ 42.15
			380500	Valuation Expenses Rural UV 29/10-25/11/22	\$ 86.94
			1244373-10000935	LandGate Searches	\$ 84.60
				Total V81002	\$ 506.50

Date	EFT Number	Vendor	Invoice	Description	Amount
		V81374 - Building and Construction Industry Training Fund			
			INV-166031-DOD2F1	BCITF December 2022	\$ 2,448.12
				Total V81374	\$ 2,448.12
		V81382 - Cervantes Hardware and Marine			
			178049	Super glue	\$ 9.08
			178218	Handsaw, speedfeed trimmer head cover	\$ 33.00
			178328	Retic cable	\$ 1,190.00
			178327	Tape, PVC slotted casing, bore equip hire	\$ 236.50
			178344	Washers, screws & premix concrete	\$ 26.40
			178491	Water meter 2"bsp male	\$ 2,200.00
				Total V81382	\$ 3,694.98
		V81490 - Ricoh Finance			
			482838	Photocopier Lease 08/02/23 to 07/03/23	\$ 1,438.07
				Total V81490	\$ 1,438.07
		V81545 - Winc Australia Pty Limited			
			9041221729	Stationery Order 14.12.2022	\$ 43.56
			9041198914	Stationery Order 14.12.2022	\$ 1,490.06
			9041260362	Stationery Order 14.12.2022	\$ 382.80
				Total V81545	\$ 1,916.42
		V81593 - Worldwide Joondalup Malaga			
			606016	Printing x 10 Purchase Order Books	\$ 440.00
				Total V81593	\$ 440.00
		V81744 - Nutrien Ag Solutions			
			908076007	Male adaptor & Ball valve	\$ 92.31
				Total V81744	\$ 92.31
		V81795 - Jurien Bay Community Resource Centre			
			1424	Advertising Shire Matters Craytales Iss428	\$ 3,296.50
				Total V81795	\$ 3,296.50
		V81896 - Mid Coast Contracting			
			6841	Supply & replace pressure switch with high pressure switch	\$ 827.75
				Total V81896	\$ 827.75
		V81924 - Toll Transport Pty Ltd			
			0594-D583590	Freight - WE 25/12/22	\$ 179.65
			0595-D583590	Freight - WE 01/01/23	\$ 32.00
			0593-D583590	Freight - W/E 15/12/22	\$ 150.95
				Total V81924	\$ 362.60
		V82028 - Avon Waste			
			53771	Fortnightly rubbish service 19/12/22 to 30/12/22	\$ 19,436.67
				Total V82028	\$ 19,436.67
		V82381 - AAA Asphalt Surfaces			
			7020	Coldmix 20kg bags	\$ 1,237.50
				Total V82381	\$ 1,237.50
		V82474 - Direct Contracting Pty Ltd			
			2454	Maintenance Grading of Tourist Tracks - Cervantes and Jurien Bay	\$ 3,924.25
			2448	Maintenance Grading - assorted roads	\$ 3,539.25
			2459	Grade and patch holes	\$ 5,123.25
			2456	Shoulder grade	\$ 17,028.00
			2449	Replace drainage lid	\$ 4,048.00
				Total V82474	\$ 33,662.75
		V82672 - Jurien Bay Tourist Park			
			03/01/23 OP RETURN	BookEasy booking 11219447 11220612 11270364 11391059	\$ 855.74
				Total V82672	\$ 855.74
		V82767 - Fowler Electrical Contracting			
			R008814	Deep Clean of various Aircon Units	\$ 3,289.18
				Total V82767	\$ 3,289.18
		V82883 - Western Regional Towing			
			221212	Transport abandoned vehicle Roberts St to Shire Depot	\$ 110.00
				Total V82883	\$ 110.00
		V83094 - Dave Watson Contracting Pty Ltd			
			2750	Verge pruning and mulching	\$ 2,310.00
				Total V83094	\$ 2,310.00
		V83145 - Avdata Australia			
			150029051/130	Jurien Bay Flight Data Dec 22	\$ 472.79
				Total V83145	\$ 472.79
		V83278 - The Workwear Group Pty Ltd			
			14513867	Staff Uniforms	\$ 411.71
				Total V83278	\$ 411.71
		V83480 - Jurien Bay Newsagency			
			131222	JB Library International Games Week Prize Voucher	\$ 30.00
			SN00035101012023	Quick Stick Labels	\$ 25.21
				Total V83480	\$ 55.21
		V83507 - CouncilFirst			
			SI007547	Power Automate Dec 22	\$ 19.54
			SI007511	M365 Licencing - Dec 22	\$ 1,151.88
			SI007423	Power Automate Oct 22	\$ 12.39
				Total V83507	\$ 1,183.81
		V83634 - Woodlands Distributors & Agencies P/L			
			5547A	Doggy bags	\$ 759.00
				Total V83634	\$ 759.00
		V83660 - D Greenwood			
			40/DEC22	Supply waste management to Badgingarra Tip Dec 22	\$ 1,280.00
				Total V83660	\$ 1,280.00
		V83863 - Badgingarra Roadhouse & Tourist Park			
			1796873	Fuel & meals	\$ 157.88
				Total V83863	\$ 157.88
		V83897 - Adventure Plus Playgrounds			
			34825	Quantum coasting timbre plus decking	\$ 1,716.00
				Total V83897	\$ 1,716.00
		V83997 - Auscoinswest			
			3109	Tourism Merchandise - 500 x Souvenir Coins	\$ 575.30
				Total V83997	\$ 575.30

Date	EFT Number	Vendor	Invoice	Description	Amount
		V84004 - Department of Water and Environmental Regulation			
			DL005934	Controlled Waste Driver Renewal	\$ 60.00
			TF026835	Controlled Waste DEC tracking form 13/12/22	\$ 88.00
				Total V84004	\$ 148.00
		V84042 - Traffic Force	31577	Supply of generic TMP	\$ 316.80
				Total V84042	\$ 316.80
		V84273 - Building And Energy			
			DANDARAGAN BSL DEC 2022	BSL Remittances Dec 22	\$ 1,792.87
				Total V84273	\$ 1,792.87
		V84371 - Nessa Hall - Nussy Cleaning Management Services	7737	Cervantes Cleaning Contract December 2022	\$ 3,474.63
				Total V84371	\$ 3,474.63
		V84422 - Jurien Tyre & Auto	60721	Fit 2 new tyres	\$ 1,206.00
				Total V84422	\$ 1,206.00
		V84462 - Jurien Bay Oceanic Experiences	09/01/23 OP RETURN	BookEasy booking 11428370	\$ 402.50
				Total V84462	\$ 402.50
		V84554 - Cloud Collections Pty Ltd	3702	Legal Expenses Nov 22	\$ 1,386.00
				Total V84554	\$ 1,386.00
		V84639 - Fegan Building Surveying	955	Building Surveyor Services - 01/12/22 to 15/12/22	\$ 1,485.00
			960	Building Surveyor Services - 15/12/22 to 31/12/22	\$ 1,485.00
				Total V84639	\$ 2,970.00
		V84727 - Jurien Bayview Realty	03/01/23 OP RETURN WAVES VILLA 5	BookEasy Booking 10437408	\$ 1,822.40
			03/01/23 OP RETURN WAVES VILLA 7	BookEasy Booking 10437400	\$ 1,822.40
			03/01/23 OP RETURN WAVES VILLA 8	BookEasy Booking 10437398	\$ 1,822.40
				Total V84727	\$ 5,467.20
		V84756 - Caravan of Conservation	5635	Tourism Merchandise - Fishing/Conservation Shirts	\$ 2,625.70
				Total V84756	\$ 2,625.70
		V84767 - Pinjarra Sandblasting and Painting	198S	Sandblast & paint trailer	\$ 3,080.00
				Total V84767	\$ 3,080.00
				Total 645/1143	\$ 153,332.87
17/01/2023	622	Payroll	Payroll FNE 19/01/2023	Payroll FNE 19/01/2023	\$ 109,923.15
				Total 622	\$ 109,923.15
20/01/2023	646/1144				
		V80043 - Jurien Bay IGA	07/DEC22	Jurien Admin Consumables Dec 22	\$ 900.02
				Total V80043	\$ 900.02
		V80087 - Synergy	513665230/JAN23	Damp Pump 15/12/22-10/1/23	\$ 1,215.18
				Total V80087	\$ 1,215.18
		V80102 - Westrac Equipment	PI7803769	Injec sleeve	\$ 190.92
			PI7827841	Rubber mounts - bolts -washers	\$ 938.65
			PI7807496	Fan assys	\$ 1,281.41
				Total V80102	\$ 2,410.98
		V80137 - Western Australian Local Government Association	SI-003295	Economic Development Essentials	\$ 583.00
				Total V80137	\$ 583.00
		V80163 - Badgingarra Community Assn	2022#133	Advertising Shire Matters Iss167- Dec 22	\$ 341.00
				Total V80163	\$ 341.00
		V80279 - Jurien Sport and Recreation Centre		09/01/23 BookEasy Operator Return	\$ 3,755.00
				Total V80279	\$ 3,755.00
		V80405 - Coastal Trimming	8144	Civic Centre PVC Shade Repairs	\$ 234.30
				Total V80405	\$ 234.30
		V80549 - BP Jurien Bay	10197	Install idler bearing pulleys & alternator drive belt	\$ 1,106.90
			10412	Vehicle service	\$ 661.50
				Total V80549	\$ 1,768.40
		V80726 - Jurien Bay Progress Association Inc	2023/001	Australia Day event contribution 2023	\$ 1,000.00
				Total V80726	\$ 1,000.00
		V81006 - Seton Australia	9351789909	Custom Sign	\$ 96.33
				Total V81006	\$ 96.33
		V81097 - Australia Post	1012090270	Postage December 2022	\$ 877.91
				Total V81097	\$ 877.91
		V81172 - WA Hino Sales & Service	292754	Readymix Coolant	\$ 521.62
			FIFV147562	Vehicle annual service	\$ 2,040.30
				Total V81172	\$ 2,561.92

Date	EFT Number	Vendor	Invoice	Description	Amount
		V81343 - Dandaragan Mechanical Services			
			9546	12V battery	\$ 244.20
			9174	Supply, fit & balance tyres	\$ 1,687.05
				Total V81343	\$ 1,931.25
		V81352 - Jurien Signs			
			6408	Fire Banners & Vehicle Magnetics	\$ 1,490.50
			6358	Staff uniforms	\$ 368.50
			6370	Rural Street Numbering	\$ 30.00
			6384	Various signs inc vehicle & Sandy Cape information	\$ 2,458.50
			6385	Vehicle reflective decals	\$ 522.50
			6316	Direction hazard markers & Pedestrian/Cyclists signs	\$ 808.50
				Total V81352	\$ 5,678.50
		V81479 - Apis Rural Products			
			1291222	TCVC Merchandise - Honey Products	\$ 195.00
				Total V81479	\$ 195.00
		V81506 - Afgri Equipment Australia Pty Ltd			
			2673182	Spring assy & lever kit	\$ 1,470.68
				Total V81506	\$ 1,470.68
		V81545 - Winc Australia Pty Limited			
			9040623896	Stationery Order 17.10.2022	\$ 14.96
			9041406464	Stationery Order 14.12.2022	\$ 442.95
			9041209926	Stationery Order 14.12.2022	\$ 10.45
				Total V81545	\$ 468.36
		V81795 - Jurien Bay Community Resource Centre			
			1444	Advertising - Summertales 2 x pages	\$ 241.50
				Total V81795	\$ 241.50
		V81848 - Professionals Jurien Bayview Realty			
			120223	Staff Housing 23/01/2023 to 12/02/2023 (inc extra week)	\$ 1,110.00
			110223	Staff Housing 29/01/2023 to 11/02/2023	\$ 920.00
				Total V81848	\$ 2,030.00
		V81874 - Child Support			
			PJ003892	Child Support	\$ 202.04
				Total V81874	\$ 202.04
		V81896 - Mid Coast Contracting			
			6814	Additional proximity tags	\$ 150.00
				Total V81896	\$ 150.00
		V81899 - Main Roads WA			
			5936672	Oversize permit	\$ 50.00
			5936674	Oversize permit	\$ 50.00
				Total V81899	\$ 100.00
		V81924 - Toll Transport Pty Ltd			
			0596-D583590	Freight W/E 8/1/23	\$ 88.68
				Total V81924	\$ 88.68
		V81973 - Fuel Distributors of WA Pty Ltd			
			445418	Ad blue & fuel meter	\$ 611.88
			67100384	Diesel Jurien Bay Depot	\$ 11,452.14
				Total V81973	\$ 12,064.02
		V82028 - Avon Waste			
			53949	Fortnightly rubbish service 02/01/23 to 13/01/23	\$ 16,089.20
				Total V82028	\$ 16,089.20
		V82362 - Jurien Auto Electrics			
			Q0179	Clear engine fault codes and replace sensor	\$ 300.00
			Q0178	Repairs to a/c on site	\$ 925.00
			Q0189	Fit and wire Waern Radios	\$ 459.50
			Q0188	Remove VHF Radios	\$ 150.00
				Total V82362	\$ 1,834.50
		V82364 - Abco Products			
			847015	Hand Soap	\$ 965.59
				Total V82364	\$ 965.59
		V82474 - Direct Contracting Pty Ltd			
			2460	Repair carpark	\$ 1,897.50
			2461	Maintenance Grading	\$ 5,808.00
				Total V82474	\$ 7,705.50
		V82853 - Image Resources N/L			
			REFUND TENEMENT DEATH A5889	Refund Tenement Death E70/04949	\$ 736.73
				Total V82853	\$ 736.73
		V82883 - Western Regional Towing			
			221221	Fertiliser freight	\$ 1,650.00
				Total V82883	\$ 1,650.00
		V83095 - Parkwood Hardware			
			I684665	Plumbing parts Sandy Cape	\$ 1,673.00
				Total V83095	\$ 1,673.00
		V83121 - Dandaragan Community Resource Centre Inc			
			124859	Service Level Agreement for Library and Shire Services 2022/23 2nd installment	\$ 20,424.25
				Total V83121	\$ 20,424.25
		V83298 - Cervantes Aluminium & Steel Fabrication			
			1657A	Tourism Merchandise - Metal Art	\$ 1,077.95
				Total V83298	\$ 1,077.95
		V83385 - Jurien Bay Panel & Paint Pty Ltd			
			5054	Install R/H/F Door Check Strap	\$ 372.50
				Total V83385	\$ 372.50
		V83437 - Brook Marsh Pty Ltd			
			30010230	Seal spotting	\$ 2,338.00
			30010231	Survey set out works	\$ 3,811.50
				Total V83437	\$ 6,149.50
		V83495 - Dandaragan Store			
			C56/DEC22	Dandaragan Depot consumables Dec22	\$ 104.24
				Total V83495	\$ 104.24

Date	EFT Number	Vendor	Invoice	Description	Amount
		V83507 - CouncilFirst			
			SI007556	STP Transaction Dec 22	\$ 55.00
				Total V83507	\$ 55.00
		V83705 - Telstra			
			04169079/P030187426-9	Whispir usage December 2022	\$ 1,011.49
				Total V83705	\$ 1,011.49
		V83841 - Office of the Auditor General			
			512	Fee for attest audit for the year ended 30/06/22	\$ 46,090.00
				Total V83841	\$ 46,090.00
		V83879 - Michelle Perkins			
			REIMBURSEMENT JAN23	Travel costs from/to Bayswater Mazda	\$ 42.06
				Total V83879	\$ 42.06
		V83925 - BookEasy Pty Ltd			
			22268	BookEasy Monthly Fees Dec 2022	\$ 330.00
				Total V83925	\$ 330.00
		V84004 - Department of Water and Environmental Regulation			
			TF027132	Controlled Waste DEC tracking form 15/12/22-20/12/22	\$ 484.00
			TF027486	Controlled Waste DEC tracking form 09/01/23	\$ 44.00
				Total V84004	\$ 528.00
		V84117 - Vanguard Press			
			36470	Holiday Guide Distribution & Storage - Dec 2022	\$ 228.91
			36618	Tourism Merchandise - large italic bags	\$ 243.05
				Total V84117	\$ 471.96
		V84121 - Coastal Garden Services			
			4501	Slashing & mowing 1/9/22	\$ 693.00
				Total V84121	\$ 693.00
		V84233 - Jolin Consulting			
			82	Psychometric Test	\$ 1,072.50
				Total V84233	\$ 1,072.50
		V84371 - Nessa Hall - Nussy Cleaning Management Services			
			7727	Sandy Cape Cleaning Contract November 2022	\$ 5,094.78
			7736	Jurien Bay Cleaning Contract November 2022	\$ 6,434.29
				Total V84371	\$ 11,529.07
		V84422 - Jurien Tyre & Auto			
			60631	Replace Tyres/Rims and Steering Dampener	\$ 3,101.50
				Total V84422	\$ 3,101.50
		V84458 - Ray White Jurien Bay			
			100223	Staff Housing 28/01/2023 to 10/02/2023	\$ 670.00
				Total V84458	\$ 670.00
		V84478 - Vestone Capital			
			120166	Councillor Laptop Lease 03/01/23 to 31/03/23	\$ 2,700.20
				Total V84478	\$ 2,700.20
		V84583 - Pemco Diesel			
			31333	Vehicle service & install front springs	\$ 8,940.93
				Total V84583	\$ 8,940.93
		V84639 - Fegan Building Surveying			
			964	Building Surveyor Services - 01/01/23 to 15/01/23	\$ 1,485.00
				Total V84639	\$ 1,485.00
		V84696 - G B Haywood			
			REFUND RURAL ROAD SIGNAGE A2857	Rural Road Numbering refund A2857	\$ 150.00
				Total V84696	\$ 150.00
		V84702 - Turquoise Coast Mechanical			
			48	Replace front & rear brakes	\$ 805.70
				Total V84702	\$ 805.70
		V84703 - Tricia Slee			
			REIMBURSEMENTS JAN23	Vehicle service	\$ 387.30
				Total V84703	\$ 387.30
		V84731 - Heritage Intelligence (WA)			
			J 02/23	Jurien Bay Town Hall Heritage Investigation	\$ 4,438.50
				Total V84731	\$ 4,438.50
		V84748 - Farmarama Pty Ltd			
			23684	Fertiliser	\$ 11,682.00
				Total V84748	\$ 11,682.00
		V84755 - Lehr Consultants International (Australia) Pty Ltd			
			9914	Mech engineering services	\$ 4,950.00
				Total V84755	\$ 4,950.00
		V84759 - Quietaire			
			00012234	Purchase and freight of 48" Quietcool Model QC48VS	\$ 7,975.00
				Total V84759	\$ 7,975.00
		V84764 - Phillip Panizza			
			123	Supply of gravel	\$ 1,925.00
				Total V84764	\$ 1,925.00
		V84765 - Magnet Engineering Dandaragan Pty Ltd			
			10	Repairs to rear damage	\$ 1,201.75
				Total V84765	\$ 1,201.75
		V84769 - D Moroney			
			VERGE BOND REFUND A5767	Verge Bonds Refund BA11/2021	\$ 500.00
				Total V84769	\$ 500.00
		V84770 - S R Veletta, R W Hodby, Atf The Veletta Hodby Unit Trust			
			REFUND VERGE BOND BA188/2021	Verge Bonds Refund VA188/2021 A5031	\$ 1,000.00
				Total V84770	\$ 1,000.00
		V84771 - F R & D P Whitton			
			REFUND OVERPAID RATES A1923 JAN23	Refund overpaid rates A1923 State Gov Rebate processed	\$ 449.48
				Total V84771	\$ 449.48
				Total 646/1144	\$ 213,332.47

Date	EFT Number	Vendor	Invoice	Description	Amount
27/01/2023	647/1145	V80087 - Synergy	317207730/JAN23 017389700/JAN23 553162190/JAN23 393802020/JAN23 393802160/JAN23 538463750/JAN23 906148990/JAN23 246525150/JAN23 114850720/JAN23 124478710/JAN23 713393800/JAN23 902806950/JAN23 111890000/JAN23 976944290/JAN23 284129620/JAN23 732141310/JAN23 393919840/JAN23A 411619200/JAN23 429026190/JAN23	Jurien Bay Airstrip 9/11/22-11/1/23 Family Resource Centre 09/11/22-11/01/23 Jurien Hall GWN 09/11/22-11/01/23 Jurien Bay Beach Cafe 10/11/22-12/01/23 Jurien Bay Beach Cafe Toilets Dobbyn Pk Nth End 10/11/22-12/01/23 Pioneer Park 10/11/22-12/01/23 Retic Eric Collinson Park 11/11/22-12/01/23 Lot306 Pinetree Cct 11/11/22-12/01/23 Passamani Pk 11/11/22-12/01/23 Pioneer Pk Jurien Nth End 12/11/22-12/01/23 Baudin Pk 15/11/22-17/01/23 Pacman Pk 15/11/22-17/01/23 Weld Park Retic Pump 15/11/22-16/01/23 Bore Marine Fields 15/11/22-17/01/23 Jurien F/S Amenities 12/11/22-14/01/23 Lot237 U C Grigson St 16/12/22-18/01/23 New Admin Centre 16/12/22-18/1/23 Jurien Bay Depot 16/12/22-18/01/23 Total V80087	\$ 149.18 \$ 1,249.74 \$ 147.08 \$ 6,597.86 \$ 392.77 \$ 599.02 \$ 267.52 \$ 614.01 \$ 447.26 \$ 222.71 \$ 239.64 \$ 296.64 \$ 487.07 \$ 470.00 \$ 78.18 \$ 255.46 \$ 1,087.37 \$ 5,395.34 \$ 1,842.73 \$ 20,839.58
		V80150 - RDI Transport	4317	Freight A/C Total V80150	\$ 473.62 \$ 473.62
		V80279 - Jurien Sport and Recreation Centre	16/01/23 OP RETURN 23/01/23 OP RETURN	BookEasy booking BookEasy booking Total V80279	\$ 485.00 \$ 25.00 \$ 510.00
		V80352 - Zipform Pty Ltd	214210 214198	3rd Instalment Reminder Notices - print, post and email Print & Supply DLX Window Faced Envelopes Total V80352	\$ 1,149.92 \$ 550.78 \$ 1,700.70
		V80910 - Mcleods Barristers And Solicitors	127784	Legal Expenses Total V80910	\$ 3,225.73 \$ 3,225.73
		V81343 - Dandaragan Mechanical Services	9387 9489 9493	12V UTE BATTERY AIR ACTUATOR VALVE TYRES Total V81343	\$ 222.75 \$ 548.85 \$ 388.95 \$ 1,160.55
		V81352 - Jurien Signs	6406	Flip over frames/signs Spraying in Progress Total V81352	\$ 627.00 \$ 627.00
		V81778 - Local Government Professionals Australia WA	34915	Ignite Leadership Program Registration Total V81778	\$ 3,280.00 \$ 3,280.00
		V81784 - Wren Oil	144113	Oil Waste & Disposal Total V81784	\$ 16.50 \$ 16.50
		V81912 - Moore Australia (WA) Pty Ltd	427773	Rating Review Total V81912	\$ 3,300.00 \$ 3,300.00
		V82256 - Lowman Engineering	4985	Supply wiring, lights, fittings & mudflaps Total V82256	\$ 1,437.65 \$ 1,437.65
		V82274 - Vari-Skilled	20126 20125	Spraying of swales and footpaths Landscaping at Cafe/public toilets Total V82274	\$ 3,525.00 \$ 1,775.00 \$ 5,300.00
		V82362 - Jurien Auto Electrics	Q0191	Fit & wire condenser fans Total V82362	\$ 200.00 \$ 200.00
		V82474 - Direct Contracting Pty Ltd	2455	Firebreaks Jurien and Cervantes final claim Total V82474	\$ 22,759.00 \$ 22,759.00
		V82672 - Jurien Bay Tourist Park	28/12/22 OP RETURN 16/1/23 OP RETURN	BookEasy booking BookEasy booking Total V82672	\$ 1,020.25 \$ 42.00 \$ 1,062.25
		V82774 - T-Quip	116586 #26 116191 #12	Oil seals Radiator hose Total V82774	\$ 14.45 \$ 102.30 \$ 116.75

Date	EFT Number	Vendor	Invoice	Description	Amount
		V82993 - Jurien Bay Mitre 10			
			618049	Leaf rakes	\$ 15.00
			618224	Screws & melamine	\$ 32.80
			618503	Various nylon elbows, screws, pro trade wet area & silicone	\$ 76.55
			618716	DWV PVC straight	\$ 8.60
			618728	Stihl helmets	\$ 750.00
			618823	Coupling, storm pvc cap & bore seal	\$ 51.90
			618905	Boremaster Davey	\$ 625.00
			619248	CLR Cleaner	\$ 19.95
			619602	Stainless screws & multi purpose latch	\$ 20.80
			619660	Energizer batteries	\$ 57.00
			619646	Coach screws & nylon wall plugs	\$ 32.85
			619358	Bremick Anchor Masonry Screws	\$ 16.00
			619377	Bremick Anchor Masonry Screws	\$ 97.50
			619704	Bremick Anchor Masonry Screws	\$ 61.75
			620092	Tap Key & 4 Way Multi Fit vandal proof	\$ 2.75
			620093	Bremick Bolt Nut Hex & Washers	\$ 14.30
			620208	Chemical goggles	\$ 21.50
			620156	S/s bolts, nuts, hex & washers	\$ 14.00
			620287	Hunter gear drive	\$ 310.00
			620617	Gutter bolts	\$ 7.25
			620618	Plier crimper, sink button, silicone & trap	\$ 96.00
			620662	Rivets	\$ 10.20
			621075A	EZ Reacher Pro	\$ 65.00
			621076A	EZ Reacher	\$ 65.00
				Total V82993	\$ 2,471.70
		V83340 - CONNECT Call Centre Services			
			113460	After Hours Calls - December 2022	\$ 265.27
				Total V83340	\$ 265.27
		V83420 - Porter Consulting Engineers			
			22860	Tender & Contract Administration to 21/12/22 Jurien Bay Foreshore Power	\$ 2,755.50
				Total V83420	\$ 2,755.50
		V83427 - Bridged Group Pty Ltd			
			51916	Office 365 Datto Backup January 2023	\$ 198.00
				Total V83427	\$ 198.00
		V83507 - CouncilFirst			
			SI7560	M365 Licencing - Jan 23	\$ 1,151.88
				Total V83507	\$ 1,151.88
		V83654 - Asphalt in a Bag			
			1639	20kg Asphalt bags	\$ 3,575.00
				Total V83654	\$ 3,575.00
		V83780 - Pinnacles Traffic Management Services			
			176	Traffic control 12/01-20/01/23	\$ 14,687.75
				Total V83780	\$ 14,687.75
		V83814 - Coastline Technical Services			
			1579	Trencher hire	\$ 285.00
				Total V83814	\$ 285.00
		V83841 - Office of the Auditor General			
			549	Audit Fees Certification of the Civic Centre Outgoings 30/06/2022	\$ 1,100.00
				Total V83841	\$ 1,100.00
		V83912 - WA Country Builders			
			REFUND VERGE BOND BA72/2021	Verge Bonds Refund BA72/2021	\$ 500.00
				Total V83912	\$ 500.00
		V83914 - Turquoise Safaris			
			23/01/23 OP RETURN	BookEasy booking	\$ 218.75
				Total V83914	\$ 218.75
		V84100 - Jurien Bay Motel Apartments			
			28/12/22 OP RETURN	BookEasy Booking	\$ 154.00
				Total V84100	\$ 154.00
		V84155 - Jurien Hardware - Thrifty Link			
			22-00043172	Fairy lights & Anchor Gloss White	\$ 53.20
			22-00043303	Measure tape	\$ 13.25
			22-00043363	Poly joiner	\$ 0.66
			22-00043409	Garden gloves	\$ 13.58
			22-00043419	Extra HD Tarp	\$ 58.90
			22-00044153	Cargo net	\$ 170.05
			22-00044190	PVC Cap	\$ 23.75
			22-00044269	Fairy lights & double adaptor	\$ 17.10
			22-00044259	Various retic supplies	\$ 65.02
			22-00044344	Poly pipe & stakes	\$ 70.45
			22-00044924	Society Garlic	\$ 76.00
			22-00044823	Flag bunting, brush pkt & drop sheet	\$ 49.98
			22-00044955	Poly pipe	\$ 41.14
			22-00044957	Pergola hooks	\$ 9.50
			22-00045007	Drill bits	\$ 38.43
			22-00045055	Camlock ploy type & drive hose clamp	\$ 21.37
			22-00045094	Ignite multi function camp light	\$ 94.05
			22-00045140	Chemical gloves	\$ 14.25
			22-00045211	Kwik Connect Tap Adaptor & poly nipple	\$ 11.26
			22-00045683	Post pickets, mudguard washer, bolts & nuts & screws	\$ 282.35
			22-00045555	Key tap vandal proof	\$ 13.87
			22-00045684	Viper drill bit	\$ 15.30
			22-00045784	Barrier tape	\$ 18.72
			22-00045955	Casters	\$ 7.32
			22-00046159	Socket adaptors, bolts & nuts, washers & cement bags	\$ 58.30
			22-00046250	Amdro granules	\$ 85.40
			22-00046354	Cement bags	\$ 28.50
			22-00046434	Orbit gear drive	\$ 60.80
			22-00045967	Disinfectant	\$ 16.15
				Total V84155	\$ 1,428.65

Date	EFT Number	Vendor	Invoice	Description	Amount
		V84327 - Lyall Ward			
			46/DEC22	Dandaragan Waste Attendant Dec 22	\$ 2,112.00
			47/DEC22	Loader Hire to push tip Dec 22	\$ 247.50
				Total V84327	\$ 2,359.50
		V84562 - CouncilWise Pty Ltd			
			INV-CW-0389	PropertyWise Property & Rating monthly licence January 2023	\$ 2,872.32
				Total V84562	\$ 2,872.32
		V84611 - Bitumen Distributors Pty Ltd			
			908	CRS Emulsion	\$ 2,618.00
				Total V84611	\$ 2,618.00
		V84768 - RAP Consulting			
			335	Supply of gravel	\$ 836.00
				Total V84768	\$ 836.00
				Total 647/1145	\$ 103,486.65
Grand Total - EFT					\$ 777,792.00

5.1 C-5CG01 – Community Grants

PART A - Policy

Objective

To establish an equitable and transparent process for the determination of the provision of funds to community based organisations and individuals, to support the promotion and development of social, economic, recreational, art and cultural benefits for the residents of the Shire of Dandaragan (Shire).

Policy Statement

The Council and Shire acknowledges the valuable and positive contribution made by community organisations and individuals in the provision of services and facilities to enhance the quality of life within the district for the benefit of the residents and visitors to the Shire.

To support these organisations and individuals, the Council will allocate 0.5% of the gross yield of budgeted rates income, to fund recurring and annual community grants in order to assist with;

- programs, activities and initiatives delivered by community groups;
- support community development initiatives;
- increase the range of events, activities and services in the Shire;
- encourage the development of excellence and leadership in recreational, sporting, economic, tourism and cultural pursuits; and
- encourage the promotion of the Shire's positive attributes.

A mix of recurring and annual grants will be provided, with recurring grants provided for the following purposes:-

- Local Community Newspaper publications;
- Schools - Student awards, leadership development programs;
- Australia Day;
- Arts and Culture;
- Mid-West Group of Affiliated Agricultural Societies Inc; and
- Jurien Beach Mission and Cervantes Family Festival

PART B – Management Procedures

Definitions

Nil.

Detail

1. Recurring Grants

1.1 Local Community Newspaper publications

Each year the Shire will incorporate within the budget a grant to be provided in September of each year to the community newspapers. The grant of \$250 each is to cover the cost of community service announcements by the Shire in the various local publications.

Advertising by the Shire is to be invoiced separately.

1.2 Schools - Student awards

Each year the Shire will contribute:

- \$100 to the Jurien Bay District High School;
- \$100 to the Central Midlands Senior High School; and
- \$50 each to the Dandaragan Primary School, Badgingarra Primary School, Jurien Bay Primary School and Cervantes Primary School, award nights.
- \$500 available for each local school for costs associated with camps and major activities that deliver leadership development programs.

1.3 Australia Day

Each year the Shire will grant:

- \$1,000 to the Jurien Bay Progress Association;
- \$1,000 to the Cervantes Ratepayers & Progress Association;
- \$750 to the Badgingarra Community Association; and
- \$750 to Advance Dandaragan for Australia Day festivities.

These grants are to assist organisations with conducting an Australia Day event and are not intended to meet the total cost of the event

1.4 Arts and Culture

Each Cervantes Art Festival, the Shire of Dandaragan will contribute \$1,500 to the Cervantes Cultural Committee to purchase art, as the Shire of Dandaragan Art Prize.

The chosen piece will be determined by the Shire President or delegate, who will seek guidance from the judges. The artwork will be acquired by the Shire as part of its art collection.

In addition to the Art Prize, the Shire will donate \$2,000 towards the cost of delivering the Art Show. These funds will be spent at the discretion of the Cervantes Cultural Committee.

1.5 Mid-West Group of Affiliated Agricultural Societies Inc

Each year the Shire will contribute to the Mid-West Group of Affiliated Agricultural Societies Inc \$200, to showcase the Shire's products and attractions.

1.6 Jurien Beach Mission and Cervantes Family Festival

Each year the Shire of Dandaragan will contribute \$1,500 to each of the Jurien Bay Beach Mission and the Cervantes Family Festival to continue their summer holiday program.

2. Annual Grants

Annual grants will be determined in accordance with the following process:

- 2.1 In April of each year, advertisements will be placed in each of the four local community newspapers inviting written applications for grants.
- 2.2 Applications will be assessed against the following criteria with recommendations to Council no later than June of each year:

Extent to which project / activity benefits Shire community	50%
Level of volunteer participation and wider community participation	15%
Extent to which applicant is funding the project / activity	15%
Extent to which project / activity involves other community organisations	20%

2.3 Funding will be deemed ineligible for the following

- (a) applications that are eligible for the Shire of Dandaragan / Tronox Management Fund or CSRFF;
- (b) political organisations or events;
- (c) commercial enterprises;
- (d) any activity or project already underway or completed;
- (e) events or activities that are the responsibility of another level of government;
- (f) for the openings or celebration of new community groups or premises;
- (g) for applicants seeking to host an event for the specific purpose of raising funds for re-distribution to other non-profit community groups/clubs or charitable causes;

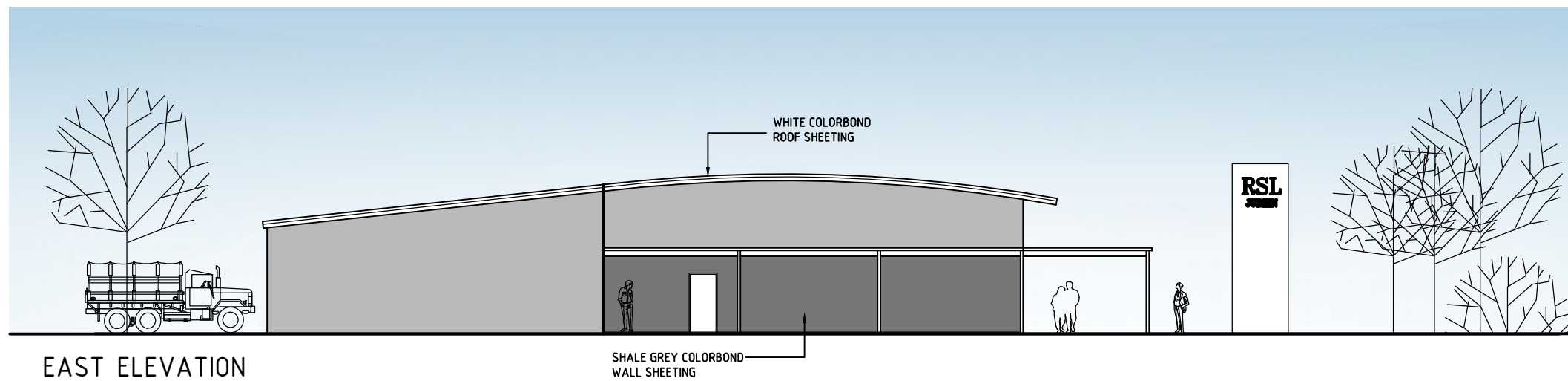
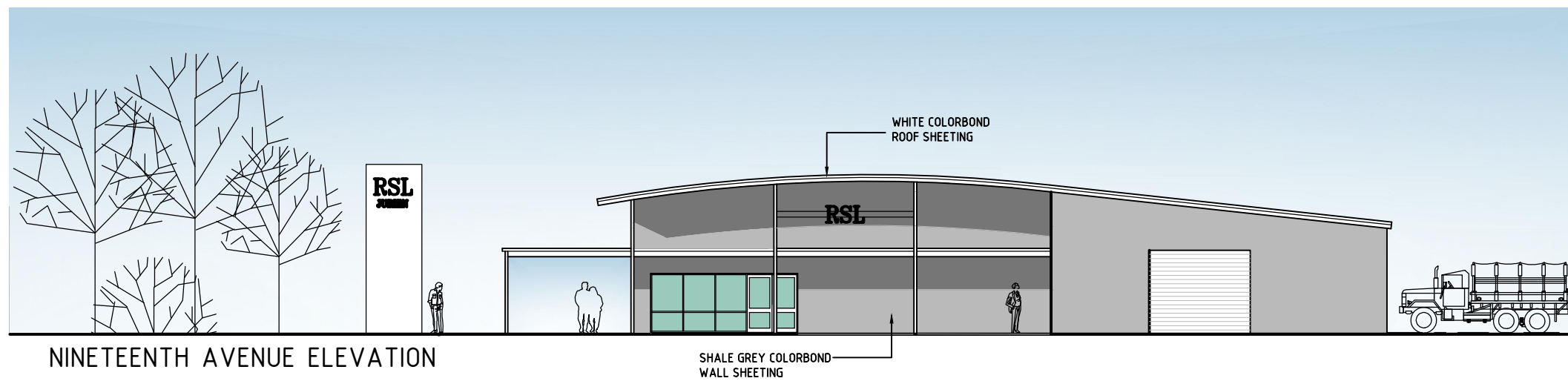
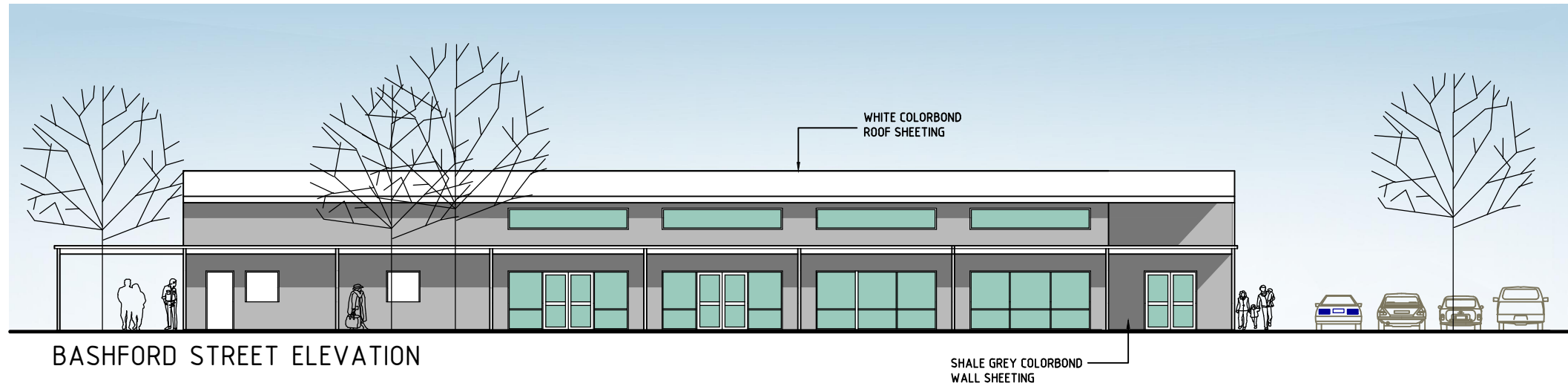
2.4 Requests for grants outside this policy are to be declined.

2.5 An applicant will not be excluded from applying for future grant rounds if a project remains incomplete at 30 June providing they can provide substantive evidence the funded project is substantially complete or will be completed shortly after the financial year end.

2.6 The maximum annual grant payable under this policy will be \$2,000.

2.7 Writing, assistance with writing, or preparation of, planning or strategic documents is eligible for funding under this Policy.

Policy Number	5.1 – C-5CG01
Adopted by Council	23 May 2019
Amended	23 June 2022

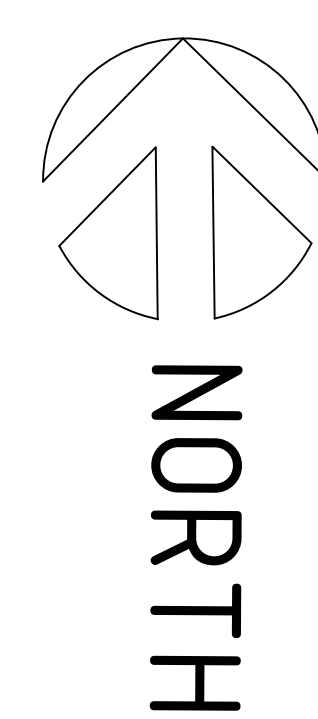
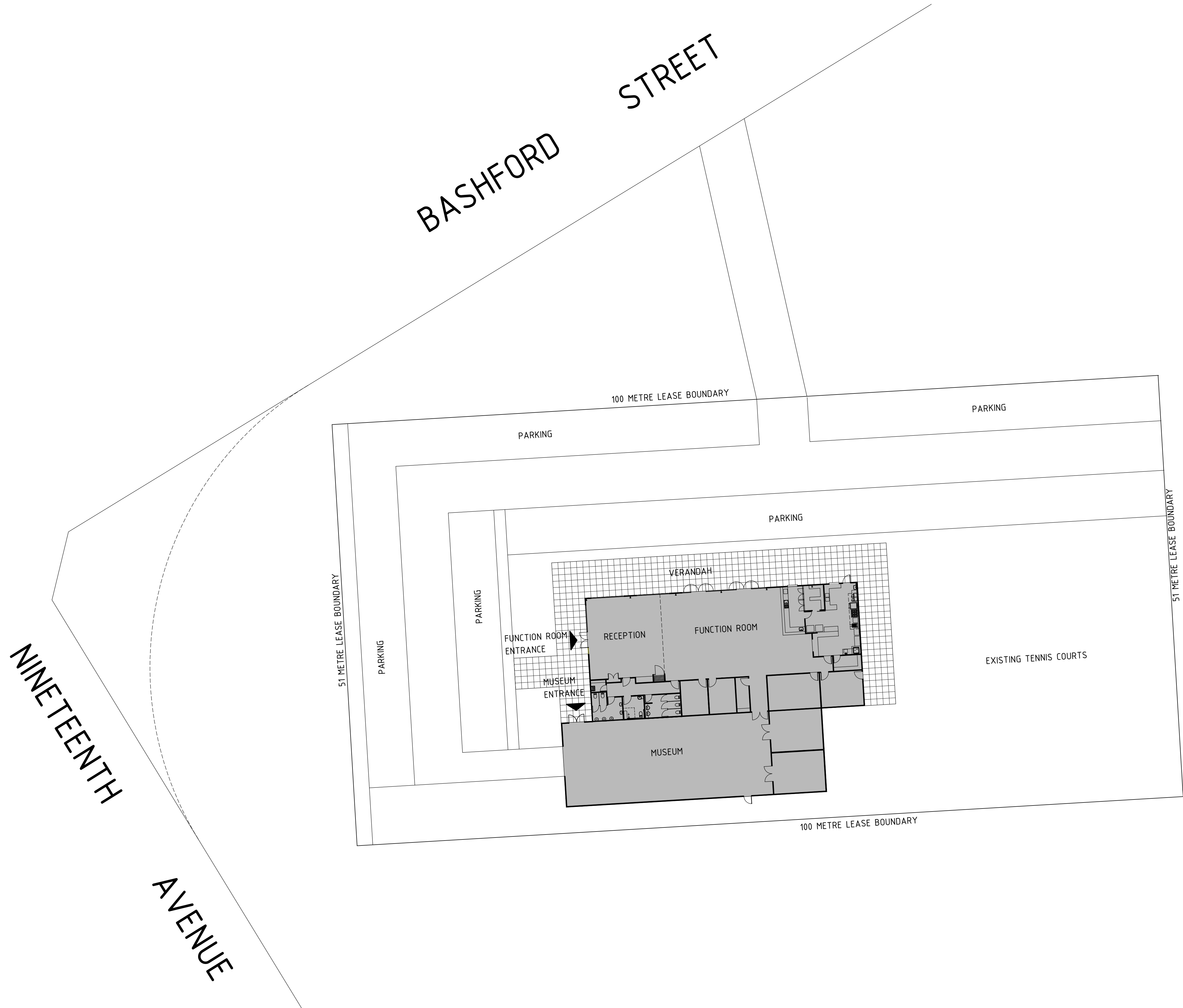


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SCALE 1 : 200

Attachment: 9.3.2





SCALE 1 : 500

DEVELOPMENT APPROVAL



SHIRE of DANDARAGAN

HOLIDAY HOUSE - PROPERTY MANAGEMENT PLAN

PROPERTY ADDRESS: 14 Westlake Way, Jurien Bay 6516

PROPERTY MANAGER DETAILS:

Name: Alison Perkov - Ray White Jurien Bay

Address: Suite 6 Jurien Bay Shopping Centre

Telephone Number: 9652 2077

Email: jurienbay.wa@raywhite.com

DUTIES OF PROPERTY MANAGER:

- Respond to complaints against the holiday house premises as soon as reasonable and practicable and within a maximum of 24 hours;
- Display the Code of Conduct, Property Management Plan in the kitchen or living area of the holiday house premises;
- Liaise with guests for the occupancy and vacation of the premises;
- Ensure the approved maximum guest occupancy is not exceeded;
- Ensure development approval as a holiday house is with the Shire of Dandaragan;
- Ensure guests are aware of and adhere to the approved Code of Conduct;
- Ensure the premises are clean and maintained to a high standard;
- Ensure bed linen is clean and replaced upon guest vacation; and
- Ensure rubbish and recycling bins are collected as required.

GUEST CHECK-IN AND CHECK OUT PROCEDURES:

(outline on-site assistance, cleaning, and waste management)

Ray White Property Management procedures in place for day to day assistance, check in/out and cleaning.

The holiday maker is responsible for putting the bins out for collection, but as the owners will still be residing in the residence every second week (fido workers) this will be assist with waste management if not adhered to.

PET MANAGEMENT:

N/A

NUISANCE, NOISE AND COMPLAINT MANAGEMENT:

Ray White Property Management have procedures in place and are first point of call as they will be the prime property managers. The two owners of the residence will also be contactable and will action accordingly

NUMBER OF CAR PARKING BAYS AVAILABLE:

4

MAXIMUM GUEST OCCUPANCY:

9

BEDROOM SLEEPING CONFIGURATIONS:
(guest number & bed type)

amended by email 6/2/23

BED 1:

3 2 - queen bed

BED 2:

2 - queen bed

BED 3:

2 - double bed

BED 4:

2 - double bed

BED 5:

ADDITIONAL INFORMATION (IF APPLICABLE):

The owners of the residence will continue to reside in the property and lease the house short term whilst away at work. Both of the owners work fly in fly out jobs.



SHIRE of DANDARAGAN

HOLIDAY HOUSE – CODE OF CONDUCT

PROPERTY ADDRESS: 14 Westlake Way, Jurien Bay 6516

The following Code of Conduct governs guest behaviour and use of the property. Guests agree to follow the guidelines below, for themselves and any visitors they allow at the property:

GUESTS: Children should be supervised by a responsible adult (over 18 years of age) at all times. No unauthorised people (visitors) are permitted to stay overnight.

NOISE AND NUISANCE: Guests agree not to cause or permit nuisance at the property. This includes excessive noise, disruptive or anti-social behaviour. Noise should generally cease after 9pm Sunday through Thursday and after midnight Friday and Saturday.

VEHICLE PARKING: Guests agree to use the parking spaces provided and not to park on the street verge or street itself outside the property. The guests agree not to park any additional vehicles on the property in excess of the parking spaces provided.

SHIRE REGULATIONS: The guests agree to all Shire regulations, including noise and fire limitations.

PREMISE CONDITION AND CLEANLINESS: The guests agree to leave the premise in a clean and tidy condition upon vacating, with all fittings and chattels in their original condition and position at the beginning of stay. Guests are to advise the Property Manager of any damage or disrepair within 24 hours of this occurring. Any damage repairs or excessive cleaning that is attributable to the guests stay will be paid for by the guests.

FIRES: The guests agree not to allow any candles, open fires or similar burn unsupervised within the premise. No open fires are permitted outside at any time. Barbeque facilities may be provided and used in a safe manner.

RUBBISH DISPOSAL: The guests agree to contain all their rubbish in the bins provided. Guests are responsible for putting out and collection of the bins where their stay coincides with collection days.

Your collection day is: Tuesday

KEYS: At the end of the agreed accommodation term, guests agree to lock the premise, close all windows and return the keys to the Property Manager. Any lost or damaged keys will be replaced at the guests' expense.

TERMINATION OF ACCOMMODATION: If guests are found to have contravened any of the above Code of Conduct responsibilities a verbal warning will be issued. If the contravention is not rectified immediately, the accommodation booking may be terminated with 2 hours' notice at the Property Manager's discretion. No refunds will be made.



SHIRE of DANDARAGAN

HOLIDAY HOME – FIRE AND EMERGENCY PLAN

PROPERTY ADDRESS: 14 Westlake Way, Jurien Bay 6516

FIRE SAFETY INFORMATION:

The attached floor plan of premises clearly identifies the location of **compulsory hardwired smoke alarms, emergency exits and a fire evacuation route leading to the nearest main road.**

The floor plan may also detail the location of the following **non-compulsory fire safety instruments:**

- Fire Blanket (in kitchen);
- Exit Lighting; and
- Fire Extinguisher (minimum 2kg Powder AB(E)).

The attached floor plan is to be clearly displayed within the premises at all times.

EMERGENCY CONTACT DETAILS

FOR ALL EMERGENCIES DIAL 000

Property Manager: Alison Perkov - Raywhite Jurien Bay: 9652 2077

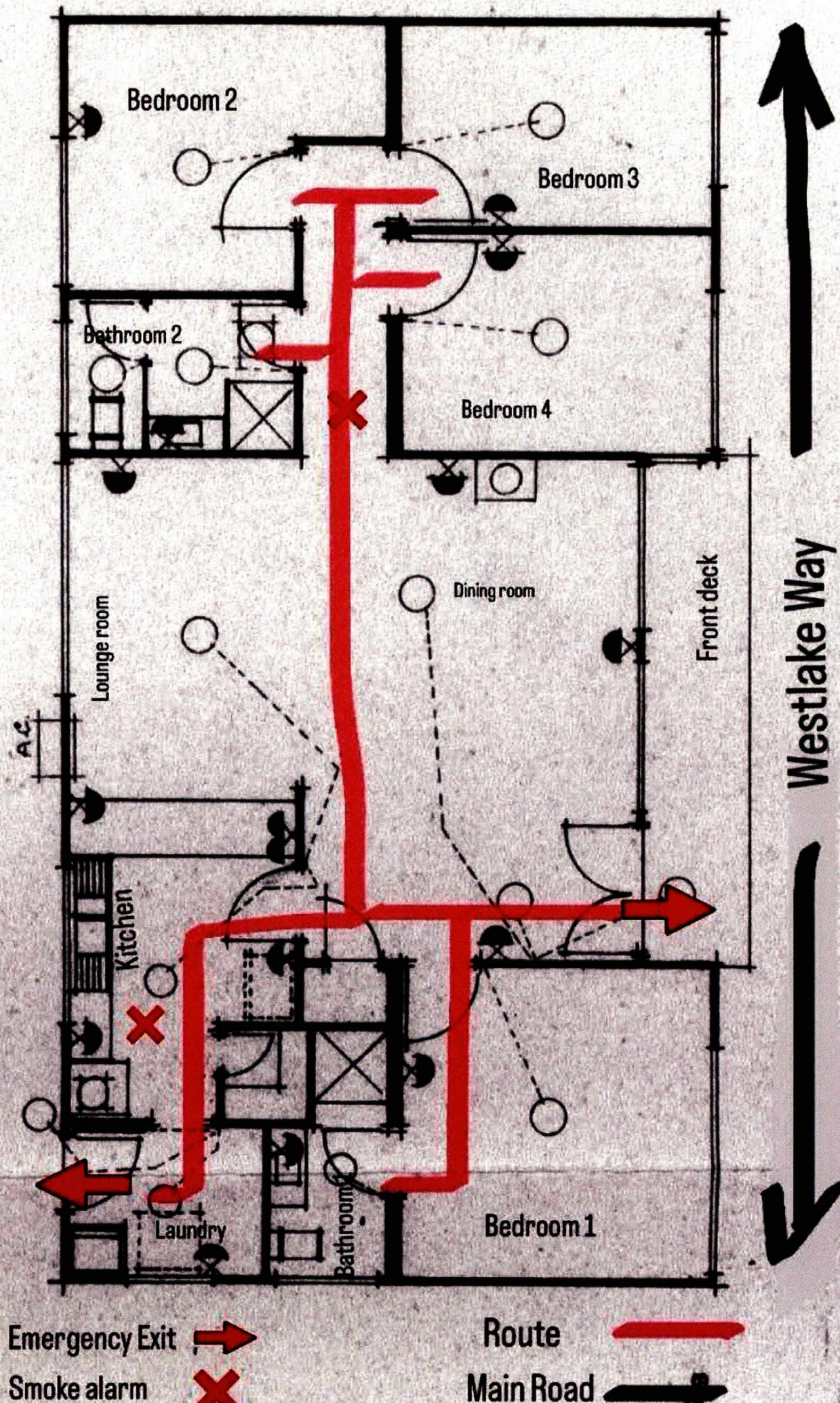
- | | |
|--|--|
| • Jurien Bay Police: 9652 0600 | Owner - Fletcher Jack : 0432 354 586 |
| • Shire of Dandaragan: 9652 0800 | Owner - Gabrielle Attenborough: 0421 931 057 |
| • Jurien Bay Health Centre: 9652 0200 | |
| • Jurien Bay General Practice: 9688 7900 | |
| • Cervantes Community Health Centre: 9652 7069 | |

EMERGENCY INFORMATION

In the event of a fire or emergency, evacuation information may be broadcast or available from the following sources:

- ABC Radio: 107.9 FM
- Department of Fire and Emergency Services (DFES):
 - www.dfes.wa.gov.au
 - 132 500 for SES emergency assistance
 - 13 DFES (13 33 37) for emergency information
- Shire of Dandaragan: Phone: (08) 9652 0800 or Email: www.dandaragan.wa.gov.au

EMERGENCY EVACUATION PLAN

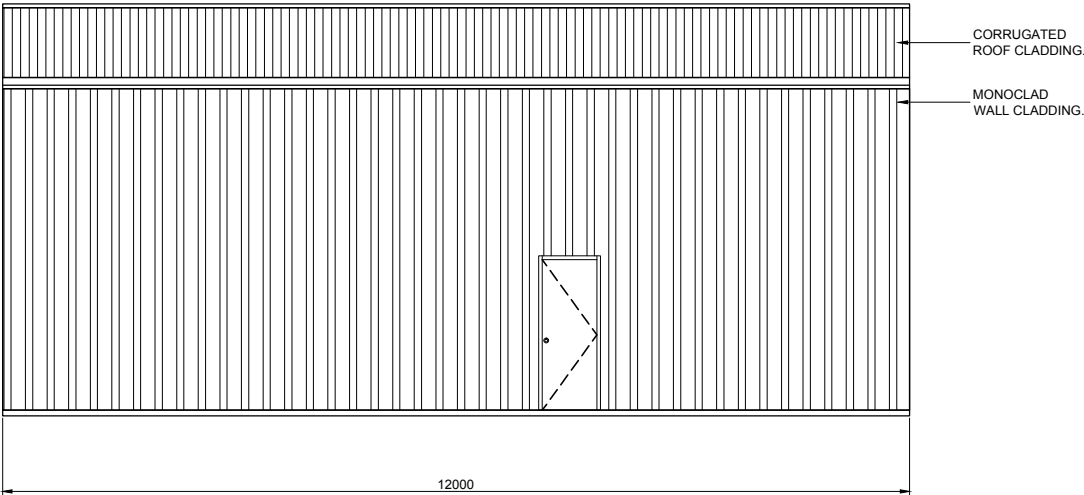




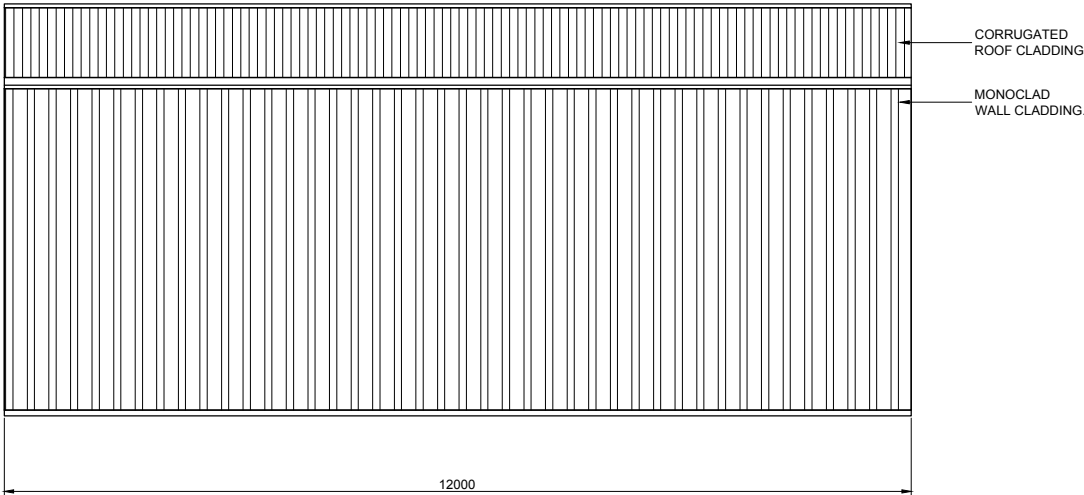
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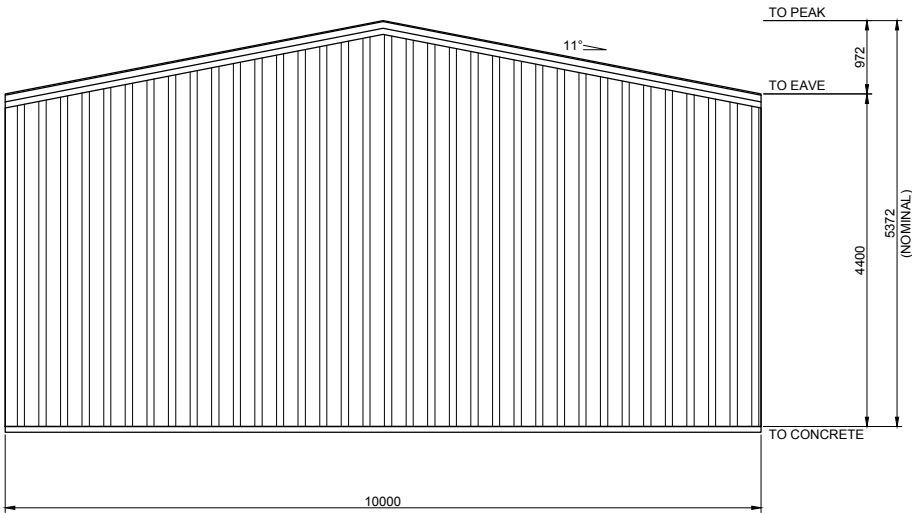
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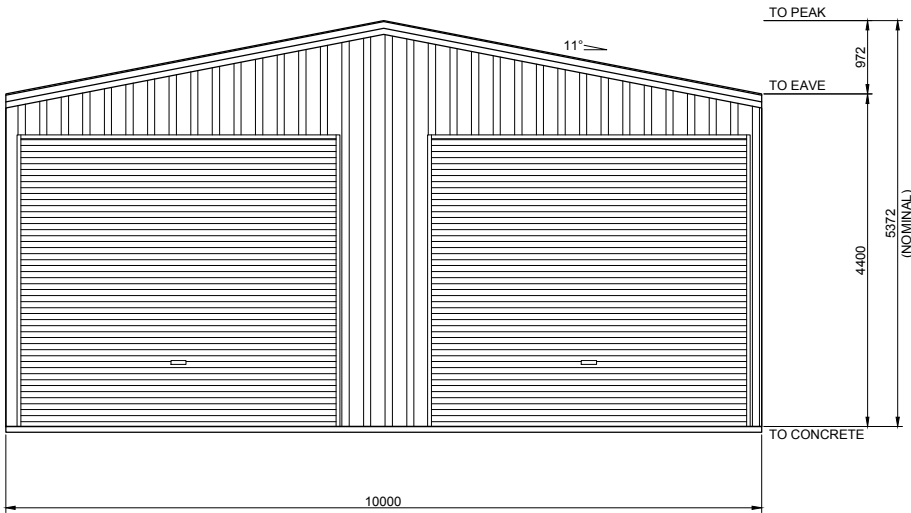
1
7
SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



2
7
SIDEWALL EXTERIOR ELEVATION
SCALE: 1 = 100



4
7
ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100



3
7
ENDWALL EXTERIOR ELEVATION
SCALE: 1 = 100

BUILDING COLOURS	
WALL	SURFMIST
ROOF	SURFMIST
ROLLER DOOR	BASALT
P.A. DOOR	BASALT
DOWNPIPE	SURFMIST
GUTTER	BASALT
CORNER FLASHING	BASALT
BARGE FLASHING	BASALT
OPENING FLASHING	SURFMIST

7
OF
8

SHEET

JOB NO.
MOOR14440

DATE
23/8/2022

CHECKED
TM

DRAWN
FDS

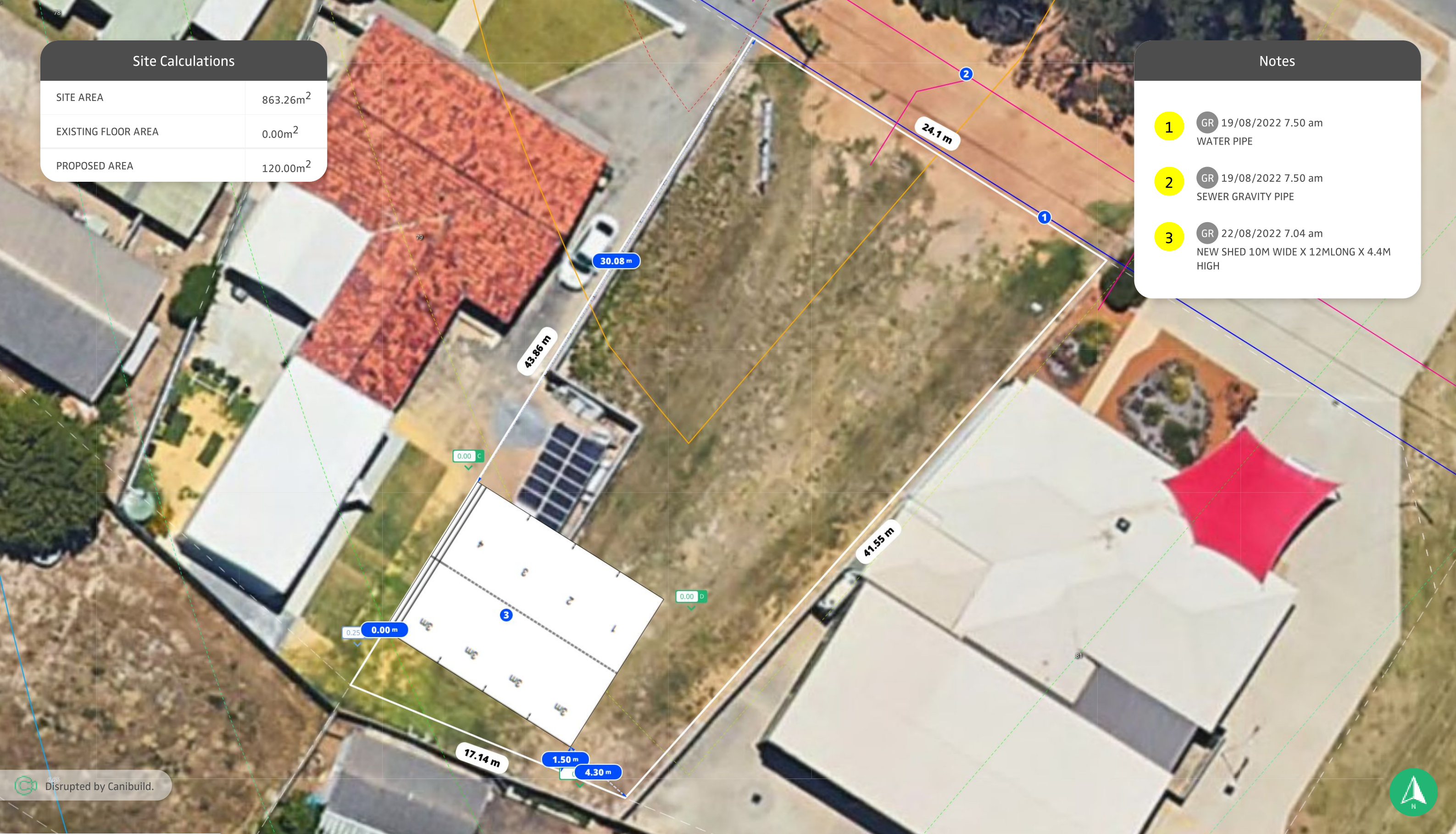
STEEL BUILDING BY
(CONTACT)
NUSTEEL PATIOS AND SHEDS
08 96531888
KEVIN & JENNIFER WALMSLEY
3 COOK STREET
JURIEN BAY

Civil & Structural Engineers
50 Punari Street
Currajong, Qld 4812
Fax: 07 4725 5850
Email: design@nceng.com.au
ABN 341 008 173 56
Regn. No. 2558980
Regn. No. 9985
Regn. No. 116373ES
Regn. No. PE0002216
Regn. No. CC5648M

Mr Timothy Roy Messer BE MIEAust RPEQ
Signature
Date 23/8/2022
Registered on the NPER in the areas of practice
of Civil & Structural National Professional
Engineers Register

Site Calculations	
SITE AREA	863.26m ²
EXISTING FLOOR AREA	0.00m ²
PROPOSED AREA	120.00m ²

Notes	
1	GR 19/08/2022 7.50 am WATER PIPE
2	GR 19/08/2022 7.50 am SEWER GRAVITY PIPE
3	GR 22/08/2022 7.04 am NEW SHED 10M WIDE X 12MLONG X 4.4M HIGH



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				Property Details 3 Cook St, Jurien Bay, WA 6516, Australia Lot/DP: P209487 80		Design WALMSLEY - 14440			Scale 1:200 @A3
						1 st version date: 22/08/2022		Current version date: 22/08/2022	Version # 1



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				Property Details 3 Cook St, Jurien Bay, WA 6516, Australia Lot/DP: P209487 80		Design WALMSLEY - 14440			Scale 1:100 @A3
						1 st version date: 22/08/2022		Current version date: 22/08/2022	Version # 1



Reference Maps: Trial Off-leash Dog Exercise Areas

Map Legend

Purple = Trial off-leash dog exercise area

Yellow = On-leash dog area

Green= Existing off-leash dog exercise area

Red = No dogs allowed on beach

1. Weld Park



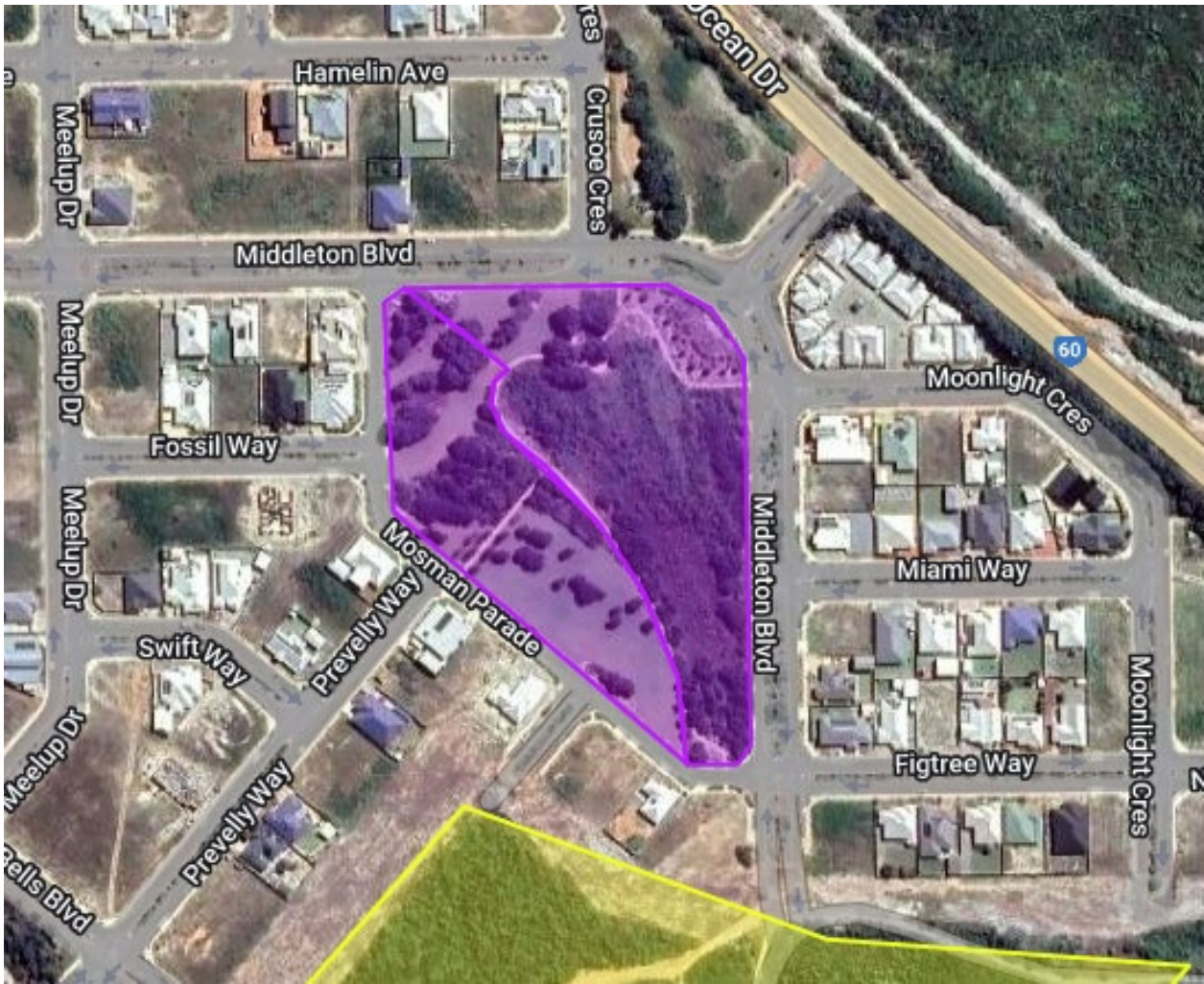
2. Passamani Park



3. Dibbler Park



4. Djidi Djal Park



5. Jurien Bay beach north from Memorial Park



6. Jurien Bay beach south from Cook St



7. Cervantes beach south from Talavera Rd





2. Passamani Park



3. Dibbler Park



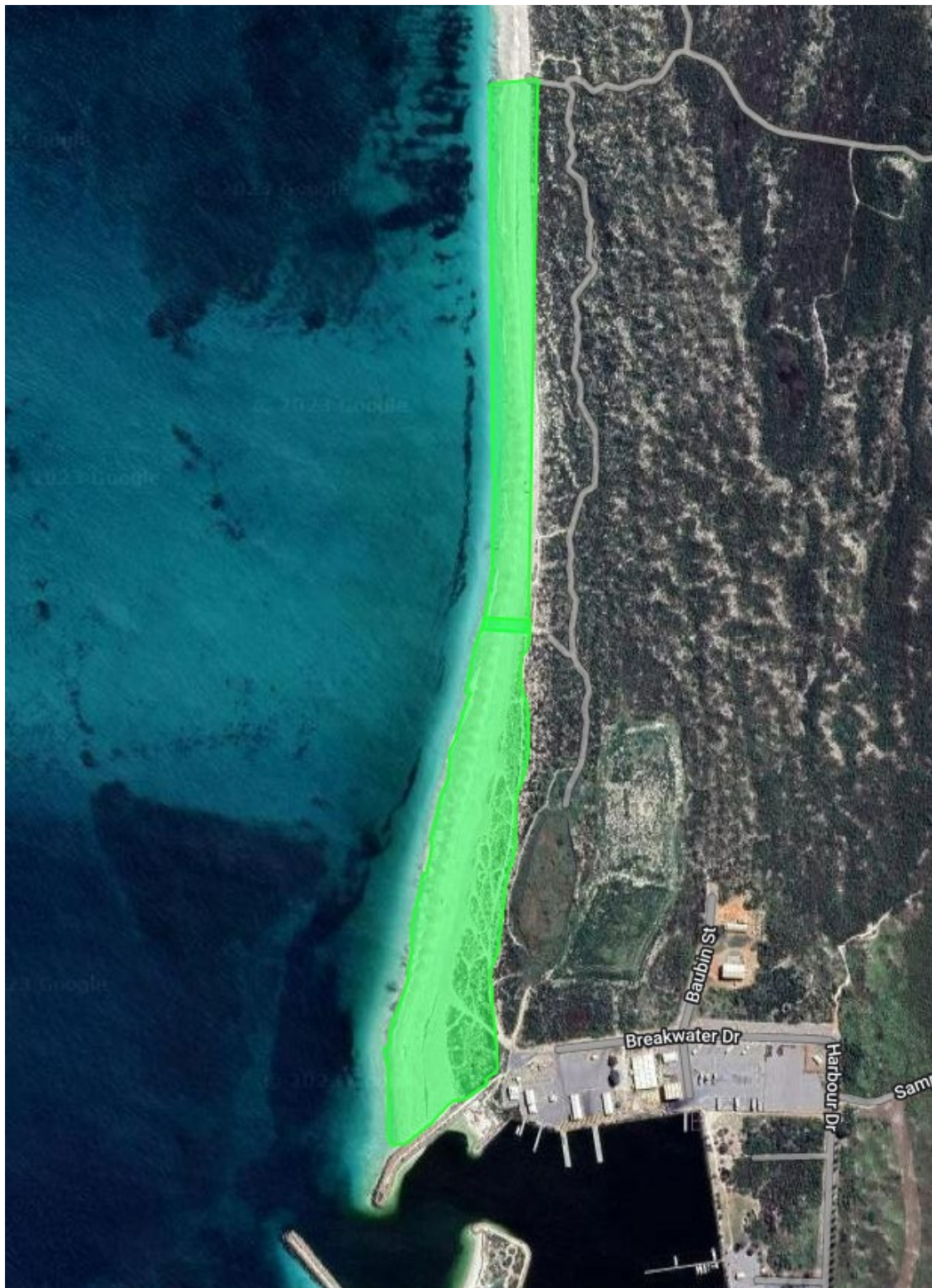
4. Djidi Djal Park



5. Jurien Bay beach from south of Cook St to the Shingle Avenue Carpark



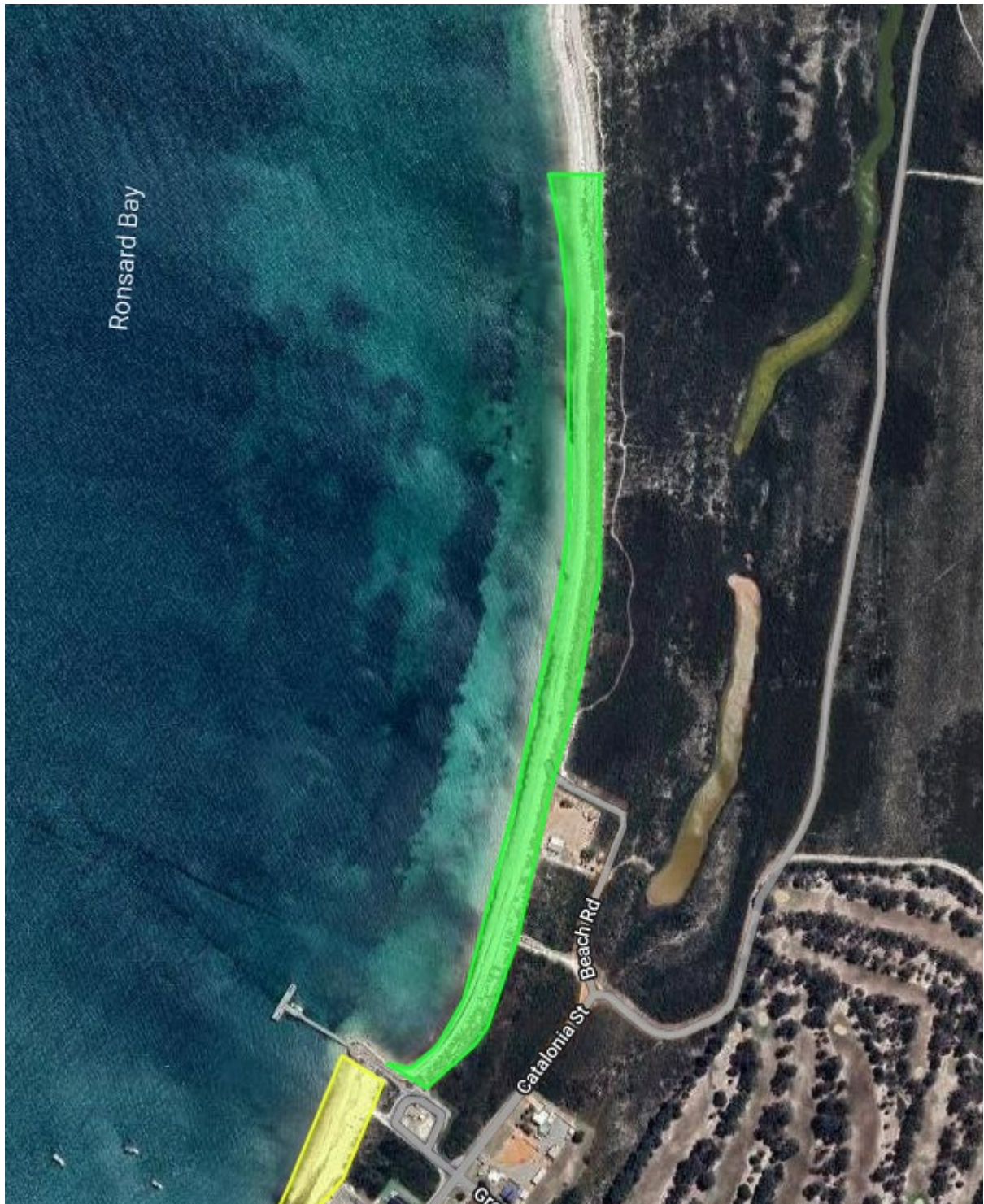
6. Jurien Bay beach north of the Marina



7. Cervantes beach south from Talavera Rd



8. North of the Cervantes Jetty



9. Hansen Bay (Barcelona Drive to



10. Cervantes Sport Oval



11. Jurien Bay Sport Oval





DELEGATIONS REGISTER

**AS REVIEWED AND ADOPTED AT THE ORDINARY MEETING OF COUNCIL
HELD ON 23 FEBRUARY 2023**

SHIRE OF DANDARAGAN DELEGATION REGISTER

Current as reviewed and adopted by Council at its
Ordinary Meeting on Council held on 23 February 2023

Table of Contents

1	LOCAL GOVERNMENT ACT 1995 DELEGATIONS	1
1.1	Council to Committees of Council	1
1.1.1	Audit and Risk Committee.....	1
1.2	Council to CEO	3
1.2.1	Appoint Authorised Persons.....	3
1.2.2	Performing Functions Outside the District	5
1.2.3	Compensation for Damage Incurred when Performing Executive Functions	6
1.2.4	Powers of Entry	7
1.2.5	Declare Vehicle is Abandoned Vehicle Wreck.....	9
1.2.6	Confiscated or Uncollected Goods.....	10
1.2.7	Disposal of Sick or Injured Animals.....	12
1.2.8	Close Thoroughfares to Vehicles	13
1.2.9	Obstruction of Footpaths and Thoroughfares	15
1.2.10	Gates Across Public Thoroughfares.....	17
1.2.11	Public Thoroughfare – Dangerous Excavations	19
1.2.12	Crossing – Construction, Repair and Removal.....	21
1.2.13	Private Works on, over or under Public Places	23
1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	25
1.2.15	Expressions of Interest for Goods and Services.....	27
1.2.16	Tenders for Goods and Services.....	28
1.2.17	Common Seal	31
1.2.18	Legal Advice	32
1.2.19	Disposing of Property.....	33
1.2.20	Payments from the Municipal or Trust Funds	35
1.2.21	Defer, Grant Discounts, Waive or Write Off Debts	37
1.2.22	Power to Invest and Manage Investments	39
1.2.23	Rate Record Amendment.....	41
1.2.24	Agreement as to Payment of Rates and Service Charges.....	42
1.2.25	Recovery of Rates or Service Charges	43
1.2.26	Recovery of Rates Debts – Require Lessee to Pay Rent	44
1.2.27	Recovery of Rates Debts - Actions to Take Possession of the Land	45

Delegation Register

SHIRE OF DANDARAGAN

1.2.28	Rate Record – Objections	47
1.3	CEO to Employees.....	48
1.3.1	Determine if an Emergency for Emergency Powers of Entry	48
1.3.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare.....	49
1.3.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares.....	51
1.3.4	Electoral Enrolment Eligibility Claims and Electoral Roll	53
1.3.5	Destruction of Electoral Papers.....	55
1.3.6	Information to be Available to the Public	56
1.3.7	Financial Management Systems and Procedures	58
1.3.8	Infringement Notices	60
1.3.9	Grant Discounts or Waive Hire Charges – Family Resource Centre (Jurien Bay).....	62
1.4	Local Law Delegations to the CEO	64
1.4.1	Infrastructure Control – Template Activities in Thoroughfares and Public Places and Trading Local Law	64
1.4.2	Trading, Stallholders, Performing and Outdoor Dining – Activities in Thoroughfares and Public Places and Trading Local Law	69
1.4.3	Shire of Dandaragan Pest Plants Local Law	71
2	BUILDING ACT 2011 DELEGATIONS.....	72
2.1	Council to CEO / Employees.....	72
2.1.1	Grant a Building Permit.....	72
2.1.2	Demolition Permits.....	74
2.1.3	Occupancy Permits or Building Approval Certificates.....	76
2.1.4	Designate Employees as Authorised Persons.....	78
2.1.5	Building Orders	79
2.1.6	Inspection and Copies of Building Records.....	81
2.1.7	Referrals and Issuing Certificates	82
2.1.8	Private Pool Barrier – Alternative and Performance Solutions.....	83
2.1.9	Smoke Alarms – Alternative Solutions	85
3	BUSH FIRES ACT 1954 DELEGATIONS.....	86
3.1	Council to CEO, Shire President and Bush Fire Control Officer	86
3.1.1	Make Request to FES Commissioner – Control of Fire	86
3.1.2	Prohibited Burning Times - Vary	87
3.1.3	Prohibited Burning Times – Control Activities.....	88
3.1.4	Restricted Burning Times – Vary and Control Activities	90
3.1.5	Control of Operations Likely to Create Bush Fire Danger.....	92
3.1.6	Burning Garden Refuse / Open Air Fires.....	94

Delegation Register

SHIRE OF DANDARAGAN

3.1.7	Firebreaks.....	96
3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer	97
3.1.9	Control and Extinguishment of Bush Fires	98
3.1.10	Apply for Declaration as an Approved Area	99
3.1.11	Recovery of Expenses Incurred through Contraventions of this Act.....	100
3.1.12	Prosecution of Offences.....	101
4	CAT ACT 2011 DELEGATIONS	102
4.1	Council to CEO	102
4.1.1	Cat Registrations	102
4.1.2	Cat Control Notices.....	104
4.1.3	Approval to Breed Cats.....	105
4.1.4	Appoint Authorised Persons.....	107
4.1.5	Applications to Keep Additional Cats	108
4.2	Cat Act Delegations - CEO to Employees	109
4.2.1	Infringement Notices – Extensions and Withdrawals.....	109
5	DOG ACT 1974	110
5.1	Dog Act Delegations Council to CEO	110
5.1.1	Refuse or Cancel Registration	110
5.1.2	Appoint Authorised Persons.....	112
5.1.3	Recovery of Moneys Due Under this Act.....	113
5.1.4	Dispose of or Sell Dogs Liable to be Destroyed	114
5.1.5	Declare Dangerous Dog	115
5.1.6	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke.....	116
5.1.7	Dog Control	118
6	FOOD ACT 2008.....	119
6.1	Council to CEO/Employees.....	119
6.1.1	Prohibition Orders	119
6.1.2	Food Business Registrations	120
6.1.3	Appoint Authorised Officers and Designated Officers.....	121
6.1.4	Debt Recovery and Prosecutions.....	123
6.1.5	Abattoir Inspections and Fees.....	124
6.1.6	Food Businesses List – Public Access	125
7	GRAFFITI VANDALISM ACT 2016 DELEGATIONS	126
7.1	Council to CEO	126
7.1.1	Give Notice Requiring Obliteration of Graffiti.....	126
7.1.2	Notices – Deal with Objections and Give Effect to Notices.....	128

Delegation Register

SHIRE OF DANDARAGAN

7.1.3	Obliterate Graffiti on Private Property	129
7.1.4	Powers of Entry	130
8	PUBLIC HEALTH ACT 2015 DELEGATIONS	131
8.1	Council to CEO\Employees.....	131
8.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs).....	131
8.1.2	Enforcement Agency Reports to the Chief Health Officer.....	132
8.1.3	Designate Authorised Officers	133
8.1.4	Commence Proceedings.....	135
9	PLANNING AND DEVELOPMENT ACT 2005.....	136
9.1	CEO to Employees.....	136
9.1.1	Town Planning – Residential Development.....	136
9.1.2	Town Planning – Other Use and Development	138
9.1.3	Town Planning – Advertising.....	142
9.1.4	Town Planning – Signage	144
9.1.5	Town Planning – Subdivision Applications	146
9.1.6	Town Planning – Miscellaneous.....	148
10	STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES.....	150
10.1	Environmental Protection Act 1986.....	150
10.1.1	Noise Control – Environmental Protection Notices [Reg.65(1)]	150
10.1.2	Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events	151
10.1.3	Noise Management Plans – Construction Sites	152
10.2	Planning and Development Act 2005	153
10.2.1	Instrument of Authorisation - Sign Development Applications for Crown Land as Owner.....	153
10.2.2	WA Planning Commission – Section 25 of the Strata Titles Act 1985	156
10.3	Main Roads Act 1930.....	157
10.3.1	Traffic Management - Events on Roads.....	157
10.3.2	Traffic Management – Road Works.....	160
10.4	Road Traffic (Vehicles) Act 2012	162
10.4.1	Approval for Certain Local Government Vehicles as Special Use Vehicles ..	162

OFFICER DELEGATION MATRIX

DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHRO	PPBO	SNR RNG	
1.1.1	Audit and Risk Committee								
1.2.1	Appoint Authorised Persons	√	√	√	√				
1.2.2	Performing Functions Outside the District	√	√						
1.2.3	Compensation for Damage Incurred when Performing Executive Functions	√							
1.2.4	Powers of Entry	√	√	√	√	√	√		
1.2.5	Declare Vehicle is Abandoned Vehicle Wreck	√		√		√			
1.2.6	Confiscated or Uncollected Goods	√	√	√					
1.2.7	Disposal of Sick or Injured Animals	√		√		√		√	Ranger
1.2.8	Close Thoroughfares to Vehicles	√		√	√				
1.2.9	Obstruction of Footpaths and Thoroughfares	√		√	√				
1.2.10	Gates Across Public Thoroughfares	√		√	√				
1.2.11	Public Thoroughfare – Dangerous Excavations	√		√	√				
1.2.12	Crossing – Construction, Repair and Removal	√		√	√				
1.2.13	Private Works on, over or under Public Places	√		√	√				
1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	√		√		√	√	√	Ranger
1.2.15	Expressions of Interest for Goods and Services	√	√	√	√				
1.2.16	Tenders for Goods and Services	√	√	√	√				
1.2.17	Common Seal	√							

Delegation Register

SHIRE OF DANDARAGAN



DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHRO	PPBO	SNR RNG	
1.2.18	Legal Advice	√							
1.2.19	Disposing of Property	√	√		√				
1.2.20	Payments from the Municipal or Trust Funds	√	√	√	√				
1.2.21	Defer, Grant Discounts, Waive or Write Off Debts	√	√						
1.2.22	Power to Invest and Manage Investments	√	√	√	√				
1.2.23	Rate Record Amendment	√	√						
1.2.24	Agreement as to Payment of Rates and Service Charges	√	√						
1.2.25	Recovery of Rates or Service Charges	√	√						
1.2.26	Recovery of Rates Debts – Require Lessee to Pay Rent	√	√						
1.2.27	Recovery of Rates Debts – Actions to Take Possession of the Land	√	√						
1.2.28	Rate Record – Objections	√	√						
1.3.1	Determine if an Emergency for Emergency Powers of Entry	√	√	√	√				
1.3.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare	√		√	√				
1.3.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares	√		√	√				
1.3.4	Electoral Enrolment Eligibility Claims and Electoral Roll	√	√						
1.3.5	Destruction of Electoral Papers	√	√						
1.3.6	Information to be Available to the Public	√	√						
1.3.7	Financial Management Systems and Procedures	√	√						See authorised persons listing – 2373 Doc ID: 12373

Delegation Register

SHIRE OF DANDARAGAN



DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHRO	PPBO	SNR RNG	
1.3.8	Infringement Notices	√		√					
1.3.9	Grant Discounts or Waive Hire Charges – Family Resource Centre (Jurien Bay)	√	√						
1.4.1	Infrastructure Control – Template Activities in Thoroughfares and Public Places and Trading Local Law	√		√	√				
1.4.2	Trading, Stallholders, Performing and Outdoor Dining – Activities in Thoroughfares and Public Places and Trading Local Law	√		√		√	√		
1.4.3	Shire of Dandaragan Pest Plants Local Law	√		√		√		√	Ranger
2.1.1	Grant a Building Permit	√		√		√	√		
2.1.2	Demolition Permits	√				√	√		
2.1.3	Occupancy Permits or Building Approval Certificates	√		√		√	√		
2.1.4	Designate Employees as Authorised Persons	√		√		√	√		
2.1.5	Building Orders	√		√		√	√		
2.1.6	Inspection and Copies of Building Records	√		√		√	√		
2.1.7	Referrals and Issuing Certificates	√		√		√	√		
2.1.8	Private Pool Barrier – Alternative and Performance Solutions	√		√		√	√		
2.1.9	Smoke Alarms – Alternative Solutions	√		√		√	√		
3.1.1	Make Request to FES Commissioner – Control of Fire	√							

Delegation Register

SHIRE OF DANDARAGAN



DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHRO	PPBO	SNR RNG	
3.1.2	Prohibited Burning Times – Vary								Shire President and Chief Bush Fire Control Officer (jointly)
3.1.3	Prohibited Burning Times – Control Activities	√							
3.1.4	Restricted Burning Times – Vary and Control Activities	√							
3.1.5	Control of Operations Likely to Create Bush Fire Danger	√							
3.1.6	Burning Garden Refuse/Open Air Fires	√							
3.1.7	Firebreaks	√							
3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer	√							
3.1.9	Control and Extinguishment of Bush Fires	√							
3.1.10	Apply for Declaration as an Approved Area	√							
3.1.11	Recovery of Expenses Incurred through Contraventions of this Act	√							
3.1.12	Prosecution of Offences	√							
4.1.1	Cat Registrations	√		√		√			Ranger
4.1.2	Cat Control Notices	√		√		√		√	
4.1.3	Approval to Breed Cats	√		√		√			
4.1.4	Appoint Authorised Persons	√		√					
4.1.5	Applications to Keep Additional Cats	√		√		√			
4.2.1	Infringement Notices – Extensions and Withdrawals	√		√					
5.1.1	Refuse or Cancel Registration	√		√					
5.1.2	Appoint Authorised Persons	√		√					

Delegation Register

SHIRE OF DANDARAGAN



DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHRO	PPBO	SNR RNG	
5.1.3	Recovery of Moneys Due Under this Act	√	√	√					
5.1.4	Dispose of or Sell Dogs Liable to be Destroyed	√		√		√		√	
5.1.5	Declare Dangerous Dog	√		√		√		√	
5.1.6	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke	√		√		√		√	
5.1.7	Dog Control	√		√					
6.1.1	Prohibition Orders					√			
6.1.2	Food Business Registrations					√			
6.1.3	Appoint Authorised Officers and Designated Officers					√			
6.1.4	Debt Recovery and Prosecutions			√					
6.1.5	Abattoir Inspections and Fees			√		√			
6.1.6	Food Businesses List – Public Access			√					
7.1.1	Give Notice Requiring Obliteration of Graffiti	√		√		√			
7.1.2	Notices – Deal with Objections and Give Effect to Notices	√		√					
7.1.3	Obliterate Graffiti on Private Property	√		√					
7.1.4	Powers of Entry	√		√		√			
8.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs)	√							
8.1.2	Enforcement Agency Reports to the Chief Health Officer					√			
8.1.3	Designate Authorised Officers					√			
8.1.4	Commence Proceedings	√							

Delegation Register

SHIRE OF DANDARAGAN



DELG. NO.	DELEGATION DESCRIPTION								Other Officer Delegation
		CEO	EMCCS	EMDS	EMI	PEHO	PPBO	SNR RNG	
9.1.1	Town Planning – Residential Development	√		√			√		
9.1.2	Town Planning – Other Use and Development	√		√			√		
9.1.3	Town Planning – Advertising	√		√			√		
9.1.4	Town Planning – Signage	√		√			√		
9.1.5	Town Planning – Sub-division Applications	√		√			√		
9.1.6	Town Planning - Miscellaneous	√		√			√		

1. Local Government Act 1995 Delegations

1 Local Government Act 1995 Delegations

1.1 Council to Committees of Council

1.1.1 Audit and Risk Committee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
Delegate:	Audit and Risk Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)]. 2. Authority to: <ol style="list-style-type: none"> i. examine the report of the Auditor and determine matters that require action to be taken by the Shire of Dandaragan; and ii. ensure that appropriate action is taken in respect of those matters [s.7.12A(3)]. 3. Authority to review and endorse the Shire of Dandaragan's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].
Council Conditions on this Delegation:	a. This delegation is not to be used where a Management Letter or Audit Report raises significant issues and the Local Government's meeting with the Auditor must be directed to the Council.
Express Power to Sub-Delegate:	Nil. Sub-delegation is prohibited by s.7.1B.

Compliance Links:	<p>Department of Local Government, Sport and Cultural Industries Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees</p> <p><i>Audit and Risk Committee Terms of Reference</i></p>
Record Keeping:	<i>Audit Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.</i>

1. Local Government Act 1995 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2 Council to CEO

1.2.1 Appoint Authorised Persons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
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>	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act. [s.3.24 and s.9.10]. 2. Authority to appoint 'authorised officers' section 9.16 of the <i>Local Government Act 1995</i> for the purposes of issuing <i>Building Act 2011</i> Infringement Notices in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the <i>Criminal Procedures Act 2004</i>. 3. Authority to appoint authorised person for the purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power [s.15 of the <i>Graffiti Vandalism Act 2016</i>].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. A register of Authorised Persons is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.
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>	Executive Manager Corporate and Community Services Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

1. Local Government Act 1995 Delegations

Compliance Links:	<p><i>Local Government Act 1995 s 9.10</i></p> <p>(Building Reg.70(2) prescribes s.9.10(1) of the <i>Local Government Act 1995</i> as the enabling power for appointment of 'authorised officers'.)</p> <p><i>Authorised Persons register</i></p>
Record Keeping:	<p><i>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</i></p> <p><i>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</i></p>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and updated by Council at Ordinary Council Meeting 28 November 2019

1. Local Government Act 1995 Delegations

1.2.2 Performing Functions Outside the District

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.20(1) Performing functions outside district
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>	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
Council Conditions on this Delegation:	a. A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant allocation within the Annual Budget and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met the matter must be referred for Council decision.
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping:	<i>A record of all financial transactions are to be retained as a Local Government Record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.3 Compensation for Damage Incurred when Performing Executive Functions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
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>	<ol style="list-style-type: none"> 1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Council Conditions on this Delegation:	a. Delegation is limited to settlements which do not exceed a material value of \$1,000.
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>	Nil

Compliance Links:	Nil
Record Keeping:	<i>A record of all financial transactions are to be retained as a Local Government Record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.4 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
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>	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Council Conditions on this Delegation:	a. Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.
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>	Executive Manager Corporate and Community Services Executive Manager Development Services Principal Environmental Health and Regulatory Officer Principal Planning and Building Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Local Government Act 1995:</i> s.9.10 Appointment of authorised persons – refer also s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry
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1. Local Government Act 1995 Delegations

	s.3.34(2) Entry in an emergency – Refer to CEO Delegation
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

1. Local Government Act 1995 Delegations

1.2.5 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
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>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.
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>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

1. Local Government Act 1995 Delegations

1.2.6 Confiscated or Uncollected Goods

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
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>	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
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>	Executive Manager Corporate and Community Services Executive Manager Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<u>Local Government Act 1995</u> :Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

1. Local Government Act 1995 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.2.7 Disposal of Sick or Injured Animals

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
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>	<ol style="list-style-type: none"> 1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
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>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

1. Local Government Act 1995 Delegations

1.2.8 Close Thoroughfares to Vehicles

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

1. Local Government Act 1995 Delegations

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

Compliance Links:	<i>Local Law – Activities on Thoroughfares and Trading in Thoroughfares and Public Places.</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.9 Obstruction of Footpaths and Thoroughfares

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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. 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, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> a. prevent damage to the footpath; or b. prevent 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:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has:

1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. 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> s.5.44 CEO may delegate some powers and duties to other employees</p>

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

Compliance Links:	<p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions</p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p><i>Local Law – Activities on Thoroughfares and Trading in Thoroughfares and Public Places.</i></p>
Record Keeping	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.10 Gates Across Public Thoroughfares

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

1. Local Government Act 1995 Delegations

Compliance Links:	<p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p><i>Local Law – Activities on Thoroughfares and Trading in Thoroughfares and Public Places.</i></p>
Record Keeping:	Shire of Dandaragan Register of Gates

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.11 Public Thoroughfare – Dangerous Excavations

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

1. Local Government Act 1995 Delegations

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

Compliance Links:	<p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>Local Law Extractive Industries</p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.12 Crossing – Construction, Repair and Removal

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

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures
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1. Local Government Act 1995 Delegations

	<p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p> <p>Refer also Delegation 1.4.1 under the <i>Template Activities in Thoroughfares and Public Places and Trading Local Law</i></p> <p><i>Local Law Activities on Thoroughfares and Trading Thoroughfares and Public Places Local Law</i></p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.13 Private Works on, over or under Public Places

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
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>	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. 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>	Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

1. Local Government Act 1995 Delegations

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 <i>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</i> <i>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

**1.2.14 Give Notice to Prevent Damage to Local Government Property
from Wind Erosion and Sand Drift**

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
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>	1. Authority to give notice to an owner / occupier of land if it is considered that clearing the owner / occupier's land might cause local government land having a common boundary, will be adversely affected by wind erosion or sand drift [ULP r.21(1)].
Council Conditions on this Delegation:	Nil.
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>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Principal Planning and Building Officer Senior Ranger Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures <i>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

1. Local Government Act 1995 Delegations

1. Local Government Act 1995 Delegations

1.2.15 Expressions of Interest for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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. 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 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:	Nil
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>	Executive Manager Corporate and Community Services Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.15 Purchasing Policy
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.2.16 Tenders for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
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>	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget [F&G.r.11(2)]. 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. 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)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)]. 9. Authority to accept, or reject tenders, only within the \$value detailed as a condition on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)].

1. Local Government Act 1995 Delegations

	<p>10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, within the \$value detailed as a condition on this Delegation, and to then enter into minor variations with the successful tenderer <u>before</u> entering into a contract [F&G r.20(1) and (3)].</p> <p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>12. Authority to decline any tender [F&G r.18(5)].</p> <p>13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)]</p> <p>14. Authority to:</p> <ol style="list-style-type: none"> Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A]. <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].</p>
Council Conditions on this Delegation:	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences:</p> <ol 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; and Rationale for why the supply is unique and cannot be sourced through other suppliers; <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, current supply contract expiry is imminent, value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and

1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. <p>c. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.</p>
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>	Executive Manager Corporate and Community Services Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 1.15 Purchasing Policy
Record Keeping:	Shire of Dandaragan Tender Register

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.17 Common Seal

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s 9.49 A (2)
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> Part 6 – Miscellaneous – 34.
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 Common Seal of the local government is not to be affixed to any document except as authorised by the local government or the Chief Executive Officer.
Council Conditions on this Delegation:	The Chief Executive Officer is delegated authority to affix the common seal of the Shire of Dandaragan to any document which requires the affixing of the Common Seal to be validly executed.

Compliance Links:	Local Government Act 1995 Section 9.49 A Local Government (Functions and General) Regulations 1996 – Part 6 Miscellaneous - 34. <i>Local Law – Standing Orders</i>
Record Keeping:	<i>Common Seal Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.18 Legal Advice

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s 9.49 A (2)
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> Part 6 – Miscellaneous – 34.
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>	Where legal advice needs to be sought
Council Conditions on this Delegation:	The Chief Executive Officer is delegated authority to obtain from an appropriate solicitor such legal advice and opinions as is deemed necessary in the exercise of the management of the Shire subject to provision being made in the budget for legal expenses.

Compliance Links:	<i>Annual Budget – Legal Expenses</i>
Record Keeping:	<i>Legal advice received under this delegation is to be retained as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.19 Disposing of Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
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>	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. If adverse submissions are received from the public notice period, the matter will be referred to Council for decision.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43(d), 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 \$75,000 or less. c. 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.

1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> 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 Consider any public submissions received and where there are no adverse submissions proceed with the disposal, ensuring that full and transparent records of the decision are recorded. d. 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: <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 the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Corporate and Community Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. Sub-delegates are only provided with delegation to execute disposal of property in relation to trades of plant and equipment in accordance with budget provisions.

Compliance Links:	Local Government Act 1995 – s.3.58 Disposal of Property Local Government (Functions and General) Regulations 1995 – r.30 Dispositions of property excluded from Act s. 3.58
Record Keeping:	<i>Items disposed of under this delegation are to be recorded in the Monthly Statement of Financial Activity.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.20 Payments from the Municipal or Trust Funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. As per the requirements of the Local Government (Financial Management) Regulations 1996, r.13. b. Where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, 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 ordinary meeting of Council. c. The CEO is to establish and maintain procedures aligned to the Council's purchasing policy to comply with the Local Government Act 1995 and associated Regulations relating to 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>	Executive Manager Corporate and Community Services Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> a. Delegates must comply with the Procedures approved by the Chief Executive Officer in accordance with Financial Management Regulation 5. b. The Chief Executive Officer delegates to the Executive Manager Development Services and the Executive Manager Infrastructure, in that order of precedence, on all cheques and EFT transactions. c. The Chief Executive Officer may also delegate to any one of either the Executive Manager Development Services, Executive Manager Infrastructure, or Executive Manager

1. Local Government Act 1995 Delegations

	<p>Corporate and Community Services as secondary signatories to sign all cheques and EFT's.</p> <p>d. In the absence of these authorised staff members, the President and Deputy President may sign as either the primary or secondary signature.</p> <p>e. In the absence of any of the authorised signatories, officers acting in these positions are also authorised to sign all cheques and EFT transactions.</p>
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Compliance Links:	<p>Local Government Act 1995</p> <p>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.</p> <p>Local Government (Audit) Regulations 1996</p> <p>Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards</p> <p>Department of Local Government, Sport and Cultural Industries: Accounting Manual</p>
Record Keeping:	<p><i>Monthly Statement of Accounts to be provided to Council in addition to the Monthly Statement of Financial Activity.</i></p>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.21 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Dandaragan [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Dandaragan [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of Dandaragan including rates penalty interest where the cost of recovering the debt is greater than the debt itself [s.6.12(1)(c)]
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge which exceed \$20 outstanding. b. A debt may only be waived where: <ol style="list-style-type: none"> i. the total value of the debt is valued below \$250 or cumulative debts of a debtor valued below \$500. ii. the total value of the debt has been found to be raised in error. c. A debt may only be written off where all necessary measures have been taken to locate / contact and recover amounts outstanding through the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Dandaragan. d. Other debts proposed to be waived must be considered by 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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation:	Nil

1. Local Government Act 1995 Delegations

<i>Conditions on the original delegation also apply to the sub-delegations.</i>	
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Compliance Links:	
Record Keeping:	<i>A report must be prepared for the Council Information Bulletin on an annual basis on the exercise of this delegation.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.2.22 Power to Invest and Manage Investments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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. 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 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)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 2.1 Investment Policy. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]
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>	Executive Manager Corporate and Development Services Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. A decision to invest must be jointly confirmed by two Delegates.

1. Local Government Act 1995 Delegations

	2. Investment decisions are limited to a maximum of \$2,000,000 per transaction on the short-term money market including such instruments as term deposits.
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Compliance Links:	<u>Local Government (Financial Management) Regulations 1996</u> – refer r.19C <i>Investment of money, restrictions on (Act s.6.14(2)(a))</i> <i>Council Policy 2.1 Investment Policy</i>
Record Keeping:	<i>Investments issued under this delegated authority are to be reported in the Monthly Statement of Financial Activity.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.23 Rate Record Amendment

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
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>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Council Conditions on this Delegation:	a. Delegates must comply with the requirements of s.6.40 of the Act.
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	<i>Amendments issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.24 Agreement as to Payment of Rates and Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
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>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	a. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied unless extenuating circumstances are evident in which case by the end of the following financial year.
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Not applicable
Record Keeping:	<i>Agreements issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.2.25 Recovery of Rates or Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court
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>	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].
Council Conditions on this Delegation:	Nil
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.26 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
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>	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Dandaragan [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Council Conditions on this Delegation:	a. Nil
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Local Government Act 1995 – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.27 Recovery of Rates Debts - Actions to Take Possession of the Land

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
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>	<ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire of Dandaragan [s.6.71]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)]. 3. 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:	a. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u> , within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

1. Local Government Act 1995 Delegations

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

Compliance Links:	<p>Local Government Act 1995 – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p>Local Government (Financial Management) Regulations 1996 – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.2.28 Rate Record – Objections

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
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>	<ol style="list-style-type: none"> 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 whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
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>	Executive Manager Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.3 CEO to Employees

1.3.1 Determine if an Emergency for Emergency Powers of Entry

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Delegate/s:	Executive Manager Development Services Executive Manager Infrastructure
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.10: <ol style="list-style-type: none"> 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b). 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.10 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<p><i>This delegated authority is effective only in alignment with Delegated Authority 1.2.10 Obstructions of Footpaths and Thoroughfares.</i></p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p>
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1. Local Government Act 1995 Delegations

	<p><i>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</i></p> <p><i>Local Law – Activities on Thoroughfares and Trading Thoroughfares and Public Place Local Law</i></p>
Record Keeping:	<p><i>Notices issued under this delegated authority are to be held as a Local Government record.</i></p>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

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

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
Delegate/s:	Executive Manager Development Services Executive Manager Infrastructure
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12: 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
CEO Conditions on this Delegation:	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations. b. Actions under this Delegation must comply with the procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i> .
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<i>This delegated authority is effective only in alignment with Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations.</i> <u>Local Government (Uniform Local Provisions) Regulations 1996</u>
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1. Local Government Act 1995 Delegations

	<i>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</i> <i>Local Laws – Extractive Industries</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.4 Electoral Enrolment Eligibility Claims and Electoral Roll

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
Delegate/s:	Executive Manager Corporate and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 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 approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)]. 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.

1. Local Government Act 1995 Delegations

	<p>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</p> <p>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)].</p>
CEO Conditions on this Delegation:	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<i>Department of Local Government, Sport and Cultural Industries: Returning Officer Manual</i>
Record Keeping:	<i>Enrolment Eligibility Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.5 Destruction of Electoral Papers

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

Compliance Links:	Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record Keeping:	<i>Records of destruction issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.6 Information to be Available to the Public

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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/s:	Executive Manager Corporate and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 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 [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)]. 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)].
CEO Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	Nil.

1. Local Government Act 1995 Delegations

Compliance Links:	
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.7 Financial Management Systems and Procedures

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
Delegate/s:	Executive Manager Corporate and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> a. Collection of money owed to the Shire of Dandaragan; b. Safe custody and security of money collected or held by the Shire of Dandaragan; 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 (see authorised persons listing Doc ID: 129373) f. Making of payments in accordance with Delegated Authority 1.2.22 g. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. <p>[FM r.5].</p>
CEO Conditions on this Delegation:	<ol 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 each financial year. [Audit r.17]
Express Power to Sub-Delegate:	Nil.

1. Local Government Act 1995 Delegations

Compliance Links:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996 Local Government (Audit) Regulations 1996 Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards Council Policies 2.1 Investment Policy and 2.2 Self Supporting Loans
Record Keeping:	Financial records are to be maintained in accordance with statutory requirements.

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.3.8 Infringement Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
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 Regulation 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
Delegate/s:	Executive Manager Development Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 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].
CEO 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 as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of <i>Building Act 2011</i> Infringement Notices is limited to the following positions ONLY: <ol style="list-style-type: none"> (i) Principal Environmental Health and Regulatory Officer (ii) Principal Planning and Building Officer c. The CEO has discretion to determine any conditions applicable to use of delegated CEO powers or duties.
Express Power to Sub-Delegate:	Nil.

Compliance Links:

Local Government Act 1995 s. 9.13(6)(b), s.9.19, s.9.20; Building Regulation 70(1A), (1), (2)

Record Keeping:

Issue of Infringement Notices

1. Local Government Act 1995 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and updated by Council at Ordinary Council Meeting 28 November 2019
3	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
4	Delegations to Development Services Staff Updated by CEO – 5 October 2022

1. Local Government Act 1995 Delegations

1.3.9 Grant Discounts or Waive Hire Charges – Family Resource Centre (Jurien Bay)

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i>
Delegate/s:	Executive Manager Corporate & Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To grant discounts or waive hire charges for the Family Resource Centre (Jurien Bay)
CEO Conditions on this Delegation:	<p>Any hirer seeking this dispensation is required to put the request for waiver of hire charges in writing to the Chief Executive prior to authorisation of any such waiver, and the application will be assessed by the Chief Executive Officer against the following criteria:</p> <ol style="list-style-type: none"> 1. the hirer is a charitable organisation 2. the hirer is a not for profit organisation 3. the hirer is a sub-committee of Council 4. the hirer is a related business or organisation of Council 5. the hirer is a newly formed community organisation with limited funds; or 6. the hirer is a community group undertaking a project for the improvement of the Shire and is a one-off request with infrequent usage of the Family Resource Centre. <p>Should the requesting hirer not meet any of the criteria above then the waiver of hire charges will be brought before the Chief Executive Officer for determination.</p>
Compliance Links:	Not applicable
Record Keeping:	<i>Decisions issued under this delegated authority are to be held as a Local Government record and included in the annual report of debts waived to the Council Information Bulletin.</i>

1. Local Government Act 1995 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

1. Local Government Act 1995 Delegations

1.4 Local Law Delegations to the CEO

1.4.1 Infrastructure Control – Template Activities in Thoroughfares and Public Places and Trading Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Activities in Thoroughfares and Public Places and Trading Local Law:</i> cl.2.5(2) Removal of redundant crossing cl.2.6 Interpretation – “acceptable material” cl.2.11 Notice to owner or occupier cl.2.15 Assignment of numbers cl.2.17(1) Signs cl.5.3 Declaration of flora road cl.5.5 Signposting of flora roads cl.5.7 Designation of special environmental areas cl.6.18 Obligations of permit holder (Outdoor Eating Facility) cl.7.1 Application for Permit cl.7.2 Decision on application for permit cl.7.3 Conditions which may be imposed on a permit cl.7.5 Compliance with and variation of conditions cl.7.7 Renewal of permit cl.7.8 Transfer of permit cl.7.10 Cancellation of permit cl.9.1 Notice to redirect or repair sprinkler cl.9.2 Hazardous plants cl.9.3 Notice to repair damage to thoroughfare cl.9.4 Notice to remove thing unlawfully placed on thoroughfare cl.10.2 Local government may undertake requirements of notice
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>	1. General Activity Control 1A. Authority, limit to permits subject of this delegation, to: <ol style="list-style-type: none"> determine the form of a permit application [cl.7.1(1)(a)]; require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)]; require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)]; refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)]; determine the form of the permit [cl.7.2(2)].

1. Local Government Act 1995 Delegations

	<p>1B. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a Policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to:</p> <ul style="list-style-type: none"> a. Temporary vehicle crossing [cl.2.4(1)] b. Any activity described as requiring a permit under cl.2.2(1); <ul style="list-style-type: none"> i. dig or otherwise create a trench through or under a kerb or footpath; ii. throw, place or deposit anything on a verge; iii. cause any obstruction to a vehicle or person using a thoroughfare; iv. cause any obstruction to a water channel; v. throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare; vi. damage a thoroughfare; vii. light any fire or burn anything on a thoroughfare other than under a permit issued under cl.5.13; viii. fell any tree onto a thoroughfare; ix. lay pipes under or provide taps on any verge or place or install anything on any part of a thoroughfare; x. provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare; xi. use or do anything so as to create a nuisance; xii. place or cause to be placed in on a thoroughfare a bulk rubbish container; xiii. interfere with the soil of or anything in a thoroughfare or take anything from a thoroughfare; c. Drive or take a vehicle on a closed thoroughfare [cl.2.19]; d. Erect or place an advertising or directional sign [cl.3.2] e. Use of portable signs [cl.3.4]; f. Erection or placement of an Election Sign on a thoroughfare [cl.3.5]; g. Leave an animal or vehicle in a public place or local government property [cl.4.1(1)];
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1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> h. Clear and maintain in a cleared state, the surface of a thoroughfare within 1m of the person's land [cl.5.11]. i. Burn, subject to the <i>Bush Fires Act 1954</i>, slash or apply herbicides to part of a thoroughfare to reduce fire hazard, with the method approved to be beneficial to the preservation and conservation of native flora and fauna [cl.5.15] b. Construct firebreaks on a thoroughfare [cl.5.17] <p>1C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p> <p>1D. Authority to exempt a person from requiring a permit under cl.2.2(1) [cl.2.2(2)].</p> <p>2. Use of Public Places</p> <p>2A. Authority to determine conditions of use of a public place and to erect a sign to give effect to that decision [cl.2.17(1)].</p> <p>3. Crossings</p> <p>3A. Authority to give written notice, requiring an owner or occupier to remove any part or all of a crossing which does not give access to the land and reinstate the kerb, drain, footpath, verge and other thoroughfare infrastructure [cl.2.5(2)].</p> <p>4. Thoroughfares and Verges</p> <p>4A. Authority to determine and maintain the list of "acceptable materials" which may be used as a verge treatment to create a hard stand and stable surface [cl.2.6].</p> <p>4B. Authority to give notice to an owner or occupier to make good the verge abutting their property, which is in breach of a provision of Verge Treatment requirements [cl.2.11].</p> <p>4C. Authority to assign a number to a lot and to assign another number to the lot instead of that previously assigned [cl.2.15].</p> <p>4D. Authority to give notice to the owner or occupier of land abutting a thoroughfare to:</p> <ul style="list-style-type: none"> a. Alter the direction of a sprinkler or other watering equipment [cl.9.1]; b. Remove, cut, move or otherwise deal with a plant that is causing a hazard for any person using a thoroughfare [cl.9.2]; <p>4E. Authority to give notice to the owner or occupier of land abutting a thoroughfare, or any such person who may be responsible, to:</p>
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1. Local Government Act 1995 Delegations

	<p>Repair or replace that portion of a thoroughfare, which a person has caused damage to [cl.9.3];</p> <p>Remove any thing placed in a thoroughfare in contravention of this Local Law [cl.9.4].</p> <p>4F. Authority to do the thing specified in a notice, where a person fails to comply with the notice, and recover from the person as a debt, the costs incurred in doing so [cl.10.2].</p> <p>5. Flora and Fauna within Thoroughfares</p> <p>5A. Authority to declare a flora road and to signpost it, where roadside vegetation is determined as high quality [cl.5.3 and cl.5.5].</p> <p>5B. Authority to designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which has protected or rare flora or fauna or has environmental, aesthetic or cultural significance [cl.5.7].</p> <p>5C. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to:</p> <ul style="list-style-type: none"> a. Collecting native flora and / or native flora seeds [cl.5.20]; b. Planting or sowing any plant seeds in a thoroughfare [cl.5.9]. <p>5D. Authority to determine conditions [cl.7.2(4) and cl.7.8] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p>
Council Conditions on this Delegation:	Nil
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: <i>Appointed by CEO</i>	Executive Manager Development Services Executive Manager Infrastructure
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<p><i>A register of all special environmental areas must be maintained under cl.5.8 of the Activities in Thoroughfares and Public Places and Trading Local Law.</i></p> <p><i>Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17</i></p>
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1. Local Government Act 1995 Delegations

	<p><i>of the Local Government (Uniform Local Provisions) Regulations 1996 – refer CEO Delegations 1.3.3 and 1.3.4.</i></p> <p><i>Crossing permits are approved under Regulations 12 and 13 of the Local Government (Uniform Local Provisions) Regulations 1996 – refer Delegation 1.2.13 Crossings – Construction, Repair and Removal.</i></p> <p><i>Local Law – Activities on Thoroughfares and Trading Thoroughfares and Public Places</i></p> <p><i>Local Law – Extractive Industries</i></p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

1. Local Government Act 1995 Delegations

1.4.2 Trading, Stallholders, Performing and Outdoor Dining – Activities in Thoroughfares and Public Places and Trading Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Activities in Thoroughfares and Public Places and Trading Local Law:</i> cl.6.6 Conditions of Permit (Stallholders and Traders) cl.6.18 Obligations of permit holder (Outdoor Eating Facility) cl.7.1 Application for Permit cl.7.2 Decision on application for permit cl.7.3 Conditions which may be imposed on a permit cl.7.5 Compliance with and variation of conditions cl.7.7 Renewal of permit cl.7.8 Transfer of permit cl.7.10 Cancellation of permit
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>	<p>1. Permits General</p> <p>1A. Authority, limited to the permit types listed below, to:</p> <ol style="list-style-type: none"> determine the form of a permit application [cl.7.1(1)(a)]; require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)]; require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)]; refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)]; determine the form of the permit [cl.7.2(2)]. <p>2. Stallholder, Trading and Performing</p> <p>2A. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.6 and cl.7.3] or a policy adopted under cl.7.4 or determined as appropriate, limited to:</p> <ol style="list-style-type: none"> Stallholder [cl.6.2]; Trader [cl.6.3]; Perform in a public place [cl.6.10]. <p>2B. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p>

1. Local Government Act 1995 Delegations

	<p>2C. Authority to authorise another person, as the permit holder's nominee for a specified period [cl.6.6(2)].</p> <p>3. Outdoor Eating Facilities</p> <p>3B. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.18] or determined as appropriate, for the purposes of an outdoor eating facility [cl.6.16].</p> <p>3C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5]</p> <p>3D Authority to give notice to an outdoor eating facility permit holder requiring them to carry out work [cl.6.18(2)].</p>
Council Conditions on this Delegation:	Nil
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: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Principal Planning and Building Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Local Law – Activities on Thoroughfares and Trading Thoroughfares and Public Places</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

1. Local Government Act 1995 Delegations

1.4.3 Shire of Dandaragan Pest Plants Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	Shire of Dandaragan Pest Plant Local Law Clause 5
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>	1. Authority to serve notice under the Shire of Dandaragan's Pest Plant Local Law Clause 5 and require an owner to destroy, eradicate or otherwise control any pest plant on that land.
Council Conditions on this Delegation:	Nil
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: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Local Law – Pest Plants</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

2. Building Act 2011 Delegations

2 Building Act 2011 Delegations

2.1 Council to CEO / Employees

2.1.1 Grant a Building Permit

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

2. Building Act 2011 Delegations

	s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Planning and Building Officer Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Building Act 2011 s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 1990</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.2 Demolition Permits

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

Sub-Delegate/s:	Executive Manager Development Services
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2. Building Act 2011 Delegations

<i>Appointed by CEO</i>	Principal Planning and Building Officer Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Building Act 2011</i> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 — Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 1990</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.3 Occupancy Permits or Building Approval Certificates

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

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

Compliance Links:	<i>Building Act 2011</i> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate
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2. Building Act 2011 Delegations

	<p><i>s.121 Occupancy permits and building approval certificates – application for review by SAT</i></p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage of Western Australia Act 1990</i></p>
Record Keeping:	<p><i>Notices issued under this delegated authority are to be held as a Local Government record.</i></p>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.4 Designate Employees as Authorised Persons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
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>	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].
Council Conditions on this Delegation:	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	<u><i>Building Act 2011:</i></u> s.97 requires each person designated as an authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record Keeping:	<i>Authorised Persons Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.5 Building Orders

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

2. Building Act 2011 Delegations

Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
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Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Planning and Building Officer Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<u>Building Act 2011:</u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.6 Inspection and Copies of Building Records

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

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

Compliance Links:	Building Act 2011 - s.146 Confidentiality
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.7 Referrals and Issuing Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.145A Local Government functions
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>	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

2. Building Act 2011 Delegations

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

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

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

2. Building Act 2011 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

2. Building Act 2011 Delegations

2.1.9 Smoke Alarms – Alternative Solutions

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

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

3. Bush Fires Act 1954 Delegations

3 Bush Fires Act 1954 Delegations

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

3.1.1 Make Request to FES Commissioner – Control of Fire

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
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>	1. Authority to request on behalf of the Shire of Dandaragan that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.2 Prohibited Burning Times - Vary

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

Compliance Links:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.3 Prohibited Burning Times – Control Activities

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
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>	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of Dandaragan or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including

3. Bush Fires Act 1954 Delegations

	authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	a. Decisions under s,17(7) must be undertake 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).
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> <i>s.17(7) Prohibited burning times may be declared by Minister</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>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.4 Restricted Burning Times – Vary and Control Activities

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

3. Bush Fires Act 1954 Delegations

	<p>Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</p> <p>6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].</p> <p>7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</p> <p>8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</p> <p>9. Authority to recover the cost of measures taken by the Shire of Dandaragan or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p>
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<p><i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister</p> <p><i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times</p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.5 Control of Operations Likely to Create Bush Fire Danger

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

Compliance Links:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

3. Bush Fires Act 1954 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.6 Burning Garden Refuse / Open Air Fires

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

3. Bush Fires Act 1954 Delegations

	5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<p><i>Bush Fires Act 1954:</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>Bush Fires Regulations 1954:</i></p> <p><i>r.27(3) Permit, issue of</i></p>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.7 Firebreaks

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
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>	<ol style="list-style-type: none"> Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Dandaragan: <ol style="list-style-type: none"> clearing of firebreaks as determined necessary and specified in the notice; and 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 as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> 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)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

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

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

Compliance Links:	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.9 Control and Extinguishment of Bush Fires

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
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>	<ol style="list-style-type: none"> 1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. <ol 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)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> s.46 <i>Bush fire control officer or forest officer may postpone lighting fire</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.10 Apply for Declaration as an Approved Area

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.52(1) Approved area may be declared
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>	1. Authority to 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.)
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> s.52(1) Approved area may be declared
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.11 Recovery of Expenses Incurred through Contraventions of this Act

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
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>	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Dandaragan or those on behalf of the Shire of Dandaragan to do [s.58].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

3. Bush Fires Act 1954 Delegations

3.1.12 Prosecution of Offences

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

Compliance Links:	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy <i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

4. Cat Act 2011 Delegations

4 Cat Act 2011 Delegations

4.1 Council to CEO

4.1.1 Cat Registrations

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

4. Cat Act 2011 Delegations

CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Compliance Links:	Cat Regulations 2012 r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i> .
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

4. Cat Act 2011 Delegations

4.1.2 Cat Control Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
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>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Dandaragan's District [s.26].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

4. Cat Act 2011 Delegations

4.1.3 Approval to Breed Cats

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

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

Compliance Links:	<i>Cat Regulations 2012:</i> <i>r.21 Application for approval to breed cats (s.36(2))</i> <i>r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f))</i> <i>r.23 Person who not be refused approval to breed cats (s.37(5))</i> <i>r.24 Duration of approval to breed cats (s.37(6))</i> <i>r.25 Certificate given to approved cat breeder (s.39(1))</i>
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4. Cat Act 2011 Delegations

Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>
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Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

4. Cat Act 2011 Delegations

4.1.4 Appoint Authorised Persons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s. 48 Authorised persons
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>	1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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

Compliance Links:	Not applicable
Record Keeping:	<i>Authorised Persons Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

4. Cat Act 2011 Delegations

4.1.5 Applications to Keep Additional Cats

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

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

4. Cat Act 2011 Delegations

4.2 Cat Act Delegations - CEO to Employees

4.2.1 Infringement Notices – Extensions and Withdrawals

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

Compliance Links:

Cat Regulations 2012:

r.28 Withdrawal of infringement notice (s.65(1))

Record Keeping:

Notices issued under this delegated authority are to be held as a Local Government record.

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

5. Dog Act 1976 Delegations

5 Dog Act 1976

5.1 Dog Act Delegations Council to CEO

5.1.1 Refuse or Cancel Registration

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
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>	<ol style="list-style-type: none"> Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept the dog is required to be microchipped but is not microchipped; or the dog is a dangerous dog [s.16(3) and s.17A(2)]. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed

5. Dog Act 1976 Delegations

	of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
Council Conditions on this Delegation:	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	<i>Dog Act 1976</i> <i>s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)</i> <i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)</i> <i>Local Law Dogs</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

5. Dog Act 1976 Delegations

5.1.2 Appoint Authorised Persons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.11(1) Staff and Services
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>	<ol style="list-style-type: none"> 1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3]. 2. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.11(1)].
Council Conditions on this Delegation:	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Not applicable
Record Keeping:	<i>Authorised Persons Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

5. Dog Act 1976 Delegations

5.1.3 Recovery of Moneys Due Under this Act

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
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>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Council Conditions on this Delegation:	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	<i>Includes recovery of expenses relevant to:</i> s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	

5. Dog Act 1976 Delegations

5.1.4 Dispose of or Sell Dogs Liable to be Destroyed

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
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>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Council Conditions on this Delegation:	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

5. Dog Act 1976 Delegations

5.1.5 Declare Dangerous Dog

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
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>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Council Conditions on this Delegation:	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

5. Dog Act 1976 Delegations

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

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer Senior Ranger
CEO Conditions on this Sub-Delegation:	Nil

5. Dog Act 1976 Delegations

<i>Conditions on the original delegation also apply to the sub-delegations.</i>	
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Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

5. Dog Act 1976 Delegations

5.1.7 Dog Control

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.19 Extension of Time s.9.20 Withdrawal of Notice
Delegate/s:	Executive Manager Development Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. 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].
CEO 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 Infringement Notices is limited to the following listed positions ONLY: <ol style="list-style-type: none"> (i) Senior Ranger (ii) Ranger c. The CEO has discretion to determine any conditions applicable to use of delegated CEO powers or duties.
Express Power to Sub-Delegate:	Nil.

Compliance Links:

Dog Act 1976 s 33; Dog Regulations 2013 Part VI

Record Keeping:

Issue of Infringement Notices

Version Control:

1	Adopted by Council 28 November 2019
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

6. Food Act 2008 Delegations

6 Food Act 2008

6.1 Council to CEO/Employees

6.1.1 Prohibition Orders

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

Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

6. Food Act 2008 Delegations

6.1.2 Food Business Registrations

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

Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

6. Food Act 2008 Delegations

6.1.3 Appoint Authorised Officers and Designated Officers

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

Compliance Links:	<p>s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers</p> <p>s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed</p>
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6. Food Act 2008 Delegations

Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>
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Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

6. Food Act 2008 Delegations

6.1.4 Debt Recovery and Prosecutions

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

6. Food Act 2008 Delegations

6.1.5 Abattoir Inspections and Fees

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Regulations 2009:</i> r.43 Local government may require security r.45 Withdrawal of inspection services
Delegate:	Executive Manager Development Services Principal Environmental Health and Regulatory Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, relevant to the payment of abattoir meat inspection fees under Food Regulation 41, to: i. require a person to provide security, ii. determine the form that security is to be provided, and iii. discharge a security held by the Shire of Dandaragan [r.43]. 2. Authority to give written notice and withdraw abattoir meat inspection services, pending payment of any fees due and payable [r.45].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

6. Food Act 2008 Delegations

6.1.6 Food Businesses List – Public Access

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

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	

7. Graffiti Vandalism Act 2016 Delegations

7 Graffiti Vandalism Act 2016 Delegations

7.1 Council to CEO

7.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
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>	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Council Conditions on this Delegation:	Nil
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>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

7. Graffiti Vandalism Act 2016 Delegations

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

7. Graffiti Vandalism Act 2016 Delegations

7.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
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>	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
Council Conditions on this Delegation:	Nil
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>	Executive Manager Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

7. Graffiti Vandalism Act 2016 Delegations

7.1.3 Obliterate Graffiti on Private Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.25(1) Local government graffiti powers on land not local government property
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>	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Council Conditions on this Delegation:	a. Subject to exercising Powers of Entry.
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>	Executive Manager Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

7. Graffiti Vandalism Act 2016 Delegations

7.1.4 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.28 Notice of entry s.29 Entry under warrant
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>	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Council Conditions on this Delegation:	Nil
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>	Executive Manager Development Services Principal Environmental Health and Regulatory Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Not applicable
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and adopted by Council at Ordinary Council Meeting 27 January 2022
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

8. Public Health Act 2016 Delegations

8 Public Health Act 2015 Delegations

8.1 Council to CEO\Employees

8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

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

Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2</i>
Record Keeping:	<i>Authorised Persons Register</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

8. Public Health Act 2016 Delegations

8.1.2 Enforcement Agency Reports to the Chief Health Officer

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

Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

8. Public Health Act 2016 Delegations

8.1.3 Designate Authorised Officers

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

Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained
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8. Public Health Act 2016 Delegations

	<p>s.28 When designation as authorised officer ceases</p> <p>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</p> <p>s.30 Certificates of authority</p> <p>s.31 Issuing and production of certificate of authority for purposes of other written laws</p> <p>s.32 Certificate of authority to be returned.</p> <p>s.136 Authorised officer to produce evidence of authority</p> <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	<p><i>Notices issued under this delegated authority are to be held as a Local Government record.</i></p>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022
3	

8. Public Health Act 2016 Delegations

8.1.4 Commence Proceedings

Delegator: <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.280 Commencing Proceedings
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>	1. Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	<i>Proceedings issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	
3	

9. Planning and Development Act 2005

9 Planning and Development Act 2005

9.1 CEO to Employees

9.1.1 Town Planning – Residential Development

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7 Residential Design Codes of Western Australia 2013</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	<p>To approve all development applications for a single dwelling house (including outbuildings) and grouped or multiple dwelling development to a maximum of four (4) dwelling units.</p> <ol style="list-style-type: none"> 1. The permissibility is designated a 'P', 'D' or 'A' use in Table 1: Zoning Table of the Shire of Dandaragan Local Planning Scheme No. 7; 2. the application does not extend beyond a <u>minor</u> variation at a variance of no greater than 10% to the Residential Design Codes unless otherwise prescribe by a local planning policy. 3. no objection or concern has been raised by an adjoining landowner or residents (if required to be advertised); and 4. the application complies with Scheme provisions and any relevant local planning policy standards and requirements. <p><i>Note: Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.</i></p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. A list of all development applications determined under delegated authority shall be included in the Council Information Bulletin on a monthly basis. b. All development applications where the Chief Executive Officer or other delegated officers recommend refusal of the application shall be presented to Council for consideration and a decision. c. Any development or subdivision application is to be referred to Council for a decision should it fail to comply or conform to the requirements and standards set by the Shire's Local Planning Scheme No. 7, Local Planning

9. Planning and Development Act 2005

	<p>Strategies; any relevant local planning policy adopted by Council or any Subdivision Guide Plan, Structure Plan or Development Area Plan previously endorsed by Council and the West Australian Planning Commission.</p> <p>d. The instigation of legal action in relation to a breach of development approval or an offence committed against one or more of the provisions of the Shire of Dandaragan Local Planning Scheme No 7 shall be subject to a resolution of Council.</p> <p>e. Written notice of all applications being advertised under delegation 206 shall be forwarded to Councillors prior to or at the commencement of the advertising process. This may exclude applications of a <u>minor</u> nature that involves consultation with a neighbouring landowner/s as prescribed under delegation 204 b).</p> <p>f. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p>
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Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Planning and Building Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7 Residential Design Codes of Western Australia 2013</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

9. Planning and Development Act 2005

9.1.2 Town Planning – Other Use and Development

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005</i> <i>Shire of Dandaragan Local Planning Scheme No. 7</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	<p>1. To approve all development applications for the use class highlighted <i>italic red</i> text in the table below where:</p> <ul style="list-style-type: none"> the permissibility is designated a 'P', 'D' or 'A' use in Table 1: Zoning Table of the Shire of Dandaragan Local Planning Scheme No 7; there is no written objection or concern raised from any public advertising or consultation process; and the application complies with the Scheme provisions and any relevant local planning policy standards and requirements. <p><i>Note: Table has been amended as part of the Shire of Dandaragan's updated Local Planning Scheme No 7 and the symbols used in the cross reference in the Zoning Table have the following meanings:</i></p> <p>P means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;</p> <p>D means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;</p> <p>A means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;</p> <p>X means a use that is not permitted by the Scheme.</p> <p>Key:</p> <p>P - Permitted D - Discretion A - Advertising X - Not Permitted</p>

9. Planning and Development Act 2005

Use Classes	Residential	Commercial	Industrial	Harbour	Marine Services	Rural	Rural Residential	Tourist	Regional Centre AMD 35 GG 10/08/18	Rural Smallholdings AMD 27 GG 11/10/19
<i>Aged or Dependent Persons</i>	A	X	X	X	X	X	X	D	X	X
Agriculture Extensive	X	X	X	X	X	P	X	X	X	X
Agriculture Intensive AMD 36 GG 23/7/19	X	X	X	X	X	D	X	X	X	X
<i>Agroforestry</i> AMD 36 GG 23/7/19	X	X	X	X	X	D	X	X	X	X
Animal Husbandry Intensive AMD 36 GG 23/7/19	X	X	X	X	X	D	X	X	X	X
Aquaculture	D	D	D	D	D	D	X	X	X	X
<i>Bed and Breakfast</i> AMD 27 GG 11/10/19	A	P	X	X	X	A	D	P	P	D
<i>Cabin</i> AMD 27 GG 11/10/19	X	X	X	X	X	A	A	P	X	A
Caravan Park	X	X	X	X	X	X	X	P	X	X
<i>Caretakers Dwelling</i> AMD 27 GG 11/10/19	D	D	D	D	X	D	D	D	D	D
<i>Chalet</i> AMD 27 GG 11/10/19	X	X	X	X	X	A	A	A	X	A
<i>Child Care Premises</i>	X	D	X	X	X	X	X	X	D	X
Cinema/Theatre AMD 35 GG 10/08/18	X	P	X	X	X	X	X	A	D	X
<i>Civic Use</i>	X	D	X	A	X	X	X	D	D	X
Club Premises	X	D	X	D	X	X	X	D	D	X
Community Purposes	X	D	X	D	X	A	X	D	D	X
<i>Consulting Rooms</i>	A	P	D	X	X	X	X	X	P	X
<i>Convenience Store</i>	A	P	D	X	D	X	X	D	D	X
Corrective Institution	X	X	D	X	X	D	X	X	X	X
<i>Educational establishment</i> AMD 35 GG 10/08/18	D	D	X	D	X	X	X	X	D	X
<i>Exhibition Centre</i>	X	D	D	X	X	X	X	X	D	X
<i>Fast Food Outlet</i>	X	P	D	D	D	X	X	D	D	X
Fuel Depot	X	X	A	D	D	X	X	X	X	X
Funeral Parlour	X	A	D	X	X	X	X	X	A	X
<i>Group Dwelling</i>	A	X	X	X	X	X	X	D	X	X
<i>Holiday House</i> AMD 27 GG 11/10/19	D	X	X	X	X	P	P	P	D	P
<i>Home Occupation</i> AMD 27 GG 11/10/19	D	D	X	X	X	P	D	D	D	D
Hospital	X	D	X	X	X	X	X	X	D	X
Hotel	X	P	X	A	X	X	X	P	A	X
<i>Industry – cottage</i> AMD 35 GG 10/08/18; AMD 27 GG	A	D	P	X	X	D	D	D	D	D
<i>Industry – extractive</i> AMD 35 GG 10/08/18	X	X	X	X	X	A	X	X	X	X
<i>Industry – general</i> AMD 35 GG 10/08/18	X	X	P	X	X	X	X	X	X	X
<i>Industry – light</i> AMD 35 GG 10/08/18	X	X	D	D	D	X	X	X	X	X
<i>Industry – mining</i> AMD 35 GG 10/08/18	X	X	P	X	X	A	X	X	X	X
<i>Industry – rural</i> AMD 35 GG 10/08/18	X	X	P	X	X	A	X	X	X	X
<i>Industry - service</i> AMD 35 GG 10/08/18	X	X	P	D	D	X	X	X	D	X
Market	X	P	D	X	X	X	X	D	D	X
Motel	X	P	X	X	X	X	X	P	A	X
<i>Motor Vehicle Repairs</i>	X	P	P	X	X	X	X	X	D	X

9. Planning and Development Act 2005

Use Classes	Residential	Commercial	Industrial	Harbour Marine Services	Rural Rural Residential	Tourist	Regional Centre AMD 35 GG 10/08/18	Rural Smallholdings AMD 27 GG 11/10/19
<i>Multiple Dwelling</i>	<i>A</i>	X	X	X	X	<i>D</i>	<i>D</i>	X
Night Club AMD 35 GG 10/08/18	X	D	X	X	X	A	X	X
<i>Office</i>	X	<i>P</i>	<i>A</i>	<i>D</i>	<i>D</i>	X	<i>P</i>	X
Roadhouse AMD 6 GG 30/11/12	X	D	X	X	X	X	D	X
<i>Park Home Park</i>	X	X	X	X	X	<i>P</i>	X	X
<i>Place of Worship</i>	<i>A</i>	X	X	X	<i>A</i>	<i>D</i>	<i>D</i>	X
Reception Centre	X	D	X	X	X	D	D	X
Residential Building	D	X	X	X	X	D	D	X
Resort	X	X	X	P	A	P	A	X
<i>Restaurant</i>	<i>A</i>	<i>P</i>	X	A	D	<i>P</i>	<i>D</i>	X
<i>Rural Pursuit</i> AMD 27 GG 11/10/19	X	X	X	X	<i>P</i>	<i>D</i>	X	<i>D</i>
<i>Serviced Apartment</i> AMD 35 GG 10/08/18	X	<i>A</i>	X	<i>P</i>	X	<i>P</i>	<i>D</i>	X
Service Station AMD 35 GG 10/08/18	X	A	D	A	X	D	A	X
<i>Single house</i> AMD 27 GG 11/10/19	<i>P</i>	<i>D</i>	X	X	<i>P</i>	<i>P</i>	<i>D</i>	<i>P</i>
<i>Shop</i>	X	<i>P</i>	<i>D</i>	<i>A</i>	<i>D</i>	<i>D</i>	<i>D</i>	X
Showroom AMD 6 GG 30/11/12	X	D	D	D	X	X	D	X
Tavern	X	P	X	A	X	P	A	X
<i>Trade Display</i>	X	<i>P</i>	<i>P</i>	<i>D</i>	<i>D</i>	X	<i>D</i>	X
<i>Veterinary Centre</i>	X	<i>D</i>	<i>D</i>	X	<i>A</i>	X	<i>D</i>	X
<i>Warehouse</i>	X	<i>D</i>	<i>P</i>	<i>D</i>	<i>D</i>	X	X	X

2. To approve an amendment or relocation of designated building envelopes on Rural Residential zoned properties where no objection is raised from adjoining landowners and the proposal will not result in removal of significant vegetation.
3. To approve all applications for a use or development within a local reserve where:
 - the proposal generally accords with the matters set out in Clause 67 of the Deemed Provisions of the Shire of Dandaragan Local Planning Scheme No 7; and
 - does not conflict with the ultimate purpose intended for the reserve.

Note: Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.

**Council
Conditions
on this
Delegation:**

- a. A list of all development applications determined under delegated authority shall be included in the Council Information Bulletin on a monthly basis.
- b. All development applications where the Chief Executive Officer or other delegated officers recommend refusal of the application shall be presented to Council for consideration and a decision.
- c. Any development or subdivision application is to be referred to Council for a decision should it fail to comply or conform to the requirements and standards set by the Shire's

9. Planning and Development Act 2005

- Local Planning Scheme No 7, Local Planning Strategy 2010; any relevant local planning policy adopted by Council or any Subdivision Guide Plan, Structure Plan or Development Area Plan previously endorsed by Council and the Western Australian Planning Commission.
- d. The instigation of legal action in relation to a breach of development approval or an offence committed against one or more of the provisions of the Shire of Dandaragan Local Planning Scheme No 7 shall be subject to a resolution of Council.

Sub-Delegate/s:

Appointed by CEO

CEO Conditions on this Sub-Delegation:

Conditions on the original delegation also apply to the sub-delegations.

Executive Manager Development Services
Principal Planning and Building Officer

Nil

Compliance Links:	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Reviewed and updated by Council at Ordinary Council Meeting 28 November 2019
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

9. Planning and Development Act 2005

9.1.3 Town Planning – Advertising

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	To initiate advertising of an application for a 'P', 'D' or 'A' use in Table 1: Zoning Table pursuant to the provisions under Clause 9.4 of the Shire of Dandaragan Local Planning Scheme No 7 and in accordance with local planning policy.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. A list of all development applications determined under delegated authority shall be included in the Council Information Bulletin on a monthly basis. b. All development applications where the Chief Executive Officer or other delegated officers recommend refusal of the application shall be presented to Council for consideration and a decision. c. Any development or subdivision application is to be referred to Council for a decision should it fail to comply or conform to the requirements and standards set by the Shire's Local Planning Scheme No 7, Local Planning Strategy 2010; any relevant local planning policy adopted by Council or any Subdivision Guide Plan, Structure Plan or Development Area Plan previously endorsed by Council and the Western Australian Planning Commission. d. The instigation of legal action in relation to a breach of development approval or an offence committed against one or more of the provisions of the Shire of Dandaragan Local Planning Scheme No 7 shall be subject to a resolution of Council. e. Written notice of all applications being advertised under delegation 206 shall be forwarded to Councillors prior to or at the commencement of the advertising process. This may exclude applications of a <u>minor</u> nature that involves consultation with a neighbouring landowner/s as prescribed under delegation 204 b). f. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.

9. Planning and Development Act 2005

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

Compliance Links:	<i>Planning and Development Act 2005</i> <i>Shire of Dandaragan Local Planning Scheme No. 7</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

9. Planning and Development Act 2005

9.1.4 Town Planning – Signage

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	<ol style="list-style-type: none"> 1. To approve applications for signage in accordance with Local Planning Policy 9.5 – Advertising Devices (Signage); and 2. To enforce the provisions under Clause 80 of the Deemed Provisions of the Shire of Dandaragan Local Planning Scheme No 7. <p><i>Note: Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.</i></p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. A list of all development applications determined under delegated authority shall be included in the Council Information Bulletin on a monthly basis. b. All development applications where the Chief Executive Officer or other delegated officers recommend refusal of the application shall be presented to Council for consideration and a decision. c. Any development or subdivision application is to be referred to Council for a decision should it fail to comply or conform to the requirements and standards set by the Shire's Local Planning Scheme No 7, Local Planning Strategy 2010; any relevant local planning policy adopted by Council or any Subdivision Guide Plan, Structure Plan or Development Area Plan previously endorsed by Council and the Western Australian Planning Commission. d. The instigation of legal action in relation to a breach of development approval or an offence committed against one or more of the provisions of the Shire of Dandaragan Local Planning Scheme No 7 shall be subject to a resolution of Council. e. Written notice of all applications being advertised under delegation 206 shall be forwarded to Councillors prior to or at the commencement of the advertising process. This may exclude applications of a <u>minor</u> nature that involves consultation with a neighbouring landowner/s as prescribed under delegation 204 b).

9. Planning and Development Act 2005

	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
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Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Planning and Building Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	<i>Planning and Development Act 2005</i> <i>Shire of Dandaragan Local Planning Scheme No. 7</i> <i>Local Planning Policy 9.5 – Advertising Devices (Signage)</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

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2	Reviewed and updated by Council at Ordinary Council Meeting 28 November 2019
3	Delegations to Development Services Staff Updated by CEO – 5 October 2022

9. Planning and Development Act 2005

9.1.5 Town Planning – Subdivision Applications

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	<p>1. To provide comment on subdivision and amalgamation applications to the Western Australian Planning Commission (WAPC) where:</p> <ol style="list-style-type: none"> The application is to rationalise boundaries between one or more landholdings without the creation of any additional lots in line with the Shire Local Planning Strategy and State Planning Policy 2.5; and The application applies to the creation or widening of a reserve (including a thoroughfare) for a public utility or service. <p><i>Note: Notwithstanding the above, any application may be referred to Council for consideration where, in the opinion of the delegated officer, it is considered appropriate.</i></p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> A list of all development applications determined under delegated authority shall be included in the Council Information Bulletin on a monthly basis. All development applications where the Chief Executive Officer or other delegated officers recommend refusal of the application shall be presented to Council for consideration and a decision. Any development or subdivision application is to be referred to Council for a decision should it fail to comply or conform to the requirements and standards set by the Shire's Local Planning Scheme No 7, Local Planning Strategy 2010; any relevant local planning policy adopted by Council or any Subdivision Guide Plan, Structure Plan or Development Area Plan previously endorsed by Council and the Western Australian Planning Commission. The instigation of legal action in relation to a breach of development approval or an offence committed against one or more of the provisions of the Shire of Dandaragan Local Planning Scheme No 7 shall be subject to a resolution of Council. Written notice of all applications being advertised under this delegation shall be forwarded to Councillors prior to or at the commencement of the advertising process. This may exclude

9. Planning and Development Act 2005

	applications of a <u>minor</u> nature that involves consultation with a neighbouring landowner/s as prescribed under delegation 9.1.1.
	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.

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

Compliance Links:	<i>Planning and Development Act 2005</i> <i>Shire of Dandaragan Local Planning Scheme No. 7</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

9. Planning and Development Act 2005

9.1.6 Town Planning – Miscellaneous

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</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>	<ol style="list-style-type: none"> 1. To address all matters which arise out of the imposition of conditions on a development approval and provide clarification where required. 2. To determine Council's position in consultation with the Shire President (or Deputy Shire President in the absence of the Shire President) with respect to any mediation process resulting from an appeal lodged with the State Administrative Tribunal. 3. To serve notices on property owners who are deemed to be in breach of the Shire of Dandaragan's Local Planning Scheme No 7. This may relate to unlawful land use or development, non-compliance with a condition/s of development approval or contravention of a direction set by the Scheme or local planning policy. 4. To obtain legal advice in relation to a planning matter/s within budget allocations. 5. To consider initial discussions and provide direction to applicants on development proposals in line with State planning policies and current planning instruments including strategy documents endorsed / adopted by Council.
Council Conditions on this Delegation:	Nil
	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.

Sub-Delegate/s: <i>Appointed by CEO</i>	Executive Manager Development Services Principal Planning and Building Officer
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> a. The CEO is to be informed of and endorse all requests for legal advice. b. The Principal Planning and Building Officer is not provided with the delegated authority listed in (2.).

9. Planning and Development Act 2005

Compliance Links:	<i>Planning and Development Act 2005 Shire of Dandaragan Local Planning Scheme No. 7</i>
Record Keeping:	<i>Notices issued under this delegated authority are to be held as a Local Government record.</i>

Version Control:

1	Adopted by Council at Ordinary Council Meeting 13 December 2018
2	Delegations to Development Services Staff Updated by CEO – 5 October 2022

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

10.1 Environmental Protection Act 1986

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
[Previous](#) [Close](#) [Next](#)

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

EV401

ENVIRONMENTAL PROTECTION ACT 1986

Section 20

Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
[Previous](#) [Close](#) [Next](#)

No. 232. 20-Dec-2013
Page: 6282 Pdf - 3Mb

EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

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

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

10.1.3 Noise Management Plans – Construction Sites

Published by:
Environment

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

EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

10.2 Planning and Development Act 2005

10.2.1 Instrument of Authorisation - 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

SCHEDULE

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

Column 1

The power to sign as owner in respect of Crown land that is:

- a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* 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 *Land Administration Act 1997* 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,

in respect of development applications being made under or referred to in:

- (i) section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);
- (ii) section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);
- (iii) section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act);
- (iv) section 122A of the *Planning and Development Act 2005* in respect of which approval is required under an improvement scheme (as that term is defined in that Act);
- (v) section 162 of the *Planning and Development Act 2005* 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);
- (vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;
- (vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).

Column 2

City of Albany
City of Armadale
Shire of Ashburton
Shire of Augusta-Margaret River
Town of Bassendean
City of Bayswater
City of Belmont
Shire of Beverley
Shire of Boddington
Shire of Boyup Brook
Shire of Bridgetown-Greenbushes
Shire of Brookton
Shire of Broome
Shire of Broomehill-Tambellup
Shire of Bruce Rock
City of Bunbury
Shire of Busselton
Town of Cambridge
City of Canning
Shire of Capel
Shire of Carnamah
Shire of Carnarvon
Shire of Chapman Valley
Shire of Chittering
Shire of Christmas Island
Town of Claremont
City of Cockburn
Shire of Cocos (Keeling) Islands
Shire of Collie
Shire of Coolgardie
Shire of Coorow
Shire of Corrigin
Town of Cottesloe
Shire of Cranbrook
Shire of Cuballing
Shire of Cue
Shire of Cunderdin
Shire of Dalwallinu
Shire of Dandaragan
Shire of Dardanup
Shire of Denmark
Shire of Derby/West Kimberley
Shire of Donnybrook-Balingup
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

Shire of Gingin
Shire of Gnowangerup
Shire of Goomalling
City of Goswells
Shire of Halls Creek
Shire of Harvey
Shire of Irwin
Shire of Jerramungup
City of Joondalup
Shire of Kalamunda
City of Kalgoorlie-Boulder
Shire of Katanning
Shire of Kellerberrin
Shire of Kent
Shire of Kojoonup
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 Meekatharra
City of Melville
Shire of Menzies
Shire of Merredin
Shire of Mingenew
Shire of Moora
Shire of Morawa
Town of Mosman Park
Shire of Mount Magnet
Shire of Mt Marshall
Shire of Mukinbudin
Shire of Mundaring
Shire of Murchison
Shire of Murray

Column 3

In accordance with and subject to approved Government Land policies.

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 *Planning and Development Act 2005* (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.

Shire of Nannup
Shire of Narembeen
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

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



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd June
..... day of 2016

10.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985

Published by:
Planning and Infrastructure

GOVERNMENT GAZETTE Western
Australia
[Previous](#) [Close](#) [Next](#)

No. 98, 09-Jun-2009
Page: 1936 Pdf - 429kb

PI409

PLANNING AND DEVELOPMENT ACT 2005 Instrument of Delegation Del 2009/03 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of the *Strata Titles Act 1985*

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 26 May 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—

A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.

TONY EVANS, Western Australian Planning Commission.

SCHEDULE 1

1. Applications made under section 25 of the *Strata Titles Act 1985*

Power to determine applications for the issuing of a certificate of approval under section 25 of the *Strata Titles Act 1985* for a plan of subdivision, re-subdivision or consolidation, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - (i) a type of development; and/or
 - (ii) 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.

2. Reporting requirements

A local government that exercises the power referred to in clause 1 is to provide WAPC 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.

10.3 Main Roads Act 1930

10.3.1 Traffic Management - Events on Roads

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

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)

10.3.2 Traffic Management – Road Works

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

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

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

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au 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

10.4 Road Traffic (Vehicles) Act 2012

10.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

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

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

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

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

CONDITIONS

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