

Shire of Goomalling



COUNCIL MEETING MINUTES

May 2022

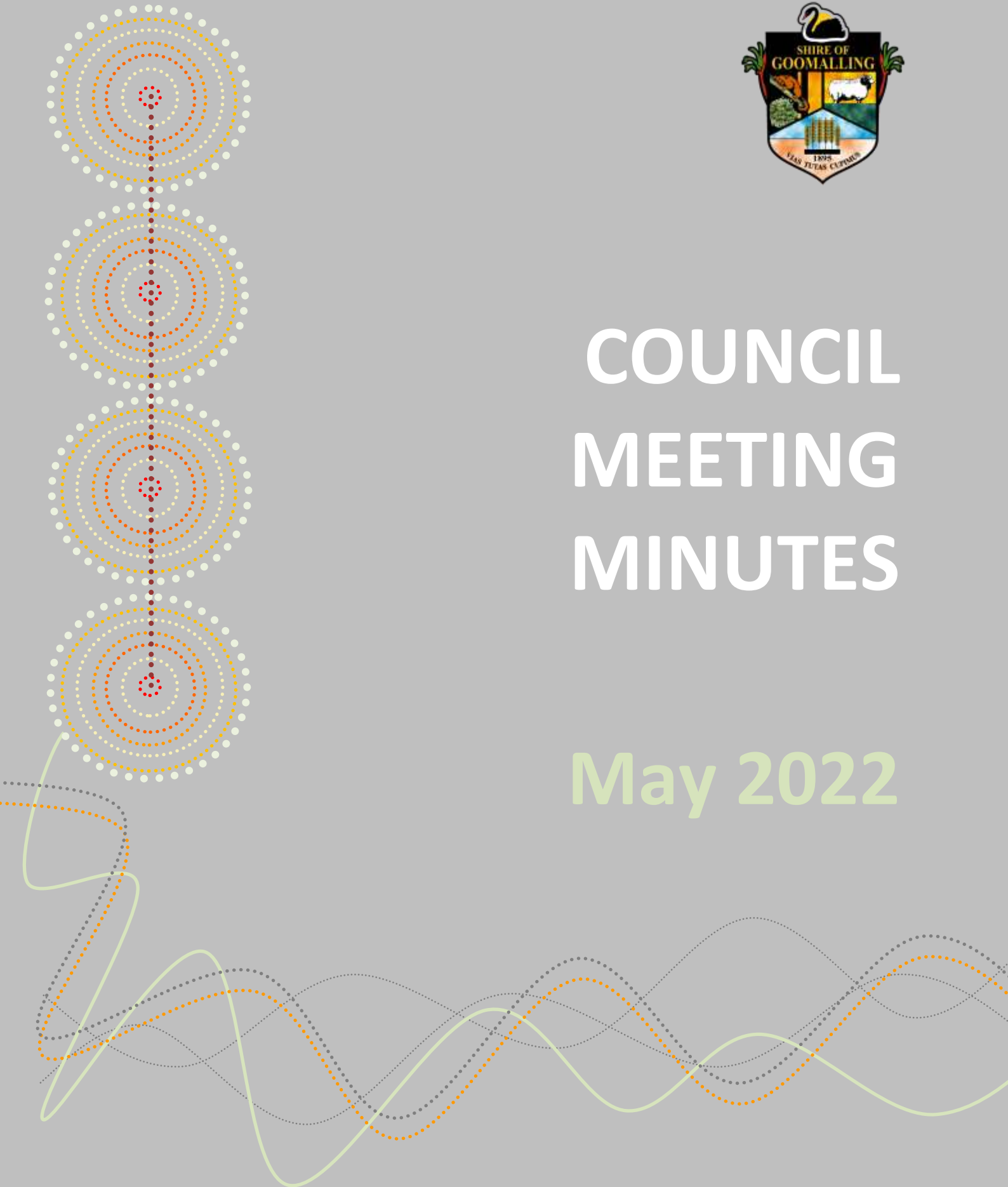




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NYOONGAR ACKNOWLEDGEMENT

We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar Ballardong people as the custodians of the greater Goomalling/Koomal area and that their cultural and heritage beliefs are still important to the living Nyoongar Ballardong people today.

NOTICE OF MEETING

Meeting No. 4 of 2022 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday 18 May 2022 beginning at 4.42 pm.

1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE

2.1. Attendance

Council	President & Chairperson	Cr Barry Haywood
	Vice President	Cr Julie Chester
	Councillor	Cr Mark Ashton
	Councillor	Cr Christine Barratt
	Councillor	Cr Casey Butt
	Councillor	Cr Roland Van Gelderen

Administration	Chief Executive Officer	Mr Peter Bentley
	Finance Manager	Miss Natalie Bird

2.2. Apologies

Apologies were received from the Works Manager Mr David Long for today's meeting.

Apologies were received from Cr Brendon Wilkes for today's meeting.

2.3. Approved Leave of Absence

Nil

3. DECLARATION OF:

- FINANCIAL INTEREST
- MEMBERS IMPARTIALITY INTEREST
- PROXIMITY INTEREST

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FROM MEMBERS FOR LEAVE OF ABSENCE

Nil



6. CONFIRMATION AND RECEIVING OF MINUTES & BUSINESS ARISING

6.1 Ordinary Meeting of Council held Wednesday 20 April 2022

RESOLUTION 481

Moved Cr Barratt, seconded Cr Ashton that the minutes of Ordinary Meeting of Council held Wednesday 20 April 2022, be confirmed as true and correct recording of proceedings.

CARRIED 6/0
Simple Majority

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- Cr Haywood attended a Freight network meeting by Zoom.
- Cr Chester & Chief Executive Officer attended the AROC meeting on Monday 16 May 2022.

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil



9. OFFICERS' REPORTS

9.1 SCHEDULE OF ACCOUNTS PAID 1 APRIL TO 30 APRIL 2022

File Reference	Not applicable
Disclosure of Interest	Nil
Applicant	Not Applicable
Previous Item Numbers	No Direct
Date	10 May 2022
Author	Debra Horton, Accounts Payable
Authorising Officer	Natalie Bird, Finance Manager
Attachments	1. Schedule of Payments – April 2022 2. Corporate Credit Card Statements March 2022

Summary

FUND VOUCHERS AMOUNT

EFT 4141 to 4197	\$267,558.57
Direct Debits 8509 to 8511	\$21,595.93
Cheques 15354 to 15361	\$33,708.87
Payroll JNL 6625 & 6637	\$136,151.00
Super DD13873 & 13898	\$22,435.70
TOTAL	\$481,450.07

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That the Council:

Approve vouchers from the Municipal Fund and Trust Fund as detailed:

EFT 4141 to 4197	\$267,558.57
Direct Debits 8509 to 8511	\$21,595.93
Cheques 15354 to 15361	\$33,708.87
Payroll JNL 6625 & 6637	\$136,151.00
Super DD13873 & 13898	\$22,435.70
TOTAL	\$481,450.07

RESOLUTION 481

Moved Cr Barratt, seconded Cr Ashton that Council endorses the Officer's recommendation.

Note: The Credit Card Statements submitted to Council were from April 2022 instead of March 2022.

CARRIED 6/0
Simple Majority



9.2 FINANCIAL REPORT FOR APRIL 2022

File Reference	Not Applicable
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	11 May 2022
Author	Natalie Bird, Finance Manager
Authorising Officer	Natalie Bird, Finance Manager
Attachments	Monthly Financial Report to 30 April 2022

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996*, to follow is the presentation of the Monthly Financial Reports to Council.

Background

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

Statutory Environment

Local Government Act 1995 – Section 6.4 (as amended)

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

Policy Implications

No specific policy regarding this matter.

Financial Implications

Ongoing management of Council funds

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

4.1.4	Provide reporting processes in a transparent, accountable and timely manner
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Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That the Council:

Receive the Monthly Financial Report to 30 April 2022

RESOLUTION 482

Moved Cr Van Gelderen, seconded Cr Butt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***

SHIRE OF GOOMALLING
MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the period ending 30 April 2022

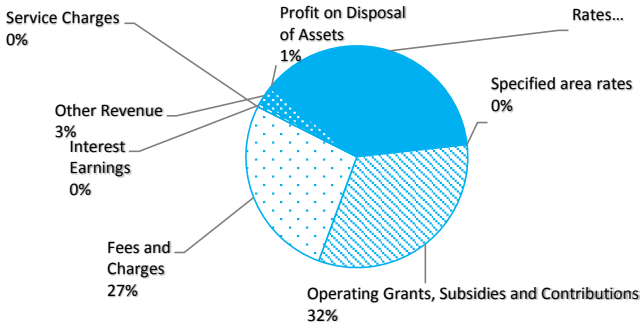
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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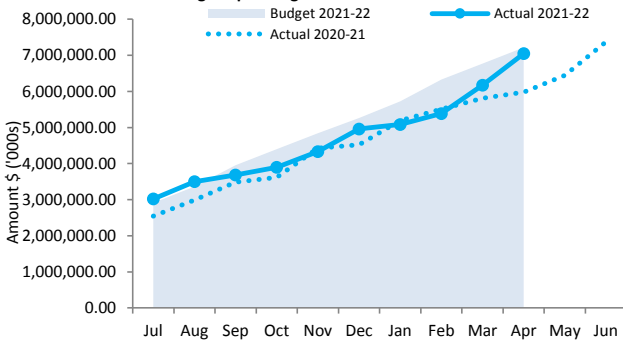
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OPERATING ACTIVITIES

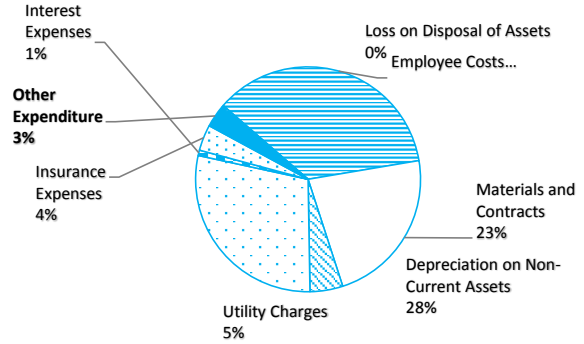
OPERATING REVENUE



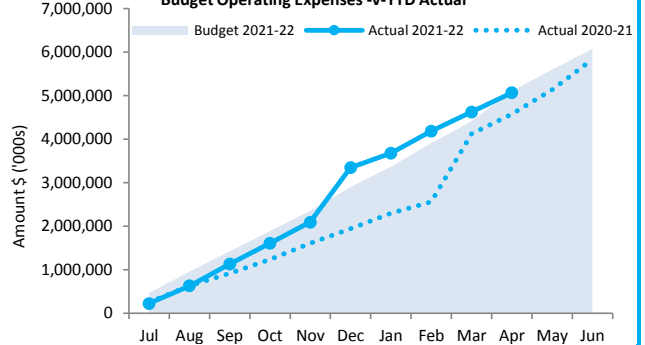
Budget Operating Revenues -v- Actual



OPERATING EXPENSES



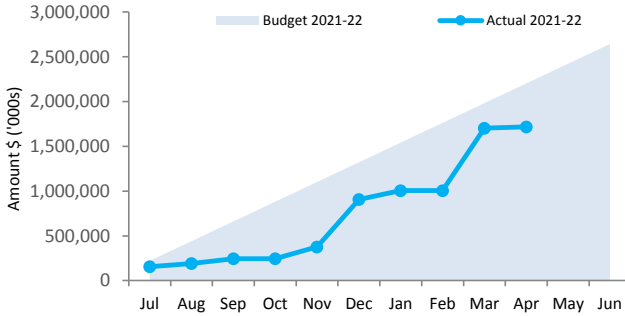
Budget Operating Expenses -v- YTD Actual



INVESTING ACTIVITIES

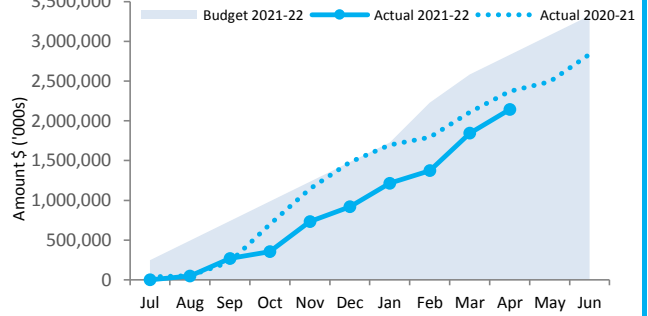
Non-Operating Grants

Budget Capital Revenue -v- Actual



CAPITAL EXPENSES

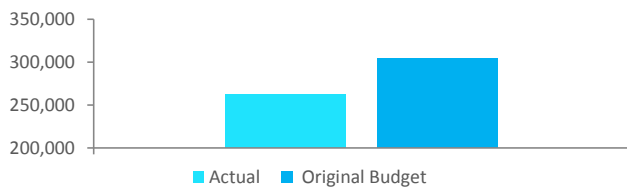
Budget Capital Expenses -v- Actual



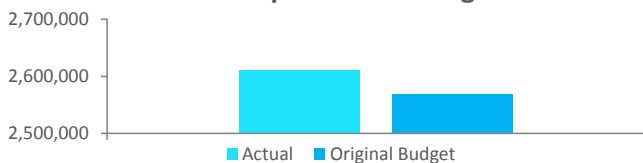
FINANCING ACTIVITIES

BORROWINGS

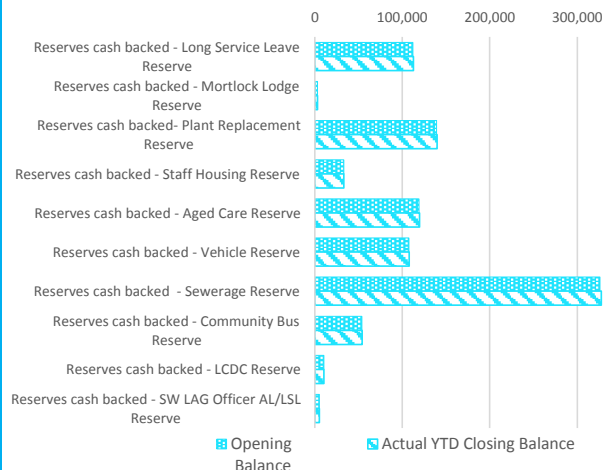
Principal Repayments



Principal Outstanding



RESERVES



Funding surplus / (deficit) Components								
Funding surplus / (deficit)								
	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)				
Opening	(\$0.27 M)	(\$0.27 M)	(\$0.33 M)	(\$0.05 M)				
Closing	(\$0.02 M)	\$0.44 M	\$0.72 M	\$0.29 M				
Refer to Statement of Financial Activity								
Cash and cash equivalents			Payables		Receivables			
	\$2.46 M	% of total		\$0.36 M	% Outstanding		\$0.13 M	% Collected
Unrestricted Cash	\$1.55 M	62.8%	Trade Payables	\$0.28 M		Rates Receivable	\$0.11 M	95.4%
Restricted Cash	\$0.92 M	37.2%	Over 30 Days		52.7%	Trade Receivable	\$0.13 M	
			Over 90 Days		0%	Over 30 Days		70.9%
						Over 90 Days		60.5%
Refer to Note 2 - Cash and Financial Assets			Refer to Note 5 - Payables		Refer to Note 3 - Receivables			
Key Operating Activities								
Amount attributable to operating activities								
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)					
\$1.14 M	\$1.50 M	\$1.69 M	\$0.19 M					
Refer to Statement of Financial Activity								
Rates Revenue			Operating Grants and Contributions			Fees and Charges		
YTD Actual	\$2.30 M	% Variance	YTD Actual	\$1.65 M	% Variance	YTD Actual	\$1.37 M	% Variance
YTD Budget	\$2.07 M	11.3%	YTD Budget	\$0.67 M	144.7%	YTD Budget	\$1.27 M	8.0%
Refer to Note 6 - Rate Revenue			Refer to Note 20 - Operating Grants and Contributions			Refer to Statement of Financial Activity		
Key Investing Activities								
Amount attributable to investing activities								
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)					
(\$0.60 M)	(\$0.45 M)	(\$0.37 M)	\$0.08 M					
Refer to Statement of Financial Activity								
Proceeds on sale			Asset Acquisition			Non-Operating Grants		
YTD Actual	\$0.16 M	%	YTD Actual	\$2.14 M	% Spent	YTD Actual	\$1.72 M	% Received
Adopted Budget	\$0.12 M	35.2%	Adopted Budget	\$3.39 M	(36.7%)	Adopted Budget	\$2.62 M	(34.5%)
Refer to Note 14 - Disposal of Assets			Refer to Note 15 - Capital Acquisition			Refer to Note 15 - Capital Acquisition		
Note 14								
Key Financing Activities								
Amount attributable to financing activities								
Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)					
(\$0.28 M)	(\$0.34 M)	(\$0.28 M)	\$0.07 M					
Refer to Statement of Financial Activity								
Borrowings			Reserves			Lease Liability		
Principal repayments	\$0.26 M		Reserves balance	\$0.91 M		Principal repayments	\$0.00 M	
Interest expense	\$0.10 M		Interest earned	\$0.00 M		Interest expense	\$0.00 M	
Principal due	\$2.61 M					Principal due	\$0.03 M	
Refer to Note 16 - Borrowings			Refer to Note 18 - Cash Reserves			Refer to Note 17 - Lease Liabilities		

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

KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 APRIL 2022

STATUTORY REPORTING PROGRAMS

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

PROGRAM NAME AND OBJECTIVES
GOVERNANCE

To provide a decision making process for the efficient allocation of resources

ACTIVITIES

To include the activities of members of Council and the administration support available to the Council for the provision of governance of the district. Other costs relate to assisting elected members and ratepayers on matters which do not concern specific Council 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, community crime prevention and other aspects of public safety including emergency services.

HEALTH

To provide an operational framework for environmental and community health.

Inspection of food premises and food control. Provision of Medical Surgery and Doctor. Also noise control and waste disposal compliance

EDUCATION AND WELFARE

To provide services to disadvantaged persons including the elderly, children and youth.

Maintenance of child minding centre, playgroup centre, senior citizens centre. Provision and maintenance of youth services.

HOUSING

To provide and maintain housing for staff, aged and community housing projects operated by Joint Venture with the Department of Housing.

Staff housing, provision of general rental accommodation to the public when not required by staff.

COMMUNITY AMENITIES

To provide necessary services as required by the community.

Rubbish collection and recycling, operation of disposal sites, administration, maintenance & operation of the Shire Townsite Sewerage Scheme. Administration of the Shire of Goomalling Town Planning Scheme. Administration, maintenance & operation of the Goomalling public cemeteries, public toilets & the Goomalling Community Bus.

RECREATION AND CULTURE

To establish & effectively manage infrastructure and resources which will help the social wellbeing of the community.

Maintenance and operation of public halls, swimming pool, sporting pavilions, parks and gardens, recreation centre, sports playing surface areas and reserves including football oval, hockey oval, tennis courts, bowling greens. Contribution to the operation of the Goomalling Public Library, museums and cultural facilities.

TRANSPORT

To provide safe, effective and efficient transport services to the community.

Construction and maintenance of streets, roads, footpaths, drainage & signs. Maintenance and operation of street lights, works depot and aerodrome. Cleaning of streets and provision and maintenance of street trees. Purchase, maintenance and operation of plant.

ECONOMIC SERVICES

To help promote the Shire and its economic wellbeing.

Tourism and area promotion including the maintenance and operation of the Shire of Goomalling Caravan Park facilities and Motel Units. Provision of rural services including building control, standpipes, noxious weeds and vermin control. Maintenance costs associated with the Goomalling Community Resource Centre.

OTHER PROPERTY AND SERVICES

To monitor and control Council's overheads operating accounts.

Private works, plant repairs and operations. Housing and Engineering operations costs.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

STATUTORY REPORTING PROGRAMS

	Ref	Adopted Budget	Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
	Note	\$	\$	\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	(273,269)	(325,028)	(273,269)	(325,028)	(51,759)	18.94%	
Revenue from operating activities								
Governance		32,000	62,000	52,160	34,567	(17,593)	(33.73%)	▼
General purpose funding		2,549,407	2,618,096	2,545,076	3,219,231	674,155	26.49%	▲
Law, order and public safety		365,800	371,400	309,480	231,685	(77,795)	(25.14%)	▼
Health		664,000	664,500	553,740	467,724	(86,016)	(15.53%)	▼
Education and welfare		600	800	670	495	(175)	(26.12%)	▼
Housing		273,310	281,310	234,400	209,454	(24,946)	(10.64%)	▼
Community amenities		501,600	505,700	499,440	492,430	(7,010)	(1.40%)	▼
Recreation and culture		126,656	147,056	126,620	60,838	(65,782)	(51.95%)	▼
Transport		328,408	410,408	355,650	275,015	(80,635)	(22.67%)	▼
Economic services		284,900	310,050	262,160	257,670	(4,490)	(1.71%)	▼
Other property and services		63,500	88,362	75,592	80,142	4,550	6.02%	▲
		5,190,181	5,459,683	5,014,989	5,329,251	314,262		
Expenditure from operating activities								
Governance		(255,183)	(266,983)	(238,008)	(182,764)	55,244	23.21%	▲
General purpose funding		(96,309)	(94,809)	(79,410)	(85,465)	(6,055)	(7.62%)	▲
Law, order and public safety		(557,992)	(605,692)	(548,010)	(361,144)	186,866	34.10%	▲
Health		(709,524)	(705,174)	(585,350)	(587,668)	(2,318)	(0.40%)	▲
Education and welfare		(16,262)	(15,362)	(12,800)	(13,910)	(1,110)	(8.67%)	▲
Housing		(414,582)	(385,992)	(320,620)	(263,675)	56,945	17.76%	▲
Community amenities		(603,391)	(600,391)	(500,170)	(511,902)	(11,732)	(2.35%)	▲
Recreation and culture		(958,033)	(924,483)	(769,960)	(770,122)	(162)	(0.02%)	▲
Transport		(1,449,389)	(1,870,989)	(1,561,970)	(1,810,908)	(248,938)	(15.94%)	▼
Economic services		(525,127)	(541,727)	(456,080)	(455,579)	501	0.11%	▲
Other property and services		(57,256)	(61,987)	(32,282)	(24,209)	8,073	25.01%	▲
		(5,643,048)	(6,073,589)	(5,104,660)	(5,067,346)	37,314		
Non-cash amounts excluded from operating activities	1(a)	1,588,999	1,588,999	1,588,999	1,431,207	(157,792)	(9.93%)	
Amount attributable to operating activities		1,136,132	975,093	1,499,327	1,693,112	193,785		
Investing Activities								
Proceeds from non-operating grants, subsidies and contributions	21	2,623,045	2,643,045	2,202,520	1,716,940	(485,580)	(22.05%)	▼
Less Unspent Non-Operating Grants represented as Contract Liabilities	21	0	0	0	(122,534)			
Net Revenue from Non-Operating Grants	21	2,623,045	2,643,045	2,202,520	1,594,406			
	<i>Note 14</i>							
Proceeds from disposal of assets	4	120,000	120,000	120,000	162,291	42,291	35.24%	▲
Proceeds from financial assets at amortised cost - self supporting loans	16	39,157	39,157	19,256	19,256	0	0.00%	
Payments for property, plant and equipment and infrastructure	5	(3,385,700)	(3,323,927)	(2,788,713)	(2,143,725)	644,988	23.13%	▲
Amount attributable to investing activities		(603,498)	(521,725)	(446,937)	(367,773)	79,164		
Financing Activities								
Loan to Medical Surgery		0	0	(10,000)	(10,000)	0	0.00%	
Transfer from reserves	18	50,000	50,000	0	0	0	0.00%	
Payments for principal portion of lease liabilities	17	(21,412)	(21,412)	(21,412)	0	21,412	100.00%	▲
Repayment of debentures	16	(304,779)	(304,779)	(304,779)	(262,561)	42,218	13.85%	▲
Transfer to reserves	18	(7,500)	(7,500)	(7,500)	(3,639)	3,861	51.48%	▲
Amount attributable to financing activities		(283,692)	(283,691)	(343,691)	(276,200)	67,491		
Closing funding surplus / (deficit)	1(c)	(24,327)	(155,351)	435,430	724,112	288,682		

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of threshold. Refer to Note 15 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

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

KEY TERMS AND DESCRIPTIONS FOR THE PERIOD ENDED 30 APRIL 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS

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

REVENUE FROM CONTRACTS WITH CUSTOMERS

Revenue from contracts with customers is recognised when the local government satisfies its performance obligations under the contract.

FEES AND CHARGES

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

SERVICE CHARGES

Service charges imposed under *Division 6 of Part 6 of the Local Government Act 1995*. *Regulation 54 of the Local Government (Financial Management) Regulations 1996* identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal
Note 14

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

INTEREST EARNINGS

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

OTHER REVENUE / INCOME

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

PROFIT ON ASSET DISPOSAL

Excess of assets received over the net book value for assets on their disposal.

EXPENSES

EMPLOYEE COSTS

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

MATERIALS AND CONTRACTS

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance

agreements, communication expenses, advertising expenses,

membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)

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

INSURANCE

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

LOSS ON ASSET DISPOSAL

Shortfall between the value of assets received over the net book value for assets on their disposal.

DEPRECIATION ON NON-CURRENT ASSETS

Depreciation expense raised on all classes of assets.

INTEREST EXPENSES

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

OTHER EXPENDITURE

Statutory fees, taxes, allowance for impairment of assets, member's fees or State taxes. Donations and subsidies made to community groups.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

BY NATURE OR TYPE

	Ref Note	Adopted Budget	Current Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
Opening funding surplus / (deficit)	1(c)	(273,269)	(325,028)	(273,269)	(325,028)	(51,759)	18.94%	
Revenue from operating activities								
Rates	6	2,067,708	2,067,280	2,067,280	1,879,216	(188,064)	(9.10%)	
Other rates	6	233,350	233,350	233,350	233,350	0	0.00%	
Operating grants, subsidies and contributions	20	1,276,758	1,430,758	1,243,880	1,647,186	403,306	32.42%	▲
Fees and charges		1,439,406	1,490,126	1,266,596	1,368,444	101,848	8.04%	
Interest earnings		41,957	50,457	44,690	25,625	(19,065)	(42.66%)	▼
Other revenue		131,000	187,713	159,193	138,870	(20,323)	(12.77%)	▼
Profit on disposal of assets	4	0	0	0	36,559	36,559	0.00%	▲
		5,190,179	5,459,683	5,014,989	5,329,248	314,259		
Expenditure from operating activities								
Employee costs		(2,061,721)	(2,113,133)	(1,741,933)	(1,821,551)	(79,619)	(4.57%)	
Materials and contracts		(1,262,922)	(1,599,551)	(1,392,378)	(1,149,044)	243,334	17.48%	▲
Utility charges		(256,101)	(258,401)	(215,190)	(239,203)	(24,013)	(11.16%)	▼
Depreciation on non-current assets		(1,588,999)	(1,588,999)	(1,324,070)	(1,452,815)	(128,745)	(9.72%)	
Interest expenses		(149,526)	(148,526)	(123,760)	(39,191)	84,569	68.33%	▲
Insurance expenses		(172,679)	(174,179)	(144,850)	(189,021)	(44,171)	(30.49%)	▼
Other expenditure		(151,100)	(190,800)	(162,480)	(162,023)	457	0.28%	
Loss on disposal of assets	4	0	0	0	(14,500)	(14,500)	0.00%	▼
		(5,643,048)	(6,073,589)	(5,104,661)	(5,067,347)	37,314		
Non-cash amounts excluded from operating activities	1(a)	1,588,999	1,588,999	1,588,999	1,431,207	(157,792)	(9.93%)	
Movement in liabilities associated with restricted cash				0	0	0	0.00%	
Amount attributable to operating activities		1,136,130	975,093	1,499,327	1,693,108	193,781		
Investing activities								
Proceeds from non-operating grants, subsidies and contributions	21	2,623,045	2,643,045	2,202,520	1,716,940	(485,580)	(22.05%)	▼
Less Unspent Non-Operating Grants represented as Contract Liabilities	21	0	0	0	(122,534)			
Net Revenue from Non-Operating Grants	21	2,623,045	2,643,045	2,202,520	1,594,406			
Proceeds from disposal of assets	4	120,000	120,000	120,000	162,291	42,291	35.24%	▲
Proceeds from financial assets at amortised cost - self supporting loans	16	39,157	39,157	19,256	19,256	0	0.00%	
Payments for property, plant and equipment and infrastructure	5	(3,385,700)	(3,323,927)	(2,788,713)	(2,143,725)	644,988	23.13%	▲
Amount attributable to investing activities		(603,498)	(521,725)	(446,937)	(367,773)	79,165		
Note 14								
Financing Activities								
Loan to Medical Surgery		0	0	(10,000)	(10,000)	0	0.00%	
Transfer from reserves	18	50,000	50,000	0	0	0	0.00%	
Payments for principal portion of lease liabilities		(21,412)	(21,412)	(21,412)	0	21,412	100.00%	▲
Repayment of debentures	16	(304,779)	(304,779)	(304,779)	(262,561)	42,218	13.85%	▲
Transfer to reserves	18	(7,500)	(7,500)	(7,500)	(3,639)	3,861	51.48%	
Amount attributable to financing activities		(283,691)	(283,691)	(343,691)	(276,200)	67,491		
Closing funding surplus / (deficit)	1(c)	(24,327)	(155,351)	435,430	724,112	288,681		

KEY INFORMATION

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

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

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

(a) Non-cash items excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with Financial Management Regulation 32.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities				
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	14	0	0	(36,559)
Less: Movement in liabilities associated with restricted cash		1,000	0	451
Add: Loss on asset disposals	14	0	0	14,500
Add: Depreciation on assets		1,588,999	1,324,070	1,452,815
Total non-cash items excluded from operating activities		1,589,999	1,324,070	1,431,207

(b) Adjustments to net current assets in the Statement of Financial Activity

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation* 32 to agree to the surplus/(deficit) after imposition of general rates.

		Last Year Closing 30 June 2021	This Time Last Year 30 April 2021	Year to Date 30 April 2022
Adjustments to net current assets				
Less: Reserves - restricted cash	18	(910,504)	(929,953)	(914,143)
Note 14				
Less: - Financial assets at amortised cost - self supporting loans	4	(39,157)	(39,157)	(19,901)
Add: Borrowings	16	304,779	2,273,379	42,218
Add: Provisions funded by Reserve	19	112,346	109,813	112,797
Add: Lease liabilities	17	21,412	0	21,412
Total adjustments to net current assets		(511,124)	1,414,082	(757,617)

(c) Net current assets used in the Statement of Financial Activity

Current assets

Cash and cash equivalents	2	1,358,851	1,307,145	2,453,211
Rates receivables	3	188,207	180,533	113,544
Receivables	3	144,377	58,048	133,623
Stock on Hand	4	30,898	54,625	21,813
Total Current Assets		1,722,333	1,600,351	2,722,191

Less: Current liabilities

Payables	5	(384,158)	(274,210)	(361,780)
Borrowings	16	(304,779)	(2,273,379)	(42,218)
Contract liabilities	19	(261,845)	0	(251,008)
Lease liabilities	17	(21,412)	0	(21,412)
Provisions	19	(564,043)	(564,043)	(564,043)
Total Current Liabilities		(1,536,237)	(3,111,632)	(1,240,461)

Less: Total adjustments to net current assets	1(b)	(511,124)	1,414,082	(757,617)
Closing funding surplus / (deficit)		(325,028)	(97,201)	724,112

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
Cash on hand								
Floats	Cash and cash equivalents	650		650	0			
Cash Deposits								
Municipal Bank Account	Cash and cash equivalents	1,544,797		1,544,797	0	Bendigo	0.00%	At Call
Trust Bank Account	Cash and cash equivalents	0	0	0	25,370	Bendigo	0.00%	
Medical Surgery Bank Account	Cash and cash equivalents		1,434	1,434				
Term Deposits								
Term Deposits - Reserve	Financial assets at amortised cost	0	608,305	608,305	0	Bendigo	0.40%	28/10/2022
Term Deposits - Reserve	Financial assets at amortised cost	0	300,593	300,593	0	Bendigo	0.15%	24/06/2022
Term Deposits - Skeleton Weed A/L & LSI	Financial assets at amortised cost	0	5,245	5,245	0	Bendigo	0.10%	20/06/2022
Total		1,545,447	915,577	2,461,025	25,370			
Comprising								
Cash and cash equivalents		1,545,447	1,435	1,546,882	25,370			
Financial assets at amortised cost		0	914,143	914,143	0			
		1,545,447	915,578	2,461,025	25,370			

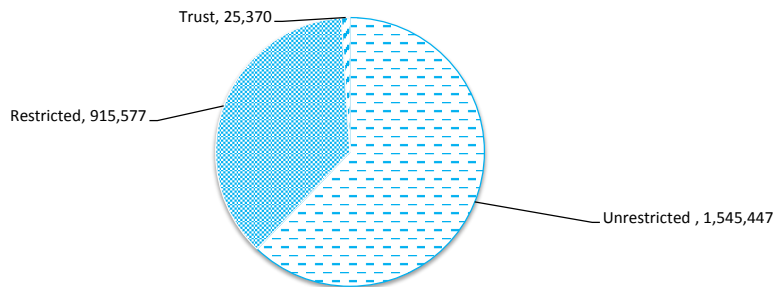
KEY INFORMATION

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

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

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

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

**OPERATING ACTIVITIES
NOTE 3
RECEIVABLES**

NOTE 14

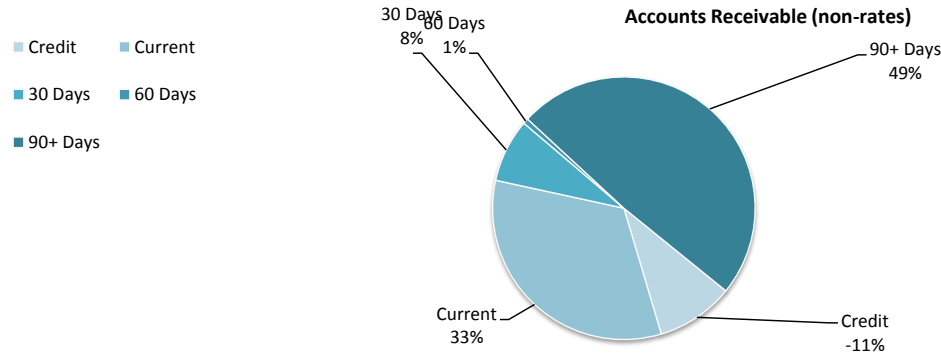
Rates receivable	30 June 2021	30 Apr 2022
	\$	\$
Opening arrears previous years	188,207	188,207
Levied this year	2,118,671	2,301,058
Less - collections to date	(2,118,671)	(2,375,721)
Equals current outstanding	188,207	113,544
Net rates collectable	188,207	113,544
% Collected	91.8%	95.4%

Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(6,744)	23,288	5,499	474	34,524	57,040
Percentage	(11.8%)	40.8%	9.6%	0.8%	60.5%	
Balance per trial balance						
Sundry receivable	0	57,040	0	0	0	57,040
GST receivable	0	56,682	0	0	0	56,682
Loans Club/Institutions - Current	0	19,901	0	0	0	19,901
Total receivables general outstanding						133,623

Amounts shown above include GST (where applicable)

KEY INFORMATION

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



Other current assets	Opening Balance 1 July 2021	Asset Increase	Asset Reduction	Closing Balance 30 April 2022
	\$	\$	\$	\$
Inventory				
Stock On Hand	30,898	(9,086)	0	21,812
Total other current assets	30,898	(9,086)	0	21,812
Amounts shown above include GST (where applicable)				

KEY INFORMATION

Inventory

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

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

ite 14

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	(95,970)	(106,913)	0	0	(202,882)
Percentage	0%	47.3%	52.7%	0%	0%	
Balance per trial balance						
Sundry creditors	0	(175,419)	(106,913)	0	0	282,331
ATO liabilities		60,336				60,336
Other Payables		0				0
Payroll Creditors		0				0
Gst Payable		6,686				6,686
Accrued Loan Interest		0				0
Bonds & Deposits Held - Cl		12,427				12,427
Total payables general outstanding						361,780

Amounts shown above include GST (where applicable)

KEY INFORMATION

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022

OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

General rate revenue	Budget							YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$	\$
Gross rental value											
GRV Residential	0.11287	119	1,316,466	148,592	0	0	148,592	148,592	0	0	148,592
GRV Commercial	0.12692	17	321,640	40,821	0	0	40,821	40,821	0	0	40,821
GRV Industrial	0.12172	11	80,636	9,815	0	0	9,815	9,815	0	0	9,815
GRV Urban Farmland	0.10871	17	211,120	22,951	0	0	22,951	22,951	0	0	22,951
Unimproved value											
UV Rural Zone 2	0.0062	37	20,416,000	127,294	0	0	127,294	127,294	0	0	127,294
UV Special Rural	0.0122	9	960,500	11,762	0	0	11,762	11,762	0	0	11,762
UV General Zone 3	0.0066	215	215,416,000	1,430,578			1,430,578	1,430,578	0	0	1,430,578
Sub-Total		425	238,722,362	1,791,813	0	0	1,791,813	1,791,813	0	0	1,791,813
Minimum payment	Minimum \$										
Gross rental value											
GRV Residential	979	100	587,987	97,900	0	0	97,900	97,900	0	0	97,900
GRV Commercial	927	12	36,412	11,124	0	0	11,124	11,124	0	0	11,124
GRV Industrial	567	7	12,675	3,969	0	0	3,969	3,969	0	0	3,969
GRV Urban Farmland	737	7	23,951	5,159	0	0	5,159	5,159	0	0	5,159
Unimproved value											
UV Rural Zone 2	1,015	35	4,555,500	35,525	0	0	35,525	35,525	0	0	35,525
UV Special Rural	1,133	9	752,000	10,197	0	0	10,197	10,197	0	0	10,197
UV General Zone 3	1,231	91	7,904,157	112,021	0	0	112,021	112,021	0	0	112,021
Sub-total		261	13,872,682	275,895	0	0	275,895	275,895	0	0	275,895
Amount from general rates							2,067,708				2,067,708
Ex-gratia rates							36,199				36,199
Total general rates							2,103,907				2,103,907
Specified area rates	Rate in \$ (cents)										
Sewerage Residential	8.386		23,309	195,471	0	0	195,471	195,471	0	0	195,471
Sewerage Religious Church	4.00		420	1,680	0	0	1,680	1,680	0	0	1,680
Total specified area rates			23,729	197,151	0	0	197,151	197,151	0	0	197,151
Total							2,301,058				2,301,058

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022

INVESTING ACTIVITIES
NOTE 15
CAPITAL ACQUISITIONS

Capital acquisitions	Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Actual Variance
	\$	\$	\$	\$	\$
Buildings	389,500	390,642	336,850	22,396	(314,454)
Plant and equipment	325,000	293,182	244,310	232,952	(11,358)
Infrastructure - roads	2,345,200	2,295,200	1,912,650	1,885,588	(27,062)
Infrastructure - sewerage	30,000	50,000	0	0	0
Infrastructure - footpaths	30,000	40,000	40,000	0	(40,000)
Infrastructure - other	266,000	254,903	254,903	2,790	(252,113)
Payments for Capital Acquisitions	3,385,700	3,323,927	2,788,713	2,143,725	(644,988)
Total Capital Acquisitions	3,385,700	3,323,927	2,788,713	2,143,725	(644,988)
Capital Acquisitions Funded By:					
	\$		\$	\$	\$
Capital grants and contributions	2,623,045	2,643,045	2,202,520	1,716,940	(485,580)
Cash backed reserves	910,504	910,504		3,639	
Note 14					
Reserves cash backed - Long Service Leave Reserve	1,000	1,000	0	0	0
Contribution - operations	(318,849)	(230,622)	434,526	270,855	(163,671)
Capital funding total	3,385,700	3,323,927	2,788,713	2,143,725	(648,627)

SIGNIFICANT ACCOUNTING POLICIES

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

30/06/2022

30/04/2022

Account Description		Adopted Budget	Current Budget	YTD Budget	YTD Actual	Variance (Under)/Over
Land and Buildings						
48003	Roofing Project - admin LRCIP	68,000	68,000	68,000	0	68,000
98001	Capital housing Up grades	25,000	25,000	20,830	0	20,830
98002	Capital upgrade to Aged Persons Units (hobby st)	0	0	0	22,396	(22,396)
118005	Town Hall Ceiling Upgrade - LRCIP	100,000	101,142	84,290	0	84,290
138001	Public Buildings - Capital upgrade projects	6,500	6,500	5,410	0	5,410
138003	Old Road Board Building - LRCIP	60,000	60,000	50,000	0	50,000
138004	Gum Toilets Upgrade - LRCIP	50,000	50,000	41,660	0	41,660
138005	Slater Homestead upgrade - LRCIP	80,000	80,000	66,660	0	66,660
Total		389,500	390,642	336,850	22,396	314,454
Plant & Equipment						
123906	Plant Replacement - Grader Go 020 (secondhand)	215,000	180,000	150,000	180,000	(30,000)
123907	Plant replacement - Small Tip Truck	30,000	30,000	25,000	0	25,000
123908	Plant replacement - Utility GO 039	20,000	17,273	14,390	17,273	(2,883)
123909	Plant replacement - Go 183	20,000	20,909	17,420	20,909	(3,489)
123910	Plant replacement - Torro ride on mower	15,000	15,000	12,500	14,770	(2,270)
123911	Small Plant - Mobile Traffic lights	25,000	30,000	25,000	0	25,000
Total		325,000	293,182	244,310	232,952	11,358
Infrastructure - Roads						
129904	EXPENSE - Regional Road Group Construction	545,990	545,990	454,990	202,691	252,299
129901	EXPENSE - R 2 R Construction	320,500	320,500	267,090	242,743	24,347
129910	Local Road and Community Infrastructure (Long Forrest/Gabby Quoi)	0	0	0	22,000	(22,000)
129912	Black Spot Funding	175,200	175,200	145,990	80,029	65,961
129913	Bridge Upgrade LRCIP	50,000	0	0	0	0
129908	EXPENSE - Wheatbelt Secondary Freight Network	1,253,510	1,253,510	1,044,580	1,338,124	(293,544)
Total		2,345,200	2,295,200	1,912,650	1,885,588	27,062
Infrastructure - Footpaths						
129911	Local Road and Community Infrastructure Program (footpaths)	30,000	40,000	40,000	0	40,000
Total		30,000	40,000	40,000	0	40,000
Infrastructure - Sewerage						
108003	Upgrade to sewerage water pipe line LRCIP	30,000	50,000	0	0	0
Total		30,000	50,000	0	0	0
Infrastructure - Other						
118006	Anstey Park - Upgrade -LRCIP	185,000	173,903	173,903	2,790	171,113
118007	Upgrade to Playground at Rec Ground LRCIP	81,000	81,000	81,000	0	81,000
Total		266,000	254,903	254,903	2,790	252,113
TOTALS		3,385,700	3,323,927	2,788,713	2,143,725	644,988

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022

FINANCING ACTIVITIES

NOTE 14

NOTE 16

BORROWINGS

Repayments - borrowings

Information on borrowings	Particulars	Loan No.	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual	Original Budget	Actual	Original Budget	Actual	Original Budget	Actual	Original Budget
			\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing											
Aged Housing Wollyam Street	114		159,268	0	0	17,861	17,827	141,407	141,441	8,114	8,748
Recreation and culture											
New Sports Pavilion	111		1,080,058	0	0	14,044	28,723	1,066,014	1,051,335	34,332	68,155
Retic Football/Hockey Ovals	113		30,208	0	0	7,258	14,701	22,950	15,507	790	1,388
Economic services											
Community Centre	104		22,481	0	0	22,481	22,481	0	0	1,104	1,135
Slater Homestead	105		6,738	0	0	6,738	6,738	0	0	331	340
Rural Community Centre	106		330,576	0	0	23,028	23,050	307,548	307,526	13,342	11,378
Salmon Gum & Grange Subdivision	108		100,896	0	0	100,723	100,896	-0	0	3,887	3,855
Bank Overdraft - subdivision - new loan	115		945,000	0	0	51,172	51,206	893,828	893,794	26,996	41,271
B/Fwd Balance			2,675,225	0	0	243,305	265,622	2,431,747	2,409,603	88,896	136,270
Recreation and culture											
Self Supporting Loan MSC	110		198,311	0	0	19,256	39,157	179,055	159,154	6,301	12,256
Total			2,873,536	0	0	262,561	304,779	2,610,802	2,568,757	95,197	148,526
Current borrowings			304,779					(42,218)			
Non-current borrowings			2,568,757					2,653,020			
			2,873,536					2,610,802			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

**FINANCING ACTIVITIES
NOTE 16
BORROWINGS**

NOTE 14

Repayments - borrowings

Information on borrowings			New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan No.	1 July 2021	Actual	Original Budget	Actual	Original Budget	Actual	Original Budget	Actual	Original Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

**FINANCING ACTIVITIES
NOTE 17
LEASE LIABILITIES**

NOTE 14

Movement in carrying amounts

Information on leases Particulars	Lease No.	1 July 2021	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
Other property and services										
Photocopier		0			0	0	0	0	0	
GO015 Ford Utility Old works manager	6250532	0	0	0	0	0	0	0	0	
GO040 Ford Escape (Blue)	6250509	5,944	0	0	0	5,835	5,944	109	151	
GOSHIRE Ford Escape (White)	6250620	5,777	0	0	0	5,674	5,777	103	147	
GO015 Ford Utility (WORKSMANAGER)	6463413	20,946	0	0	0	11,043	20,946	9,903	321	
Total		32,667	0	0	0	22,552	32,667	10,115	619	
Current lease liabilities		21,412					21,412			
Non-current lease liabilities		11,255					11,255			
		32,667					32,667			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

**OPERATING ACTIVITIES
NOTE 18
CASH RESERVES**

Cash backed reserve

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Reserves cash backed - Long Service Leave Reserve	112,346	1,000	451	0	0		0	113,346	112,797
Reserves cash backed - Mortlock Lodge Reserve	3,172	0	0	0	0		0	3,172	3,172
Reserves cash backed- Plant Replacement Reserve	139,211	1,000	572	0	0	(50,000)	0	90,211	139,783
Reserves cash backed - Staff Housing Reserve	33,151	300	133	0	0	0	0	33,451	33,284
Reserves cash backed - Aged Care Reserve	119,247	1,100	478	0	0		0	120,347	119,725
Reserves cash backed - Vehicle Reserve	107,626	1,000	432	0	0		0	108,626	108,058
Reserves cash backed - Sewerage Reserve	326,074	2,500	1,303	0	0	0	0	328,574	327,377
Reserves cash backed - Community Bus Reserve	54,033	450	217	0	0		0	54,483	54,250
Reserves cash backed - LCDC Reserve	10,410	150	42	0	0		0	10,560	10,452
Reserves cash backed - SW LAG Officer AL/LSL Reserve	5,234	0	11	0	0	0	0	5,234	5,245
	910,504	7,500	3,639	0	0	(50,000)	0	868,004	914,143

KEY INFORMATION

Other current liabilities	Note	Opening Balance 1 July 2021	Liability Increase	Liability Reduction	Closing Balance 30 April 2022
		\$	\$	\$	\$
Contract liabilities					
- operating	20	261,845	122,534	(133,371)	251,008
Total unspent grants, contributions and reimbursements		261,845	122,534	(133,371)	251,008
Provisions					
Annual leave		264,915	0	0	264,915
Long service leave		299,128	0	0	299,128
Total Provisions		564,043	0	0	564,043
Total other current assets		825,888	122,534	(133,371)	815,051

KEY INFORMATION

Provisions

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

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

Employee benefits

Short-term employee benefits

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

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

Note 14

Other long-term employee benefits

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

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

NOTE 14

NOTE 20

OPERATING GRANTS AND CONTRIBUTIONS

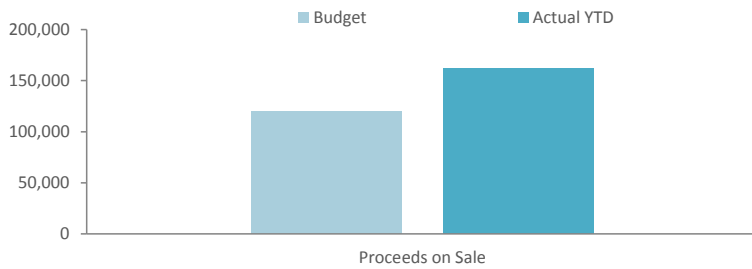
Operating grants, subsidies and contributions revenue

Provider	Adopted Budget Revenue	YTD Budget	Current Budget	YTD Revenue Actual
	\$	\$	\$	\$
Operating grants and subsidies				
General purpose funding				
GRANTS - General Purpose	210,000	227,000	262,000	603,686
GRANTS - Untied Road Grants	200,000	166,660	200,000	478,753
Note 14				
Law, order, public safety				
REVENUE - ESL Grant	45,000	37,500	45,000	31,185
Recreation & Culture				
REVENUE - Other Recreation & Sport - No GST	1,000	830	1,000	6,000
Community amenities				
REVENUE - Other Grant Funding	130,000	130,000	130,000	130,000
Transport				
REVENUE - Direct Grant	96,908	80,750	96,908	96,908
Economic services				
REVENUE - Other Economic Services	0	0	0	0
Other property and services				
Various Contributions	209,263	30,536	317,190	300,655
	892,171	673,276	1,052,098	1,647,186

Non operating grants, subsidies and contributions revenue

	Adopted Budget Revenue	Current Budget	YTD Budget	YTD Revenue Actual	YTD Expenditure Actual	YTD Unspent Contract Liability
	\$		\$	\$	\$	\$
Non-operating grants and subsidies						
General purpose funding						
Grants - Federal Government	752,000	752,000	626,660	0	24,790	0
Transport						
Revenue - Grants Regional Road Group	545,590	545,590	454,660	312,272	202,691	(109,581)
Revenue - Grant Wheatbelt Secondary Freig	997,612	997,612	831,340	1,212,017	1,338,124	0
Revenue - Grants R 2 R	234,244	234,244	195,200	69,868	242,743	0
Revenue - Grants Black Spot	73,599	93,599	78,000	92,983	80,029	(12,954)
Revenue - Grants Pathways	0	0	0	0	0	0
Economic services						
Revenue - Pioneer Pathways	0	0	0	10,000	10,000	0
	2,603,045	2,623,045	2,185,860	1,697,140	1,898,377	(122,534)

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Land								
	Grange St	120,000	120,000		0	85,000	70,500	0	(14,500)
	Bowen St			0	0	35,000	35,000	0	0
	Plant and equipment								
	Grader & Roller								
						20,232	56,791	36,559	0
				0	0	0	0	0	0
				0	0	0	0	0	0
				0	0	0	0	0	0
		120,000	120,000	0	0	140,232	162,291	36,559	(14,500)



Disposal of Assets via the Asset Register to create Profit/Loss, will transact once the Asset register is finalised for FY22.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2022**

**NOTE 15
EXPLANATION OF MATERIAL VARIANCES**

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

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing/ Permanent	Explanation of Variance
	\$	%		
Revenue from operating activities				
Governance	(17,593)	(33.73%)	▼	Have received revenue due to the repayment of insurance claims
General purpose funding - rates	(188,064)	(9.10%)		Within material variance
General purpose funding - other	674,155	26.49%	▲	Received Grants Commission payment early
Law, order and public safety	(77,795)	(25.14%)	▼ Permanent	Timing of receiving the funding from DFES for the ESL program Council did not expend all of 20/21 funds so was deducted from the payment of the ESL funds this financial year.
Health	(86,016)	(15.53%)	▼	Do not receive the contribution from the Shire of Dowerin until the end of the financial year.
Education and welfare	(175)	(26.12%)		Within material variance
Housing	(24,946)	(10.64%)	▼	Timing of the receipt of rental income for housing.
Community amenities	(7,010)	(1.40%)		Within material variance
Recreation and culture	(65,782)	(51.95%)	▼	Extra income received from the footy club for contribution towards the installation of the tanks at the rec ground.
Transport	(80,635)	(22.67%)	▼ Timing	Three vehicle sold by auction that were not budgetted for & bridge funding timing.
Economic services	(4,490)	(1.71%)		Within material variance
Other property and services	4,550	6.02%		workers compensation payment not budgetted for.
Expenditure from operating activities				
Governance	55,244	23.21%	▲	Yet to carry out the valuation of assets.
General purpose funding	(6,055)	(7.62%)		Within material variance
Law, order and public safety	186,866	34.10%	▲ Timing	Yet to expend all of the ESL funds for 21/22
Health	(2,318)	(0.40%)		With material variace
Education and welfare	(1,110)	(8.67%)		Within material variance
Housing	56,945	17.76%	▲ Timing	Extra maintenance carried out on the aged housing and young people when a tenant has moved out and this is not budgetted for.
Community amenities	(11,732)	(2.35%)		Within material variance
Recreation and culture	(162)	(0.02%)		Within material variance
Transport	(248,938)	(15.94%)	▼ Timing	More road maintenance has being carried out due to weather conditions on the roads
Economic services	501	0.11%		Within material variance
Other property and services	8,073	25.01%		The expense of workers compensation payment to employee not budgetted for.
Investing activities				
Proceeds from non-operating grants, subsidies and contributions	(485,580)	(22.05%)	▼ Timing	timing of receiving of grants
Proceeds from disposal of assets	42,291	35.24%	▲ Timing	Sale of Bowen street and aslo Sale of Grange Street block sold didn't know the timing of the sale
Proceeds from financial assets at amortised cost - self supporting loans	0	0.00%		Within material variance
Payments for financial assets at amortised cost - self supporting loans	0	0.00%		With material variace
Payments for property, plant and equipment and infrastructure	644,988	23.13%	▲	Dependent on the timing of the Capital works program
Financing activities				
Loan to Medical Surgery	0	0.00%		Within material variance
Transfer from reserves	0	0.00%		Within material variance
Note 14				
Payments for principal portion of lease liabilities	21,412	100.00%	▲	Yet to show the year liability
Repayment of debentures	42,218	13.85%	▲	Yet to show all loan repayments
Transfer to reserves	3,861	51.48%		Not completed until the end of the financial year

30/06/2022

NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 16
BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Classification	Original Budget	Proposed Budget	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
					\$	\$	\$
	Closing funding surplus(deficit)	Closing surplus/(deficit)					(24,327)
	Audited Surplus/Deficit	Opening deficit	(273,269)	(325,028)		(51,759)	(76,086)
31001	RATES - GRV	Operating Revenue	222,179	230,168	7,989		(68,097)
31007	RATES - Admin Fee Instalments	Operating Revenue	3,500	3,700	200		(67,897)
031008	RATES - Instalment Interest	Operating Revenue	5,000	5,500	500		(67,397)
031109	EXPENSE - Rates General	Operating Expenses	(64,232)	(62,232)	2,000		(65,397)
032008	REVENUE - Other General Purpose - No GST	Operating Revenue	12,500	20,500	8,000		(57,397)
032001	GRANTS - General Purpose	Operating Revenue	210,000	262,000	52,000		(5,397)
032105	EXPENSE - Other General Purpose - GST Incl	Operating Expenses	(32,077)	(32,577)		(500)	(5,897)
041004	REVENUE - Members of Council - No GST	Operating Revenue	10,500	15,500	5,000		(897)
041115	EXPENSE - Members of Council - GST Incl	Operating Expenses	(131,524)	(138,324)		(6,800)	(7,697)
041116	EXPENSE - Elections	Operating Expenses	(3,500)	(2,000)	1,500		(6,197)
041120	EXPENSE - Administration Building	Operating Expenses	(17,800)	(21,800)		(4,000)	(10,197)
041121	EXPENSE - Audit	Operating Expenses	(27,500)	(32,500)		(5,000)	(15,197)
042006	REVENUE - Administration General - No GST	Operating Revenue	3,500	28,500	25,000		9,803
042130	EXPENSE - Administration General	Operating Expenses	(764,592)	(762,592)	2,000		11,803
043102	EXPENSE - AROC	Operating Expenses	(5,500)	(5,000)	500		12,303
051003	REVENUE - ESL Collected	Operating Revenue	55,000	60,000	5,000		17,303
051102	EXPENSE - ESL Grant - Clothing & Accessories	Operating Expenses	(5,500)	(15,500)		(10,000)	7,303
051103	EXPENSE - ESL Grant - Vehicle Maintenance	Operating Expenses	(11,000)	(21,000)		(10,000)	(2,697)
051107	EXPENSE - CESM	Operating Expenses	(20,000)	(30,000)		(10,000)	(12,697)
051121	EXPENSE - ESL Grant - Equipment	Operating Expenses	(2,000)	(3,000)		(1,000)	(13,697)
051122	EXPENSE - ESL Remitted	Operating Expenses	(55,000)	(60,000)		(5,000)	(18,697)
051123	EXPENSE - Other Fire Prevention	Operating Expenses	(306,037)	(317,537)		(11,500)	(30,197)
052006	REVENUE - Animal Control - No GST	Operating Revenue	3,000	3,600	600		(29,597)
052107	EXPENSE - Animal Control	Operating Expenses	(69,355)	(72,105)		(2,750)	(32,347)
053105	EXPENSE - Other Law, Order & Public Safety	Operating Expenses	(3,800)	(1,800)	2,000		(30,347)
053107	EXPENSE - CCTV	Operating Expenses	(1,800)	(1,250)	550		(29,797)
072010	REVENUE - Health Inspection - No GST	Operating Revenue	0	500	500		(29,297)
072121	EXPENSE - Health Inspection	Operating Expenses	(17,681)	(13,181)	4,500		(24,797)
073100	MOSQUITO CONTROL	Operating Expenses	(8,000)	(3,900)	4,100		(20,697)
073101	EXPENSE - Analytical Services	Operating Expenses	(750)	0	750		(19,947)
074102	EXPENSE - Surgery	Operating Expenses	(683,093)	(688,093)		(5,000)	(24,947)
082102	EXPENSE - Education	Operating Expenses	(1,000)	(100)	900		(24,047)
084001	REVENUE - Seniors Bus	Operating Revenue	600	800	200		(23,847)
091004	REVENUE - Staff Housing	Operating Revenue	3,900	5,900	2,000		(21,847)
091005	REVENUE - Rent Staff Housing	Operating Revenue	24,310	30,310	6,000		(15,847)
091100	EXPENSE - 32 Eaton Street	Operating Expenses	(13,550)	(14,550)		(1,000)	(16,847)
091104	EXPENSE - 7 Forward Street	Operating Expenses	(6,800)	(10,300)		(3,500)	(20,347)
091109	EXPENSE - 59 Railway Terrace	Operating Expenses	(16,600)	(9,600)	7,000		(13,347)
091122	EXPENSE - 45 James Street	Operating Expenses	(11,400)	(8,900)	2,500		(10,847)
091123	EXPENSE - 47 James Street	Operating Expenses	(6,250)	(5,250)	1,000		(9,847)
091125	EXPENSE - 32B Eaton Street	Operating Expenses	(5,940)	(4,390)	1,550		(8,297)
092130	EXPENSE - Unit 1 Hoddy Street	Operating Expenses	(6,570)	(3,870)	2,700		(5,597)
092132	EXPENSE - Unit 3 Hoddy Street	Operating Expenses	(5,124)	(3,674)	1,450		(4,147)
092134	EXPENSE - Unit 5 Hoddy Street	Operating Expenses	(4,858)	(9,858)		(5,000)	(9,147)
092135	EXPENSE - Unit 6 Hoddy Street	Operating Expenses	(5,074)	(7,074)		(2,000)	(11,147)
092136	EXPENSE - Unit 7 Hoddy Street	Operating Expenses	(4,894)	(3,944)	950		(10,197)
092137	EXPENSE - 44 Hoddy Street	Operating Expenses	(7,480)	(4,130)	3,350		(6,847)
092138	EXPENSE - 46 Hoddy Street	Operating Expenses	(6,480)	(4,580)	1,900		(4,947)
092139	EXPENSE - 48 Hoddy Street	Operating Expenses	(4,870)	(3,970)	900		(4,047)
092140	EXPENSE - 50 Hoddy Street	Operating Expenses	(5,820)	(4,370)	1,450		(2,597)
092141	EXPENSE - Unit 1 Koomal Village	Operating Expenses	(6,460)	(5,670)	790		(1,807)
093002	REVENUE - Community Housing - No GST	Operating Expenses	105,220	105,220	0		(1,807)
093103	EXPENSE - 73A James Street	Operating Expenses	(9,560)	(6,060)	3,500		1,693
093105	EXPENSE - 39 Throssell Street	Operating Expenses	(6,940)	(5,490)	1,450		3,143
093106	EXPENSE - 41 Throssell Street	Operating Expenses	(5,560)	(4,110)	1,450		4,593
093107	EXPENSE - 43 Throssell Street	Operating Expenses	(9,870)	(5,970)	3,900		8,493
093108	EXPENSE - 45 Throssell Street	Operating Expenses	(10,290)	(8,540)	1,750		10,243
093110	EXPENSE - 60A Forrest Street Street	Operating Expenses	(4,290)	(3,540)	750		10,993
093113	EXPENSE - 35 Throssell Street	Operating Expenses	(6,380)	(4,630)	1,750		12,743
101005	REVENUE - Household Refuse	Operating Expenses	140,000	140,000	0		12,743
101101	EXPENSE - Goomalling Tip	Operating Expenses	(75,631)	(83,631)		(8,000)	4,743
102150	EXPENSE - Protection of the Environment	Operating Expenses	(1,250)	(500)	750		5,493
103115	REVENUE - Town Planning	Operating Revenue	10,000	12,500	2,500		7,993
102151	EXPENSE - Drummuster	Operating Expenses	(1,200)	(700)	500		8,493
105104	EXPENSE - Public Conveniences Goomalling	Operating Expenses	(18,881)	(16,931)	1,950		10,443
105110	EXPENSE - Public Conveniences Other	Operating Expenses	(14,050)	(8,550)	5,500		15,943
106001	REVENUE - Sewerage Charges	Operating Revenue	196,600	198,200	1,600		17,543
106100	EXPENSE - Sewerage Treatment Plant	Operating Expenses	(49,131)	(46,631)	2,500		20,043
106101	EXPENSE - Sewerage Mains Maintenance	Operating Expenses	(53,638)	(48,238)	5,400		25,443
106102	EXPENSE - Sewerage Pump Stations	Operating Expenses	(39,038)	(48,138)		(9,100)	16,343
106103	EXPENSE - Sewerage Imhoff & Primary Dam	Operating Expenses	(21,671)	(19,671)	2,000		18,343

106104	EXPENSE - Sewerage Irrigation Dam	Operating Expenses	(11,631)	(10,131)	1,500		19,843
111021	REVENUE - Other	Operating Revenue	500	900	400		20,243
111102	EXPENSE - Goomalling Hall	Operating Expenses	(29,700)	(23,800)	5,900		26,143
111108	EXPENSE - Sporting Complex - Tennis	Operating Expenses	(22,281)	(20,281)	2,000		28,143
112110	EXPENSE - Swimming Pool	Operating Expenses	(110,981)	(107,281)	3,700		31,843
113210	REVENUE - Football Club	Operating Revenue	5,000	20,000	15,000		46,843
113252	EXPENSE - Gymnasiun	Operating Expenses	(30,053)	(23,053)	7,000		53,843
113256	EXPENSE - Goomalling Go Karts	Operating Expenses	(2,443)	(1,443)	1,000		54,843
113259	EXPENSE - Community Resource Centre	Operating Expenses	(41,868)	(39,918)	1,950		56,793
113269	EXPENSE - Youth Zone Activities	Operating Expenses	(13,000)	(8,000)	5,000		61,793
113270	EXPENSE - Other Recreation	Operating Expenses	(70,543)	(70,043)	500		62,293
114001	REVENUE - Goomalling Library (CRC)	Operating Revenue	0	5,000	5,000		67,293
115105	EXPENSE - Other Culture	Operating Expenses	(11,500)	(5,000)	6,500		73,793
121001	REVENUE - Grants Black Spot	Operating Revenue	73,599	93,599	20,000		93,793
121008	REVENUE - Grants Bridge Construction	Operating Revenue	0	82,000	82,000		175,793
122110	EXPENSE - Road Maintenance	Operating Expenses	(277,609)	(727,609)		(450,000)	(274,207)
122112	EXPENSE - Bridge Maintenance	Operating Expenses	(1,600)	(9,600)		(8,000)	(282,207)
122304	EXPENSE - Goomalling Depot	Operating Expenses	(11,500)	(11,500)	0	0	(282,207)
122307	EXPENSE - Signs General	Operating Expenses	(21,650)	(25,650)		(4,000)	(286,207)
122320	EXPENSE - Footpaths	Operating Expenses	(24,600)	(14,900)	9,700		(276,507)
122322	EXPENSE - Tree Lopping	Operating Expenses	(25,000)	0	25,000		(251,507)
122324	EXPENSE - Street Cleaning	Operating Expenses	(23,100)	(18,600)	4,500		(247,007)
122328	EXPENSE - Recreation Ground Depot	Operating Expenses	(1,239)	(2,239)		(1,000)	(248,007)
124150	EXPENSE - DOT Licensing	Operating Expenses	(41,355)	(39,155)	2,200		(245,807)
131101	EXPENSE - Weed Control	Operating Expenses	(12,931)	(11,431)	1,500		(244,307)
131106	OTHER RURAL EXPENDITURE	Operating Expenses	(12,431)	(9,931)	2,500		(241,807)
132001	REVENUE - Caravan Park Charges	Operating Revenue	115,000	130,000	15,000		(226,807)
132002	REVENUE - Caravan Park Chalets	Operating Revenue	70,000	80,000	10,000		(216,807)
132101	EXPENSE - Area Promotion	Operating Expenses	(22,577)	(23,577)		(1,000)	(217,807)
132103	EXPENSE - Caravan Park	Operating Expenses	(158,841)	(172,841)		(14,000)	(231,807)
132107	EXPENSE - Slater Homestead	Operating Expenses	(20,389)	(21,489)		(1,100)	(232,907)
133001	REVENUE - Building Services	Operating Revenue	10,000	7,500		(2,500)	(235,407)
134009	REVENUE - Dentist Surgery	Operating Revenue	0	400	400		(235,007)
134065	REVENUE - Endeavour	Operating Revenue	500	1,000	500		(234,507)
134068	REVENUE - Gumnuts	Operating Revenue	0	1,750	1,750		(232,757)
134070	REVENUE - Other Economic Services	Operating Revenue	500	500	0		(232,757)
134116	EXPENSE - Knick Knack Shop	Operating Expenses	(7,910)	(6,410)	1,500		(231,257)
134121	EXPENSE - Dentist Surgery	Operating Expenses	(1,400)	(5,500)		(4,100)	(235,357)
134134	EXPENSE - Whispers	Operating Expenses	(4,955)	(3,155)	1,800		(233,557)
134201	EXPENSE - Lot39	Operating Expenses	(8,820)	(6,870)	1,950		(231,607)
134205	EXPENSE - Hairdresser 39A	Operating Expenses	(5,458)	(5,558)		(100)	(231,707)
134206	Expense - Gumnuts	Operating Expenses	(14,000)	(13,550)	450		(231,257)
134252	Expense - Maangart Yorga Progam	Operating Expenses	0	(6,000)		(6,000)	(237,257)
141006	REVENUE - Private Works	Operating Revenue	25,000	28,000	3,000		(234,257)
141100	EXPENSE - Private Works	Operating Expenses	(19,631)	0	19,631		(214,626)
142112	EXPENSE - Works Training	Operating Expenses	(7,890)	(10,890)		(3,000)	(217,626)
142120	EXPENSE - Public Works Overhead	Operating Expenses	(570,192)	(570,692)		(500)	(218,126)
142121	EXPENSE - Occ Health & Safety	Operating Expenses	(19,050)	(16,050)	3,000		(215,126)
143130	EXPENSE - Plant Operation	Operating Expenses	(377,467)	(394,467)		(17,000)	(232,126)
143190	EXPENSE - Plant Costs Recovered	Operating Expenses	442,742	459,742	17,000		(215,126)
144001	REVENUE - Workes Compensation	Operating Revenue	0	11,862	11,862		(203,263)
144102	EXPENSE - Workers Compensation	Operating Expenses	0	(11,862)		(11,862)	(215,126)
145010	REVENUE - Other Unclassified - No GST	Operating Revenue	8,500	18,500	10,000		(205,126)
145150	EXPENSE - Other Unclassified inc GST	Operating Expenses	(1,000)	(13,000)		(12,000)	(217,126)
108003	Upgrade to sewerage water pipe line LRCIP	Capital Expenses	(30,000)	(50,000)		(20,000)	(237,126)
118005	Town Hall Ceiling Upgrade - LRCIP	Capital Expenses	(100,000)	(101,142)		(1,142)	(238,268)
118006	Anstey Park - Upgrade -LRCIP	Capital Expenses	(185,000)	(173,903)	11,097		(227,171)
129911	Local Road and Community Infrastructure Program (footpa	Capital Expenses	(30,000)	(40,000)		(10,000)	(237,171)
129913	Bridge Upgrade LRCIP	Capital Expenses	(50,000)	0	50,000		(187,171)
123906	Plant Replacement - Grader Go 020 (secondhand	Capital Expenses	(215,000)	(180,000)	35,000		(152,171)
123908	Plant replacement - Utility GO 039	Capital Expenses	(20,000)	(17,273)	2,727		(149,444)
123909	Plant replacement - Go 183	Capital Expenses	(20,000)	(20,909)		(909)	(150,353)
123911	Small Plant - Mobile Traffic lights	Capital Expenses	(25,000)	(30,000)		(5,000)	(155,353)
	Rounding				2		(155,351)
			(3,905,005)		594,097	(725,122)	



9.3 POLICY AMENDMENTS

File Reference	04.7
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	8 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

Council to determine if it wishes to make changes to its common seal policy to reflect the changes to the Landgate systems where many forms are now required to be lodged online.

Background

In recent years, systems at Landgate have increasingly moved to online lodgement of many documents which often makes it difficult to lodge simple caveat withdrawals and the like because of Council's requirement to attach the common seal to such documents.

Many Councils have amended their administrative policies to allow for the CEO and other senior staff to sign certain documents on the Council's behalf without the need to affix the common seal. Policy 4.19 outlines the use of the common seal and the instances where this is considered appropriate.

Consultation

Nil other

Statutory Environment

Local Government Act 1995

Local Government Act 1995 s. 9.49A and s. 9.49B, s. 3.55, s. 3.58

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 on the basis of 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.*

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

3.55. Acquisition of land

A local government can only take land under Part 9 of the Land Administration Act 1997 if it is in, or is to be regarded as being included in, its own district.

[Section 3.55 amended: No. 24 of 2000 s. 22.]



9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —
 - (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —
 - (a) the mayor or president; and
 - (b) the CEO,each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

[Section 9.49A inserted: No. 17 of 2009 s. 43; amended: No. 16 of 2019 s. 68.]

9.49B. Contract formalities

- (1) *Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.*
- (2) *The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.*
- (3) *Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal.*

[Section 9.49B inserted: No. 17 of 2009 s. 43.]

9.49. Documents, how authenticated

A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.



Policy Implications

Policy 4.19

Objective:

To satisfy the legal requirements regarding the validation of documents and contracts, resulting from amendments to the *Local Government Act 1995*.

Procedure:

1. The Shire President and Chief Executive Officer are authorised to sign and/or affix the common seal to the following documents, where such documents result from the following transactions:
 - 1.1 Where land is disposed of pursuant to s. 3.58 of the Local Government Act 1995 as amended).
 - 1.2 Where land is acquired pursuant to s. 3.55 and s. 3.59 of the Local Government Act 1995 (as amended).
 - 1.3 In respect of leases of land and licence to occupy municipal property where approved by Council.
 - 1.4 In respect of leases for the purchase of plant and equipment approved by Council.
 - 1.5 In respect of borrowings approved by Council.
 - 1.6 In respect of easements and legal agreements over land for the purpose of drainage or conditions arising from subdivision of land and planning approvals.
 - 1.7 In respect of withdrawal of caveats and surrender of easements where the Chief Executive Officer considers that Council's interests have been satisfied.
 - 1.8 In respect of contracts of employment approved by Council.
 - 1.9 In respect of documents of a ceremonial nature, where the affixing of the common seal is for prosperity and not a legal requirement.
 - 1.10 In respect of agreements required for funding of Council works and services considered with the resolution of Council or requiring renewal of the agreement for funding currently provided.
 - 1.11 In respect of the adoption of local laws.
 - 1.12 Any document stating that the common seal of the Shire is to be affixed.
2. In relation to 1. above, in the absence of the Shire President and/or Chief Executive Officer, as the case may be, the Deputy Shire President and the Acting Chief Executive Officer are authorised to affix the common seal.
3. The procedure to be adopted for the use of the common seal is as follows:
 - 3.1 The Chief Executive Officer is responsible for the security and proper use of the common seal.
 - 3.2 The common seal is not to be affixed to any documents except as authorised by Council.
 - 3.3 The common seal is to be affixed to a document in the presence of:
 - The Shire President, or in his absence, the Deputy Shire President; and
 - The Chief Executive Officer or Acting Chief Executive Officer;Each of whom is to sign the document to attest that the common seal was so affixed.
 - 3.4 Details of all transactions where the common seal has been affixed must be recorded in a register kept by the Chief Executive Officer.

The register is to record:

 - The date on which the common seal was affixed;
 - The nature of the document; and
 - The parties to any agreement to which the common seal was affixed.
4. The wording to accompany the application of the common seal to be as follows:



- 4.1 “The common seal of the Shire of Goomalling was hereto affixed by the Authority of Council.”; or
- 4.2 “The common seal of the Shire of Goomalling was affixed by authority of a resolution of Council in the presence of the Shire President and the Chief Executive Officer.”
5. Authority is provided to the Chief Executive Officer or the person acting in the position of Chief Executive Officer to sign documents that do not require the affixing of the common seal.

Financial Implications

There are no direct financial impacts resulting from this item.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.2.2	Promote a culture of continuous improvement of processes and resource sharing
4.2.3	Use resources efficiently and effectively

Comment/Conclusion

It is suggested that the highlighted references be deleted from Policy 4.19 to facilitate the efficient use of electronic lodgement for such matters of caveat and easement matters, normal asset sales as instructed by the Council in the first place and the acquisition of small properties for Council use. It is not proposed to change the requirement to attach the common seal for major land transactions or commercial undertakings.

It is also suggested that the requirement to attach the common seal to normal funding agreements be removed and that the CEO be authorised to sign such agreements on the Council’s behalf.

The proposed policy would be amended to the following:

Policy 4.19

Objective:

To satisfy the legal requirements regarding the validation of documents and contracts, resulting from amendments to the Local Government Act 1995.

Procedure:

1. *The Shire President and Chief Executive Officer are authorised to sign and/or affix the common seal to the following documents, where such documents result from the following transactions:*
 - a. *Where land is acquired pursuant to s. 3.59 of the Local Government Act 1995 (as amended).*
 - b. *In respect of leases for the purchase of plant and equipment approved by Council.*
 - c. *In respect of borrowings approved by Council.*
 - d. *In respect of contracts of employment approved by Council.*
 - e. *In respect of documents of a ceremonial nature, where the affixing of the common seal is for prosperity and not a legal requirement.*
 - f. *In respect of the adoption of local laws.*
 - g. *Any document stating that the common seal of the Shire is to be affixed.*



2. *In relation to 1. above, in the absence of the Shire President and/or Chief Executive Officer, as the case may be, the Deputy Shire President and the Acting Chief Executive Officer are authorised to affix the common seal.*

3. *The procedure to be adopted for the use of the common seal is as follows:*

- a. *The Chief Executive Officer is responsible for the security and proper use of the common seal.*
- b. *The common seal is not to be affixed to any documents except as authorised by Council.*
- c. *The common seal is to be affixed to a document in the presence of:*
 - *The Shire President, or in his absence, the Deputy Shire President; and*
 - *The Chief Executive Officer or Acting Chief Executive Officer;**Each of whom is to sign the document to attest that the common seal was so affixed.*
- d. *Details of all transactions where the common seal has been affixed must be recorded in a register kept by the Chief Executive Officer.*

The register is to record:

- *The date on which the common seal was affixed;*
- *The nature of the document; and*
- *The parties to any agreement to which the common seal was affixed.*

4. *The wording to accompany the application of the common seal to be as follows:*

- a. *“The common seal of the Shire of Goomalling was hereto affixed by the Authority of Council.”; or*
- b. *“The common seal of the Shire of Goomalling was affixed by authority of a resolution of Council in the presence of the Shire President and the Chief Executive Officer.”*

5. *Authority is provided to the Chief Executive Officer or the person acting in the position of Chief Executive Officer to sign documents that do not require the affixing of the common seal.*

The changes would then authorise the CEO to sign documents for the purchase of land for its own normal use, the sale of normal residential and small commercial properties, caveats, easements, agreements to reciprocal access arrangements, notifications and covenants all relating to the administration of land. It would not include major land transactions as defined by the act or major commercial undertakings.

The item also withdraws the need for the common seal to be attached to grant agreements and funding agreements, allowing the CEO to sign these on Councils behalf.

It should be noted that all of these actions would come to Council for approval at some stage prior to the signing of the final documents.

Section 9.49 and 9.49 A & B give the Council the power to make this change.

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

1. Adopt the amended Policy 4.19 with regard to the signing of Landgate documents;
2. That the CEO be authorised to sign Landgate documents and make online lodgements on behalf of the Council for the duration of his tenure with the Shire of Goomalling.
3. That the CEO be empowered to sign contracts, grant agreements and other general documents on behalf of the Council with the exception of those specified in Policy 4.19.

RESOLUTION 483

Moved Cr Barratt, seconded Cr Butt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***



9.4 DELEGATIONS REGISTER

File Reference	04.1
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	8 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Delegations Register & Authorisations

Summary

Council is required to review the Delegations Register at least once in each year. The attached Delegations and Authorisations need to be adopted by the Council.

Background

Section 5.18 of the Local Government Act 1995, requires a local government to keep a Register of Delegations and review the delegations at least once every financial year. The aim of delegated authority is to assist with improving the time taken to make decisions subject to any constraints determined by Council or by the relevant legislation. The Delegations Register is consistent with the Shire's Community Strategic Plan directions, including its obligations at law to carry out the statutory responsibilities of Local Government.

The Register identifies the relevant document(s) from which the delegated authority is derived, including legislation and policies. This has been provided to enable cross-referencing between the delegations and other relevant documents.

Consultation

Nil other

Statutory Environment

Local Government Act 1995 (As Amended)

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and



- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

[Section 5.43 amended: No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23; No. 16 of 2019 s. 23.]

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*



- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
- (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,*
are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) —*
conditions *includes qualifications, limitations or exceptions.*

[Section 5.44 amended: No. 1 of 1998 s. 14(1).]

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
- (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
- (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *a CEO from performing any of his or her functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Policy Implications

Council does not have a specific policy regarding Delegations beyond the delegations themselves. There are number of policies which are invoked through the delegation of power.

Financial Implications

Nil



Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.2.2	Promote a culture of continuous improvement processes and resource sharing
4.2.3	Use resources efficiently and effectively

Comment/Conclusion

The Delegated Authority Register 2020/21, was presented to Council in June 2021 and shows delegations loosely grouped by area and contains delegations from the Council to CEO, authorisations from Council to its other Officers and authorisations from the CEO to other staff.

Within the current Delegations Register a new delegation for the CEO to sign documents related to lodgement of Landgate documents DE41 has been added. This ties in with the previous item regarding Policy 4.19

The following definitions are provided to explain the variance between the Sections.

Delegation from the Council to the CEO – Are instances where the Council delegates the undertaking of certain roles and responsibilities to the CEO.

Authorisation by Council – Are instances when an officer or class of officers is formally authorised to act on behalf of the local government in respect to policing specific legislation and the legislation requires that the authorisation be provided by the local government rather than or in addition to the Chief Executive Officer. This applies only to legislation other than that related directly to the Local Government Act 1995, for the Bush Fires Act 1954.

Authorisations by Chief Executive Officer – Are instances where an officer or class of officer is authorised to take relevant action in relation to a specific legislation, regulation or local law. This is an executive function of the Chief Executive Officer in relation to the Local Government Act 1995 and in other Acts the Chief Executive Officer is empowered to authorise individuals or classes of employees.

It should be noted that powers cannot be delegated to individual elected members, except in the case of the President as specified in the Bush Fires Act 1954 (currently under review). A delegation to elected members can only be made to a committee and then the committee must comply with the requirements of the Local Government Act 1995 where a delegated authority exists.

Voting Requirements

Absolute Majority

OFFICER'S RECOMMENDATION

That the Council:

Adopt the Delegated Authority Register 2022/2023, as presented.

RESOLUTION 484

Moved Cr Van Gelderen, seconded Cr Barratt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***

Shire of Goomalling



Delegations Register and Register of Authorisations

ADOPTED 16 JUNE 2021

Delegations

The purpose of delegations is to facilitate the effective and efficient operation of the Shire of Goomalling.

The Local Government Act 1995 and several other pieces of legislation allow the Chief Executive Officer (CEO) to be delegated responsibilities to ensure the efficient and effective operation of the local government.

Section 5.41 Local Government Act 1995 provides the Functions of the CEO and states that-

The CEO's functions are to-

- (a) Advise the council in relation to the functions of a local government under this Act and other written laws;
- (b) Ensure that advice and information is available to the Council so that informed decisions can be made;
- (c) Cause council decisions to be implemented;
- (d) Manage the day to day operations of the local government;
- (e) Liaise with the mayor or president on the local governments affairs and the performance of the local governments functions;
- (f) Speak on behalf of the local government if the mayor or president agrees;
- (g) Be responsible for the employment, management, supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
- (h) Ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) Perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Section 5.42 allows the delegation of some powers and duties to the CEO.

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under a. This Act other than those referred to in section 5.43; or b. The Planning and Development Act 2005 section 214(2), (3) or (5) *absolute majority required
- (2) A delegation made under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

There are also limitations on the tasks which can be delegated and section 5.43 of the Local Government Act of 1995 specifically states:

A local government cannot delegate to a CEO any of the following powers or duties –

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local governments powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (i) any power of duty that required the approval of the minister of Government; (j) such other powers or duties as may be prescribed.

The Local Government (Administration) Regulations 1996 r18G, limits on delegations also state that:

Powers and duties of a local government exercised under the following provisions are prescribed under section 5.43(i) as powers and duties that a local Government cannot delegate; (a) section 7.12A(2) and (3)(a) and (4) and (b) regulation 18 C and D

Regulation 18C and D refer to the selection and performance review of the CEO.

Section 5.46 states:

“Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division and to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

In this instance the Council is the delegator and hence Council is to review this manual annually. Those powers which the Council has deemed necessary to delegate are reflected in the following pages.

Delegations

DE1	Payments from Trust and Municipal Funds	5
DE2	Investments	6
DE3	Appointment of Authorised Persons – Local Government Act	7
DE4	Lease Agreements	8
DE5	Appointment of Acting CEO	9
DE6	Write off of Debt	10
DE7	Disposal of Property	11
DE8	Disposal of Surplus Equipment, Materials, Tools Etc	12
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SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE1 - Payments from Trust and Municipal Funds	
Function Delegated:	That Council delegates to the Chief Executive Officer the exercise of its power to make payments from the Trust Fund or Municipal Fund (this includes Reserves and Restricted Assets)
Statutory Power Being Delegated:	Local Government (Financial Management) Regulations 1996 r. 12(1)(a) Payments from municipal fund or trust fund
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Deputy CEO/Finance Manager Senior Finance Officer Community Development Officer (When no other authorised officer available) Medical Practice Account Only Practice Manager – Carlene Brooks Receptionist – Mandy Bird Receptionist – Lara Lord
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 (Local Government (Financial Management) Regulations 1996 r. 5 Financial management duties of the CEO r. 11 Payment of accounts r. 13 Lists of accounts
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	4 March 2015
Last Reviewed:	16 December 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE2 - Investments	
Function Delegated:	That the Chief Executive Officer be delegated authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.
Statutory Power Being Delegated:	Local Government Act 1995 s. 6.14 Power to invest Local Government (Financial Management) Regulations 1996 r. 19 Management of investments
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 s. 6.14(2)(a) Comply with regulations Local Government (Financial Management) Regulations 1996 r. 19C Investment of money Trustees Act 1962 Part III Investments
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE3 – Appointment of Authorised Officers – Local Government Act	
Function Delegated:	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 the Shire's Local Laws made under that Act.
Statutory Power Being Delegated:	Local Government Act 1995 s. 3.24 Authorising persons under this subdivision s. 3.39 Power to remove and impound s. 9.10 Appointment of authorised persons
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	<ol style="list-style-type: none"> 1. The CEO may, at his discretion, refer any matter to Council for decision; and 2. Details of any prosecutions under a Local Law must be provided to Council.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE4 – Lease Agreements	
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> renew existing lease agreements with charitable, benevolent, religious, cultural, educational, recreational, sporting, environmental or other similar groups or government agencies for properties that are under the care, control and management of the Shire of Goomalling either by management order, lease, sub-lease, licence, sub-licence or freehold; and negotiate new lease agreements with existing lessees whose lease has expired.
Statutory Power Being Delegated:	Local Government Act 1995 s. 3.58 Disposing of property
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 Local Government (Functions and General) Regulations 1996 r. 30 Dispositions of property excluded from Act s. 3.58
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE5 – Appointment of Acting CEO	
Function Delegated:	Authority to appoint an Acting Chief Executive Officer in accordance with Council policy and for a term not exceeding three months
Statutory Power Being Delegated:	Local Government Act 1995 s5.36(1)(a) Local government employees
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Appointment to be made in accordance with Policy
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995 Local Government (Administration) Regulations 1996 – r. 18A(1)(b) – acting term not to exceed one year
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE6 - Write Off of Debts & Hardship Arrangements	
Function Delegated:	The authority to write-off debts and/or negotiate financial hardship arrangements with residents and ratepayers.
Statutory Power Being Delegated:	Local Government Act 1995 s3.18 [3c]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of the CEO s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The writing off of rates and sundry debts to the value of \$100.00
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s5.41,s5.42,s5.43
Council Policy Link: Strategic Plan Link:	Rates, Sundry Debtors and Charges, Write Offs
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE7 - Disposition of Property	
Function Delegated:	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000
Statutory Power Being Delegated:	Local Government Act 1995 (s3.58 [3],[5d] Local Government (Functions and General) Regulations r30, r31[3a]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Subject to s5.43(d) of the Local Government Act 1995 and r30,(s30)(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58 of the Local Government Act of 1995
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others s5.43 Limitations to delegations
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	For the sale of plant and equipment within budget allocation.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE8 - Disposal of Surplus Equipment, Materials, Tools etc.	
Function Delegated:	The authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.
Statutory Power Being Delegated:	Local Government Act 1995 s3.18 [3c], s3.58[3]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will be authorised by the Council.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s3.18(c) and s3.58
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE9 - Donations	
Function Delegated:	The ability to make community donations.
Statutory Power Being Delegated:	Local Government Act 1995 s3.18[3c]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Maximum limit of \$300 per donation Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Nil
Council Policy Link: Strategic Plan Link:	Rates, Sundry Debtors and Charges, Write Offs
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE10 - Consumption of Alcohol – Council Property	
Function Delegated:	The CEO is delegated the authority to approve applications for the consumption of liquor from property under the care, control and management of the Council
Statutory Power Being Delegated:	Local Government Act 1995, s.3.18
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE11 - Expressions of Interest Prior to Calling Tenders	
Function Delegated:	The local government may seek expressions of interest before entering the tender process.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations (r21 [1,2,3,4]) r22
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of; <ul style="list-style-type: none"> • The nature of the goods or services required; or • The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required, <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	Sub-delegated Managers may call for expressions of interest.
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s3.57 Local Government (Functions and General) Regulations 1996 r11 (1) and (2b), r14(4c)
Council Policy Link: Strategic Plan Link:	Purchasing Policy
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE12 - Inviting Tenders	
Function Delegated:	The requirement to invite tenders before entering into a contract for goods and services with a value of \$150,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA. Special conditions are in place for the 2020 COVID-19 Pandemic whereby this delegation and the tender threshold has been increased to \$250,000 for the duration of the state of emergency as per the amended regulations.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations (r11 [1],r14 [4c])
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender All tenders are to be approved by Council Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget Special conditions are in place for the 2020 COVID-19 Pandemic whereby this delegation and the tender threshold has been increased to \$250,000 for the duration of the state of emergency as per the amended regulations.
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	Sub-delegated Managers may call for tenders
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s3.57 Local Government (Functions and General) Regulations 1996 r11 (1) and (2b), r14(4c)
Council Policy Link: Strategic Plan Link:	Purchasing Policy
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE13 - Minor Variations to Tenders	
Function Delegated:	The local government may, with the approval of the tenderer, make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.57 [1]) Local Government (Functions and General) Regulations r20[1,2,3]
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Statutory Power to Sub Delegate	Local Government Act 1995 S5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	All minor variations are to be approved by the Chief Executive Officer
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s.3.57 Local Government (Functions and General) Regulations 1996 r.20
Council Policy Link: Strategic Plan Link:	Purchasing Policy
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE14 - Disposing of Confiscated or Uncollected Goods	
Function Delegated:	The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.
Statutory Power Being Delegated:	Local Government Act 1995, s.3.47(2a, b)
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <ul style="list-style-type: none"> a) A notice has been given under section 3.42(1)(b) or 3.44; or b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender. <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <ul style="list-style-type: none"> a) for perishable goods – 3 days; b) for animals – 7 days; c) abandoned vehicle wreck – 7 days.
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 s.3.47
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE15 - Cat Act 2011 (Administration and Enforcement)	
Function Delegated:	The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.
Statutory Power Being Delegated:	Cat Act 2011, s.45 Cat Act Regulations 2012
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Cat Act 2011 s44
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Statutory Power to Sub Delegate	Cat Act 2011, s.45
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO Contract Ranger Leading Hand
CEO Conditions on Subdelegation:	Sections 63, 64, 65 of the Cat Act 2011 cannot be delegated to the Authorised Officers and remain with the CEO
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Cat Act 2011
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE16 - Dog Act 1976 (Administration and Enforcement)	
Function Delegated:	It shall be the duty of the local government within its district to administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.
Statutory Power Being Delegated:	Dog Act 1976 s9 Dog Amendment Bill 2013 s10AA
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Dog Act 1976 s9
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Statutory Power to Sub Delegate	Nil – Appointment of Authorised Officers
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Dog Act 1976
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE17 - Thoroughfares Temporary Closure	
Function Delegated:	A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
Statutory Power Being Delegated:	Local Government Act 1995, s3.50, s3.50A
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Manager of Works
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	Thoroughfares Temporary Closure
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE18 - Ability to Require Property Owners or Occupiers of Land to take Action/s	
Function Delegated:	A local government may give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.
Statutory Power Being Delegated:	Local Government Act 1995 (s3.24), (s3.25[1],[3]), Schedule 3.1
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	As specified in Schedule 3.1
Statutory Power to Sub Delegate	Local Government Act 1995 (s5.44) CEO may delegate some powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Manager of Finance/Deputy CEO Contract Ranger
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Schedule 3.1
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE19 - Powers of Entry	
Function Delegated:	Authority to: 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36).
Statutory Power Being Delegated:	Local Government Act 1995 s. 3.32 Notice of entry s. 3.33 Entry under warrant s. 3.34 Entry in an emergency s. 3.36 Opening fences
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	As specified in Schedule 3.1
Statutory Power to Sub Delegate	Local Government Act 1995 (s5.44) CEO may delegate some powers and duties to other employees
CEO Sub Delegation to:	Manager of Works Leading Hand Manager of Finance/Deputy CEO Contract Ranger
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Part 3 Division 3 Subdivision 3, and specifically s. 3.31 General procedure for entering property
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE20 - Bush Fires.	
Function Delegated:	A local government may in writing, delegate to its Chief Executive Officer the performance of any of its functions under this act.
Statutory Power Being Delegated:	Bush Fires Act 1954
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Bush Fires Act 1954 s48(1)
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	S48(3) A delegation under this section does not include the power to sub-delegate.
CEO Sub Delegation to:	Not Allowed
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	Nil
Compliance Links:	Bush Fires Act 1954
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE21 – Speaking on Behalf of the Council	
Function Delegated:	The authority to speak on and represent the view of the Council of the Shire of Goomalling to the media and other third parties when the Shire President is not available.
Statutory Power Being Delegated:	Local Government Act 1995 s5.42 Delegation of some powers and duties to the CEO
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE22 - Food Act – Prohibition Orders	
Function Delegated:	<ul style="list-style-type: none"> • Serve Prohibition Order on food business • Issue Certification of Clearance • Reinspect a food business
Statutory Power Being Delegated:	Food Act 2008 s65(1) Prohibition Order s66 Certificate of Clearance s67(4) Request for reinspection.
Power is Originally Assigned to:	Local Government (As Enforcement Agency)
Statutory Power of Delegation:	Food Act 2008 s.118(2)(b) Local Government (enforcement agency) may delegate a function conferred on it s.118(3) Delegation is subject to conditions [s.119] and guidelines adopted (s.120) s.118(4) Sub delegation only permissible if expressly provided in regulations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	s.118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Contract Environmental Health Officer
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE23 - Food Act Registration of a Food Business	
Function Delegated:	<ul style="list-style-type: none"> Register a food business Grant or refuse application for a food business Vary the conditions or cancel the registration of a food business
Statutory Power Being Delegated:	Food Act 2008 s110 (1) and (5) Registration of a Food Business s112 Variation of conditions or cancellation of registration of food businesses.
Power is Originally Assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations.
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Food Act 2008 s118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Contract Environmental Health Officer
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Food Regulations 2009 Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE24 Food Act Prosecutions	
Function Delegated:	Initiate proceedings for an offence under s125 of the Food Act 2008
Statutory Power Being Delegated:	Food Act 2008 s.125 Institution of proceedings
Power is Originally Assigned to:	Local Government (Enforcement Agency)
Statutory Power of Delegation:	Food Act 2008 s118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it s118(3) Delegation is subject to conditions [s119] and guidelines adopted (s120) s118(4) Sub delegation only permissible if expressly provided in regulations Power
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Food Act 2008 s118(4) Sub delegation only permissible if expressly provided in regulations
CEO Sub Delegation to:	Contract Environmental Health Officer
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Food Act 2008 Food Regulations 2009 Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE25 – Building Act 2011 – Building Permits, Demolition Permits, Occupancy Permits, Building Approval Certificates And Building Orders	
Function Delegated:	<p>Approve or refuse building permit applications, demolition permit applications, occupancy permit (including extension of permit), building approval certificate (including extension of certificate), building approval certificates (strata) and issue and revocation of building orders.</p> <p>Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections:</p> <p>20 - Grant of building permit 21 - Grant of demolition permit 22 - Further grounds for not granting an application 27 - Conditions imposed by permit authority 55 - Occupancy permits and building approval certificates, further information 58 - Grant of occupancy permit, building approval certificate 62 - Conditions imposed by permit authority 65 - Extension of period of duration 110 - Building orders 117 - Revocation of building order 118 - Permit authority may give effect to building order if non-compliance; and 131 - Inspection, copies of building records.</p>
Statutory Power Being Delegated:	Building Act 2011 s. 20, 21, 22, 27, 55, 58, 62, 65, 110, 117, 118 and 131
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Building Act 2011 s. 127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Building Act 2011 s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
CEO Sub Delegation to:	Contract Building Surveyor
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Building Act 2011 Building Regulations 2012 National Construction Code
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference:	
1st Adopted:	September 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE26 - Appointment of Authorised Officers – Public Health Act 2016	
Function Delegated:	Authority to designate a person or class of persons as Authorised Officers for the purpose of fulfilling prescribed functions of the Public Health Act 2016. Authority to issue Certificates of Authority to persons designated as Authorised Officers.
Statutory Power Being Delegated:	Public Health Act 2016 s. 24 Designation of authorised officers s. 30 Certificates of authority
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Public Health Act 2016 s. 21 Enforcement agency may delegate
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	The CEO may, at his discretion, refer any matter to Council for decision
Statutory Power to Sub Delegate	Nil
CEO Sub Delegation to:	N/A
CEO Conditions on Subdelegation:	N/A
Record Keeping Statement:	Nil
Compliance Links:	Nil
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE27 - Building Act 2011 – Permits, Certificates, Orders and Records	
Function Delegated:	Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections: 20 - Grant of building permit 21 - Grant of demolition permit 22 - Further grounds for not granting an application 27 - Conditions imposed by permit authority 55 - Occupancy permits and building approval certificates, further information 58 - Grant of occupancy permit, building approval certificate 62 - Conditions imposed by permit authority 65 - Extension of period of duration 110 - Building orders 117 - Revocation of building order 118 - Permit authority may give effect to building order if non-compliance; and 131 - Inspection, copies of building records.
Statutory Power Being Delegated:	Building Act 2011 s. 20, 21, 22, 27, 55, 58, 62, 65, 110, 117, 118 and 131
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Building Act 2011 s. 127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	As specified in Schedule 3.1
Statutory Power to Sub Delegate	Building Act 2011 s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
CEO Sub Delegation to:	Contract Building Surveyor
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Building Act 2011 Building Regulations 2012 National Construction Code
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation 28 - Building Act 2011 - Authorised Persons	
Function Delegated:	Authority to: 1. Designate an employee as an authorised person under s. 96(3) of the Building Act 2011; and 2. Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice and at any time revoke or vary such condition or notice.
Statutory Power Being Delegated:	Building Act 2011 s. 96(3) Authorised persons s. 99 Limitation on powers of authorised person
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Building Act 2011 s. 127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	CEO to be satisfied that authorised person is suitably qualified in accordance with s. 5.36(3) of the Local Government Act 1995.
Statutory Power to Sub Delegate	Building Act 2011 s. 127(6A) Delegation: special permit authorities and local governments – power to sub-delegate is limited to CEO's
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	N/A
Record Keeping Statement:	Nil
Compliance Links:	Building Act 2011 Building Regulations 2012 National Construction Code
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE29 - Employee Relocation Expenses and Travel Expenses.	
Function Delegated:	The ability to authorise the payment of travel and relocation expenses for employees.
Statutory Power Being Delegated:	Local Government Act 1995 s5.41
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegations of some powers and duties to the CEO s5.43 Limitations to delegations
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	May not authorise relocation expenses for the position of CEO. Expenses for the CEO must be approved by the Council. Expenses for employees to a total of 50% of the relocation expense, to a total value of \$1,000 can be authorised by the CEO. This does not apply to Managers who are covered by contract conditions Travel Expenses can be approved by the CEO up to \$500
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to others
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	Nil
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE30 - Authorisation of Variations to Budget Estimates	
Function Delegated:	The CEO was delegated the power to authorise variations to budget estimates where the variation is less than 10% and not more than an amount of \$5,000.
Statutory Power Being Delegated:	Local Government Act 1995 s5.42 Delegation of some powers and duties to the CEO
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE31 - Approval of Credit Cards	
Function Delegated:	The CEO was delegated the authority to use a Council credit card for the purpose of carrying out the function of the Council in line with Council Policy and to approve payments with regard to staff (MOW & MOF) use.
Statutory Power Being Delegated:	Local Government Act 1995
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	15 July 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE32 – Powers under the Local Laws	
Function Delegated:	The CEO was delegated the authority to exercise any of the powers of the Council or discharge any of its duties in connection with the following local laws made under the Local Government Act 1995, the Health Act 1911 (as amended) and the Dog Act 1976:
Statutory Power Being Delegated:	<ul style="list-style-type: none"> * Dogs Local Law; * Fencing Local Law; * Health Local Law; * Parking and Parking Facilities Local Law * Property Local Law; and * Responsible Cat Ownership Local Law. <p>The CEO has on-delegated the authority to exercise any of the powers of the Council or discharge any of its duties in connection with the above local laws made under the Local Government Act 1995, the Health Act 1911 (as amended) the Dog Act 1976 and the Cat Act 2011 to the officers listed in the attached Schedule.</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995, Health Act 1911 (as amended) Dog Act 1976 Cat Act 2011
Power Delegated to:	Contract Building Surveyor Contract Ranger Manager of Works Manager of Finance/Deputy CEO
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995, Health Act 1911 (as amended) Dog Act 1976 Cat Act 2011
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1st Adopted:	September 2015
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE33 – Rates	
Function Delegated:	<p>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</p> <p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> 1. Amend the rate record as specified in Section 6.39(2); 2. Enter into an agreement with a person for the payment of rates or service charges in accordance with Section 6.49; 3. Determine the date on which rates or service charges become due and payable under Section 6.50(1) & (2); 4. Recover a rate or service, as well as the costs of proceedings, where it remains unpaid after it becomes due under Section 6.56(1); 5. Grant an extension of time for a person to make an objection to the rate record under Section 6.76(4); 6. Consider an objection to a rate record, either allowing or disallowing it, wholly or in part. In accordance with Section 6.76(5), and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6); 7. Give notice to a lessee of land in respect of which there is an unpaid rate or service charge to require the lessee to pay the rent to the local government in accordance with Section 6.60(2); 8. Recover the amount of the rate or service charge as a debt from the lessee if the rent is not paid in accordance with the notice (Section 6.60(4)); and 9. Commence proceedings under Section 6.64 to recover rates owing to the Shire.
Statutory Power Being Delegated:	<p>Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO</p>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<p>Local Government Act 1995 s5.41 Functions of CEO s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO</p>
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	<p>Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees</p>
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Record Keeping Statement:	1. Ensure full record of each decision is lodged on the Shire Rates Database in Synergy. 2. All records will be retained in the Shire's records management system in accordance with the Record Management Plan and associated legislation.
Compliance Links:	Local Government Act 1995
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE34 – Amending the Rate Record	
Function Delegated:	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year :
Statutory Power Being Delegated:	Local Government Act 1995: s.6.39(2)(b) Rate record
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	Local Government Act 1995 s5.42 Delegation of some powers and duties to the CEO s5.43 Limits on delegations to CEO
Power Delegated to:	Chief Executive Officer
Council Conditions on Delegation:	Nil
Statutory Power to Sub Delegate	Local Government Act 1995 s5.44 CEO may delegate powers and duties to other employees
CEO Sub Delegation to:	Nil
CEO Conditions on Subdelegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	Local Government Act 1995,
Council Policy Link: Strategic Plan Link:	
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 195	
1 st Adopted:	New
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE35 – Determination of Applications for Development Approval	
Function Delegated:	Pursuant to Clause 82 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , delegation of authority to approve or refuse applications for development approval, with or without conditions, is extended to the Chief Executive Officer, subject to consistency with the <i>Shire of Goomalling Town Planning Scheme No. 3</i> (the Scheme), including giving due regard to relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	<p>1.1 <i>General Exclusions</i> Applications for development approval for development exceeding \$1M in value and/or a net increase of in excess of 1 dwelling and/or a net increase of over 400m² in building floor area may not be determined under delegated authority.</p> <p>1.2 <i>Specific Exclusions and Exceptions for Minor Works, etc.</i></p> <p>a) Subject to f) below, with respect to applications for development approval for development other than advertising signage, domestic outbuildings, sea containers and/or other similar storage containers, fencing and residential additions/alterations, any delegated decision must be consistent with, rather than giving due regard to, relevant Local Planning Policies.</p> <p>b) Subject to f) below, applications for development approval for development of land within a Local Reserve may only be approved under delegated authority where it is consistent with the purpose of the Reserve.</p> <p>c) Subject to f) below, applications for development approval for the types of land-use or development listed below may only be refused under delegated authority:</p> <ul style="list-style-type: none"> (i) Abattoir; (ii) Hotel; (iii) Industry - Extractive; (iv) Liquor Store; (v) Motel; (vi) Piggeries; (vii) Restricted Premises (adult shop); (viii) Tavern; (ix) Telecommunication Infrastructure; and (x) Any other development associated with racing, gaming or the sale of liquor, other than where development is of a temporary

	<p>nature (no more than 48 hours duration).</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>d) Subject to f) below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clause 3.2.5 of the Scheme ('uses not mentioned' in the Zoning Table of the Scheme) may only be refused under delegated authority.</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>e) Subject to f) below, applications for development approval that must be assessed under the provisions of Part IV, clauses 4.1 up to and including 4.6 of the Scheme (the 'non-conforming uses' provisions) may only be refused under delegated authority.</p> <p><i>(Note: Should the Chief Executive Officer feel that the application may warrant approval, the application shall be reported to Council for consideration)</i></p> <p>f) Subject to g) below, the provisions of a) – e) above do not apply to applications to –</p> <ul style="list-style-type: none"> • amend the approval so as to extend the period within which the approval must be substantially commenced; and • alterations and/or expansions affecting a maximum area of 10% of the existing development or 100m² (in terms of floor space or land area in use, as appropriate), whichever is the lesser, and which are associated with existing, lawful land-uses, wherein the application may be refused or approved, with or without conditions, under delegated authority. <p>g) Where an application to extend the period within which the approved development must be substantially commenced is issued pursuant to f) above, the term of any extension shall not exceed 12 months, however, an unlimited number of extensions may be granted under delegated authority.</p> <p>AMENDED PLANS</p> <p>Notwithstanding 1.2 a) and 1.2 b) above, amended plans relating to applications determined by Council, may be determined under delegated authority where-</p> <p>a) The amended plan, if submitted as a new application, could have been determined under delegated authority; and/or</p> <p>b) The amended plans do not differ from the determined plans in any respect which generates a need to undertake consultation pursuant to clause 64 of the <i>deemed provisions for local planning schemes</i> (advertising applications) and/or Part 4 (Consultation) of the R-Codes; and/or</p> <p>c) The amended plans do not differ from the determined plans in respect of the number of residential units or an increase in floor space of more than 10% or 100m² (in terms of floor space or land area in use, as appropriate), whichever is the lesser.</p> <p>CONDITIONS RELATED TO CONSULTATION</p> <p>Applications for development approval that have been advertised for consultation purposes in accordance with the provisions of clause 64 (advertising applications) of the <i>deemed provisions for local planning schemes</i> and/or Part 4 of the R-Codes (consultation), may only be approved under delegated authority if-</p>
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SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

	<p>a) No submissions were received, or only supportive submissions that do not request any change to the development were received; or</p> <p>b) Submissions that raise concerns with the proposed development were received, and those concerns are, in the opinion of the Chief Executive Officer, clearly not material planning considerations;</p> <p>c) Submissions that raise concerns with the proposed development were received, and those concerns are material planning considerations, but:</p> <p style="margin-left: 20px;">i) Through liaison with the party or parties that lodged the submissions and/or amendments to the application and/or the application of conditions, the matters raised in the submissions can be resolved to the satisfaction of the Chief Executive Officer, the applicant, and the party or parties that lodged the submissions (the Chief Executive Officer must also ensure that the interests of fourth parties are protected and undertake further consultation if considered necessary), and</p> <p style="margin-left: 20px;">ii) Prior to approval of the application, the applicant and/or party or parties who lodged the submissions have provided written (including via email) confirmation of their acceptance of the terms of the proposed delegated decision.</p> <p><i>(Note: Should (a), (b) or (c) above not apply, or the Chief Executive Officer feel that the application should be refused, the application shall be reported to Council for consideration)</i></p>
Statutory Power to Sub Delegate	Local Government Act 1995 s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015 Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	Local Government Act 1995 Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE36 – Recommendations to the Western Australian Planning Commission (WAPC) regarding Applications for Subdivision / Amalgamation or Strata Title	
Function Delegated:	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to make recommendations to the WAPC with regards to applications referred to Council pursuant to Part 10 (Subdivision and development control) of the <i>Planning and Development Act 2005</i> , is extended to the Chief Executive Officer, subject to consistency with the Scheme, relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Applications that, were they approved by the WAPC, might result in a net increase of more than 2 lots, a recommendation to the WAPC may only be made under delegated authority if - a) The application is consistent with a strategy, structure plan approved by the WAPC, local development or other plan endorsed by Council, or which forms part of the Scheme and/or a Local Planning Policy; and/or b) The application is for amended plans for an application that has been considered by Council within the last two years and the amendments are, in the opinion of the CEO, of a minor nature.
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Contract Town Planners – Edge Planning & Property
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty
Compliance Links:	<i>Local Government Act 1995</i> Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE37 – Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval	
Function Delegated:	Pursuant to Clause 82 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , delegation of authority to advise regarding clearance of conditions of development approval, and pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to advise the WAPC with regards to the clearance of conditions set pursuant to Part 10 (Subdivision and development control) of the <i>Planning and Development Act 2005</i> and for which Council is nominated as a clearance agency, is extended to the Chief Executive Officer, subject to consistency with the Scheme, Local Planning Policies, and the exclusions/conditions set out below.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i> <i>Planning and Development Act 2005</i> <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> <i>Shire of Goomalling Town Planning Scheme No 3</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.82</i>
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i> Part 10 of Schedule 2, <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE38 – Advising Other Regulatory Authorities on Planning Matters	
Function Delegated:	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to advise other regulatory authorities (other than the WAPC) with respect to applications for subdivision) with respect to matters where planning-related advice is required, is extended to the Chief Executive Officer, subject to consistency with existing planning or other local government approvals, as appropriate, and the Scheme, relevant Local Planning Policies and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE39 – Planning Appeals, Requests for Reconsideration	
Function Delegated:	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , delegation of authority to respond to appeals made to the State Administrative Tribunal (including appointment of Counsel), or requests for reconsideration lodged with the WAPC, is extended to the Chief Executive Officer, subject to consistency with any resolution of Council relating to the matter subject of an appeal or request for reconsideration, the Scheme, Local Planning Policies (in the event of any inconsistency between the Scheme, Local Planning Policies and any resolution of Council relating to the matter subject of an appeal or request for reconsideration, then the resolution of Council shall prevail), and the exclusions/conditions set out below.
Statutory Power Being Delegated:	<i>Local Government Act 1995</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE40 – Planning Enforcement	
Function Delegated:	Pursuant to Section 5.42 of the <i>Local Government Act 1995</i> , where Council has resolved to issue an enforcement notice under Part 13 of the <i>Planning and Development Act 2005</i> , delegation of authority is extended to the Chief Executive Officer to appoint and direct Counsel, subject to consistency with the resolution of Council and the exclusions/conditions set out below
Statutory Power Being Delegated:	<i>Local Government Act 1995</i>
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Nil
Statutory Power to Sub Delegate	<i>Local Government Act 1995</i> s.5.44 – CEO may delegate some powers and duties to other employees <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> <i>Schedule.2, Part 10, cl.83</i>
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution 226	
1 st Adopted:	July 2020
Last Reviewed:	16 June 2021

SHIRE OF GOOMALLING – DELEGATIONS REGISTER & AUTHORISATIONS

Delegation DE41 – Execution of Documents - Landgate	
Function Delegated:	Pursuant to Section 9.49(A) of the <i>Local Government Act 1995</i> , delegates authority to the Chief Executive Officer to sign the following documentation behalf of the Shire including lodgement, withdrawal, removal, withdrawal, surrender or modification: <ul style="list-style-type: none"> • Notifications, covenants and easements under the transfer of Land Act 1893 • Reciprocal access and agreements • Rights of carriageway agreements • Caveats under the transfer of land Act 1893 • Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985
Statutory Power Being Delegated:	Section 9.49(A) (4)&(5) Local Government Act 1995 Transfer of Land Act 1893 Land Administration Act 1997 Strata Titles Act 1985 Policy 4.19 - Common Seal
Power is Originally Assigned to:	Local Government
Statutory Power of Delegation:	<i>Local Government Act 1995</i> s.5.42 – Delegation of some powers or duties to the CEO
Power Delegated to:	Chief Executive Officer
Council Conditions/Exclusions on Delegation:	Nil
Statutory Power to Sub Delegate	Nil
CEO Sub Delegation to:	Nil
CEO Conditions on Sub delegation:	Nil
Record Keeping Statement:	A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power of discharge of the duty.
Compliance Links:	<i>Local Government Act 1995</i>
Council Policy Link: Strategic Plan Link:	N/A
Delegation Administration: This delegation is to be reviewed annually s5.46(2)	
Decision / Reference: Resolution	
1st Adopted:	May 2022
Last Reviewed:	18 May 2022

9.49A. Execution of documents

(1) A document is duly executed by a local government if — (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

(3) The common seal of the local government is to be affixed to a document in the presence of — (a) the mayor or president; and (b) the CEO, each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown. Local Government Act 1995 Miscellaneous provisions Part 9 Documents Division 3 s. 9.49B As at 31 Mar 2022 Version 07-y0-00 page 371 Published on www.legislation.wa.gov.au

(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown. [Section 9.49A inserted: No. 17 of 2009 s. 43; amended: No. 16 of 2019 s. 68.]

9.49B. Contract formalities

(1) Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.

(2) The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.

(3) Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal. [Section 9.49B inserted: No. 17 of 2009 s. 43.]

9.49. Documents, how authenticated A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

Authorisations are conferred onto a local government by a variety of acts. Some give the Council (Local Government) the right to appoint authorised officers such as the Chief Executive Officer and others allow the CEO to appoint authorised officers of the Shire to carry out duties under that Act.

Each act independently confers and specifies the allowable authorisations and the instruction of one act does not transfer to another act.

Authorised officers are listed in the following table. The specific Act and Section of that Act and activity, should be clearly understood by the officer authorised to undertake the authorised tasks. Authorised officers are issued with a Certificate of Authorisation.

The Local Government Act 1995 – Part 9, Division 2, s9.10, states Appointment of authorised persons:

1. The local government may in writing, appoint persons or classes of person to be authorised for the purpose of performing particular functions.
2. The local government is to issue each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

Legislation considered for the appointment of Authorised Officers.

- Local Government Act 1995 and associated Regulations
- Cat Act 2011
- Dog Act 1976
- Caravan Parks and Camping Grounds Act 1995 and Regulations 1997
- Food Act 2008
- Health Act 1911
- Building Act 2011
- Public Health Act 2016

AUTHORISATIONS REGISTER

Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995 FM Regulations	r. 12(1)(a), r. 5, r. 11, r. 13	Make payments from Municipal and Trust Funds	Chief Executive Officer	Peter Bentley	Nil
Local Government Act 1995 FM Regulations	s. 6.14 r. 19C	Power to invest	Chief Executive Officer Deputy CEO/FM	Peter Bentley Natalie Bird	Nil Nil
Local Government Act 1995	s. 3.24	Ability to appoint authorised officers	Chief Executive Officer	Peter Bentley	Nil
Local Government Act 1995	s. 3.39 s. 3.40 s. 3.40A	Power to remove and impound goods Power to remove and impound vehicle Power to remove and impound abandoned vehicle	Chief Executive Officer Manager of Works Contract Ranger	Peter Bentley David Long Gloria Robinson	Nil Nil Nil
Local Government Act 1995	s. 3.47	Sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43	Manager of Works Deputy CEO/FM	David Long Natalie Bird	Nil Nil
Local Government Act 1995	s.3.47A	If an impounded animal is ill or injured to such an extent that treating is not practicable, the Local Government may humanely destroy the animal and dispose of the carcass	Manager of Works Leading Hand	David Long Russell Beck Bryce Carr	Authorised to use Shire of Goomalling Rifle
Local Government Act 1995	s. 9.10	Council can authorise officers to carry out function of the act	Chief Executive Officer	Peter Bentley	s. 5.42 limitations on delegations
Local Government Act 1995	s. 9.13(2)	Vehicle Offence Notices (Parking etc)	Manager of Works Contract Ranger	David Long Gloria Robinson	
Local Government Act 1995	s. 9.16	Issuing Infringement Notices	Manager of Works Contract Ranger	David Long Gloria Robinson	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act 1995	s. 9.17	Content of Notice - Fines	Chief Executive Officer Deputy CEO/FM	Peter Bentley Natalie Bird	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20

AUTHORISATIONS REGISTER

Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995	s. 9.19	Extension of time - Fines	Chief Executive Officer	Peter Bentley	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act 1995	s. 9.20	Withdrawal of Notice - Fines	Chief Executive Officer	Peter Bentley	A person authorised under 9.16 cannot be authorised to undertake 9.17, 9.19 or 9.20
Local Government Act	s. 9.49	<ul style="list-style-type: none"> • Withdrawal of Caveats • Notifications, covenants and easements under the transfer of Land Act 1893 • Reciprocal access and agreements • Rights of carriageway agreements • Caveats under the transfer of land Act 1893 • Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985 	Chief Executive Officer	Peter Bentley	
Building Act 2011	s. 36	Swimming Pool Inspections	Contract Building Surveyor	Rebecca Creighan	Authorised Officers must act within the limits of the legislation
Caravan Parks & Camping Grounds Act 1995 Regulations 1997	s. 17 r. s6	To provide the ability to enter the Local Governments caravan Parks, undertake inspection, entry into caravans and issue of work notices and infringements	Chief Executive Officer Manager of Works Caretaker Caretaker	Peter Bentley David Long Keith Allen Kathy Allen	
Building Act 2011	s. 20	Grant Building Permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 21	Grant Demolition Permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 58	Grant occupancy permits – building approval certificates	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 65	Grant extension of period of duration of permits	Contract Building Surveyor	Rebecca Creighan	
Building Act 2011	s. 110	Issue building orders	Contract Building Surveyor	Rebecca Creighan	

AUTHORISATIONS REGISTER

Building Act 2011	s. 117	Revoke a building order	Contract Building Surveyor	Rebecca Creighan	
Health Act 1911	s. 27	Appointment of Environmental Health Officer	Chief Executive Officer	Peter Bentley	
Litter Act 1979	s. 26(1c)(ii)and (iii)	Enforcement proceedings and penalties	Chief Executive Officer Deputy CEO/FM Manager of Works Contract Ranger	Peter Bentley Natalie Bird David Long Gloria Robinson	
Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Health Act 2011	s. 26	Every local government is hereby authorised and directed to carry out within its district the provision of this Act and the regulations, local laws and orders made thereunder. Provided that local government may appoint or authorise any person to be its deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe but so that such appointment shall not affect the exercise of discharge by the local government itself of any power or function	Chief Executive Officer	Peter Bentley	
Health Act 2011	s. 27 s. 112A s. 135 s. 139 s. 114 s. 184 s. 192	Examination of drains Refuse Removal Dwelling unfit for habitation Clean/repair house Building to convert as dwelling Dealing with nuisance Refusal of registration Health (Food Hygiene) regulations 1993 Health Local Laws	Contract Building Surveyor Contract Environmental Health Officer	Laura Pikoss	
Food Act 2008	s. 125 s. 126	Serve prohibition order on food business Issue Certification of Clearance Re-inspect food business Register a food Business Grant or refuse application for a food business Vary conditions or cancel registration of food business	Contract Environmental Health Officer	Laura Pikoss	

AUTHORISATIONS REGISTER

Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Cat Act 2011	s. 49(1a)(i) s. 51 s. 52	Initiate proceedings for an offence under s125 Cause a cat to be destroyed in a humane manner Enter a premises General Powers; <ul style="list-style-type: none"> Set Cat Traps Collect Information Apply for a warrant And other activities specified in the Act.	Manager of Works Contract Ranger Leading Hand	David Long Gloria Robinson Russell Beck Bryce Carr	Authorised to use Shire of Goomalling Rifle
Cat Act 2011		Issuing of infringements notices	Manager of Works Deputy CEO/FM Contract Ranger	David Long Natalie Bird Gloria Robinson	
Cat Act 2011	s. 63	Content of notices - Fines	Chief Executive Officer Deputy CEO/MF	Peter Bentley Natalie Bird	
Cat Act 2011	s. 64 & s. 65	Extension of time and withdrawal of notice - Fines	Chief Executive Officer	Peter Bentley	
Dog Act 1976	s. 11	Maintain a pound and other activities specified in the Act	Manager of Works Contract Ranger	David Long Gloria Robinson	
Dog Act 1976	s. 12 s. 29	Enter Premises Power to seize; <ul style="list-style-type: none"> Dog Attack Dog Contravention Dangerous Dog 	Contract Ranger	Gloria Robinson	
Dog Act 1976	s. 3	Appointment of Registration Officers	CS Officer Administration Officer Community Dev Officer Deputy CEO/MoF Administration Officer	Jessika Ashworth Debra Horton Tahnee Bird Natalie Bird Chloe Watson	
Dog Act 1976	s. 44	Enforcement Proceedings	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird	

AUTHORISATIONS REGISTER

				David Long	
Local Government Act 1995	s. 3.18 (3c) & s. 3.58(3)	The authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.	Chief Executive Officer	Peter Bentley	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will authorised by the Council.
Legislation/Act	Section	Function Delegated	Authorised Position	Authorised Officer	Conditions
Local Government Act 1995 LG (Functions & General) Regs	s. 3.58(3), [5d] r. 30 & r. 31[3a]	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Chief Executive Officer	Peter Bentley	For the sale of plant and equipment within budget allocation.
Local Government Act 1995	s. 3.18(3c)	The authority to write-off debts	Chief Executive Officer	Peter Bentley	The writing off of rates and sundry debts to the value of \$100.00
Local Government Act 1995	s. 3.18(3c)	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird David Long	
Local Government Act 1995 LG (Functions & General) Regs	s. 3.57 (1) r. 21, [1, 2, 3, 4] & r. 22	May seek expressions of interest before entering the tender process.			
Local Government Act 1995 LG (Functions & General) Regs	s. 3.57 (1) r. 11[1], r. 14[4c]	The requirement to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	Chief Executive Officer Deputy CEO/MoF Manager of Works	Peter Bentley Natalie Bird David Long	
Local Government Act 1995	s. 3.57(1)	May, with the approval of the tenderer, make a minor variation in a contract for goods or services			

DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Power to make payments from the Trust Fund or Municipal Fund (this includes Reserves and Restricted Assets)	Nil
Local Government Act 1995	Authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.	Nil
Local Government Act 1995	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 the Shire's Local Laws made under that Act.	<ol style="list-style-type: none"> 1. The CEO may, at his discretion, refer any matter to Council for decision; 2. Details of any prosecutions under a Local Law must be provided to Council.
Local Government Act 1995	Authority to: <ol style="list-style-type: none"> 1. renew existing lease agreements with charitable, benevolent, religious, cultural, educational, recreational, sporting, environmental or other similar groups or government agencies for properties that are under the care, control and management of the Shire of Mundaring either by management order, lease, sub-lease, licence, sub-licence or freehold; and 2. negotiate new lease agreements with existing lessees whose lease has expired. 	Nil
Local Government Act 1995	Authority to appoint an Acting Chief Executive Officer in accordance with Council policy and for a term not exceeding three months	Nil
Local Government Act 1995	The authority to write-off debts and/or negotiate financial hardship arrangements with residents and ratepayers.	The writing off of rates and sundry debts to the value of \$100.00
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	authority to sell by calling for expressions of interest, holding a sale, or any other fair means, items of equipment, materials, tools etc. which are no longer required, or are outmoded or no longer serviceable.	The disposal of all surplus equipment, materials, tools etc, must not exceed a value of \$5,000 per unit. All matters in excess of \$5,000 per unit will authorised by the Council
Local Government Act 1995	The ability to make community donations	Maximum limit of \$300 per donation Donations are subject to budget availability Annual expenditure not to exceed the amount designated in the annual budget

DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> • The nature of the goods or services required; or • The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required, <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$250,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval

DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
Cat Act 2011	Exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Nil
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36). 	As specified in Schedule 3.1
Bush Fires Act 1954	The performance of any of its functions under this act.	Nil
Food Act 2008	<ul style="list-style-type: none"> • Serve Prohibition Order on food business • Issue Certification of Clearance • Reinspect a food business 	Nil

DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Food Act 2008	<ul style="list-style-type: none"> Register a food business Grant or refuse application for a food business Vary the conditions or cancel the registration of a food business 	Nil
Food Act 2008	Initiate proceedings for an offence under s125 of the Food Act 2008	Nil
Public Health Act 2016	Authority to designate a person or class of persons as Authorised Officers for the purpose of fulfilling prescribed functions of the Public Health Act 2016. Authority to issue Certificates of Authority to persons designated as Authorised Officers.	The CEO may, at his discretion, refer any matter to Council for decision
Building Act 2011	<p>Authority for suitably qualified persons who, in the opinion of the Chief Executive Officer have the qualifications to undertake the roles and functions of a building surveyor, to administer Building Act 2011 sections to:</p> <p>Grant of building permit Grant of demolition permit Further grounds for not granting an application Conditions imposed by permit authority Occupancy permits and building approval certificates, further information Grant of occupancy permit, building approval certificate Conditions imposed by permit authority Extension of period of duration Building orders Revocation of building order Permit authority may give effect to building order if non-compliance; and Inspection, copies of building records.</p>	As specified in Schedule 3.1
Building Act 2011	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Designate an employee as an authorised person under s. 96(3) of the Building Act 2011; and 2. Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice and at any time revoke or vary such condition or notice. 	CEO to be satisfied that authorised person is suitably qualified in accordance with s. 5.36(3) of the Local Government Act 1995.
Local Government Act 1995	The ability to authorise the payment of travel and relocation expenses for employees.	<p>May not authorise relocation expenses for the position of CEO. Expenses for the CEO must be approved by the Council. Expenses for employees to a total of 50% of the relocation expense, to a total value of \$1,000 can be authorised by the CEO. This does not apply to Managers who are covered by contract conditions Travel Expenses can be approved by the CEO up to \$500</p>

DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995 Transfer of Land Act 1893 Land Administration Act 1997 Strata Titles Act 1985	Pursuant to Section 9.49(A) of the <i>Local Government Act 1995</i> , delegates authority to the Chief Executive Officer to sign the following documentation behalf of the Shire including lodgement, withdrawal, removal, withdrawal, surrender or modification: <ul style="list-style-type: none"> • Notifications, covenants and easements under the Transfer of Land Act 1893 • Reciprocal access and agreements • Rights of carriageway agreements • Caveats under the Transfer of Land Act 1893 • Easements or deeds of easement under the Land Administration Act 1997 and or the Strata Titles Act 1985 	Nil

I, JOHN PETER BENTLEY, do hereby accept responsibility for the delegations assigned to my position as are detailed above.

Officer Appointed

Dated

Delegated by: Council of the Shire of Goomalling

Resolution No: _____

DELEGATIONS TO THE MANAGER OF FINANCE/DEPUTY CEO

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority to invest Council funds with approved financial institutions as approved by Council to achieve maximum investment potential.	Nil
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> • The nature of the goods or services required; or • The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required, <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$250,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>

DELEGATIONS TO THE MANAGER OF FINANCE/DEPUTY CEO

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Local Government Act 1995	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
Cat Act 2011	exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36). 	As specified in Schedule 3.1

DELEGATIONS TO THE MANAGER OF WORKS

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Disposition of property (other than land) is an exempt disposition if its market value is less than \$20,000	Subject to s5.43(d) of the Act and r30(3a) of the Regulations the CEO can dispose of property (other than land) to a maximum value of \$20,000. All disposal of property in excess of this level is to be approved by the Council subject to s3.58.
Local Government Act 1995	Authority to approve applications for the consumption of liquor from property under the care, control and management of the Council	The Chief Executive Officer can approve the consumption of alcohol on Council premises, and must ensure that the applicant is aware of their requirements under state legislation and compliance with Council policy on using a Council Facility
Local Government Act 1995	Authority to seek expressions of interest before entering the tender process.	<p>If the local government thinks that there is a good reason to make a preliminary selection from prospective tenderers it may seek expressions of interest. There is good reason to make preliminary selection if, because of;</p> <ul style="list-style-type: none"> • The nature of the goods or services required; or • The cost of preparing plans, specifications or other information for the purpose of adequately describing the goods or services required, <p>it would be advantageous to the local government if tenders were only invited from persons it considers capable of satisfactorily supplying the goods or services.</p> <p>*Statewide public notice must be given. Refer r21.4</p>
Local Government Act 1995	Authority to invite tenders before entering into a contract for goods and services with a value of \$150,000 or more. Tenders do not have to be publicly invited according to the requirements, if the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.	<p>Tenders must be called for the purchase of all goods over \$150,000 unless WALGA Council Purchasing Services are utilised which removes the requirement to Tender</p> <p>All tenders are to be approved by Council</p> <p>Tender documents must determine in writing the criteria for accepting tenders That tenders are for items approved in the budget</p>

DELEGATIONS TO THE MANAGER OF WORKS

LEGISLATION/ACT	POWER	CONDITIONS
Local Government Act 1995	Authority, with the approval of the tenderer, to make a minor variation in a contract for goods or services before it enters into the contract with the successful tenderer, without having to tender again.	The variation costs must be within the budget allocation. Any increased costs will require Council approval
Local Government Act 1995	Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2a and 2b.	<p>The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection 2b of</p> <p>a) A notice has been given under section 3.42(1)(b) or 3.44; or</p> <p>b) Being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.</p> <p>(2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is</p> <p>a) for perishable goods – 3 days;</p> <p>b) for animals – 7 days;</p> <p>c) abandoned vehicle wreck – 7 days.</p>
Cat Act 2011	exercise of any of its powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.	Nil
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36). 	As specified in Schedule 3.1

DELEGATIONS TO THE LEADING HAND

LEGISLATION/ACT	POWER	CONDITIONS
Cat Act 2011	Exercise of any powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to: <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36). 	As specified in Schedule 3.1

DELEGATIONS TO THE CONTRACT RANGER

LEGISLATION/ACT	POWER	CONDITIONS
Cat Act 2011	Exercise of any powers or the discharge of any of its duties under another provision of the Cat Act.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Dog Act 1976	Administer and enforce the provisions of this Act. A person who is authorised by the Dog Act shall be furnished with a certificate.	The Chief Executive Officer will issue certificates of authorisation to authorised officers.
Local Government Act 1995	Authority to give an owner or occupier of land a notice requiring them to do something to the land if it is specified in schedule 3.1 or other sections of the act. The local government must inform the owner, if the occupier is not the owner.	As specified in Schedule 3.1
Local Government Act 1995	Authority to: <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under Schedules 3.1 and 3.2 of the Act; 2. Give a notice of entry (s. 3.32); 3. Seek and execute an entry under warrant (s. 3.33); 4. Execute entry in an emergency (s. 3.34) 5. Give notice and effect entry by opening a fence (s. 3.36). 	As specified in Schedule 3.1



9.5 3–6 DOG APPLICATION BRADOCK

File Reference	05.3
Disclosure of Interest	Nil
Applicant	Joan Bradock – 5784 Northam Pithara Rd Goomalling
Previous Item Numbers	No Direct
Date	10 May 2022
Author	Gloria Robinson – Contract Ranger
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Photographs

Summary

Council to consider an application from Joan Bradock – 5784 Northam Pithara Rd Goomalling to keep 3 dogs.

Background

Joan Bradock, 5784 Northam Pithara Rd Goomalling, has made application to keep 3 dogs at that location. Council's Ranger has inspected the premises and has provided the following information regarding the application.

Consultation

Joan Bradock & Gloria Robinson

Statutory Environment

Local Government Act 1995
Dog Act

Policy Implications

There is no current Council policy regarding this matter

Financial Implications

There are no direct financial impacts resulting from this item.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	This matter is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

Number of Dogs	Dog Name	Breed	Colour	Age	Sex	Rego No.
1	Sally	King Charles	Bleniem	8 years	F	LT0339
2	Skye	King Charles	Bleniem	8 years	F	LT0338
3	Capi	Bull Arab X	White / Tan	1 year	M	



Fencing

Materials used for fencing: The house yard fence is new and is 1.5 meters high made from dog ring lock, copper logs and star pickets. There is a 1.2-meter-high double gate with a lock that enters the house yard and a single gate at the back. Both gates are secure. The house yard is approximately 1 acre in total.

Locking devices on gates: The front gate has a padlock, and the back gate is chained shut.

Housing

Means of housing: The dogs are free to move around the back yard. There is a large undercover veranda area that contains lounges for the dogs to sit on. There is a doggy door that goes into the house and the dog's full access to the house.

Bedding

The dogs sleep on the lounge under the veranda or various dog beds throughout the house.

Water Supply: There is a metal water dish inside the house.

Condition of existing dogs Suitable ✓

Details: The dogs are in a good health condition and were very friendly.

Ranger Notes:

All 3 dogs were very friendly towards me upon arrival. The dogs did not show any signs of aggression towards each other. The dogs are in excellent condition and the dogs' exercise area is very large. The owners have erected a very secure house yard for the dogs, and it is obvious that they are very much part of the family. The owners have no history on our system.

Due to the location Council did not need to write to any adjoining neighbours. The property is 4.0223 hectares in size surrounded by broad acre farming.

Voting Requirements

Simple Majority



OFFICER'S RECOMMENDATION

That the Council:

APPROVE the application for three dogs to be housed at 5784 Northam Pithara Rd Goomalling in accordance with Section 26.3 of the Dog Act 1976 with the following conditions:

1. The approval being placed on the condition that the dogs do not prove to be a nuisance (to the satisfaction of Council) to adjoining or adjacent neighbours in terms of barking, aggressive behaviours and / or wandering; and
2. The exemption applies only to the 3 dogs stated on the application. Once any of the dogs are deceased, sold or otherwise disposed of, the exemption ceases to have effect; and
3. The exemption will cease to have effect on the date of any conviction for an offence relating to the Dog Act 1976 in respect of any of the dogs, or any person in charge of those dogs; and
4. The subject property must be kept clear of all animal excreta using proper disposal methods; and
5. Adequate cover and protection are always to be available to the dogs; and
6. The dogs are to be adequately confined in accordance with Section 3.1 of the Shires Dog Local Law; and
7. A self-watering drinking devise is fitted in the house yard to ensure the dogs always have access to fresh clean water; and
8. The property is to be inspected Annually by the Council Ranger; and
9. Access to the property is to be given to the Council Ranger for the Annual Inspection, or more regularly if the Council so determines.

RESOLUTION 485

Moved Cr Chester, seconded Cr Ashton that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***



Front gate



Back gate



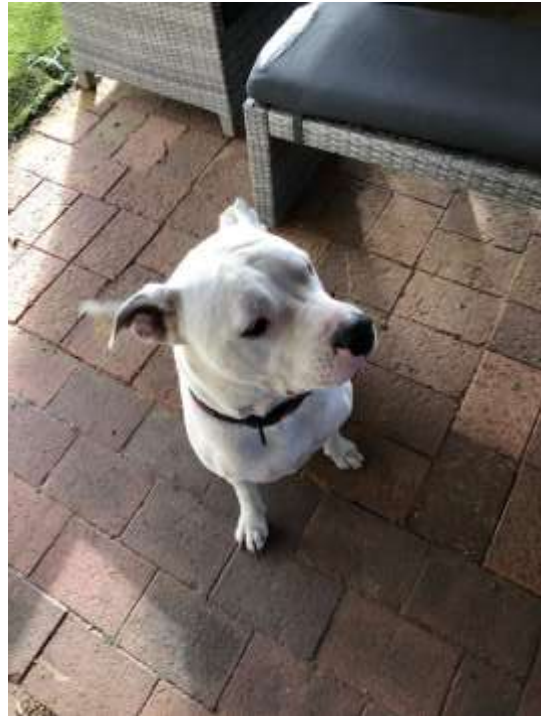
Fencing around yard



Back verandah area



Sally & Skye



Capi



Inside bed



Inside bed



Doggie door



Inside water bowl

**9.6 PLANNING APPLICATION 144 SADLER ROAD CUNJARDINE**

File Reference	10.5A
Disclosure of Interest	Nil
Applicant	Daniel Dempster
Previous Item Numbers	No Direct
Date	11 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1. Copy of the Development Application	

Summary

Council to approve the development of a 32m x 20m machinery shed at 144 Sadler Road Cunjardine.

Background

Daniel Dempster has submitted a development Application to erect a 32m x 20m machinery shed at the above address.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Shire of Goomalling Town Planning Scheme No 3

Planning and Development Act 2005

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

This matter is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

The development aligns with the objects for Rural Zone 3 and generally complies with the provisions of the Town Planning Scheme. Council's contract planner has assessed the application and has provided the following recommendation.

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

Approve the application for development approval subject to the following conditions:

1. The development hereby approved must be carried out in accordance with the submitted plans and specifications or otherwise amended by the Shire and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.
2. Drainage from the shed is suitably managed with a rainwater tank installed at the time of occupation.

Advice

- A) The applicant is advised that this development approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
- B) A low fuel area should be maintained around the shed at all times.

RESOLUTION 486

Moved Cr Van Gelderen, seconded Cr Barratt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***

4 May 2022

Shire of Goomalling
PO Box 118
Goomalling WA 6460

Attn: Planning Department

To Whom it May Concern,

Please see attached Development Application on behalf of Daniel Dempster, for the proposed construction of an agricultural machinery shed, located at Lot 2488 Sadler Road, Cunjardine WA 6401, in support of their primary production business.

The proposed development will be sited at least 50 metres from any natural creek line and over the minimum setback of 20m from any neighbouring boundary, constructed to be 20m wide, by 32m long, and 6m in height to the gutter. Made from fabricated structural steel, clad with Zinalume cladding to roof and walls, and custom tapered gutters directing any stormwater to an existing stormwater tank on the property.

This shed will be used purely as a storage facility for machinery associated with the current agricultural use of the land. It won't pose any concerns to nearby residents due to the vast amount of space between its occupier and their neighbouring boundaries, none of which have residences nearby the proposed development. This development is not within a bushfire prone location, nor within close proximity to one.

There are about four existing sheds on this property, predominately used for produce and equipment storage, machinery maintenance and two residential dwellings. Employment on this development will vary throughout the year, with the property owner and employees accessing these sheds mostly during seeding and harvesting. Even at the busiest times there would be a maximum of 3 to 4 staff employed at the same one time.


We look forward to a prompt approval for this development, and please insist that you contact us should you have any questions or require any clarification.

Kind regards,

Ash Wall


Project Admin | Auspan Group


0408 494 535


 1300 271 220


 sales@auspangroup.com.au

AUSPANGROUP.COM.AU

 15 Corbett Street
Gnowangerup, WA 6335

 169 Chesterpass Road
Milpara, WA 6330

 5 Martin Place
Canning Vale, WA 6155

 105 Stirling Terrace
Toodyay, WA 6566



SHIRE OF GOOMALLING

Office address: 32 Quinlan Street, Goomalling WA 6460
 Postal address: PO Box 118, Goomalling WA 6460
 Phone: 9629 1101 Email: goshire@goomalling.wa.gov.au

APPLICATION FOR DEVELOPMENT APPROVAL

* Owner Details		
Name: DANIEL DEMPSTER - DNB EP DEMPSTER		ABN (if applicable): 34 427 619 659
Address: 144 SADLER RD GOOMALLING		Postcode: 6460
Phone: (work): (home): (mobile): 0429433070	Fax:	E-mail: dempster.dn@gmail.com
Contact person for correspondence: DANIEL		
Signature:		Date: 3/5/2022
Signature:		Date:
The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2)		

Applicant Details (if different from owner)		
Name: AUSPAN BUILDING SYSTEMS PTY LTD		
Address: 15 CORBETT STREET GNOWANGERUP W.A.		Postcode: 6335
Phone: (work): 0408 (home): 494 (mobile): 535	Fax: N/A	E-mail: ASH.W@AUSPANGROUP.COM.AU
Contact person for correspondence: ASH WALL		
The information and plans provided with this application may be made available by the local government for viewing in connection with the application. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Signature:		Date:

Property Details		
Lot No: 2488	House/Street No: 144	Location No:
Diagram or Plan No:	Certificate of Title Vol. No: 1017	Folio: 855
Title encumbrances (e.g. easements, restrictive covenants): L681725		
Street name: SADLER ROAD	Suburb: CUNJARDINE	
Nearest street intersection: SADLER RD X GOOMALLING-MECKERING RD		

Proposed Development

Nature of development: WORKS

Is an exemption from development claimed for part of the development? Yes No

If yes, what is the exemption for:

Description of proposed works and/or land use:

32 X 20 X 6m MACHINERY STORAGE
SHED - AGRICULTURAL
NON-HABITABLE

Description of exemption claimed (if relevant):

Nature of any existing buildings and/or land use:

RESIDENTIAL DWELLINGS &
AGRICULTURAL BUILDINGS

Approximate cost of proposed development: 149,671 + GST

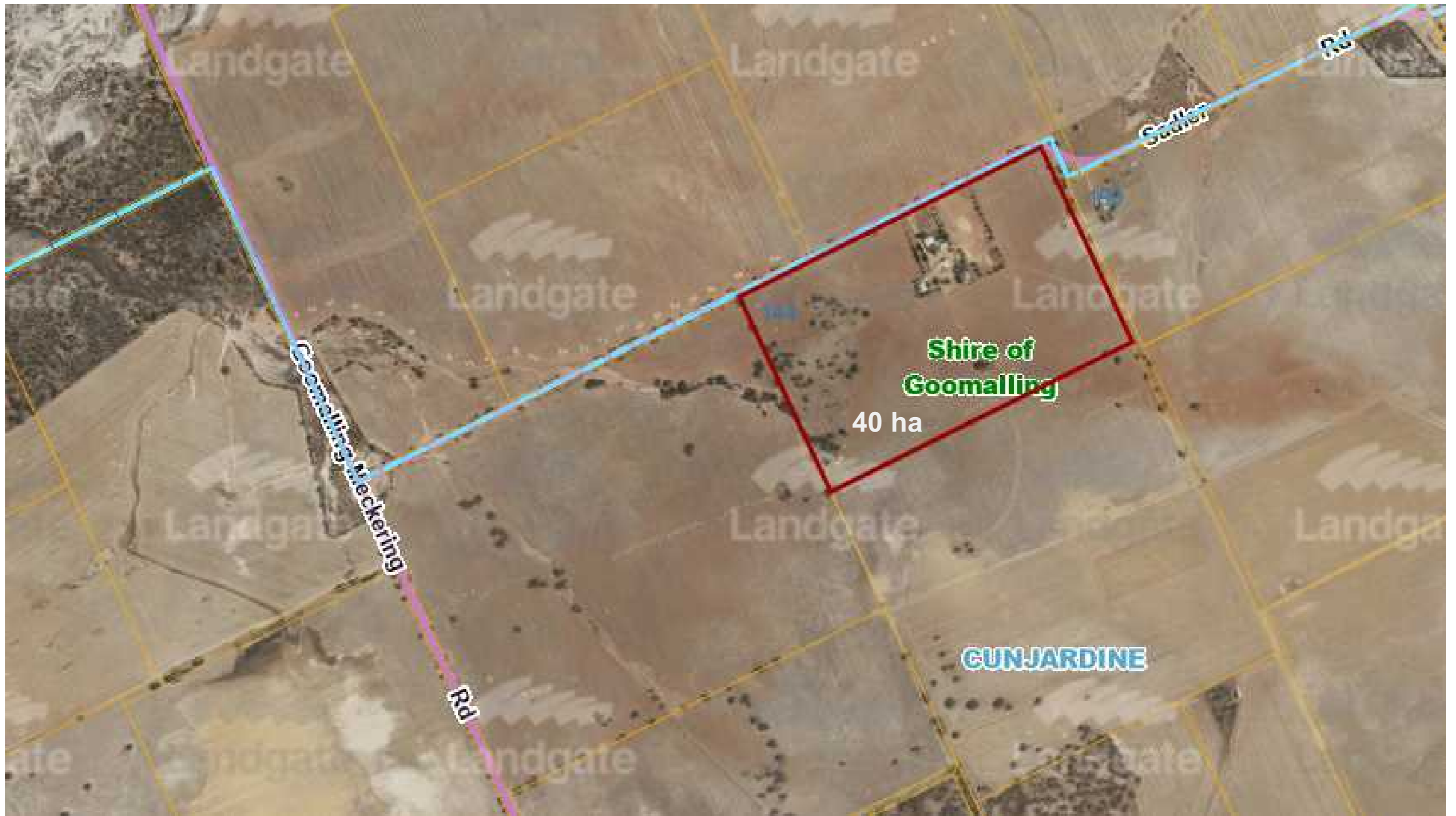
Estimated time of completion: NOVEMBER 2022

OFFICE USE ONLY

Acceptance Officer's initials:

Date received:

Local Government reference no:









AUSPAN
AGRICULTURAL

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CHANGE DURING THE ENGINEERING PROCESS.

PROJECT NAME
MACHINERY SHED

CLIENT
DANIEL DEMPSTER

PROJECT ADDRESS
144 SADLER RD,
GOOMALLING, WA, 6460

DATE MODIFIED
February 11, 2022

PROJECT NO.
6042(5)

DRAWN
GD

CHECKED
NW

DRAWING TITLE
A101

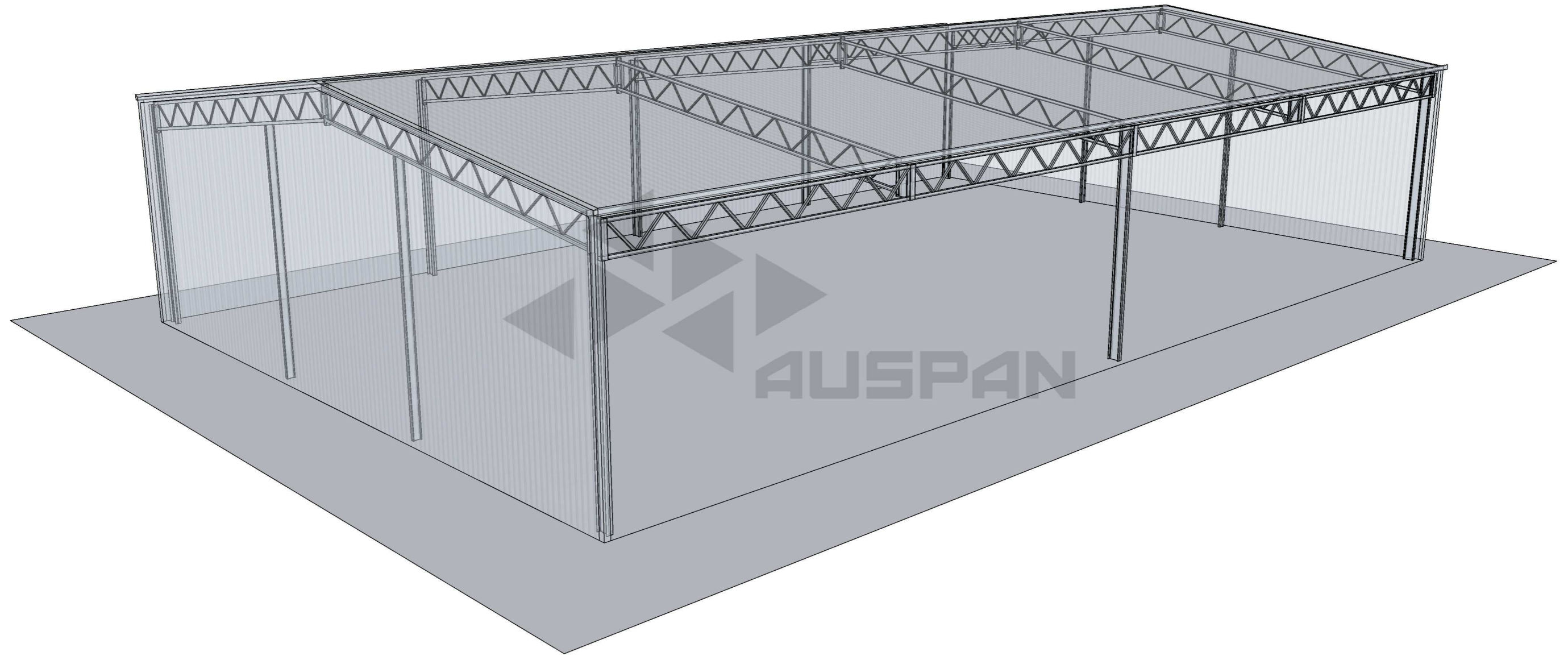
PROJECT STAGE
3D CONCEPT DRAWINGS

PAPER SIZE
A3

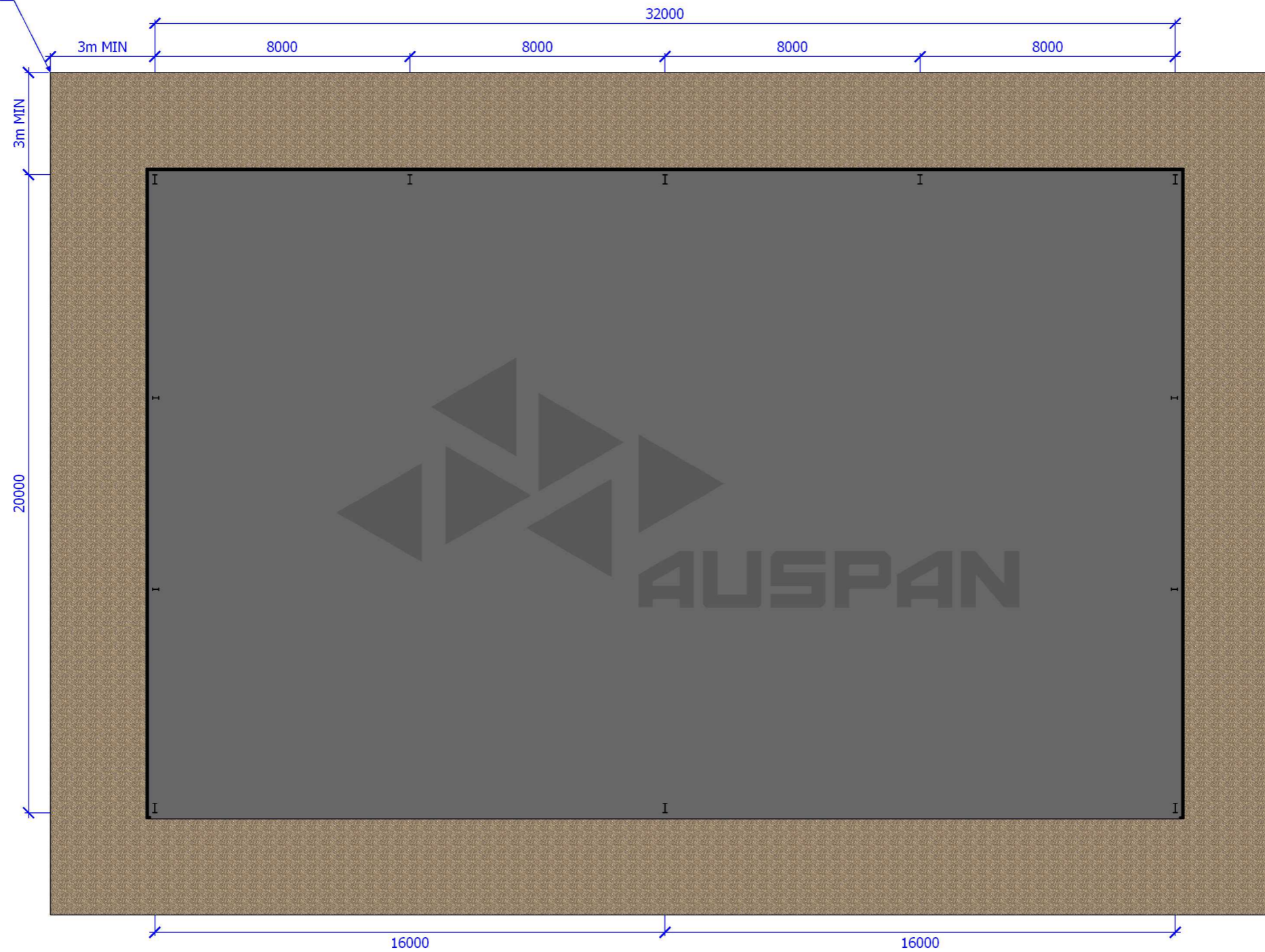
DRAWING NUMBER

A101

REVISION
5



3m MIN CLEAR REQUIRED ON ALL SIDES OVER AND ABOVE THE BUILDING SIZE



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MEASUREMENTS SHOWN ON THIS DRAWING ARE SUBJECT TO CHANGE DURING THE ENGINEERING PROCESS.



PROJECT NAME
MACHINERY SHED

CLIENT
DANIEL DEMPSTER

PROJECT ADDRESS
144 SADLER RD,
GOOMALLING, WA, 6460

DATE MODIFIED
February 11, 2022

PROJECT NO.
6042(5)

DRAWN
GD

CHECKED
NW

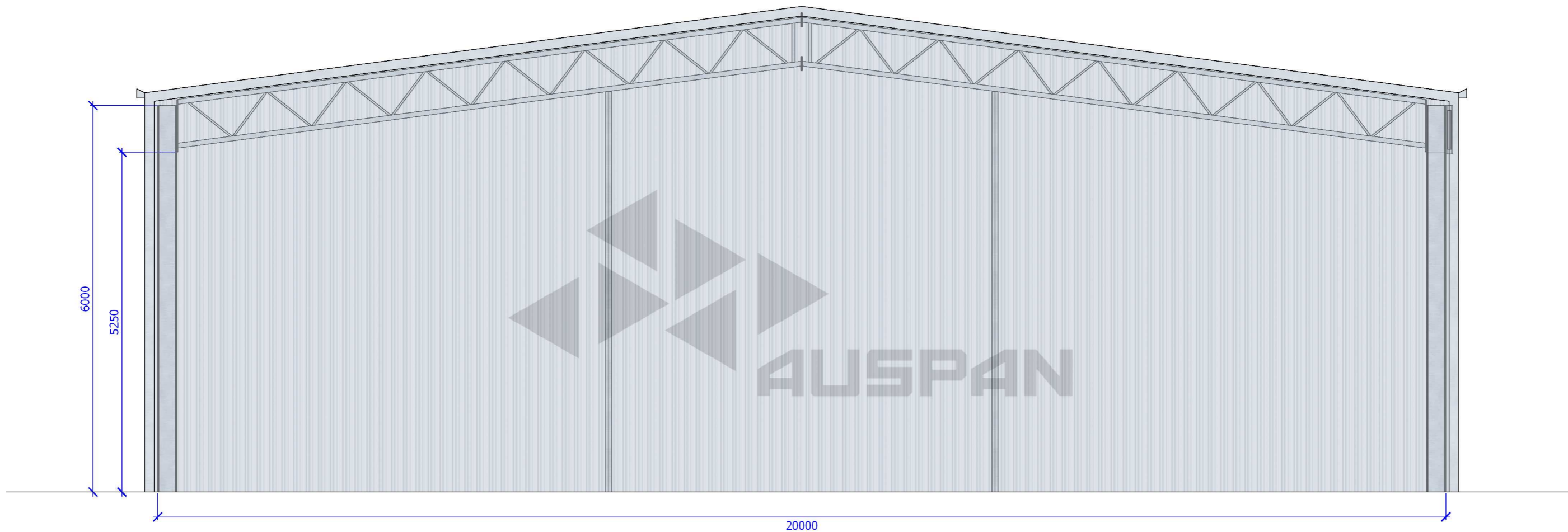
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PROJECT STAGE
3D CONCEPT DRAWINGS

PAPER SIZE
A3

DRAWING NUMBER
A104

REVISION
5



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CLIENT
DANIEL DEMPSTER

PROJECT ADDRESS
**144 SADLER RD,
 GOOMALLING, WA, 6460**

DATE MODIFIED
February 11, 2022

PROJECT NO.
6042(5)

DRAWN
GD

CHECKED
NW

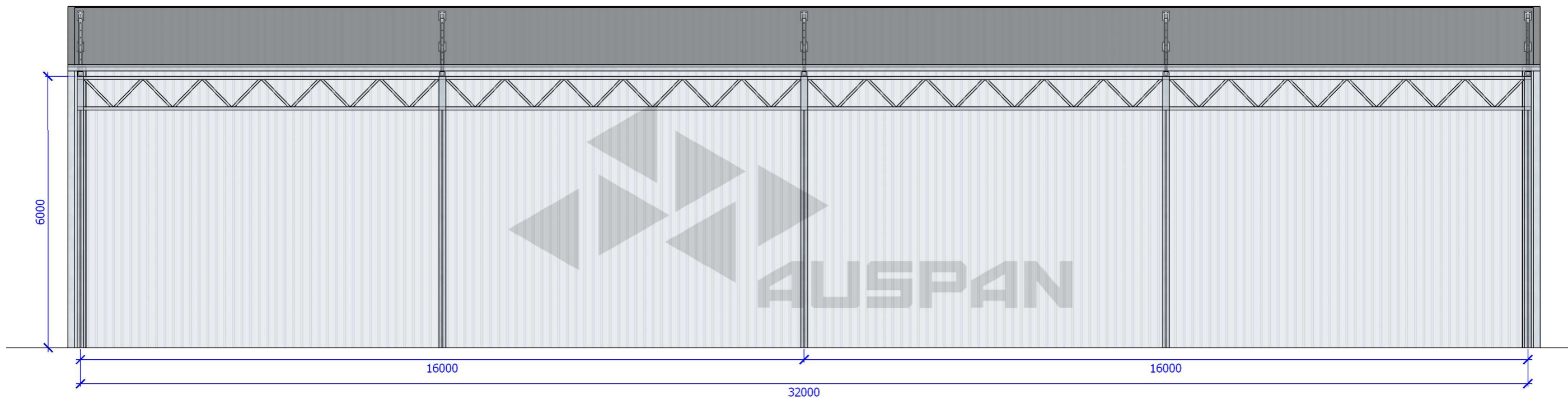
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PROJECT STAGE
3D CONCEPT DRAWINGS

PAPER SIZE
A3

DRAWING NUMBER
A105

REVISION
5



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MACHINERY SHED

CLIENT
DANIEL DEMPSTER

PROJECT ADDRESS
**144 SADLER RD,
 GOOMALLING, WA, 6460**

DATE MODIFIED
February 11, 2022

PROJECT NO.
6042(5)

DRAWN
GD

DRAWING TITLE
A106

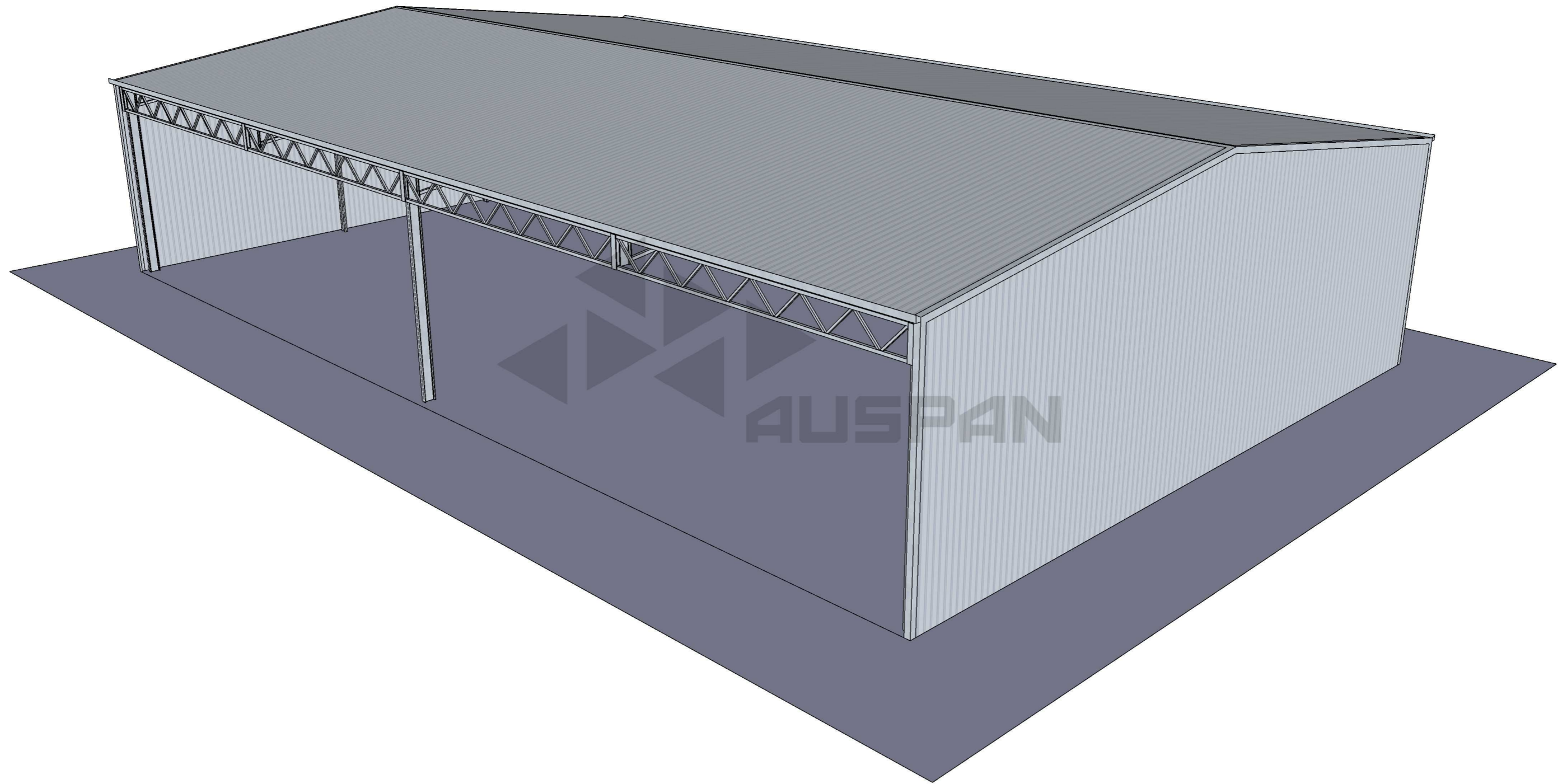
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3D CONCEPT DRAWINGS

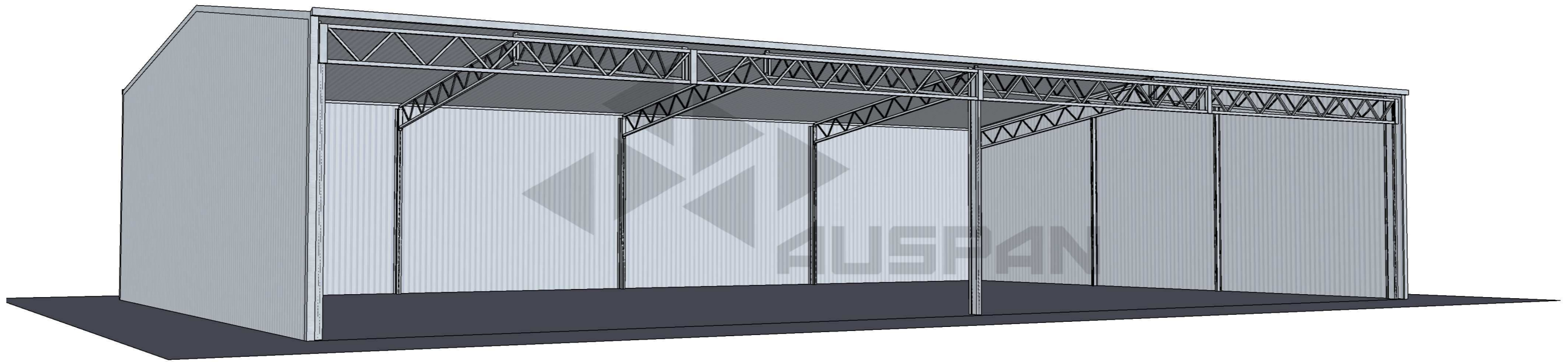
CHECKED
NW

PAPER SIZE
A3

DRAWING NUMBER
A106

REVISION
5





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PROJECT NAME
MACHINERY SHED

CLIENT
DANIEL DEMPSTER

PROJECT ADDRESS
144 SADLER RD,
GOOMALLING, WA, 6460

DATE MODIFIED
February 11, 2022

PROJECT NO.
6042(5)

DRAWN
GD

CHECKED
NW

DRAWING TITLE
A301

PROJECT STAGE
3D CONCEPT DRAWINGS

PAPER SIZE
A3

DRAWING NUMBER
A301

REVISION
5

WESTERN



AUSTRALIA

REGISTER NUMBER 2488/DP256599	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 13/4/2005

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME 1017 FOLIO 855

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 2488 ON DEPOSITED PLAN 256599

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

PENSACOLA NOMINEES PTY LTD OF 2261 SOUTHERN BROOK ROAD, NORTHAM
(T L681724) REGISTERED 15/7/2011

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *L681725 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 15/7/2011.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1017-855 (2488/DP256599)
PREVIOUS TITLE: 665-33
PROPERTY STREET ADDRESS: 144 SADLER RD, CUNJARDINE.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF GOOMALLING

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF AVON LOCATION 2488 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 2488 ON DEPOSITED PLAN 256599 ON 25-MAY-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
NOTE 3: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING K908061.



9.7 SHEARING SHED - 6 WHITFIELD ROAD KONNONGORRING

File Reference	10.5A
Disclosure of Interest	Nil
Applicant	Peter Whitfield
Previous Item Numbers	No Direct
Date	11 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1. Copy of the Development Application	

Summary

Council to approve the development of a 42m x 20m Shearing shed at 6 Whitfield Road Konnongorring.

Background

Mr Peter Whitfield has submitted a development Application to erect a 42m x 20m shearing shed at the above address.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Shire of Goomalling Town Planning Scheme No 3

Planning and Development Act 2005

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

This matter is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

The development aligns with the objects for Rural Zone 3 and generally complies with the provisions of the Town Planning Scheme. Council's contract planner has assessed the application and has provided the following recommendation.

Voting Requirements

Simple Majority



OFFICER'S RECOMMENDATION

That the Council:

Approve the application for development approval subject to the following conditions:

1. The development hereby approved must be carried out in accordance with the submitted plans and specifications or otherwise amended by the Shire and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire.
2. The existing shed is suitably removed and/or disposed to the satisfaction of the Shire.
3. Drainage from the new shed is directed to the dam with a suitable connection provided prior to occupation.

Advice

- A) The applicant is advised that this development approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
- B) The proposed shed is located within a designated bushfire prone area as set out at <https://maps.slip.wa.gov.au/landgate/bushfireprone/>. A low fuel area should be maintained around the shed at all times.

RESOLUTION 487

Moved Cr Van Gelderen, seconded Cr Barratt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***

22 April 2022

Shire of Goomalling
PO Box 118
Goomalling WA 6460

Attn: Planning Department

To Whom it May Concern,

Please see attached Development Application on behalf of Peter Whitfield, for the proposed construction of an agricultural shearing shed, located at Lot 1829, 6 Whitfield Road, Konnongorring WA 6603, in support of their primary production business.

The proposed development will be sited at least 50 metres from any natural creek line and over the minimum setback of 20m from any neighbouring boundary, constructed to be 20m wide, by 42m long, and 5.5m in height to the gutter. Made from fabricated structural steel, clad with Zinalume cladding to roof and walls, and custom tapered gutters directing any stormwater to an existing dam on the property, which is used for the livestock to drink from.

This shed will be used purely as a shearing facility associated with the current agricultural use of the land. It won't pose any concerns to nearby residents due to the vast amount of space between its occupier and their neighbouring boundaries, none of which have residences nearby the proposed development. This development is within a bushfire prone location; however, it is a non-habitable building, and after previous experience with very similar situations, I believe this won't require BAL Assessment.

The existing shed on this property will be taken down and replaced with the proposed development. Employment on this development will only occur once a year, for a period of 4 – 6 weeks, and with a maximum of 8 extra staff at even the busiest of times. Throughout the rest of the year the land is maintained by 2 staff at most. Up to 3 semi-trailer stock trucks may be going in and out of the property during this time, for transportation of relevant livestock.


We look forward to a prompt approval for this development, and please insist that you contact us should you have any questions or require any clarification.

Kind regards,

Ash Wall


Project Admin | Auspan Group


0408 494 535


 1300 271 220


 sales@auspangroup.com.au

AUSPANGROUP.COM.AU

 15 Corbett Street
Gnowangerup, WA 6335

 169 Chesterpass Road
Milpara, WA 6330

 5 Martin Place
Canning Vale, WA 6155

 105 Stirling Terrace
Toodyay, WA 6566



SHIRE OF GOOMALLING

Office address: 32 Quinlan Street, Goomalling WA 6460

Postal address: PO Box 118, Goomalling WA 6460

Phone: 9629 1101 Email: goshire@goomalling.wa.gov.au

APPLICATION FOR DEVELOPMENT APPROVAL

Owner Details		
Name: CB+CD Whitfield + son	ABN (if applicable): 99871659365	
Address: 469 Konnongorring West Road		Postcode: 6603
Phone: (work): 0896201254 (home): 0896201254 (mobile): 0429201254	Fax: 0896201266	E-mail: admin@flametng.com.au
Contact person for correspondence:		
Signature:	Date: 29/04/2022	
Signature:	Date:	
The signature of the owner(s) is required on all applications. This application will not proceed without that signature. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2)		

Applicant Details (if different from owner)		
Name: AUSPAN BUILDING SYSTEMS PTY LTD		
Address: 15 CORBETT ST, GNOWANGERUP WA		Postcode: 6335
Phone: (work): — (home): — (mobile): 0408494535	Fax: —	E-mail: ash.w@auspangroup.com.au
Contact person for correspondence: ASH WALL		
The information and plans provided with this application may be made available by the local government if viewing in connection with the application. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Signature:	Date: 22-04-22	

Property Details		
Lot No:	House/Street No: 6	Location No:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants):		
Street name: WHITFIELD ROAD	Suburb: KONNONGORRING	
Nearest street intersection: WHITFIELD RD X KONNONGORRING WEST ROAD		

Proposed Development

Nature of development: WORKS

Is an exemption from development claimed for part of the development? Yes No

If yes, what is the exemption for:

Description of proposed works and/or land use:

42m (L) x 20m (W) x 5.5m (H)
shearing shed - Agricultural
includes 18m (L) of sheep yard cover.

Description of exemption claimed (if relevant):

Nature of any existing buildings and/or land use:

Residential dwellings and agricultural
buildings

Approximate cost of proposed development: \$233,938 + GST

Estimated time of completion: December 2022

OFFICE USE ONLY

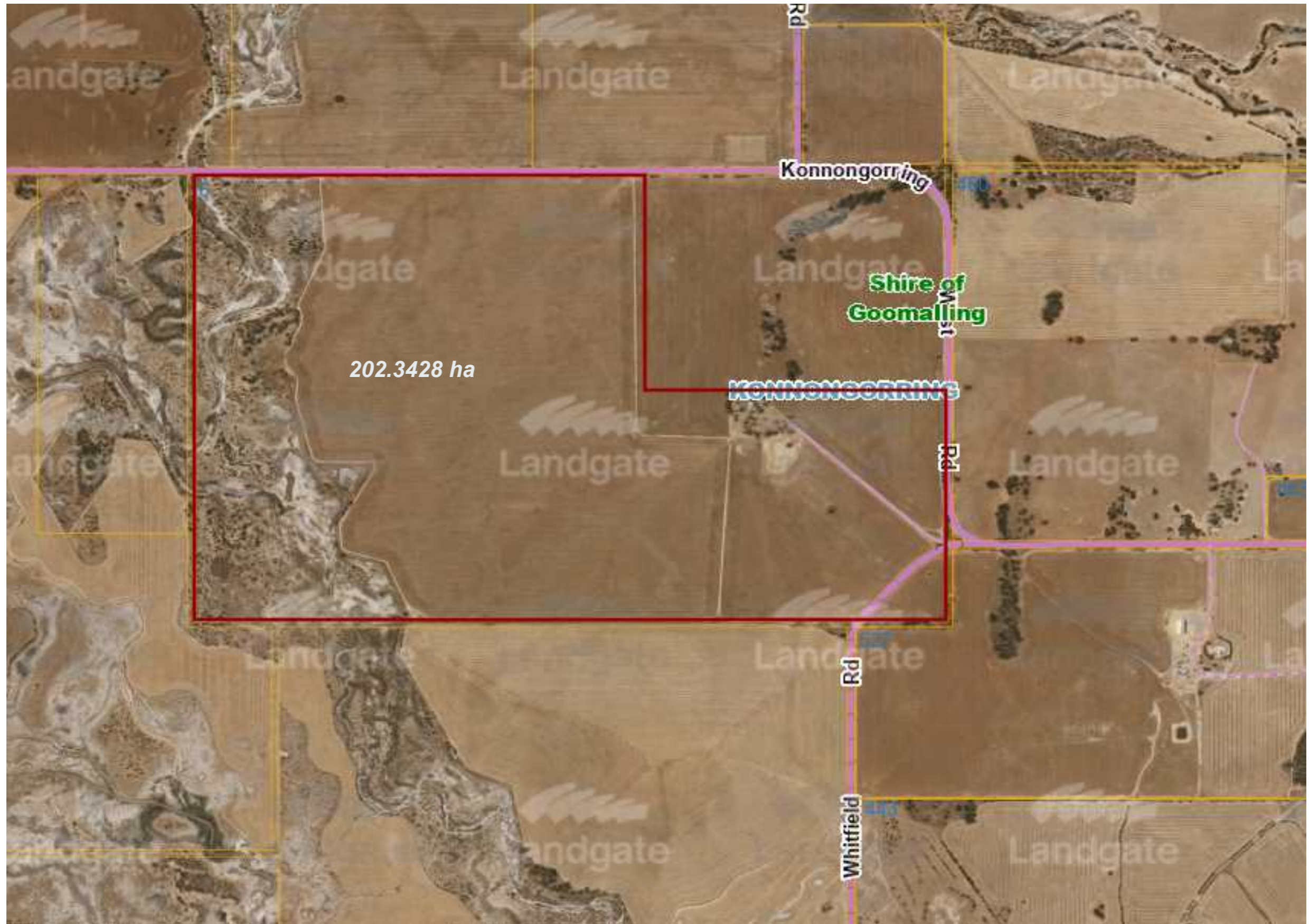
Acceptance Officer's initials:

Date received:

Local Government reference no:



**CURRENT SHED
TO BE TAKEN
DOWN. NEW
SHED WILL BE IN
THE SAME
POSITION AND
HAVE A ROOF
COVER FOR THE
SHEEP YARDS.**



202.3428 ha

Shire of
Goomalling

KONNONGORRING







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PROJECT NAME
SHEARING SHED

CLIENT
PETER WHITFIELD

PROJECT ADDRESS
KOMMONGORRING, WA, 6603

DATE MODIFIED
MARCH 15, 2022

PROJECT NO.
6483

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GD

CHECKED
NW

DRAWING TITLE
A101

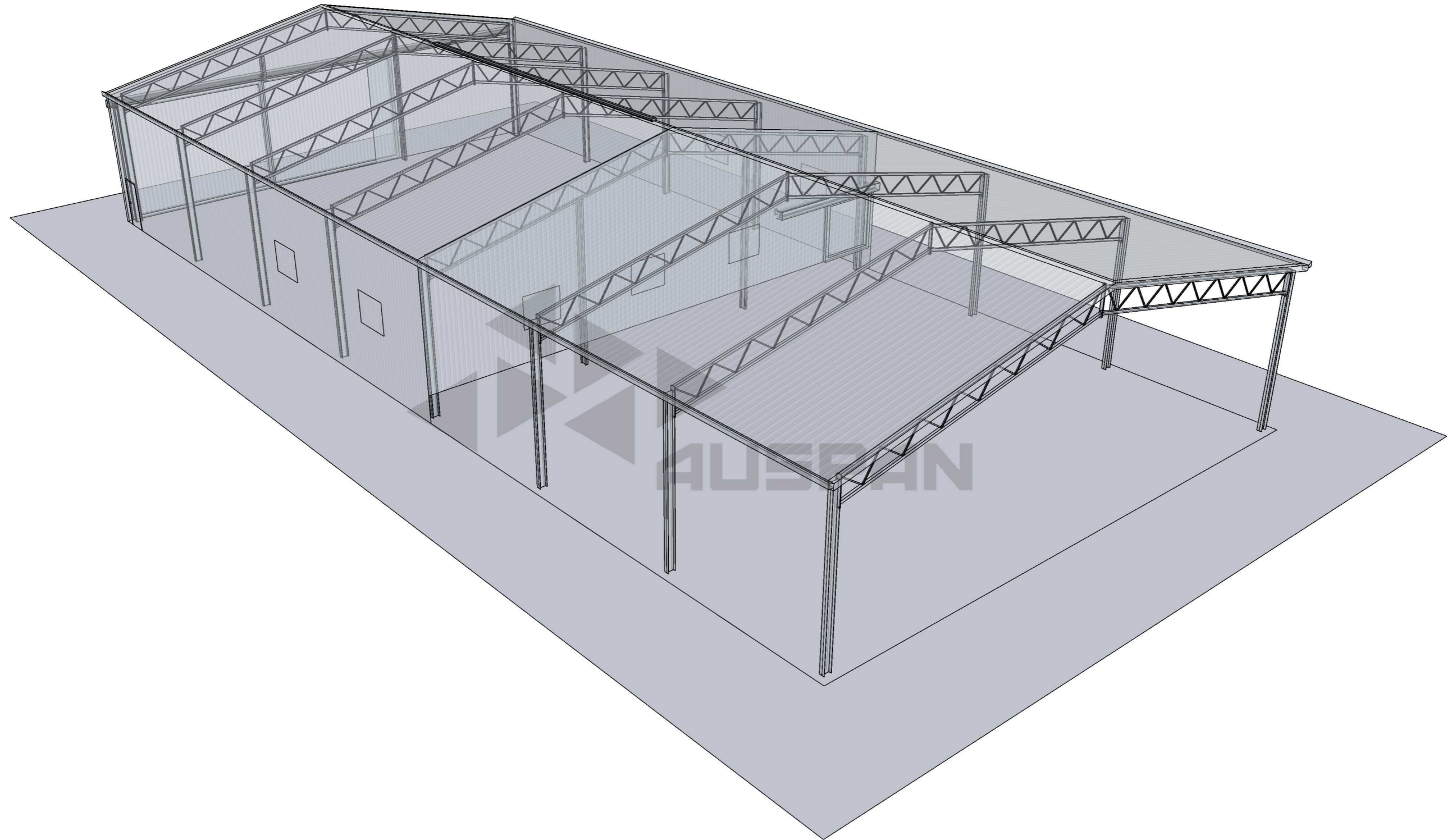
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3D CONCEPT DRAWINGS

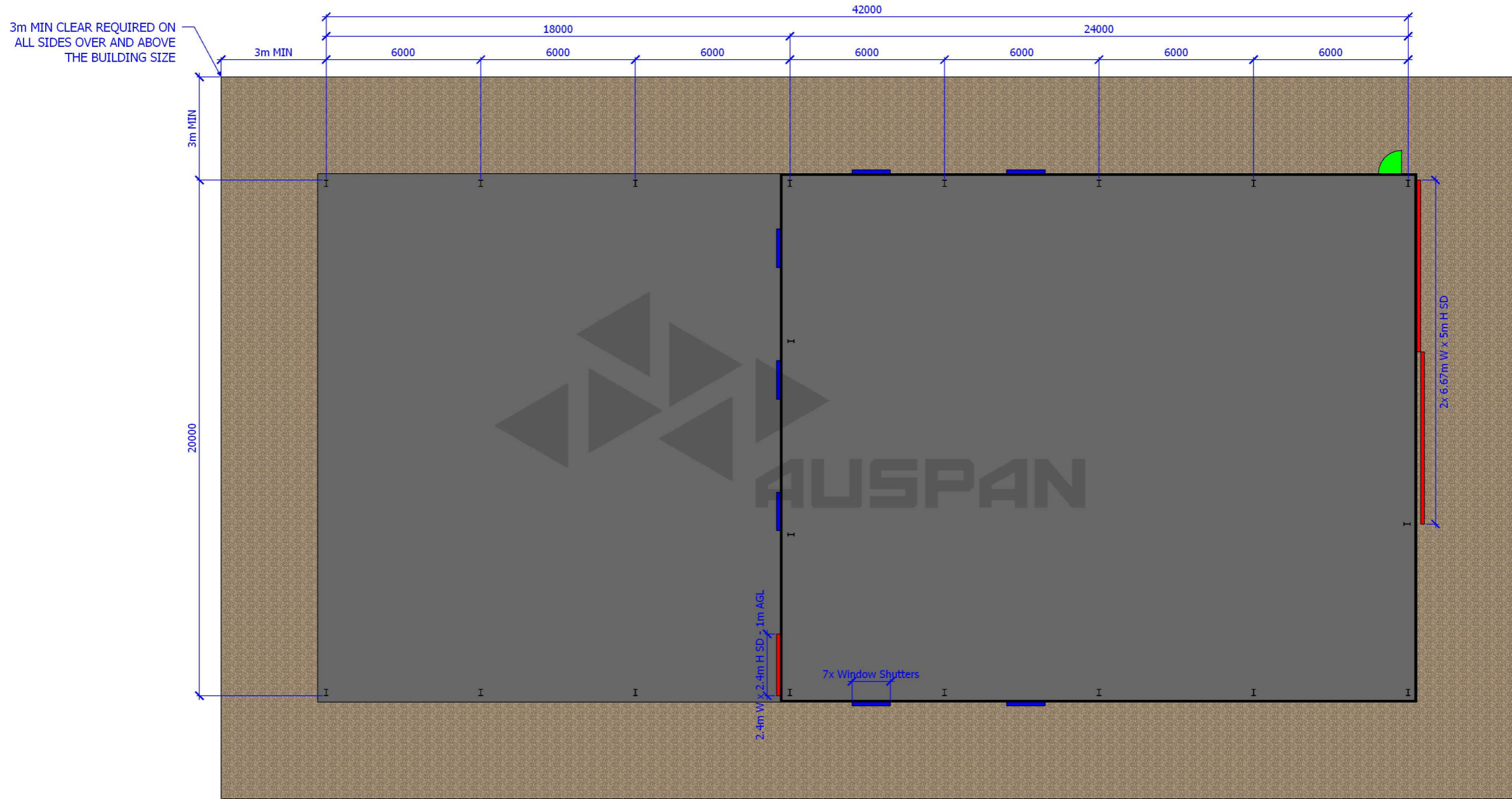
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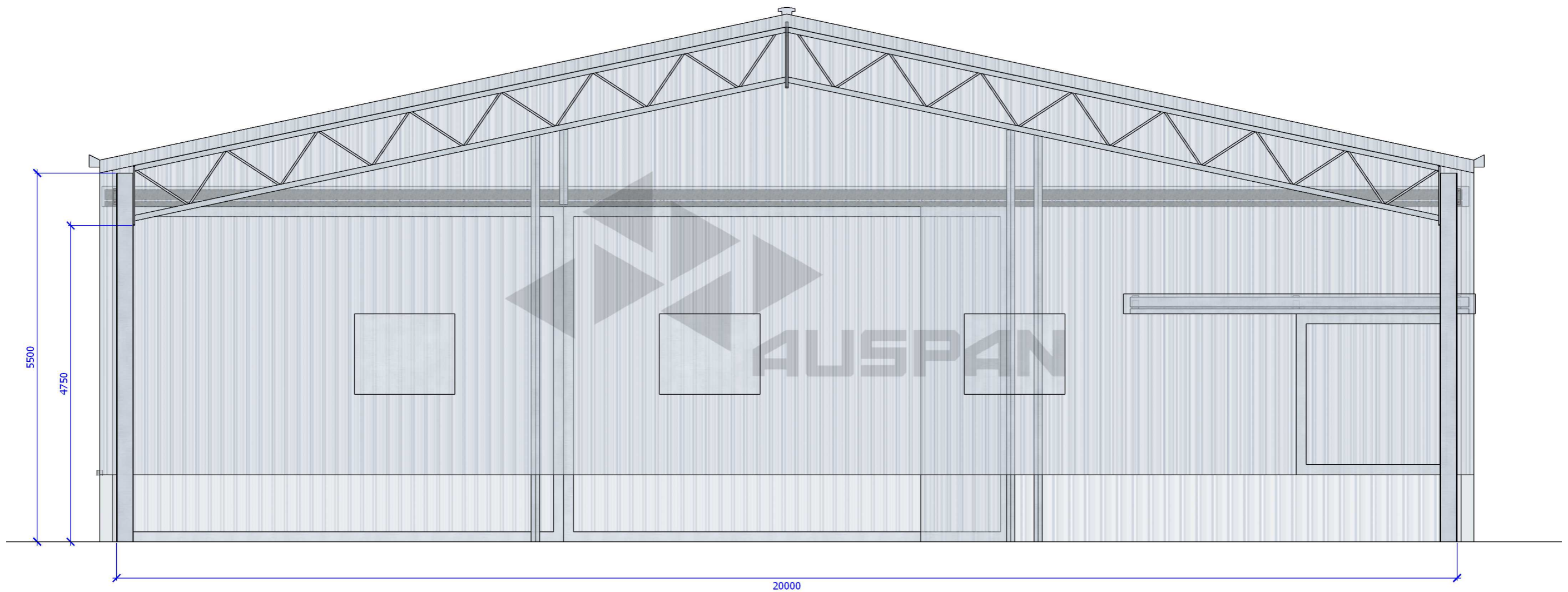
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A101

REVISION
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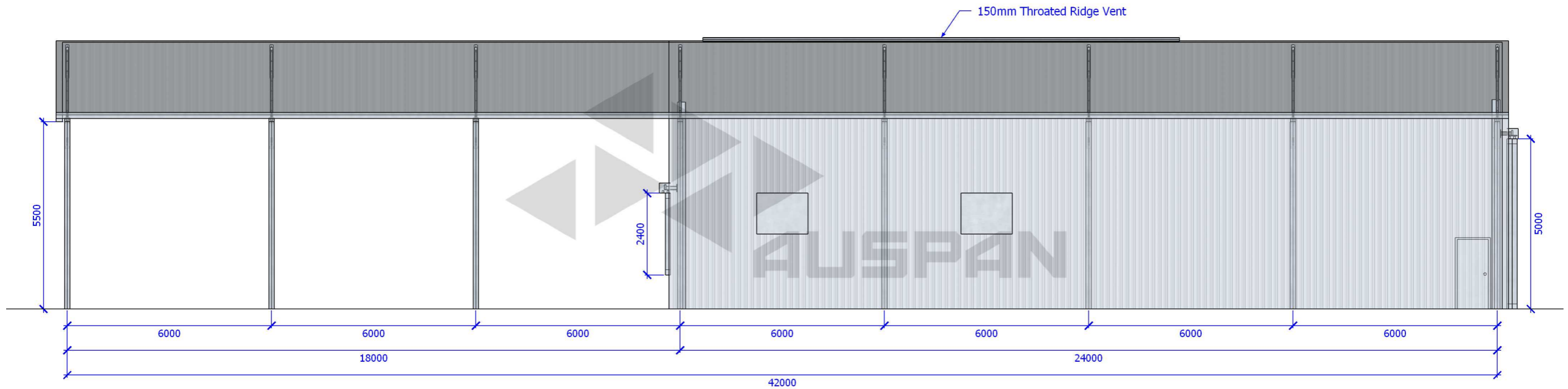
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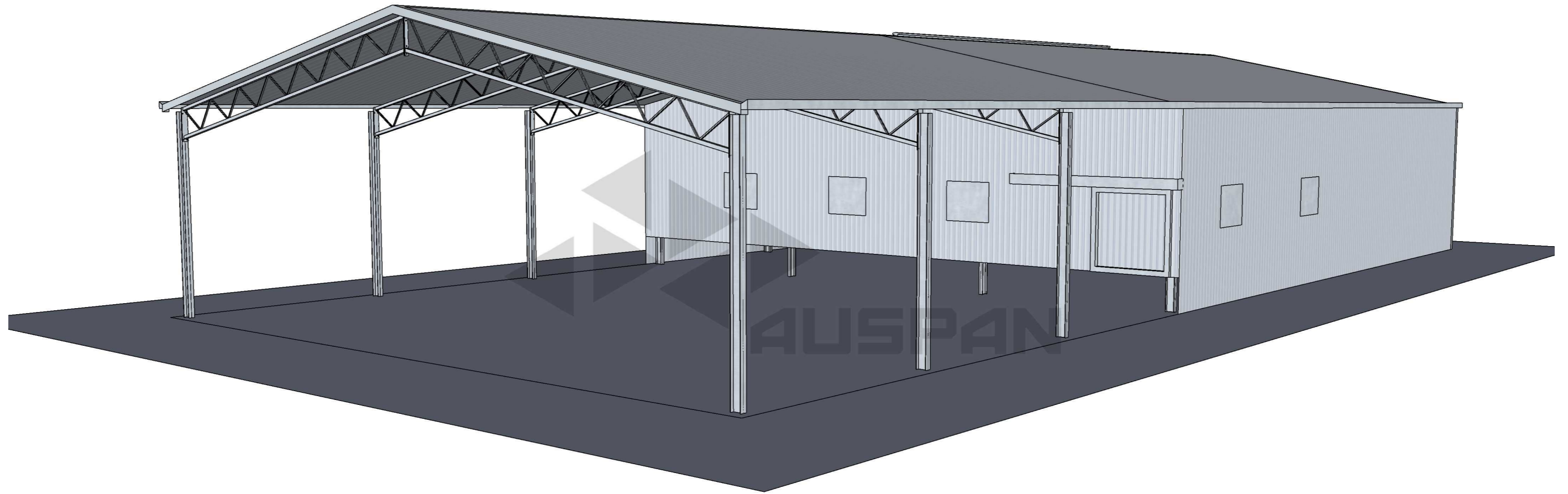
PROJECT NAME
SHEARING SHED
 CLIENT
PETER WHITFIELD
 PROJECT ADDRESS
KOMMOMGORRING, WA, 6603

DATE MODIFIED
MARCH 15, 2022
 PROJECT NO.
6483
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GD

DRAWING TITLE
A104
 PROJECT STAGE
3D CONCEPT DRAWINGS
 CHECKED
NW
 PAPER SIZE
A3

DRAWING NUMBER
A104
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1





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SHEARING SHED

CLIENT
PETER WHITFIELD

PROJECT ADDRESS
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DATE MODIFIED
MARCH 15, 2022

PROJECT NO.
6483

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GD

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NW

DRAWING TITLE
A201

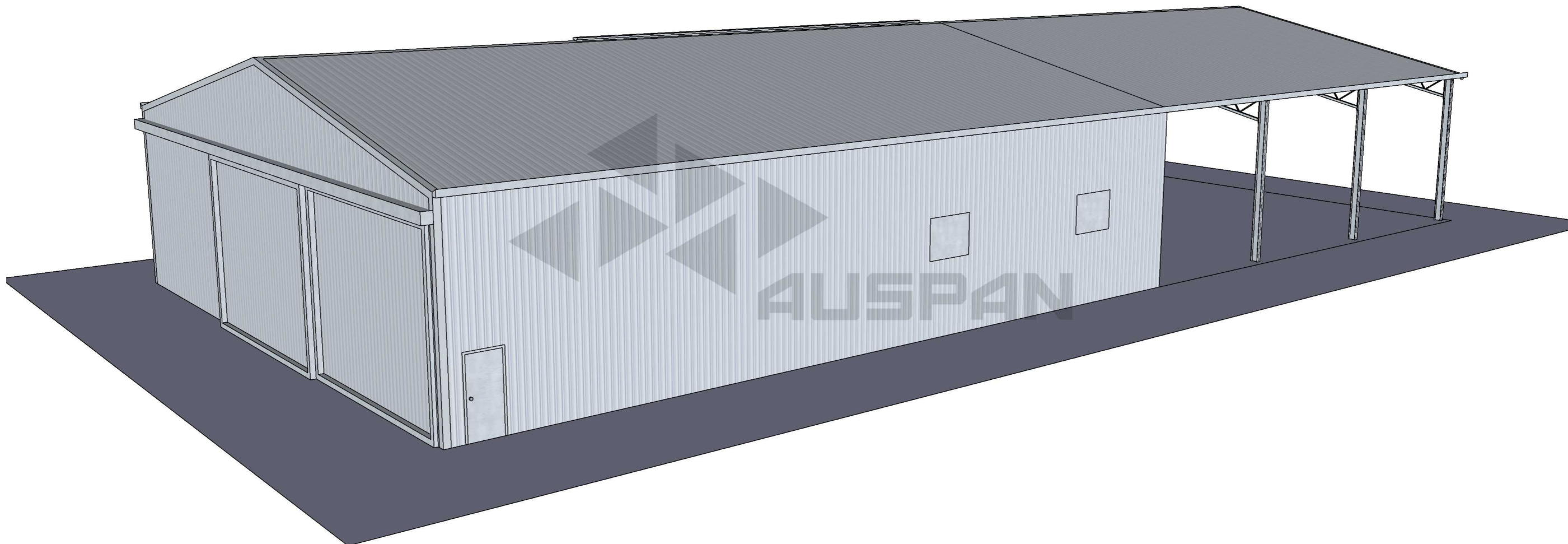
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3D CONCEPT DRAWINGS

PAPER SIZE
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DRAWING NUMBER

A201

REVISION
1



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CLIENT
PETER WHITFIELD

PROJECT ADDRESS
KOMMONGORRING, WA, 6603

DATE MODIFIED
MARCH 15, 2022

PROJECT NO.
6483

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DRAWING TITLE
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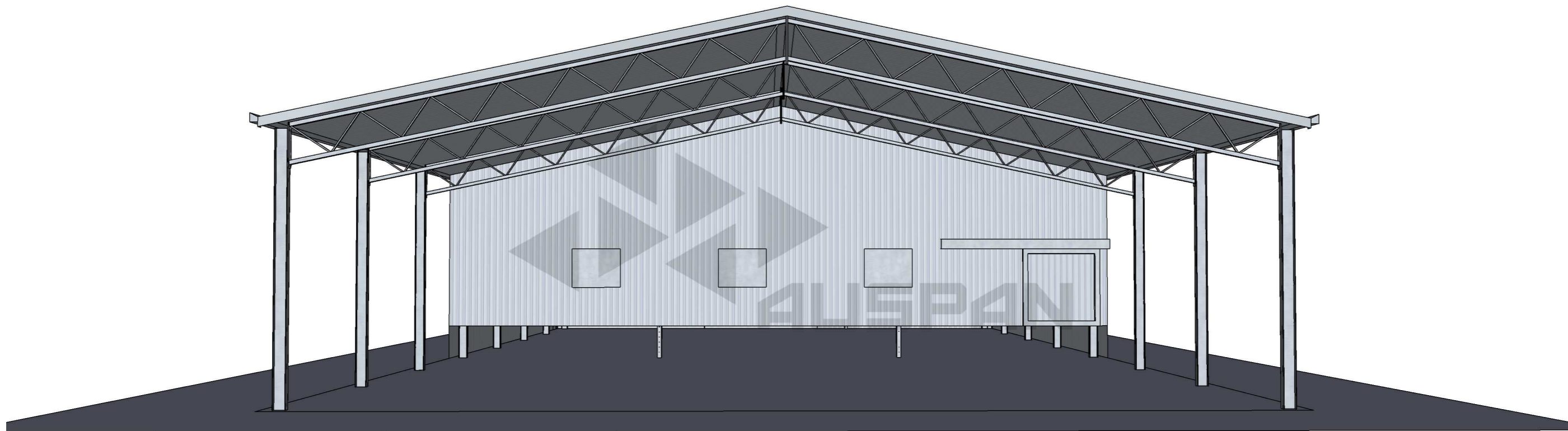
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3D CONCEPT DRAWINGS

PAPER SIZE
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DRAWING NUMBER

A202

REVISION
1



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SHEARING SHED

CLIENT
PETER WHITFIELD

PROJECT ADDRESS
KOMMONGORRING, WA, 6603

DATE MODIFIED
MARCH 15, 2022

PROJECT NO.
6483

DRAWN
GD

CHECKED
NW

DRAWING TITLE
A203

PROJECT STAGE
3D CONCEPT DRAWINGS

PAPER SIZE
A3

DRAWING NUMBER

A203

REVISION
1

WESTERN



AUSTRALIA

REGISTER NUMBER N/A	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1281** FOLIO **327**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



THIS IS A MULTI-LOT TITLE

LAND DESCRIPTION:

LOT 1829 ON DEPOSITED PLAN 133751
LOT 1951 ON DEPOSITED PLAN 136205

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

FLAMETINGE PTY LTD OF 443 KONNONGORRING WEST ROAD KONNONGORRING WA 6603
(T P079271) REGISTERED 18/3/2022

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. *P079272 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 18/3/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1281-327 (1829/DP133751), 1281-327 (1951/DP136205)
PREVIOUS TITLE: 1013-299
PROPERTY STREET ADDRESS: 6 WHITFIELD RD, KONNONGORRING (1829/DP133751).
527 KONNONGORRING WEST RD, KONNONGORRING (1951/DP136205).
LOCAL GOVERNMENT AUTHORITY: SHIRE OF GOOMALLING

NOTE 1: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING L738567



9.8 REQUEST FOR ASSISTANCE - GOOMALLING KARATE CLUB

File Reference	
Disclosure of Interest	Nil
Applicant	Kristina Perrin
Previous Item Numbers	No Direct
Date	8 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

Council to consider what, if any, support it wishes to offer the Wheatbelt Wado Ryu Karate Club with regard to its upcoming camp in June 2022.

Background

Ms Tina Perrin, the club's Sensei, has written to Council seeking financial support for the Wheatbelt Karate Club by way of concessional hire of the Goomalling Community Bus for its camp in early June 2022. The club has undertaken considerable fundraising to be able to offer the training camp to its members at a subsidised rate.

The club is based in Goomalling and has operated as a community sporting club for about 10 years primarily catering Goomalling residents.

Consultation

Nil other.

Statutory Environment

Local Government Act 1995

Policy Implications

There is no current Council policy regarding this matter

Financial Implications

Any support by way of concessional use of the community bus will result in reduced revenue from the hiring. The small bus attracts a per/km charge of \$0.66 and the large bus \$1.10/km. With a round trip of approximately 1100km including an incidental 200kms around Busselton this would equate to a charge of either \$1,210 for the larger bus or \$726 for the smaller unit.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

This matter is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

Ms Perrin has been a great supporter of the Goomalling based club and commutes from Gingin to instruct at the Goomalling Town Hall. Council could consider a partial or full concession of this hire charge. Council may just wish to make a cash donation to the club instead.

Voting Requirements

Simple Majority



OFFICER'S RECOMMENDATION

That the Council:

Determine what level of support it wishes to offer the Wheatbelt Wado Ryu Karate Club with regard to the hire of the Community Bus

This item was withdrawn at the request of the proponent.



9.9 RISK REPORT

File Reference	
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	8 th March 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1.	Copy of the Risk Review

Summary

To consider the attached Risk Report

Background

On the 8th February 2013 Audit Regulation 17 was introduced by the State. Audit Regulation 17 requires a local government to undertake a review of risk management, internal control and legislative compliance at least every three years.

The Legislation also requires that the CEO present the Risk Report to the Audit Committee which would then make recommendations to the Council from there. The Risk Report has been presented to the Council which acts as the Audit Committee.

Consultation

Nil other

Statutory Environment

Local Government Act (1995) Audit Regulations

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted: Gazette 8 Feb 2013 p. 868; amended: Gazette 26 Jun 2018 p. 2387.]

Policy Implications

4.35 Risk Management

Last Updated: March 2017 Review Date: September 2015

**Objective:**

The Shire is committed to managing and mitigating risks that may impact its strategies, goals or objectives.

The Shire's risk management objectives:

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

Policy:

To achieve best practice (aligned with AS/NZS ISO 31000:2009 Risk Management), in the management of all risks that may affect the Shire, its customers, people, assets, functions, objectives, operations or members of the public.

The Shire quantified its risk appetite through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria are included within the Risk Management Procedures and are subject to ongoing review in conjunction with this policy.

Procedure:

Definitions (from AS/NZS ISO 31000:2009)

Risk: Effect of uncertainty on objectives.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product or process).

Risk Management: Coordinated activities to direct and control an organisation with regard to risk.

Risk Management Process: The Shire will maintain a systematic application of management policies, procedures and practices to the activities of communication, consulting, establishing the context, and identifying, analysing evaluating, treating, monitoring and reviewing risk.

Risk Management will form part of the strategic, operational, project and line management responsibilities and where practicable, be incorporated within the Shire's Integrated Planning Framework.

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

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

Consultants may be retained at times to advise and assist in the risk management process or management of specific risks or categories of risk.



All organizational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making. For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisations appetite and are to be noted within the individual risk assessment.

The Shire will implement and integrate a monitor and review process to report on the achievement of the Risk Management Objectives, the management of individual risks and the ongoing identification of issues and trends. Disability must not automatically be deemed to present a risk issue.

Where concerns of risk occur due to disability these concerns must be investigated with the employee involved. The employee, at the commencement or during this process may request that an advocate be involved to assist them in responding to the concerns.

In the event of an identified risk, reasonable adjustments shall be considered and if required on going management shall be applied.

This policy will be kept under review by the Shire's Management Team and its employees. It will be formally reviewed biennially.

Responsibility:

The CEO is responsible for the allocation of roles, responsibilities and accountabilities. These are documented in the Risk Management Procedures (Operational Document).

Financial Implications

The template and initial work was completed by LGIS some years ago however Council Senior Staff now review the report annually with the requirement of the regulation to be reviewed every three years.

Council will undertake an external Financial Management Review including internal systems and controls during the second half of the 2022 Financial Year. The cost of this part of the review is captured within senior staff salaries to conduct the review. The Financial Management and Systems and Internal Control Review will have a cost associated with a consultant providing an independent review.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.1.3	Promote and support community members' participation in the Shire's governance
4.1.4	Provide reporting processes in a transparent, accountable and timely manner
4.2.1	Operate in a financially sustainable manner
4.2.2	Promote a culture of continuous improvement processes and resource sharing
4.2.3	Use resources efficiently and effectively
4.2.6	Provide responsive high-level customer service

Comment/Conclusion

The review represents another layer of compliance for the Council to be aware of and is designed to ensure that the Council is managing its obligations in terms of legislative compliance, risk management and the internal control of the organisation. The format that we have provided to deal with these requirements meets the standards expected for these three areas.

Voting Requirements

Absolute Majority



OFFICERS' RECOMMENDATION

That the Council:

1. Receive the attached 2022 Risk Report and discuss and make recommendation to the CEO regarding any issues it wishes to highlight.

RESOLUTION 489

Moved Cr Van Gelderen, seconded Cr Ashton that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***

Shire of Goomalling Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	First aid injuries	Less than \$10,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential damage.	Contained, reversible impact managed by on site response
Minor (2)	Medical type injuries	\$10,001 - \$25,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Lost time injury <30 Days	\$25,001 - \$250,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury >30 Days	\$250,001 - \$650,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$650,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

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

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

Shire of Goomalling Risk Acceptance Criteria			
Risk Rank	Description	Criteria	Responsibility
LOW (1-4)	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE (5-9)	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH (10-16)	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME (20-25)	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

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

Shire of Goomalling Risk Report - April 2022

<u>Misconduct</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required			

<u>Business Disruption</u>		Risk	Control
		Low	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
Develop a Business Continuity Program	Complete	CEO	

<u>Damage to Physical Assets</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required - Youth programs suspended			

<u>Errors, Omissions & Delays</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Ensure Complaints register is utilised properly	Ongoing	Natalie, Jess	

<u>External Theft & Fraud (inc. Cyber Crime)</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required			

<u>Failure of IT &/or Communications Systems and Infrastructure</u>		Risk	Control
		Moderate	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
wholesale rewrite IT Disaster Recovery Plan & Test	Jun-23	Natalie/Peter	

<u>Failure to fulfil statutory, regulatory or compliance requirements</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Review compliance framework	Ongoing	CEO	

<u>Inadequate safety and security practices</u>		Risk	Control
		Moderate	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
Review WHS procedures as required to attain compliance with new legislation.			

<u>Providing inaccurate advice / information</u>		Risk	Control
		Moderate	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required			

<u>Inadequate Organisation and Community Emergency Management</u>		Risk	Control
		Low	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
MAF treatments undertaken in 2021 & 2022			

<u>Inadequate Document Management Processes</u>		Risk	Control
		Moderate	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Creating and cataloguing storage facility	Dec-22	Jo	
Update records management Process	Dec-22	Jo	

<u>Inadequate Project / Change Management</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required			

<u>Inadequate engagement with Community / Stakeholders / Elected Members</u>		Risk	Control
		Moderate	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Develop complete biennial survey	Dec-22	CDO	

<u>Inadequate Procurement, Disposal or Tender Practices.</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	

<u>Inadequate Asset Sustainability Practices</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Planned Building Maintenance	Ongoing	Peter/Jo	

<u>Inadequate Stock Management</u>		Risk	Control
		Low	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
No current actions required			

<u>Inadequate Supplier / Contract Management</u>		Risk	Control
		Low	Effective
Current Issues / Actions / Treatments	Due Date	Responsibility	
Develop of a Contract Management Register	Review	WM/DCEO/CEO	
Review internal process to capture mis-service' issues with Contractors	Dec-23	WM/DCEO/CEO	

<u>Ineffective People Management / Employment Practices</u>		Risk	Control
		Moderate	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Complete Policy Review	Dec-22	CDO/CEO	
Complete Workforce Plan (Succession Planning Component)	Dec-22	CEO	
Review Performance Review Process	Dec-22	CEO/DCEO	

<u>Inadequate Environment Management</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Update Landfill/Waste Management Plan	Jun-23	CEO/WM	

<u>Not meeting Community expectations</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Implementing Complaints register & Process	Done	Jess/Chloe	
Develop Youth Strategy	Ongoing	Tahnee	
Developing Biennial Customer Satisfaction Survey	Jun-23	CDO	
Return to full compliance with IPRF	Jun-23	CEO	

<u>Ineffective Management of Facilities / Venues / Events</u>		Risk	Control
		Low	Adequate
Current Issues / Actions / Treatments	Due Date	Responsibility	
Write up procedures in place	Ongoing	Nat & Trudi	
Prepare Booking Application	Ongoing	Jess/Chloe	
Develop a Community Facilities Plan	Review	Tahnee/CEO	

Note: To add in additional rows, click in the cell and drag it down as shown in the theme above. This will bring the hyperlinks into the new cell.

Providing inaccurate advice / information

Apr-22

This Risk Theme is defined as:

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

Examples include;

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

Potential causes include:

- Lack of qualified staff
- Long lead times for responses
- Increasing workloads
- Lack of appropriate technical knowledge relevant to the context
- Poor working relationships between internal staff/departments

Controls	Type	Date	Shire Rating
Staff Training and interaction	Preventative	Ongoing	Effective
Information sheets / FAQ's	Preventative	Ongoing	Effective
External consultants such as legal	Preventative	Ongoing	Effective
Regular meetings	Preventative	Ongoing	Effective
Delegation / Authorisation registers	Preventative	Ongoing	Effective
Organisation-wide procedure manual	Preventative	Under review	Adequate

Overall Control Ratings:	Effective
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Consequence Category	Risk Ratings	Shire Rating
Reputational	Consequence:	Minor
	Likelihood:	Possible
Overall Risk Ratings:		Moderate

Indicators	Tolerance	Date	Overall Shire Result
Substantiated complaints / issues regarding inaccurate advice / information	1		0
Threat of litigation	1		0
Customer Service survey	90%		

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
No current actions required		

Inadequate Asset Sustainability Practices

Apr-22

This Risk Theme is defined as:

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

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

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

Potential causes include:

- Skill level & behaviour of operators
- Lack of trained staff or contractors
- Outdated equipment
- Unavailability of parts
- Lack of formal or appropriate scheduling (maintenance / inspections)
- Unexpected breakdowns

Controls	Type	Date	Shire Rating
<i>Asset Management System (Synergy)</i>			Not Rated
<i>Asset Management Plan</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Planned Building Maintenance</i>	<i>Detective</i>	<i>Complete</i>	Effective
<i>Planned Replacement Program (Fleet, other)</i>	<i>Preventative</i>	<i>Complete</i>	Effective
<i>Road Asset Management System (ROMANS)</i>	<i>Preventative</i>	<i>Updated Regularly</i>	Effective

Overall Control Ratings: **Adequate**

Consequence Category	Risk Ratings	Shire Rating
Compliance	Consequence:	<i>Minor</i>

Overall Risk Ratings: **Low**

Indicators	Tolerance	Date	Overall Shire Result
<i>Asset Sustainability Ratio</i>	<i>90%</i>	<i>Ongoing</i>	<i>6%</i>
<i>Asset Consumption Ratio</i>	<i>50%</i>	<i>Ongoing</i>	<i>1.00%</i>
<i>Asset Renewal Funding Ratio</i>	<i>75% - 95%</i>	<i>Ongoing</i>	<i>97.00%</i>
<i>Breakdowns</i>	<i>2 at any one time</i>		<i>Fail</i>
<i>Notified by member of the public</i>	<i>1</i>		
<i>Accidents and/or damage to property</i>	<i>1</i>		

Comments

Sustainability is an ongoing matter with regard to the management of assets. Maintenance planning is in place with an Asset Management Plan being considered for later in this calendar year.

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Planned Building Maintenance</i>	<i>Ongoing</i>	<i>Peter/Jo</i>

Business Disruption

Apr-22

This Risk Theme is defined as:

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

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

Potential causes include:

- Cyclone, Storm, Fire, Earthquake
- Terrorism / Sabotage / Criminal Behaviour
- Epidemic / Pandemic
- Extended power outage
- Economic Factors
- Loss of Key Staff

Controls	Type	Date	Shire Rating
<i>Business Continuity Framework (Policy & Procedures)</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Business Continuity Plans</i>	<i>Recovery</i>	<i>Under Review</i>	Effective
<i>BCP Exercises</i>	<i>Detective</i>		Effective

Overall Control Ratings:	Effective
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Consequence Category	Risk Ratings	Shire Rating
Health / Property	Consequence:	<i>Major</i>
	Likelihood:	<i>Rare</i>
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result

Comments

Own power generating capacity in place. Pandemic BCP completed and enacted (worked well).

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Develop a Business Continuity Program</i>	<i>Complete</i>	<i>CEO</i>
<i>COVID-19 provided testing for 4 of the 6 potential causes with no issues noted</i>	<i>Complete/Monitor</i>	<i>CEO</i>

Not meeting Community expectations

Apr-22

This Risk Theme is defined as:

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

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

Potential causes include:

- Conflicting events
- Ineffective complaints management
- Inadequate signage and / or amenities
- Internal Bureaucracy
- Other reputational impacts.

Controls	Type	Date	Shire Rating
<i>Complaints Register</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate
<i>Customer Satisfaction Survey</i>	<i>Detective</i>	<i>By June 2020</i>	Not Rated
<i>Integrated Planning Framework</i>	<i>Preventative</i>	<i>Under Review</i>	Inadequate

Overall Control Ratings: Adequate

Consequence Category	Risk Ratings	Shire Rating
Reputational	Consequence:	<i>Minor</i>
	Likelihood:	<i>Possible</i>
	Overall Risk Ratings:	Low

Indicators	Tolerance	Date	Overall Shire Result
<i>% community satisfaction with Shire performance</i>	<i>>10%</i>		
<i>Number of complaints regarding expectations not being met</i>	<i>5</i>		

Comments

Planning framework elements are to be completed - Current management is to maintain services and progress to a more financially sustainable future. This has meant marking time on some issues while with others steady progress is being made. Once back to a more sustainable platform over the next 12 months or so, normal function will return to compliance matters such as IPRF.

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Implementing Complaints register & Process</i>	<i>Done</i>	<i>Jess/Chloe</i>
<i>Develop Youth Strategy</i>	<i>Ongoing</i>	<i>Tahnee</i>
<i>Developing Biennial Customer Satisfaction Survey</i>	<i>Jun-23</i>	<i>CDO</i>
<i>Return to full compliance with IPRF</i>	<i>Jun-23</i>	<i>CEO</i>

Damage to Physical Assets

Apr-22

This Risk Theme is defined as:

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

Potential causes include:

- Cyclone, Storms, Fire, Earthquake
- Graffiti
- Vandalism
- Inappropriate Use

Controls	Type	Date	Shire Rating
<i>Insurance</i>	<i>Recovery</i>	<i>Ongoing</i>	Effective
<i>CCTV Installations</i>	<i>Preventative/Detective</i>	<i>Ongoing</i>	Effective
<i>Supervision/Youth Programs</i>	<i>Preventative</i>	<i>Under Review</i>	Inadequate

Overall Control Ratings:	Adequate
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Consequence Category	Risk Ratings	Shire Rating
Financial	Consequence:	<i>Minor</i>
	Likelihood:	<i>Possible</i>
	Overall Risk Ratings:	Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Incidents / claims</i>	<i>1</i>		

Comments

CCTV is in place for much of the townsite, insurance cover is maintained at appropriate level, fire mitigation activities are undertaken each year. It is not feasible to mitigate for earthquake, cyclone or storms beyond normal treatments.

Current Issues / Actions / Treatments	Responsibility	Due Date
<i>No current actions required - Youth programs suspended</i>		

Inadequate Document Management Processes

Apr-22

This Risk Theme is defined as:

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

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

Potential causes include:

- Spreadsheet/Database/Document corruption or loss
- Inadequate access and / or security levels
- Inadequate Storage facilities (including climate control)
- High Staff turnover
- Outdated record keeping practices / incompatible systems
- Lack of system/application knowledge
- High workloads and time pressures
- Incomplete authorisation trails

Controls	Type	Date	Shire Rating
<i>Policy & Procedural Review Process</i>	<i>Detective</i>	<i>Dec-23</i>	Inadequate
<i>Records Management Process</i>	<i>Preventative</i>	<i>Dec-22</i>	Adequate
<i>Records Management Policy</i>	<i>Preventative</i>	<i>Dec-22</i>	Adequate

Overall Control Ratings: **Adequate**

Consequence Category	Risk Ratings	Shire Rating
Compliance	Consequence:	<i>Minor</i>
	Likelihood:	<i>Possible</i>
	Overall Risk Ratings:	Moderate

Indicators	Tolerance	Date	Overall Shire Result
<i>% Documents not stored electronically</i>	<i>25%</i>		
<i>Number of outstanding records year to date</i>	<i>500</i>		
<i>% of records actioned within timeframes</i>	<i>95%</i>		
<i>#Documents not stored off site where required to do so</i>	<i>90%</i>		

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Creating and cataloguing storage facility</i>	<i>Dec-22</i>	<i>Jo</i>
<i>Update records management Process</i>	<i>Dec-22</i>	<i>Jo</i>

Inadequate Organisation and Community Emergency Management

Apr-22

This Risk Theme is defined as:

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

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

(References: AS 3745; AS 1851; AIIMS 4 Management Principles)

Potential causes include:

- Inadequate Communication
- Unplanned human behavioural response
- Inadequate internal emergency management structure
- Inadequate Bushfire Management Plans
- Isolation in location and workplace
- Lack of Community Participation
- Lack of relevant skill and knowledge
- Inadequate Bushfire Mitigation Plans

Controls	Type	Date	Shire Rating
<i>Established and Trained Emergency Planning Committee</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Organisation Emergency Evacuation Management Plan</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Established and Trained ECO (Fire Wardens / First Aiders)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Functional LEMC</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Current LEMA & Recovery Plan</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>LEM exercises</i>	<i>Detective</i>	<i>Ongoing</i>	Effective
<i>Current Bushfire Risk Management Plan</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Risk register (fuel loads)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Plans tested as required</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate
<i>Volunteer Management & Training</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
Overall Control Ratings:			Effective

Consequence Category	Risk Ratings	Shire Rating
Health / Property	Consequence:	<i>Major</i>
	Likelihood:	<i>Rare</i>
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Missed LEMC Meetings</i>	<i>Min 4</i>		
<i>Exercises Recorded</i>	<i>1PA</i>		
<i>Plans out of date by more than 12 months</i>	<i>1</i>		
<i># Serious / Fatal incidents</i>	<i>1</i>		
<i>Number of inadequate firebreaks found during annual inspection</i>	<i>10</i>		
<i>Number of Bushfire Brigade volunteers</i>	<i>10</i>		
<i>Number of Bushfire Brigade training exercises</i>	<i>2</i>		
<i>Number of internal evacuation exercises</i>	<i>2</i>		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>MAF treatments undertaken in 2021 & 2022</i>		

Inadequate engagement with Community / Stakeholders / Elected Members

Apr-22

This Risk Theme is defined as:

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

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

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

Potential causes include:

- Budget / funding issues
- Media attention
- Inadequate documentation or procedures
- Short lead times
- Miscommunication / Poor communication
- Relationship breakdowns with community groups

Controls	Type	Date	Shire Rating
<i>Community Engagement Framework (Organisational Based)</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Planning based engagement (Consultation Policy)</i>	<i>Preventative</i>	<i>Under Review</i>	Inadequate
<i>Policies & Procedures</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate

Overall Control Ratings: Adequate

Consequence Category	Risk Ratings	Shire Rating
Reputation	Consequence:	<i>Minor</i>
	Likelihood:	<i>Possible</i>
Overall Risk Ratings:		Moderate

Indicators	Tolerance	Date	Overall Shire Result
<i>% community feeling they have opportunities to participate in planning</i>	<i>>10</i>		
<i>% community satisfaction with the Shire's advocacy and community representation</i>	<i>>10</i>		
<i>Number of media releases per annum</i>	<i>15</i>		
<i>Website Quality Checks</i>	<i>12pa</i>		

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Develop complete biennial survey</i>	<i>Dec-22</i>	<i>CDO</i>

Inadequate environmental management

Dec-22

This Risk Theme is defined as;

Inadequate prevention, identification, enforcement and management of environmental issues. The scope includes;

- Contaminated sites. / Coastal issues
- Waste facilities (landfill / transfer stations). / Groundwater
- Weed control. / Water Quality
- Illegal dumping.
- Illegal clearing / land use.

Potential causes include;

- Inadequate management of landfill sites
- Inadequate reporting / oversight frameworks
- lack of understanding / knowledge
- Community apathy.
- Inadequate local laws / planning schemes

Controls	Type	Date	Shire Rating
<i>Landfill / Waste Management Plans</i>	<i>Detective</i>	<i>Under Review</i>	Not Rated
<i>Supervisory at landfill Sites</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Weed Control Plans</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate

Overall Control Ratings:

Adequate

Consequence Category	Risk Ratings	Shire Rating
Health	Consequence:	<i>Insignificant</i>
Financial	Consequence:	<i>Minor</i>
Compliance	Consequence:	<i>Minor</i>
Environmental	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>

Overall Risk Ratings:

Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Number of Health risk assessments / inspections completed</i>	<i>100%</i>		
<i>Environmental sampling undertaken in accordance with legislation</i>	<i>100%</i>		
<i>Illegal Dumping</i>	<i>1</i>		
<i>Illegal dumping of recyclables</i>	<i>1</i>		
<i>Member of public reporting illegal dumping</i>	<i>1</i>		
Comments			
<i>As rated by Workshop Attendees</i>			

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Update Landfill /Waste Management Plan</i>	<i>Jun-23</i>	<i>CEO/WM</i>

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Errors, Omissions & Delays

Apr-22

This Risk Theme is defined as:

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

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

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

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

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

Potential causes include:

- Human Error
- Inadequate procedures or training
- Lack of Staff (or trained staff)
- Incorrect information
- Miscommunication

Controls	Type	Date	Shire Rating
Staff training	Preventative	Ongoing	Adequate
Management oversight	Preventative	Ongoing	Effective
Documented Procedures / Checklists	Preventative	Under Review	Effective
Planning reports	Detective	Ongoing	Effective
Complaints Register	Detective	Ongoing	Adequate
Monthly DOT report	Detective	Ongoing	Effective
EOM procedures	Preventative	Ongoing	Effective

Overall Control Ratings: Adequate

Consequence Category	Risk Ratings	Shire Rating
Reputation / Compliance	Consequence:	Minor
	Likelihood:	Unlikely
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
Number of complaints relating to EOD's (errors)	2		Nil
Average number of days for determining major development applications (delays)	60 Days		30 Days
Average number of days for determining minor development applications (delays)	35 Days		10 Days
% of planning applications determined within statutory timeframes (delays)	90%		96%
% of building applications determined within statutory timeframes	90%		95%

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
Ensure Complaints register is utilised properly	Ongoing	Natalie, Jess

External Theft & Fraud (inc. Cyber Crime)

Apr-22

This Risk Theme is defined as:

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

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

Potential causes include:

- Inadequate security of equipment / supplies / cash
- Robbery
- Scam Invoices
- Inadequate provision for patrons belongings
- Lack of Supervision

Controls	Type	Date	Shire Rating
Security access (keys) - Admin Building	Preventative	Ongoing	Adequate
CCTV & Alarm systems - Depot	Preventative	Ongoing	Effective
Security Monitoring controls	Detective	Ongoing	Adequate
IT Firewall Systems	Preventative	Ongoing	Effective

Overall Control Ratings:	Adequate
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Consequence Category	Risk Ratings	Shire Rating
Financial/Property	Consequence:	Minor
	Likelihood:	Unlikely
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
# Incidents	1		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
No current actions required		

Ineffective Management of Facilities / Venues / Events

Apr-22

This Risk Theme is defined as;

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

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

Potential causes include;

- Double bookings
- Illegal alcohol consumption
- Managing bond payments
- Animal contamination.
- Failed chemical / health requirements.
- Access to facilities / venues.

Controls	Type	Date	Shire Rating
<i>Event Notification Process</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Event Evaluation / Approval Process (Internal)</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate
<i>Event Management Process (Monitoring)</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate
<i>Booking System (Diary)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Employed Cleaner</i>	<i>Detective</i>	<i>Ongoing</i>	Effective

Overall Control Ratings:	Adequate
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Consequence Category	Risk Ratings	Shire Rating
Financial	Consequence:	<i>Insignificant</i>
Reputational	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>
	Overall Risk Ratings:	Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Complaints</i>	<i>1</i>		<i>0</i>
<i>% community satisfaction with with services and facilities</i>	<i>90%</i>		

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Write up procedures in place</i>	<i>Ongoing</i>	<i>Nat & Trudi</i>
<i>Prepare Booking Application</i>	<i>Ongoing</i>	<i>Jess/Chloe</i>
<i>Develop a Community Facilities Plan</i>	<i>Review</i>	<i>Tahnee/CEO</i>

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Inadequate Financial, Accounting or Business Acumen

Apr-22

This Risk Theme is defined as:

Inadequate identification or quantification of financial exposure or risk associated with decisions to invest in land transactions, financial derivatives or investments or poor long term forecasting / assumptions. Examples include;

- Poor credit management (short or long term borrowing restricting capacity or flexibility).
- Ineffective market analysis (over or under estimating).
- Ineffective Business Planning (poor scope / competition analysis).
- Ineffective financial modelling, forecasting and projection techniques / processes.

Potential causes include:

- Lack of qualified staff
- Lack of appropriate technical knowledge relevant to the context
- Increasing workloads
- Poor working relationships between internal staff/departments

Key Controls	Type	Date	Shire Rating
<i>Tight management of credit obtained by Council</i>	<i>Preventative</i>	<i>Apr-22</i>	Effective
<i>Tight cost control focussing on service delivery</i>		<i>Apr-22</i>	Effective
<i>Prioritisation of essential works over non core deliverables</i>		<i>Apr-22</i>	Effective
		<i>Sep-14</i>	
		<i>Sep-14</i>	

Overall Control Ratings: **Effective**

Consequence Category	Risk Ratings	Shire Rating
Reputational	Consequence:	<i>Moderate</i>
	Likelihood:	<i>Possible</i>
Overall Risk Ratings:		Moderate

Key Indicators	Tolerance	Date	Overall Shire Result
<i>High Debt Levels</i>			
<i>Poor service delivery</i>			
<i>poor ratio results</i>			

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Maintain net zero borrowings apart from short term at EOFY</i>	<i>Ongoing</i>	<i>CEO</i>
		<i>Manager of Finance/DCEO</i>
		<i>Manager of Works</i>

Inadequate safety and security practices

Apr-22

This Risk Theme is defined as:

Non-compliance with the Occupation Safety & Health Act, associated regulations and standards. It is also the inability to ensure the physical security requirements of staff, contractors and visitors. Other considerations are:

- Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants.
- Inadequate Organisational Emergency Management requirements (evacuation diagrams, drills, wardens etc).
- Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, community etc).
- Public Liability Claims, due to negligence or personal injury.
- Employee Liability Claims due to negligence or personal injury.
- Inadequate or unsafe modifications to plant & equipment

Potential causes include:

- Lack of appropriate PPE / Equipment
- Inadequate signage, barriers or other exclusion techniques
- Inadequate first aid supplies or trained staff
- Storage and use of Dangerous Goods
- Rubbish / Litter Control
- Ineffective / inadequate testing, sampling (similar) health based req'
- Inadequate security arrangements
- Lack of mandate and commitment from Senior Management

Controls	Type	Date	Shire Rating
Workplace Inspections	Preventative	Ongoing	Effective
Staff Individual Training Plans	Preventative	Ongoing	Effective
Hazard Register	Detective	Ongoing	Effective
OSH Management Framework	Preventative	Ongoing	Effective
Contractor / Site Inductions	Preventative	Ongoing	Effective
Staff Inductions (including the microwave)	Preventative	Ongoing	Effective
Regional Risk Coordinator	Preventative	Ongoing	Effective

Overall Control Ratings: Effective

Consequence Category	Risk Ratings	Shire Rating
Health	Consequence:	Moderate
	Likelihood:	Possible
Overall Risk Ratings:		Moderate

Indicators	Tolerance	Date	Overall Shire Result
4801 Audit Results	60%		
LTI	1		
Near misses and feedback at toolbox and staff meetings	1		
Workers Compensation Claims	<1		

Comments

Monitor changes through new WHS legislation

Current Issues / Actions / Treatments	Due Date	Responsibility
Review WHS procedures as required to attain compliance with new legislation.		

Failure of IT &/or Communications Systems and Infrastructure

Apr-22

This Risk Theme is defined as:

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

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

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

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

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

Potential causes include:

- Weather impacts
- Power outage at service provider
- Out dated / inefficient hardware
- Incompatibility between operating system and Microsoft
- Power failure
- Infrastructure breakdown such as landlines, radio communications.
- Lack of training
- Software vulnerability (e.g. MS Access)

Controls	Type	Date	Shire Rating
Data Back-up Systems	Recovery	Ongoing	Effective
Performance Monitoring	Detective	Ongoing	Adequate
Vendor Support (IT Vision)	Recovery	Ongoing	Effective
Phone Systems	Detective	Ongoing	Effective
Disaster Recovery Plan	Detective	Under Review	Adequate
UPS / Generator entry point	Recovery	Ongoing	Effective
IT Infrastructure Replacement / Refresh Program	Preventative	Ongoing	Adequate
Training	Preventative	Ongoing	Adequate

Overall Control Ratings: Adequate

Consequence Category	Risk Ratings	Shire Rating
Financial	Consequence:	Minor
Service Interruption	Consequence	Moderate
	Likelihood:	Possible

Overall Risk Ratings: Moderate

Indicators	Tolerance	Date	Overall Shire Result
System downtime	1-2 day		
Availability of network infrastructure during business hours	50%		
Errors in System setup and implementation	2		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
wholesale rewrite IT Disaster Recovery Plan & Test	Jun-23	Natalie/Peter

Misconduct

Apr-22

This Risk Theme is defined as:

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

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

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

Potential causes include:

- Inadequate induction process
- Changing of job titles
- Delegated authority process inadequately implemented
- Disgruntled employees
- Lack of understanding
- Poor internal checks (PO's and delegated authority)
- Password sharing

Controls	Type	Date	Shire Rating
<i>Delegations Register - Framework</i>	<i>Detective</i>	<i>Ongoing</i>	Effective
<i>Delegation control (Synergy)</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Segregation of Duties (Financial)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>IT Security Access Framework (Profiles and passwords)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Induction Process (Code of Conduct)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Procurement Process (Purchase Order Process)</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Financial Interest Return</i>	<i>Recovery</i>	<i>Ongoing</i>	Effective

Overall Control Ratings: **Adequate**

Consequence Category	Risk Ratings	Shire Rating
Financial (2x2), Reputation (2x2)	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Audits</i>	<i>1</i>		
<i>SOP breaches</i>	<i>1</i>		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>No current actions required</i>		

Ineffective People Management / Employment Practices

Apr-22

This Risk Theme is defined as:

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

- Breaching employee regulations (excluding OH&S).
- Discrimination, Harassment & Bullying in the workplace.
- Poor employee wellbeing (causing stress)
- Key person dependencies without effective succession planning in place.
- Induction issues.
- Terminations (including any tribunal issues).
- Industrial activity.

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

Potential causes include:

- Leadership failures
- Available staff / volunteers are generally highly transient
- Single Person Dependencies
- Poor internal communications / relationships
- Ineffective performance management programs or procedures.
- Ineffective training programs or procedures.
- Limited staff availability - mining / private sectors (pay & conditions).
- Inadequate Induction practices.

Controls	Type	Date	Shire Rating
<i>Policy & Procedures</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Training Needs Analysis & Training Register</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Workforce Plan (Succession Planning Component)</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Staff Inductions (Code of Conduct Component)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Performance Review Process</i>	<i>Detective</i>	<i>Ongoing</i>	Inadequate

Overall Control Ratings: **Adequate**

Consequence Category	Risk Ratings	Shire Rating
Health	Consequence:	<i>Minor</i>
	Likelihood:	<i>Possible</i>
Financial	Consequence:	<i>Insignificant</i>
	Likelihood:	<i>Unlikely</i>
Compliance	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>
Reputational	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>

Overall Risk Ratings: **Moderate**

Indicators	Tolerance	Date	Overall Shire Result
<i>% Staff turnover rate</i>	<i><10</i>		
<i>Individual Absenteeism Rate</i>	<i>5</i>		
<i>Average Absenteeism</i>	<i><5PA</i>		
<i>Workers Compensation Claims (Stress)</i>	<i>1</i>		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Complete Policy Review</i>	<i>Dec-22</i>	<i>CDO/CEO</i>
<i>Complete Workforce Plan (Succession Planning Component)</i>	<i>Dec-22</i>	<i>CEO</i>
<i>Review Performance Review Process</i>	<i>Dec-22</i>	<i>CEO/DCEO</i>

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Inadequate Procurement, Disposal or Tender Practices.

Apr-22

This Risk Theme is defined as:

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

- Lack of formalised process to identify specific requirements prior to procurement.
- Acceptance of assets without reference to a formalised process to ensure correct receipt and / or notification of receipt (transfer of ownership).
- Disposing of P & E (either through sale or decommissioning) that did not meet expectations from either a time or financial perspective.
- Failures in the Tender process from RTF preparation, advertising, due diligence and awarding.

Potential causes include:

- Fluctuating local market
- Open Depot
- Lack of procedural process / short cutting
- Upselling issues
- Biased view of requirement / specifications
- Lack of liaison with operators

Controls	Type	Date	Shire Rating
<i>Policy & Procedures</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Delegation Register</i>	<i>Preventative</i>	<i>Under Review</i>	Effective
<i>Purchase Order System</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Purchase Review Process</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate

Overall Control Ratings:	Adequate
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Consequence Category	Risk Ratings	Shire Rating
Financial, Compliance	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Audits</i>	<i>1</i>		
<i>Overspend Budget</i>	<i>1</i>		

Comments

Current Issues / Actions / Treatments	Due Date	Responsibility

Inadequate Project / Change Management

Apr-22

This Risk Theme is defined as:

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

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

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

Potential causes include;

- Lack of communication and consultation
- Lack of investment
- Ineffective management of expectations (scope creep)
- Inadequate project planning (resources/budget)
- Shire growth (too many projects)
- Inadequate monitoring and review
- Project risks not managed effectively
- Lack of Project methodology knowledge and reporting requirements

Controls	Type	Date	Shire Rating
<i>Project Management Framework (Methodology)</i>	<i>Preventative</i>	<i>Under Review</i>	Adequate
<i>Project Status Reporting</i>	<i>Detective</i>	<i>Ongoing</i>	Adequate
<i>Risk assessments</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate

Overall Control Ratings:	Adequate
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Consequence Category	Risk Ratings	Shire Rating
	<i>Consequence:</i>	<i>Moderate</i>
	<i>Likelihood:</i>	<i>Rare</i>
	Overall Risk Ratings:	Low

Indicators	Tolerance	Date	Overall Shire Result

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>No current actions required</i>		

Failure to fulfil statutory, regulatory or compliance requirements

Apr-22

This Risk Theme is defined as:

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

This does not include;

- Issues in relation to OH&S – refer "Inadequate employee and visitor safety and security"
- Procurement, disposal or tender process failures – refer "Inadequate Procurement, Disposal or Tender Practices"
- HR based legislation – refer "ineffective People Management"

Potential causes include:

- Lack of training, awareness and knowledge
- Staff Turnover
- Inadequate record keeping
- Ineffective processes
- Lack of Legal Expertise
- Councillor Turnover
- Misunderstanding of delegations
- Ineffective monitoring of changes to legislation

Controls	Type	Date	Shire Rating
<i>Compliance Return (DLG)</i>	<i>Detective</i>	<i>Ongoing</i>	Effective
<i>Compliance Calendar</i>	<i>Detective</i>	<i>Under Review</i>	Adequate
<i>Financial Interest Return</i>	<i>Recovery</i>	<i>Ongoing</i>	Effective
<i>External Auditor Reviews (Compliance)</i>	<i>Detective</i>	<i>Ongoing</i>	Effective
<i>Subscriptions (WALGA)</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Induction Process - Councillors</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Induction Process - Staff</i>	<i>Preventative</i>	<i>Ongoing</i>	Adequate
<i>Staff network channels</i>	<i>Preventative</i>	<i>Ongoing</i>	Not Rated
<i>Tender process</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective

Overall Control Ratings: **Adequate**

Consequence Category	Risk Ratings	Shire Rating
Compliance	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>
Overall Risk Ratings:		Low

Indicators	Tolerance	Date	Overall Shire Result
<i>Fines or penalties</i>	<i>1</i>		
<i>Failed audits</i>	<i>1</i>		
<i>Investigations</i>	<i>1</i>		
<i>% of FOI's and PID's actioned within timeframes</i>	<i>100%</i>		

Comments

As rated by

LGIS are developing a Standardised Compliance Framework for Local Governments. Once completed, this will be reviewed and implemented where applicable to provide an overview of control effectiveness in this area.

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Review compliance framework</i>	<i>Ongoing</i>	<i>CEO</i>

Inadequate Stock Management

Apr-22

This Risk Theme is defined as:

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

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

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

Potential causes include:

- Fluctuating demand
- Communication breakdowns
- Budgetary constraints
- Unavailability of stock
- Procedures not followed

Controls	Type	Date	Shire Rating
<i>Stock Control Systems</i>	<i>Preventative</i>	<i>Ongoing</i>	<i>Effective</i>
<i>Manual Inspections</i>	<i>Detective</i>	<i>Ongoing</i>	<i>Effective</i>
<i>regular Stocktake</i>	<i>Detective</i>	<i>Ongoing</i>	<i>Adequate</i>
<i>Fuel usage indicators on mobile tanks</i>	<i>Detective</i>	<i>Ongoing</i>	<i>Effective</i>
<i>Security Camera on site</i>	<i>Detective</i>	<i>Ongoing</i>	<i>Effective</i>

Overall Control Ratings: *Effective*

Consequence Category	Risk Ratings	Shire Rating
Property	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>

Overall Risk Ratings: *Low*

Indicators	Tolerance	Date	Overall Shire Result
<i>Fuel Stock out of balance</i>	<i>1</i>		

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>No current actions required</i>		

Incident Management Tracking

Related Incident Details	Date	Impact

Inadequate Supplier / Contract Management

Apr-22

This Risk Theme is defined as:

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

- Concentration issues
- Vendor sustainability

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

Potential causes include:

- Funding
- Complexity and quantity of work
- Inadequate tendering process
- Geographical remoteness
- Inadequate contract management practices
- Ineffective monitoring of deliverables
- Lack of planning and clarity of requirements
- Historical contracts remaining

Controls	Type	Date	Shire Rating
<i>Contract & Tender Management System</i>	<i>Preventative</i>	<i>Ongoing</i>	Effective
<i>Regular Inspection of Landfill Sites (Monitor)</i>	<i>Detective</i>	<i>Ongoing</i>	Effective

Overall Control Ratings:	Effective
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Consequence Category	Risk Ratings	Shire Rating
Financial	Consequence:	<i>Insignificant</i>
	Likelihood:	<i>Rare</i>
Service Interruption	Consequence:	<i>Minor</i>
	Likelihood:	<i>Unlikely</i>

Overall Risk Ratings:	Low
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Indicators	Tolerance	Date	Overall Shire Result

Comments

As rated by Workshop Attendees -

Current Issues / Actions / Treatments	Due Date	Responsibility
<i>Develop of a Contract Management Register</i>	<i>Review</i>	<i>WM/DCEO/CEO</i>
<i>Review internal process to capture mis-service' issues with Contractors</i>	<i>Dec-23</i>	<i>WM/DCEO/CEO</i>



9.10 APPLICATION OF COMMON SEAL – GRANT RIGHT OF BURIAL NO. 133

File Reference	10.06
Disclosure of Interest	Nil
Applicant	Harold Forward
Previous Item Numbers	Nil
Date	10 May 2022
Author	Karen Mannaerts - Executive Assistant
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

The purpose of the report is to endorse affixation of the Shire of Goomalling Common Seal to the Schedule "B" Form of Grant of Right of Burial No. 133 for Mr Harold Forward to validate the grant.

Background

Application was received from Harold Forward for the Grant of Right of Burial for Grave No. 11 in the General section of the Goomalling Cemetery. The applicable fee of \$230 for a single site, was received on 11 April 2022, receipt number 87162.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Cemeteries Act 1986

Policy Implications

4.19 Common Seal

Objective:

To satisfy the legal requirements regarding the validation of documents and contracts, resulting from amendments to the *Local Government Act 1995*.

Procedure:

6. The Shire President and Chief Executive Officer are authorised to sign and/or affix the common seal to the following documents, where such documents result from the following transactions:
 - 6.1 Where land is disposed of pursuant to s. 3.58 of the Local Government Act 1995 9as amended).
 - 6.2 Where land is acquired pursuant to s. 3.55 and s. 3.59 of the Local Government Act 1995 (as amended).
 - 6.3 In respect of leases of land and licence to occupy municipal property where approved by Council.
 - 6.4 In respect of leases for the purchase of plant and equipment approved by Council.
 - 6.5 In respect of borrowings approved by Council.
 - 6.6 In respect of easements and legal agreements over land for the purpose of drainage or conditions arising from subdivision of land and planning approvals.
 - 6.7 In respect of withdrawal of caveats and surrender of easements where the Chief Executive Officer considers that Council's interests have been satisfied.
 - 6.8 In respect of contracts of employment approved by Council.
 - 6.9 In respect of documents of a ceremonial nature, where the affixing of the common seal is for prosperity and not a legal requirement.
 - 6.10 In respect of agreements required for funding of Council works and services considered with the resolution of Council or requiring renewal of the agreement for funding currently provided.
 - 6.11 In respect of the adoption of local laws.
 - 6.12 Any document stating that the common seal of the Shire is to be affixed.



7. In relation to 1. above, in the absence of the Shire President and/or Chief Executive Officer, as the case may be, the Deputy Shire President and the Acting Chief Executive Officer are authorised to affix the common seal.
8. The procedure to be adopted for the use of the common seal is as follows:
 - 8.1 The Chief Executive Officer is responsible for the security and proper use of the common seal.
 - 8.2 The common seal is not to be affixed to any documents except as authorised by Council.
 - 8.3 The common seal is to be affixed to a document in the presence of:
 - The Shire President, or in his absence, the Deputy Shire President; and
 - The Chief Executive Officer or Acting Chief Executive Officer;
 Each of whom is to sign the document to attest that the common seal was so affixed.
 - 8.4 Details of all transactions where the common seal has been affixed must be recorded in a register kept by the Chief Executive Officer.
The register is to record:
 - The date on which the common seal was affixed;
 - The nature of the document; and
 - The parties to any agreement to which the common seal was affixed.
9. The wording to accompany the application of the common seal to be as follows:
 - 9.1 "The common seal of the Shire of Goomalling was hereto affixed by the Authority of Council."; or
 - 9.2 "The common seal of the Shire of Goomalling was affixed by authority of a resolution of Council in the presence of the Shire President and the Chief Executive Officer."
10. Authority is provided to the Chief Executive Officer or the person acting in the position of Chief Executive Officer to sign documents that do not require the affixing of the common seal.

Financial Implications

There are no specific financial implications relating to this matter

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
1.2.6	Provide to the community quality regulatory services

Comment/Conclusion

The Common Seal is to be affixed to validate the Grant No 133 for Mr Harold Forward.

Voting Requirements

Simple Majority

OFFICER'S RECOMMENDATION

That the Council:

Endorse affixation of the Shire of Goomalling Common Seal to the Schedule "B" Form of Grant of Right of Burial No 133 for Mr Harold Forward to validate the grant.

RESOLUTION 490

Moved Cr Butt, seconded Cr Chester that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***



10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL

RESOLUTION 491

Moved Cr Butt, seconded Cr Chester that Council agree to deal with new business.

CARRIED 6/0
Simple Majority

11.1 FINANCIAL MANAGEMENT AND SYSTEMS REVIEW

File Reference	
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	12 May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Financial Management and Systems Review Document

Summary

Council to receive the attached Financial Management and systems Review and make any suggestions that it sees fit with regard to the review.

Background

The CEO has undertaken a review of systems, financial management and risk as they relate to the Shire of Goomalling. The last review of risk was undertaken in December 2019 during the COVID-19 Pandemic, the last independent Financial Management Review (FMR) was undertaken in 2014 and there has been an ongoing review of both financial management and systems and processes since 2018.

Consultation

Nil other

Statutory Environment

Local Government Act 1995

Financial Management Regulations 1996

Part 2 — General financial management — s. 6.10

5A. Local governments to comply with AAS

Subject to regulation 4, the annual budget, annual financial report and other financial reports of a local government must comply with the AAS.

[Regulation 5A inserted: Gazette 20 Jun 2008 p. 2722.]

**5. CEO's duties as to financial management**

- (1) Efficient systems and procedures are to be established by the CEO of a local government —
 - (a) for the proper collection of all money owing to the local government; and
 - (b) for the safe custody and security of all money collected or held by the local government; and
 - (c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and
 - (d) to ensure proper accounting for municipal or trust —
 - (i) revenue received or receivable; and
 - (ii) expenses paid or payable; and
 - (iii) assets and liabilities; and
 - (e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and
 - (f) for the maintenance of payroll, stock control and costing records; and
 - (g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.

- (2) The CEO is to —
 - (a) ensure that the resources of the local government are effectively and efficiently managed; and
 - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
 - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

[Regulation 5 amended: Gazette 31 Mar 2005 p. 1047 and 1053; 26 Jun 2018 p. 2388.]

Local Government (Audit) Regulations 1996**17. CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
 - (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.

- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

- (3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted: Gazette 8 Feb 2013 p. 868; amended: Gazette 26 Jun 2018 p. 2387.]

Policy Implications

There is no specific policy regarding the FMR



Financial Implications

There are no direct financial impacts resulting from this item.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.2.1	Operate in a financially sustainable manner
4.2.2	Promote a culture of continuous improvement processes and resource sharing
4.2.3	Use resources efficiently and effectively

Comment/Conclusion

In recent years the WA Auditor General has taken over responsibility for the conduct of local governments. The Shire of Goomalling has had a number of matters to deal with stemming from these audits and through its own undertakings as well.

More appropriate management of financial resources, a moratorium on borrowing, conversion of interest only loan to principal and interest, changes in process and policy and a general tightening of financial management has seen a number of benefits accrue.

The risk register and report appear in the primary agenda with this item dealing with the systems, processes and financial management will complete our legislative obligations in terms of the Financial Management and the Audit regulations with regard to review.

The trend is one of improvement with regard to both financial management and systems and process. The attached text and matrix outlines the various functions tested by both the CEO and the Auditors in recent years and within the text is an overview of where we have come from in recent years.

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Receive the attached Financial Management and Systems review, and;
2. Endorse the findings of the review, and;
3. Make and suggestions it may feel relevant to the CEO regarding the review.

RESOLUTION 492

Moved Cr Chester, seconded Cr Barratt that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***



REVIEW

The CEO has undertaken a review of systems, financial management and risk as they relate to the Shire of Goomalling. The last review of risk was undertaken in December 2019 during the COVID-19 Pandemic, the last independent Financial Management Review (FMR) was undertaken in 2014 and there has been an ongoing review of both financial management and systems and processes since 2018.

LEGISLATIVE BASIS FOR THE REVIEW

Financial Management Regulations 1996

Part 2 — General financial management — s. 6.10

5A. Local governments to comply with AAS

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 - (b) for the safe custody and security of all money collected or held by the local government; and
 - (c) for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and
 - (d) to ensure proper accounting for municipal or trust —
 - (i) revenue received or receivable; and
 - (ii) expenses paid or payable; and
 - (iii) assets and liabilities; and
 - (e) to ensure proper authorisation for the incurring of liabilities and the making of payments; and
 - (f) for the maintenance of payroll, stock control and costing records; and
 - (g) to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.
- (2) The CEO is to —
 - (a) ensure that the resources of the local government are effectively and efficiently managed; and
 - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
 - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

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- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted: Gazette 8 Feb 2013 p. 868; amended: Gazette 26 Jun 2018 p. 2387.]

The predominant purposes of undertaking this review are to provide the Council and community with the confidence that the operation is managed in a sustainable manner, that the systems and processes in place are appropriate within the current climate and that risks are managed and mitigated in an appropriate manner.

Within the two regulations quoted here are the requirements for the CEO to undertake the reporting of any matters of concern within their scope, to the Council. The Council, aware of the issues of concern, can then discuss with and make recommendation to the CEO with regard to any remedies, proposed by Council or the CEO.

HISTORY

Generally, the Shire of Goomalling has managed risk relatively well however there are some matters for noting within this area. The history is a little murkier with regard to financial management and systems with the Shire having had a probity audit in 2014/15 and experiencing poor financial trends for some years.

A number of recommendations flowed from that audit and most, if not all have been implemented. Even with this having taken place there have been a number of issues that have arisen in recent years that have highlighted a number of practices and systems that were poor or inconsistent with contemporary management practices or legislative requirements. An example of this can be seen with the issues experienced with the Roads to Recovery program in which Council almost lost annual funding of nearly \$250,000. Council's historical adverse financial trend and the extreme debt levels that Council management has employed also showed weaknesses in expectation management sustainability management. While the Council has some responsibility for these trends, management should have either managed these matters in a more contemporary manner or managed the expectations that led to the financial impacts.

Commencing from an extremely difficult position in 2018, the current management of the Shire's financial resources has been of extreme tightening on debt, asset management and a reduction of capital projects to those that are majority or fully funded. This has seen a gradual improvement in the Council's financial position and



FINANCIAL MANAGEMENT REVIEW - April 2022

the windfall Federal funding through the LRCIP program cannot be understated, it has come at a time where it has helped to keep the wheels turning with projects that required 100% funding because of Council's tight financial position. While some residents may see this as extreme, it has been necessary for the Council to operate in a sustainable fashion and to return to a reasonable financial state.

The Shire's financial position in 2018 was bordering on dire, loan repayments of over \$600,000 for both the 2018 and 2019 financial years severely restricting working capital for the Shire's management to undertake proper asset management activities.

At that time Council's plant was in extremely poor condition and many vehicles were well past their economical lifespan, Council's housing stocks were also in poor condition with building maintenance having been cut to almost nothing. This was also seen in Council's public building maintenance.

Road maintenance practices were poor, road construction techniques were also less than satisfactory and Council's overall works were substandard. The combination of all of these factors led to poor use of financial resources in our asset management.

Couple this with many administrative issues over the years such as no employment contracts, poor or no position descriptions, heavy reliance on the Dowerin Work Camp, poor financial reporting, poor expectation management within the community and many systems that were substandard, this led to a perfect storm when coupled with such high debt levels.

Systems have improved, expense is tightly managed, processes and procedures are updated regularly, and debt has been frozen until repayments are at a more manageable level.

It should be noted that as the years have progressed with the Auditor General undertaking Local Government audits, the process has looked deeper into compliance, financial management and systems and risk than ever before. Each year almost seems to provide a commentary on systems, risk and financial management.

As the CEO, I welcome this greater focus as an opportunity for improvement although it must be said that it comes with an overhead related to the amount of time that staff and management have spend in adapting process and systems to reduce the number and significance of matters brought to our attention through management letters and qualifications.

FINANCIAL MANAGEMENT AND SYSTEMS

Bank Reconciliations

Bank reconciliations are undertaken monthly with weekly updates to transaction posting. The reconciliations are checked by the CEO signed by both officers and are completed for both the Municipal account and the Trust account. A separate reconciliation takes place for the Doctors Surgery account with the Practice Manager



undertaking the process and the Deputy CEO checking. There are no recommendations.

Budget

The budget process and documentation is significantly different from the historical processes. The documents contain 10 year forecasts for housing and public building maintenance, a 20 Year Plant Replacement Strategy and Roads Program. There is also a full loan liability statement a 5 year parks and gardens forecast, reserves statement, capital expenditure schedule and other documents that help Council make informed decisions.

The document appears on Councils website once adopted and a copy is provided to the Department for Local Government.

At this stage there are no further recommendations regarding the Budget

Insurances

Insurances are at appropriate levels however Council will need to undertake a revaluation of assets for insurance purposes. It should be noted that OSH systems are supported through our insurer and the Shire has made considerable progress toward compliance with all requirements of the appropriate legislation.

This is recommended to be undertaken as soon as practicable.

Record Keeping

Council staff have set up an archive with appropriate shelving and the like in the old library. The facility is appropriate for the purpose and is currently being used as it should.

Staff have commenced purging the old records and have commenced the process of using a simplified system however there are still some issues with this. Ultimately the progression to an electronic records system is recommended however this will come at a significant cost. Council would need to allow for upgraded IT infrastructure and a records system which in total could amount to around \$40,000 to \$50,000.

The recommendations are that Council staff undertake the necessary work to upgrade the current archive and records system and plan for conversion to a digital records system as soon as practicable.

Trust Fund

There were no particular issues noted with trust fund allocations or reconciliations.

Job/Overhead costings

All costings of administration. Public works overheads, and plant are undertaken through the Synergy system and all are reviewed on a quarterly basis to ensure that there are no under or over allocations of these costs. Checking of the costs that are attributed to these areas found them to be appropriate.

There are no recommendations with regard to plant, overheads or administration costs.

Payments/Creditors

Over the last three or four years, Council's Auditors have made in depth enquiries into its purchasing practices, authorisations, policy and processes in general. There have



been a number of issues highlighted particularly with purchasing policy, the timing of the writing of orders and the information contained.

Staff have worked with the Audit team to rectify processes so that policy compliance is now largely met as a standard, and that authorisations are completed by the appropriate personnel. While we have not attained perfection, the most recent interim audit has shown significant improvement over past years and that we have actioned the issues highlighted within the audit process.

At this stage there are no further recommendations other than to continue to adapt and improve systems and continue to engage with our audit team in this area.

Debtors/Receipting

Generally, the debtors area of operation works well however two items are listed as recommendations.

Debtors should be chased up within 30 days of the invoice being issued. Regular contact and recovery processes must be in place to reduce the progression to long term outstandings where collection becomes costly. Where credit balances appear in debtor accounts, they should be refunded to debtors at year end.

Payroll/HR

Generally, payroll and HR function is appropriate for the size and scale of the operation. The management systems are appropriate, staff have PD's for their positions, records management and checking processes are adequate and costing of payroll hours is accurate.

There are no further recommendations at this time.

Minutes and Meetings

Minutes and agendas are provided in a timely fashion and are accurate in almost every case. There have been one or two inaccuracies which have been caused through copy and paste errors, or the wrong version of information being picked up. This has been seen at the officer level and the CEO has picked up wrong information. This has been a very occasional rather than endemic issue.

It is recommended that the CEO and staff creating these documents pay greater attention to detail to ensure that errors do not occur.

General Ledger

The chart of accounts was updated in 2019 to provide a very commercial methodology in dealing with the costing of capital and operating transactions. This has allowed for unprecedented detail to be provided to both the Council, staff and community on where expenditures will be made and what income will be derived.

There are no further recommendations at this time.

Registers and Delegations

All relevant registers and general information required by legislation are posted to Council's website however two updated policies were found not to have been replaced by the latest version.



Related party disclosures, primary and annual returns are completed in a timely fashion.

It is recommended that the CEO and staff check as each policy or register is updated to ensure that the latest version appears on the website.

Integrated Planning and Reporting Framework

The Community Strategic Plan is due for a major review. This is somewhat problematic as Council does not have the resources to undertake considerably change, project work or other aspirational goals at this time.

With the funds that have been provided through the LRCIP stream Council has been able to undertake some more strategic projects but in general, is ensuring that services are maintained and that financial resources are used to the greatest benefit for the community.

Likewise, the, Long Term Financial Plan, Corporate Business Plan, Asset Management Plan and Workforce plan are all in need of updating and historically they have all been completed by consultants. It is hoped that Council will produce a simplified version of all of these plans in the coming year to become fully compliant.

It is recommended that staff with the assistance of consultants work toward completing all of the plans listed above by 30 June 2023.

Financial Reporting

The reports provided to the Council on a monthly basis meet the standards for financial reports. Council reviews these each month and has the opportunity to question staff on the contents.

Council's financial ratios that are reported at year end have been sub-par with contemporary expectations. This is due to historical high debt levels, poor asset management practices and expectation management.

As is discussed previously, practices have changed, maintenance plans are in place strategies are in place and progress has been made over the last three of four years. Ratios will take time to improve significantly, planning documents will be enhanced in 2022/23 and improvements will be consolidated as time goes by.

There is a group of lots listed as assets which are related to the lot adjacent to the Caravan Park which currently sit in the asset register at a value of around \$1.1m. These lots, while identified as a potential subdivision are unlikely to be developed given the environmental issues attached to the location.

It is recommended that these lots be discussed with the audit team, that a nominal value be attributed to the entire subdivision and that they be held at that value until conditions change where they may be revalued as potentially saleable lots.

It is also recommended that Council continue its moratorium on new debt until its financial trend improves significantly.

Private Works

The Shire of Goomalling undertakes very little in the way of private works now and as such there are no recommendations.

Fees and Charges



Fees and charges are found to be largely appropriate and while one statutory fee was found to be undercharged it was a building fee undercharged by \$5.00 per application. The impact of this has been less than \$500 across the current year. The fee was correct in previous years.

It is recommended that the review of Commercial rents be completed and presented to Council and that all staff be aware of the GST treatments of fees and charges.

Rates

Rating has been undertaken in an appropriate way with valuations updated in a timely manner, the correct application of a financial hardship policy, Council no longer rates its own properties and advertising of differential rates being within legislated parameters. The only issue in recent years has been long outstanding rate debtors and this has recently been addressed through the use of Cloud Payments, a collection agency. Overall, the long outstanding rates debtors have improved over recent years.

Given that a continuation of progress is maintained with the use of Cloud Payments, there are no further recommendations at this time.

Petty Cash

There are no recommendations at this time.

Purchasing

Councillors would be aware of the various issues that have been brought to the attention of the CEO and Council in recent years by our Auditors. The various issues are listed in the attached matrix report and the CEO and staff have used the auditors highlights to improve systems from the issuing of orders, approvals for payment and receipt of goods through to the payment of creditors and the purchasing policy itself.

With the most recent interim Audit finding little or problems with purchasing this year it is a testimony to both the audit team for their persistence and Council staff for modifying systems and policy to find a mix that suits both the size and scale of the organisation but also ensuring that control is maintained over Council purchasing.

Recommendations are that staff continue to;

- Ensure orders are signed by officer with appropriate authorisations
- Maintain formal purchasing policy
- Ensure orders have amounts stated
- Ensure costing allocations are correct
- Ensure that orders are written prior to invoices being issued
- Review all outstanding orders regularly

Audit

It is my view that if staff and council adhere to these recommendations that the matters that have been raised in the past by the Audit team will be reduced to the couple of long term structural matters relating to the historical high debt levels and poor management practices.

The matrix report lists most of the matters raised by the Audit team in recent years and in the main, most of these issues have either been dealt with by the change of system and process, the use of appropriate policy change or by the simple change in management philosophy.



RISK

The Risk Report presented to Council at the April 2022 meeting is reviewed from that presented to Council in 2019. There are several issues that have been reported across the risk report and the FMR. These are presented in the attached matrix report.

- Planning for proper Building Maintenance
- Develop Customer Satisfaction Survey
- Return to full IPRF compliance
- Develop Youth Strategy
- Develop Community Engagement Strategy
- Update Landfill and Waste Management Plan
- Develop Community Facilities Plan
- Maintain zero borrowings
- Ensure compliance with new WHS legislation
- Rewrite IT Disaster Recovery plan and test
- Complete rewrite of Workforce Plan
- Complete update of all policies
- Review and undertake new performance review process
- Review compliance framework
- Develop of a Contract Management Register
- Review internal process to capture 'mis-service' issues with Contractors

Most of these matters can also be found within the FMR in one way, shape or form. There is much work to do across the two reviews however it should be noted that there has been much progress made as well.

Some of these matters will be ongoing for years and some will be achieved in the coming year. The resources to complete the tasks ahead are just not available to complete within the next year but I would expect that by the time the next review is due in three years, that most if not all of the issues and recommendations will be resolved or completed as the case may be.

It is hoped that within that period that the Council will undertake an external Financial Management review and that this will confirm the progress that staff and Council have achieved over the past years.

For its part Council must receive this review and make any appropriate recommendations to the CEO. What ever recommendations are made they must be accompanied by the appropriate level of resources to achieve council's expectations.



FINANCIAL MANAGEMENT REVIEW – Matrix Report - April 2022

	ISSUE	TREATMENT/RECOMMENDATIONS	DUE DATE	RESPONSIBLE
RISK REPORT				
No Significant Issues	<ul style="list-style-type: none"> Last completed December 2019 – Complies with Legislation. 	<ul style="list-style-type: none"> Issues identified within the separate Risk Report to Council. Some issues identified here appear on that report as well. 	<ul style="list-style-type: none"> Ongoing Ongoing Ongoing Ongoing Ongoing 	<ul style="list-style-type: none"> Works Manager Manage of Finance/DCEO CEO
BANK RECONCILIATIONS				
No Significant Issues	<ul style="list-style-type: none"> Regular & timely completion Signed by officer and checked & signed by CEO Trust & Muni accounts 	<ul style="list-style-type: none"> Completed monthly Signed by officer and checked by CEO Completed for Trust & Muni accounts 	<ul style="list-style-type: none"> Ongoing Ongoing Ongoing 	<ul style="list-style-type: none"> Natalie Bird DCEO Chloe Watson
BUDGET				
No Significant Issues	<ul style="list-style-type: none"> Completed in timely fashion Provide adequate information to Council for informed decisions Aligns with Community Strategic Plan & Corporate Business Plan Aligns with Workforce Plan and Asset Management Plan Copy provided to Department in timely manner Appears on Web Site 	<ul style="list-style-type: none"> Current budget format is appropriate Provides long term maintenance plans for housing, public buildings, parks & gardens. Long term plant replacement plan and roads program Generally aligns with CSP Has asset management elements Is available on website Provided to DLGC as required 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Peter Bentley CEO Natalie Bird DCEO
INSURANCES				
Recommendations for Improvement	<ul style="list-style-type: none"> Insurances are renewed each year at appropriate levels Valuations should be completed regularly for insurance purposes 	<ul style="list-style-type: none"> Insurance valuations to be undertaken as soon as possible 	<ul style="list-style-type: none"> 30/06/2023 	<ul style="list-style-type: none"> Natalie Bird DCEO Peter Bentley CEO
RECORD KEEPING AND STORAGE				
Recommendations for Improvement	<ul style="list-style-type: none"> Appropriate systems in place Records archive suitable for storage Records disposal managed appropriately Electronic systems for digital storage 	<ul style="list-style-type: none"> Manual system functional but requires further work for appropriate Records Management Archive is good but requires tidying up Managed appropriately Conversion to electronic records ASAP 		<ul style="list-style-type: none"> Peter Bentley CEO Natalie Bird DCEO Jo Bywaters Property
TRUST FUNDS (also see Bank Reconciliations)				
No Significant Issues	<ul style="list-style-type: none"> Appropriate reconciliation Propper bank account treatment Refunds timely 	<ul style="list-style-type: none"> No Recommendations 	<ul style="list-style-type: none"> Ongoing 	<ul style="list-style-type: none"> Natalie Bird DCEO
JOB COSTINGS				



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No Significant Issues	<ul style="list-style-type: none"> Administration Costs Public Works Overheads Plant Operation Costs Plant Depreciation Costs 	<ul style="list-style-type: none"> All are budgeted appropriately Allocations are checked quarterly 	Ongoing	Natalie Bird DCEO Peter Bentley CEO
PAYMENTS/CREDITORS				
No Significant Issues	<ul style="list-style-type: none"> Creditors/Suppliers details correct Bank Account Checks for fraud Limited access to creditors system Tight controls of signatories Appropriate approval process for payments and invoices 	<ul style="list-style-type: none"> Supplier detail sheet completed by suppliers AG Audits have shown up no staff issues with supplier details Permissions are limited as best as possible Signatories are limited to senior staff Separate approvals for authorisations and payment 		
DEBTORS/RECEIPTS				
No Significant Issues	<ul style="list-style-type: none"> Debtors to be actioned promptly Check credit balances at 30 June each year 	<ul style="list-style-type: none"> Long outstanding debtors actioned Credit balances in debtors refunded each year 		
PAYROLL/HR				
No Significant Issues	<ul style="list-style-type: none"> Payroll records maintained PD's supplied for all staff Performance Reviews to be conducted Appropriate checks of payroll processing Appropriate access to payroll records 	<ul style="list-style-type: none"> Payroll system is contemporary and appropriate All staff have appropriate PD's Performance Review process to be reviewed and recommenced Checks of payroll are undertaken by the CEO & DCEO Payroll records are kept in an appropriate fashion 		
MINUTES AND MEETINGS				
No Significant Issues	<ul style="list-style-type: none"> Minutes checked for accuracy Agendas provided in a timely fashion President signs as confirmed 	<ul style="list-style-type: none"> Occasional errors found due to transposition, copy/paste errors and the like Agendas produced and delivered in timely manner Appropriate confirmations in place 	Ongoing Ongoing Ongoing	Peter Bentley CEO Karen Mannaerts EA Tahnee Bird CDO
GENERAL LEDGER				
No Significant Issues	<ul style="list-style-type: none"> Chart of Accounts 	<ul style="list-style-type: none"> Chart of accounts is appropriate for proper financial reporting and controls 	Ongoing	Peter Bentley CEO



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REGISTERS AND DELEGATIONS				
No Significant Issues	<ul style="list-style-type: none"> Tender Register Electoral Gifts Register Financial Interests Register Gift Register Complaints Register Councillor Training Register Councillor CPD Register Attendance at Events Register – Councillor Attendance at events Register – Staff and CEO Delegations Register CEO – TRP CEO Recruitment Policy CEO Termination Policy CEO Recruitment Policy All other Policies Annual and Primary Returns Related Party Disclosures 	<ul style="list-style-type: none"> Where there are entries to each of these registers, they are published on the web site. Where there is no item to report on the register they are not be posted. 	Ongoing	Peter Bentley CEO Karen Mannaerts EA Tahnee Bird CDO
		<ul style="list-style-type: none"> All relevant information is posted on the Shire of Goomalling Website. 	Ongoing	
		<ul style="list-style-type: none"> All primary and annual returns are completed in a timely manner and related part disclosures are also provided at regular intervals. 	Ongoing	
INTEGRATED PLANNING AND REPORTING				
Recommendations for Improvement	<ul style="list-style-type: none"> Community Strategic Plan Corporate Business Plan Asset Management Plan Long Term Financial Plan Workforce Plan 	<ul style="list-style-type: none"> CSP is due for review this year and all other plans are out of date. With valuations being undertaken this year AMP can be updated followed by LTFP and the Workforce Plan. These matters are now a priority for the next 12 months. 	30 June 2023	Peter Bentley CEO Natalie Bird DCEO
FINANCIAL REPORTING				
Recommendations for Improvement	<ul style="list-style-type: none"> Debt Management Financial Ratios and standards Reporting to Council Asset Valuations Land Held for resale – East of Northam Pithara Road 	<ul style="list-style-type: none"> Debt has been reduced to sustainable level 	Ongoing	Peter Bentley CEO Natalie Bird DCEO David Long MOW
		<ul style="list-style-type: none"> Financial Ratios will be poor for the next few years due to historical debt issues. 	Ongoing	
		<ul style="list-style-type: none"> Reporting to Council is now more transparent with more information provided financially and about operation in general 	Ongoing	
		<ul style="list-style-type: none"> Asset valuations have lagged due to tight financial position – with the easing of this, valuations will commence this year with L & B and Other infrastructure. Roads will occur in 2022/23 financial year. 	30 June 2023	
		<ul style="list-style-type: none"> It is unlikely that Council will get approval to develop this subdivision due to environmental factors. It may be able to hold this land at a nominal value, however unless the subject plants die or disappear, development will be difficult. 	30 June 2023	
PRIVATE WORKS				



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No Significant Issues	<ul style="list-style-type: none"> Are private works estimated appropriately Are invoices raised on a timely basis 	<ul style="list-style-type: none"> Private works reduced – no recommendations 		
FEES AND CHARGES				
No Significant Issues	<ul style="list-style-type: none"> Are fees and charges reviewed Are statutory fees levied correctly Are rental charges levied according to leases and the Residential Tenancies Act or lease documents GST treatment of fees is correct Caravan Park revenue reconciled against guest numbers Commercial tenancies reviewed appropriately 	<ul style="list-style-type: none"> Fees & Charges are reviewed at budget each year Statutory fees checked at Budget Changes to rents levied in accordance with RTA and lease documents Generally, GST treatment has been appropriate apart from 1 or two matters over recent years Caravan Park cash and electronic payments are reviewed and independently reconciled. Commercial rent reviews are currently ongoing 	Ongoing	Peter Bentley CEO Natalie Bird DCEO Jo Bywaters Property
RATES				
No Significant Issues	<ul style="list-style-type: none"> Collections followed up Rates levied correctly Valuations applied Process for long standing debts Appropriate financial hardship policy Rating of Council owned properties 	<ul style="list-style-type: none"> Long standing debtors is progressing well Rates are levied correctly with appropriate timeframes for advertising for Differentials Valuations are applied correctly Use of Cloud Payments for long term debts FHP in place No longer rate Council owned properties 	Ongoing	Trudi Manera Rates Natalie Bird DCEO Peter Bentley CEO
PETTY CASH				
No Significant Issues	<ul style="list-style-type: none"> Appropriate cash handling procedures Expenditures approved by DCEO or CEO Reconciliations checked by DCEO Ensure correct allocations of costs 	<ul style="list-style-type: none"> No recommendations 	Ongoing	Natalie Bird DCEO
PURCHASING				
Recommendations for Improvement	<ul style="list-style-type: none"> Orders are signed by officer with appropriate authorisations Maintain formal purchasing policy Orders have amounts stated Costing allocations are correct Orders are written prior to supply or invoices being issued Review all outstanding orders regularly 	<ul style="list-style-type: none"> Ensure orders are signed by officer with appropriate authorisations Maintain formal purchasing policy Ensure orders have amounts stated Ensure costing allocations are correct Ensure that orders are written prior to invoices being issued Review all outstanding orders regularly 	Ongoing	Natalie Bird DCEO Peter Bentley CEO Dave Long MOW All staff to note
AUDIT RESULTS 2018 - 2021				



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Recommendations for Improvement

Individual items commented on by Auditors

These items are matters that were raised through the audit process over the past 3 years. Most of the issues raised have either been rectified or have reduced in occurrence to acceptable levels. The items listed in green are those that have either been rectified or are largely so, in amber are those under review and nearing completion and in red are those yet to be completed.

- Purchase order without value
- Purchase orders raise after invoice date
- Purchasing policy matters
- Valuations not completed as required
- Financial position trend poor
- Ratio standards not met
- IPRF documents out of date
- Excessive Annual Leave balances
- Delegations non compliance
- FMR not completed as required
- Synergy Permissions too lax
- Approval on payments inconsistent with delegations
- Purchase without approved Purchase Orders
- Purchase orders approval inconsistent with delegations
- Lack of acknowledgement of goods/services received
- Quotations – minimum number not obtained
- Insufficient information on Purchase Orders
- Changes to Supplier Master File
- Administrative Timesheets not approved
- Information and Communication Technology (ICT) Policies
- Rates on Shire owned property
- Employment Contracts
- CEO's review of systems and procedures
- Fixed asset register updated annually
- Payments not reported in Council Minutes correctly
- No Loan agreement for Self Supporting loan
- Verbal Quotations
- Internal Rental – Medical Surgery

RECOMMENDATIONS

- | | |
|---|--|
| <ul style="list-style-type: none"> • Insurance valuations to be undertaken as soon as possible | <p>L & B and Other Infrastructure are set to be done in July with Roads to be completed later in the financial year.</p> |
| <ul style="list-style-type: none"> • Manual system functional but requires further work for appropriate Records Management | <p>The current numbering system needs further work prior to the implementation of a digital system.</p> |



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<ul style="list-style-type: none">• Archive is good but requires tidying up	To be undertaken during the 2022 calendar year.
<ul style="list-style-type: none">• Conversion to electronic records ASAP	Resources to be made available as soon as possible to invest in a new records management system.
<ul style="list-style-type: none">• Long outstanding debtors actioned	Process has commenced with Rates Debtors and sundry to follow for collections. Staff to undertake process for collections in a more timely fashion.
<ul style="list-style-type: none">• Credit balances in debtors refunded each year	New process to be implemented
<ul style="list-style-type: none">• Occasional errors in minutes found due to transposition, copy/paste errors and the like	Greater care by all staff associated including the CEO in checking and in his own typing etc.
<ul style="list-style-type: none">• CSP is due for review this year and all other plans are out of date. With valuations being undertaken this year AMP can be updated followed by LTFP and the Workforce Plan. These matters are now a priority for the next 12 months.	2022/23 Financial year to commence review of all plans.
<ul style="list-style-type: none">• Financial Ratios will be poor for the next few years due to historical debt issues. Close check on debt for next few years.	Ratios cannot be affected without a significant reduction in debt and ongoing prudent financial management. Council to refrain from using debt as long as possible to facilitate an improving financial trend. Ceo to maintain tight financial control until a positive trend is established over several years.
<ul style="list-style-type: none">• Asset valuations have lagged due to tight financial position – with the easing of this, valuations will commence this year with L & B and Other infrastructure. Roads will occur in 2022/23 financial year.	L & B and Other Infrastructure are set to be done in July with Roads to be completed later in the financial year.
<ul style="list-style-type: none">• It is unlikely that Council will get approval to develop this subdivision due to environmental factors. It may be able to hold this land at a nominal value, however unless the subject plants die or disappear, development will be difficult.	Council to investigate writing off these assets which total over \$1m or at the least assigning a nominal value which does not reflect a proposed resale value as they do now.
<ul style="list-style-type: none">• Generally, GST treatment has been appropriate apart from 1 or two matters over recent years	Staff to ensure that GST treatment is correct and DCEO to arrange training if required.
<ul style="list-style-type: none">• Commercial rent reviews are currently ongoing	Complete commercial rent review and advise commercial tenants.
<ul style="list-style-type: none">• Review all outstanding orders regularly	Review long outstanding orders for ensuring that they are still valid potential expenditure.
<ul style="list-style-type: none">• Excessive Annual Leave balances	Leave balances escalated during COVID-19 when no-one could leave the state. It is expected that leave balances will start to reduce as time passes now.



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- Information and Communication Technology (ICT) Policies

CEO to continue to investigate from a fit for purpose, scalable plan.



11.2 AUGUST 2022 ORDINARY MEETING

File Reference	04.1
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	12 th May 2022
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

Council is required to give notice with regard to any change of meeting schedules

Background

Ct Haywood and Cr Chester have advised the CEO that neither will be available for the August Council meeting. Cr Haywood has suggested that the meeting could be put back by a week at which time he will be able to attend. Cr Chester will be away for at least another week thereafter.

Consultation

Cr Haywood
Cr Chester

Statutory Environment

Local Government Act 1995 (As Amended)

12. Publication of meeting details (Act s. 5.25(1)(g))
 - (1) In this regulation — **meeting details, for a meeting**, means the date and time when, and the place where, the meeting is to be held.
 - (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - (a) ordinary council meetings;
 - (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.
 - (3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.
 - (4) If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details



for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.

[Regulation 12 inserted: SL 2020/213 r. 18.]

Policy Implications

Council does not have a specific policy regarding the changing of meeting dates.

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	Not directly dealt with

Comment/Conclusion

It is proposed that the August 2022 Ordinary meeting be put back by 1 week from 17th August to 24th August 2022.

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

Change the date of the August 2022 Ordinary meeting to 24th August 2022 and provide public notice accordingly.

Motion lapses due to no mover or seconder.



12. MATTERS BEHIND CLOSED DOORS

The meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial.

RESOLUTION 493

Moved Cr Chester, seconded Cr Butt that Council now go behind closed doors.

CARRIED 6/0
Simple Majority

12.1 PROPERTY SEIZURE AND SALE ORDER ON PROPERTY WITH UNPAID RATES

File Reference	
Disclosure of Interest	Nil
Applicant	Shire Of Goomalling
Previous Item Numbers	No Direct
Date	8 March 2022
Author	Trudi Manera – Rates Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Details of outstanding rates (CONFIDENTIAL)

Summary

This report seeks Council approval to obtain a Property Seizure and Sale Order (PSSO) on a property with unpaid rates.

Background

In recovering debt, the Shire of Goomalling (Council) is guided by sections 6.13, 6.45, 6.51, 6.56, 6.60, 6.64, 6.68 and 6.69 of the Local Government Act 1995 (LGA). The Shire established a debt recovery policy to guide operations, decision making and to set out a clear, equitable, accountable and transparent process for the Shire to follow in the management and collection of outstanding debts including rates.

Policy 2.3 Financial Hardship & Debt Recovery (the policy) was originally adopted in July 2009 to enhance the functions of the LGA Part 6, Division 6, Subdivision 5: Recovery of Unpaid Rates and Service Charges to ensure the timely recovery of unpaid rates and service charges. The policy was reviewed and subsequent amendments to enhance the efficiency and effectiveness of the policy were adopted by Council at the Ordinary Meeting of Council, held 11 June 2020.



As per the policy, recovery under the Property Seizure & Sale Order (PSSO) on Land can be initiated only if any rates or service charges which are due in respect of any rateable land have been unpaid for at least 3 years and all attempts and reasonable efforts to recover money due have failed. Council can now request the issue of a PSSO on Land to take the following actions as defined under the LGA as per the following:

- lease the land (s.6.65);
- sell the land (s.6.68); and
- have the land transferred to the Shire (s.6.71).

Attached to this report is confidential detail of ratepayers having unpaid rates exceeding 3 years. This report recommends obtaining a PSSO on Land for this property. Debts have remained outstanding despite the Shire carrying out all reasonable efforts and avenues to recover the debt, including numerous written and attempted verbal interactions by debt collectors and Shire staff (see attachment 1 for details of communications undertaken with the defaulting ratepayer).

To summarise, the following actions have been undertaken by the Shire before recommending this approach to recovering outstanding debts:

1. Debt Collection has been commenced with these ratepayers a number of times since 2009.
2. The 2021-2022 Final notice was provided at least 30 days after the rates notice due date.
3. Letters of Demand have been issued by the Shire's debt recovery agent at least 14 days after the date of the final notice issuance.
4. As detailed in the attachment to this report, in addition to the above standard debt collection procedures, significant written and attempted verbal communication has been carried out over several years by both Shire officers and the Shire's debt recovery agents.

This ongoing effort to address the outstanding debt for this ratepayer has been unacceptably protracted, ignored, and, has not resulted in the collection of rates due. The value of the land in question is low and, although typically the next step would have been to request to issue a General Procedure Claim (GPC), it is recommended that Council proceed straight to a Property (Seizure & Sale) Order against the Land as per Sec 6.68. of the LGA 1995

The process and timelines for PSSO for sale of land are as per below:

1. Debt collector seeks order from the court and seeks Certified Copy of the Order (CCO) from the Bailiff (8 weeks)
2. Lawyers draft letter for registration of the PSSO on the title and send it to Landgate (2 weeks)
3. Landgate processes the PSSO and lodges the CCO on the title and issues a certificate of title showing the lodgement (8 weeks)



4. Shire receives a letter confirming that the PSSO has been processed and CCO is on the title (2 days)
5. Shire issues instructions to Bailiff for sale of property after which the Bailiff completes the remaining formalities, sets auction days, advertises the auction, holds auction and sells the property (9 months).

If approved by Council, the ratepayer would be notified in writing that the outstanding rates on their property have been approved by Council to be recovered through PSSO on Land.

Council should note that legal proceedings will be halted should the affected ratepayer make acceptable payment arrangements subsequent to Council approval.

The entire process is expected to take up to 1 year and therefore poses additional delay to debt recovery if not commenced at the earliest time possible.

Council should also note that section 6.71(1)(b) provides for the transfer of land in fee simple to the local government should the PSSO of Land be enacted and the property remain unsold for a period exceeding 12 months.

Consultation

Magistrates Court of Western Australia

Landgate

Cloud Payment Group

Statutory Environment

Local Government Act 1995 (as amended).

6.55 . Recovery of rates and service charges

- (1) *Subject to subsection (2) and the Rates and Charges (Rebates and Deferments) Act 1992 rates and service charges on land are recoverable by a local government from —*
 - (i) *the owner at the time of the compilation of the rate record; or*
 - (ii) *a person who whilst the rates or service charges are unpaid becomes the owner of the land.*
- (2) *A person who, by virtue of an Act relating to bankruptcy or insolvency or to the winding up of companies, has become the owner of land in the capacity of a trustee or liquidator, is not on that account personally liable to pay, out of the person's own money, rates or service charges which are already due on, or become due on that land while that person is the owner in that capacity.*

6.56 . Rates or service charges recoverable in court

- (1) *If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.*
- (2) *Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.*



6.64 . Actions to be taken

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —*
 - (a) *from time to time lease the land; or*
 - (b) *sell the land; or*
 - (c) *cause the land to be transferred to the Crown; or*
 - (d) *cause the land to be transferred to itself.*
- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*
- (3) *Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.*

6.68 Exercise of power to sell land

- (1) *Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the power of sale) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.*
- (2) *A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —*
 - (a) *has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*
 - (b) *having made reasonable efforts to locate the owner of the property is unable to do so.*
- (3A) *A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.*
- (3) *Schedule 6.3 has effect in relation to the exercise of the power of sale.*

6.69 . Right to pay rates, service charges and costs, and stay proceedings



- (1) *Up to 7 days prior to the time of the actual sale of any land for non-payment of rates or service charges a person having an estate or interest in the land may pay the rates or service charges and the costs and expenses incurred to that time in proceedings relating to the proposed sale.*
- (2) *At any time after the 7 days referred to in subsection (1) but prior to the time of the actual sale of any land the local government may, upon such terms and conditions as are agreed between the parties, accept payment of the outstanding rates or service charges.*
- (3) *On payment being made under subsection (1) or (2) the proceedings relating to the proposed sale are stayed and the local government is required to make such notifications and take such measures as are prescribed in relation to the payment and the cancellation of the proposed sale.*

6.71 . Power to transfer land to Crown or to local government

- (1) *If under this Subdivision land is offered for sale but at the expiration of 12 months a contract for the sale of the land has not been entered into by the local government, it may by transfer, where the land is subject to the provisions of the Transfer of Land Act 1893 , and by deed, where the land is not subject to the provisions of that Act, transfer or convey the estate in fee simple in the land to —*
 - (a) *the Crown in right of the State; or*
 - (b) *the local government.*
- (2) *When a local government exercises the power referred to in subsection (1)(a) in relation to any land all encumbrances affecting the land are, by virtue of this section of no further force or effect against that land and the Registrar of Titles or the Registrar of Deeds and Transfers, as the case requires, is to give effect to this section.*
- (3) *When exercising the power referred to in subsection (1)(b) the local government is required to pay the sum secured by, or payable under, a mortgage, lease, tenancy, encumbrance or charge in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State.*
- (4) *Schedule 6.3 has effect in relation to the exercise of the power referred to in subsection (1).*

Schedule 6.3 Provisions relating to sale or transfer of land where rates or service charges unpaid**1 . Conditions for exercise of power of sale of land**

- (1) *A local government is not to exercise the power of sale until it has caused notice requiring payment of the rates or service charges owing in respect of the land —*
 - (a) *to be served on the owner of the land by being given to him or her or by being sent by certified mail to the address, if any, appearing in a register kept under the Transfer of Land Act 1893 or in a memorial or record kept under the Registration of Deeds Act 1856 relating to the land or by being advertised under subclause (3); and*



- (b) *to be served on such other persons as appear by the records which relate to estates and interests in land to have an estate or interest in the land, by being given to, or by being sent by certified mail to, each of them at their address, if any, appearing in the record, or by being so advertised; and*
- (c) *to be posted on the official notice board of the local government for not less than 35 days.*
- (2) *The local government is to cause the notice requiring payment —*
 - (a) *to be in writing and be dated and signed by the CEO; and*
 - (b) *to specify the land in respect of which the rates or service charges are owing; and*
 - (c) *to specify the total amounts owing in respect of rates or service charges of which payment is required; and*
 - (d) *to include a statement that in default of payment of the amounts specified in the notice, the land will be offered for sale by public auction after the expiration of 3 months from the date of the notice at a time appointed by the local government; and*
 - (e) *to be in, or substantially in, the form prescribed unless subclause (3) applies.*
- (3) *If in the case of a person required by this clause to be served, no sufficient address appears in a register kept under the Transfer of Land Act 1893 or in a memorial or record kept under the Registration of Deeds Act 1856, the local government is to cause the notice requiring payment in, or substantially in, the prescribed form to be served on that person by local public notice and may include in that notice land belonging to more than one owner.*
- (4) *The local government is to appoint a time not less than 3 months and not more than 12 months from the service of the notices required by this clause as the time at which the land may be offered for sale by public auction.*

[Clause 1 amended by No. 81 of 1996 s. 153(1); No. 60 of 2006 s. 144(4).]

2. Advertisement for sale

- (1) *The local government is to give Statewide public notice of the sale —*
 - (a) *in, or substantially in, the prescribed form; and*
 - (b) *by such other means, if any, as the local government considers is necessary or desirable.*
- (2) *In the Statewide public notice the local government —*
 - (a) *may include land owned by more than one owner; and*
 - (b) *is to so describe the land and improvements, if any, on the land, as to identify the land and to convey to persons likely to be interested in the sale the condition of the land and improvements.*
- (3) *The local government is to deliver a memorial of the Statewide public notice to the Registrar of Titles or to the Registrar of Deeds and Transfers, as the case requires, who is to register the memorial and endorse or note the title and land register or record, in respect of each piece of land comprised in the memorial.*



- (4) *When the memorial is registered the Registrar of Titles, or the Registrar of Deeds and Transfers, as the case requires, is prohibited from registering and from accepting for registration an instrument affecting the land without the consent of the local government, until the land ceases under section 6.69 or clause 7 to be bound by this subclause but that prohibition does not extend beyond 12 months from the day on which the memorial is so delivered.*

[Clause 2 amended by No. 47 of 2011 s. 16.]

3. Power of sale

The power of sale includes —

- (a) *power to sell the whole or part of the land either together or in lots —*

(i) by public auction; or

(ii) by private contract, if having been offered for sale by public auction, it has not been sold,

subject to such terms and conditions with respect to the payment of the purchase money or any other matter, including power to fix a reserve price, as the local government thinks fit; and

- (b) *power to vary a contract of sale by agreement with the other party to the contract, and to buy in at auction; and*
- (c) *power to rescind a contract for sale on default by the other party to the contract, and to resell without being answerable for loss occasioned by the rescission and resale; and*
- (d) *power to make such thoroughfares and to grant such easements of right-of-way or drainage over the land as the circumstances of the case require and the local government thinks fit.*

4. Power of local government to transfer or convey land

- (1) *A local government exercising the power of sale of any land has power —*

(a) by transfer, where the land is under the Transfer of Land Act 1893; and

(b) by deed or transfer, where the land is not under that Act,

to transfer or convey to the purchaser an indefeasible estate in fee simple subject only to the encumbrances specified in section 6.75(1)(c), (d) or (e).

- (2) *The Registrar of Titles or the Registrar of Deeds and Transfers may register a transfer or conveyance of land by a local government under this clause if the transfer is in the approved form and the conveyance is acceptable to the Registrar of Deeds and Transfers.*

- (3) *Where the land sold is subject to the provisions of the Transfer of Land Act 1893, the Registrar of Titles, with the consent of the Commissioner of Titles, may dispense with the production of the duplicate certificate of title (if any) but the Registrar may cause such orders to be made and such advertisements to be published as are provided for by that Act in the case of dealing with land the duplicate certificate of title of which is lost or not produced.*

[Clause 4 amended by No. 81 of 1996 s. 153(1); No. 47 of 2011 s. 16.]

**5. Application of purchase money**

Where a local government has exercised its power of sale it is required to apply the proceeds of sale in the following manner —

- (a) *firstly — in payment of the costs, charges and expenses properly incurred by the local government in or incidental to the sale or attempted sale or the exercise of any other power conferred upon the local government by Part 6, Division 6, Subdivision 6 or this Schedule; and*
- (b) *secondly — in payment of —*
 - (i) *unpaid rates or service charges, for the time being due to or imposed by the local government in respect of the land; and*
 - (ii) *costs and other money, if any, due to or imposed in favour of the Crown in right of the State or a department, agency, or instrumentality of the Crown in right of the State; and*
 - (iii) *other amounts due to the local government under this or another written law, in respect of the land at the time of the sale, but where the payments required by paragraph (a) to be made have been made, and the balance of the money then remaining is not sufficient for the payment in full of the items required by this paragraph to be made, the local government is to distribute the balance of the money so remaining, between the Crown, the department, the agency, the instrumentality, and the local government, pro rata with the amounts of their claims, respectively, unless the Governor, or the Minister controlling the department, agency, instrumentality as the case requires, consents to rank after the local government; and*
- (c) *thirdly — in payment of the vendor's costs and expenses of and incidental to conferring upon the purchaser a title to the land; and*
- (d) *fourthly — in or towards the discharge of a charge, if any, on the land under a written law relating to the construction of drains and fittings to connect the land with a sewer; and*
- (e) *fifthly — in or towards the discharge of other mortgages and encumbrances on the land, both registered and unregistered, according to their priorities at law so far as they can be ascertained by the local government; and*
- (f) *sixthly — in payment of the residue of the money within 12 months after the local government has received it to —*
 - (i) *the person who would, but for the proceedings for sale, be entitled to the land; or*
 - (ii) *if there are several persons who would be so entitled, then to those persons in the proportions in which they would be respectively so entitled,*
but if —
 - (I) *a person is entitled to an estate in reversion or remainder in the land, the local government may pay that residue into the Supreme Court under section 99 of the Trustees Act 1962 ; and*
 - (II) *within that period of 12 months the local government has not paid the residue to the person entitled to it, it is to, on the expiration of that*



period, pay that residue into the Supreme Court under that section of that Act; and

- (III) *at the expiration of 6 years after the money is so paid into the Supreme Court, proceedings have not been commenced or are not pending and the Court has not made an order to the contrary the money is to be paid into the Consolidated Account.*

[Clause 5 amended by No. 77 of 2006 s. 4.]

6. Receipt by local government sufficient discharge

A receipt in writing issued by the local government is a sufficient discharge for money paid to the local government on the exercise by it of the power of sale and a person paying it is not bound to inquire whether money remains due to the local government for rates or service charges or otherwise in respect of the land sold.

7. If sale not completed within 12 months after commencement, proceedings lapse

- (1) *If at the expiration of 12 months from the date the land is offered for sale pursuant to the power of sale a contract for sale has not been entered into the proceedings for the exercise of the power of sale cease to have effect.*
- (2) *Where, under subclause (1), proceedings have ceased to have effect, the local government may again commence proceedings for sale of the land and the provisions of this Schedule relating to the procedure for the exercise of the power of sale again apply.*

8. Transfer of land to Crown or local government under s. 6.71

- (1) *The Registrar of Titles or the Registrar of Deeds and Transfers may register a transfer or conveyance of land by a local government under section 6.71, or by the Minister under section 6.74(3), if the transfer is in the approved form or the conveyance is acceptable to the Registrar of Deeds and Transfers.*
- (2) *Where the land is subject to the provisions of the Transfer of Land Act 1893, the Registrar of Titles, with the consent of the Commissioner of Titles, may dispense with the production of the duplicate certificate of title (if any) but the Registrar may cause such orders to be made and such advertisements to be published as are provided for by that Act in the case of dealing with land the duplicate certificate of title of which is lost or not produced.*
- (3) *Notwithstanding the provisions of the Transfer of Land Act 1893, or any other written law —*
- (a) *upon the registration of a transfer or conveyance pursuant to the power referred to in section 6.64(1)(c), the land becomes, and may be dealt with as, Crown land free from mortgages, leases, tenancies, encumbrances, charges and reservations of every kind; and*
- (b) *the registration of the transfer or conveyance pursuant to the power referred to in section 6.64(1)(d) vests in a local government an indefeasible estate in fee simple in the land subject only to the encumbrances specified in section 6.75(1)(c), (d) or (e).*
- (4) *If the land referred to in subclause 3(a) is under the Transfer of Land Act 1893, the Registrar of Titles is to cancel the certificate of title to the land and remove the land*



from the operation of that Act and thereafter the land may be dealt with as if it had never been alienated from the Crown.

- (5) *Duty under the Duties Act 2008 is not chargeable on the transfer or conveyance.*
- (6) *The procedure for the exercise of the powers referred to in sections 6.71, 6.74 and 6.75 is to be as prescribed.*

Policy Implications

Policy 2.3 - Financial Hardship & Debt Recovery Policy

Financial Implications

The total amount of rates outstanding for more than 3 years in Attachment 1 amounts to \$24620.38. This amount is accruing interest daily and represents the debts being recovered.

The PSSO on Land would incur additional legal expenses which will be passed on to the ratepayers as part of the recovery of the debt.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	Not directly dealt with

Comment/Conclusion

Nil Further

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Notes that the rates it has imposed on the property listed in Attachment 1 have been unpaid for a period of at least three years;
2. Notes that the Shire and its debt collection agents have made every reasonable attempt to enforce the debt and in doing so have fulfilled all legislative obligations in relation to the seizure of land under section 6.56 of the Local Government Act 1995; and believe that section 6.68 applies
3. Resolves to exercise its power to seize the land under section 6.64 (1)(b) and Schedule 6.3 of the Local Government Act 1995 to recover the outstanding rates owing on properties listed in Attachment 1.

RESOLUTION 494

Moved Cr Barratt, seconded Cr Chester that Council endorses the Officer's recommendation.

***CARRIED 6/0
Simple Majority***



RESOLUTION 495

Moved Cr Chester, seconded Cr Butt that Council come out from behind closed doors.

***CARRIED 6/0
Simple Majority***

13. INFORMATION BULLETIN

RESOLUTION 496

Moved Cr Van Gelderen seconded, Cr Barratt that the information bulletin be received.

***CARRIED 6/0
Simple Majority***

14. MEETING CLOSURE

The Shire President thanked everyone for their attendance at today's meeting and declared the meeting closed at 5.21 pm.