Shire of Coolgardie

Mother of the Goldfields

CONFIRMED MINUTES

Ordinary Council Meeting

22 March 2022

6:00 pm

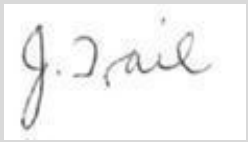
Council Chambers, Bayley Street, Coolgardie

SHIRE OF COOLGARDIE

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member

The next Ordinary Meeting of the Shire of Coolgardie will be held on Tuesday 22 March 2022 commencing at 6:00 pm.



JAMES TRAIL
CHIEF EXECUTIVE OFFICER

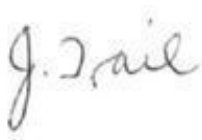
ORDINARY COUNCIL MEETING

22 March 2022

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

The dates, times and locations of the Ordinary Council Meetings for 2022 are listed hereunder.

Day	Date	Time	Venue
Tuesday	January 2022	N/A	-
Tuesday	22 February 2022	6.00pm	Kambalda
Tuesday	22 March 2022	6.00pm	Coolgardie
Tuesday	26 April 2022	6.00pm	Kambalda
Tuesday	24 May 2022	6.00pm	Coolgardie
Tuesday	28 June 2022	6.00pm	Kambalda
Tuesday	26 July 2022	6.00pm	Coolgardie
Tuesday	23 August 2022	6.00pm	Kambalda
Tuesday	27 September 2022	6.00pm	Coolgardie
Tuesday	25 October 2022	6.00pm	Kambalda
Tuesday	22 November 2022	6.00pm	Coolgardie
Tuesday	20 December 2022	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCILS DECISION.



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

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

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

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

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

   Written notice of each question should be given to the Chief Executive Officer prior to 2:30pm on the day of the meeting. A summary of each question and response is included in the Minutes.

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

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

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

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

   Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration.

   The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

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

7. Agendas for Ordinary Meetings are available in the Coolgardie and Kambalda Offices/Libraries seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.

8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).

9. Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at:

(a) Every ordinary meeting of a council; and

(b) Such other meetings of councils or committees as may be prescribed

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b)

Local Government (Administration) Regulations 1996

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

(a) every special meeting of a council; and

(b) every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.

(2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:

(a) by the person presiding at the meeting; or

(b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members,

having regard to the requirements of sub regulations (2) and (3).

(2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.

(3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.

(4) Nothing in sub regulation (3) requires:

(a) A council to answer a question that does not relate to a matter affecting the local government;

(b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or

(c) A committee to answer a question that does not relate to a function of the committee.

2. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Coolgardie and Kambalda Offices/Libraries within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

(1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.

(2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it,

(3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.

(4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.

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

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MINUTES OF SHIRE OF COOLGARDIE
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, BAYLEY STREET, COOLGARDIE
ON TUESDAY, 22 MARCH 2022 AT 6:00 PM

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President, Malcolm Cullen, opened the meeting at 6:01 pm and welcomed his fellow Councillors, staff and members of the public and thanked them for their attendance.

1.1 WELCOME TO COUNTRY ANNOUNCEMENT

"The Shire of Coolgardie acknowledges the Traditional Owners of the land, on which we meet and pay our respects to Elder's past, present and emerging"

2 DECLARATION OF COUNCIL MEMBERS

The Shire President invites Council Members to declare that they have read the agenda and supporting documents and able to make informed decision on all matters accordingly.

3 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

PRESENT:

Cr Malcolm Cullen (President), Cr Tracey Rathbone (Deputy President), Cr Sherryl Botting, Cr Tammee Keast, Cr Kathie Lindup, Cr Rose Mitchell

IN ATTENDANCE:

James Trail (Chief Executive Officer), Jackie Pilkington (Executive Assistant) Robert Hicks (Deputy Chief Executive Officer), Bec Horan (Human Resources), Martin Whitely (Finance Consultant)

ELECTRONIC ATTENDANCE

Francesca Lefante (Planning Consultant)

MEMBERS OF THE PUBLIC

J McLeod, P McGregor, C McGregor, E Lister

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST

4.1 Declarations of Financial Interests – Local Government Act Section 5.60A

Chief Executive Officer, James Trail declared an interest in Agenda Item 17.2 and completed a Declaration of Interest form. The nature of the interest was the CEO Review and their contract arrangements.

4.2 Declarations of Proximity Interests – Local Government Act Section 5.60B

4.3 Declarations of Impartiality Interests – Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidate for Election, Code of Conduct for Employee

Chief Executive Officer, James Trail declared an interest in Agenda Item 13.1.5 and completed a Declaration of Interest form. The nature of the interest was that some of the tenderers were known to the CEO for Tender No 07/2021 with whom he may have occasional social interaction with.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 PUBLIC QUESTION TIME

Taken on notice

7 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Kathie Lindup applied for leave of absence from April 11, 2022 to June 26, 2022 and Cr Rose Mitchell applied for Leave of Absence from March 31, 2022 to April 4, 2022

RESOLUTION #37/2022

That Council approve Leave of Absence for Cr Kathie Lindup from April 11, 2022 to June 26, 2022 and Cr Rose Mitchell March 31, 2022 to April 4, 2022

Moved: Cr Tammee Keast
Seconded: Cr Sherryl Botting

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell.

Against: Nil

CARRIED 6/0

8 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 22 FEBRUARY 2022

Date: **16 March 2022**

Author: **Jackie Pilkington, Executive Assistant to the CEO**

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 22 February 2022 be confirmed as a true and accurate record.

RESOLUTION #38/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That the Minutes of the Ordinary Council Meeting held on 22 February 2022 be confirmed as a true and accurate record.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

9.1 PRESIDENT'S REPORT - MARCH 2022

Location: N/A

Applicant: N/A

Disclosure of Interest: N/A

Date: 18 March 2022

Author: Malcolm Cullen, President

President's Report

March 2022

As part of this month's President's Report, I would like to announce several good news stories about recent initiatives and changes to facilities that will benefit our communities.

Firstly, the Lions Eye Institute will be locating the travelling clinic at Kambalda during their visits to the Goldfields - Esperance region throughout the year. The initial visit occurred in February, with further visits being planned in coming months. This is a great initiative for our local residents to have their eyes checked as well as people who use the service on a regular basis for ongoing eye care.

For further information to book in for the next visit, please contact Shire Staff at the Kambalda Recreation Centre.

The Shire Meals on Wheels Programme reached a milestone last Friday, being the 100th week of meals deliveries to participants in both Coolgardie and Kambalda. This initiative with the assistance of Gold Fields has been most welcome and appreciated by everyone in the programme, and with the increasing concerns of Covid spreading through our communities, this programme is playing a significant role in the health and well-being of our vulnerable senior residents during these challenging times.

Upgrades to equipment and the facility in general, have been completed at the Kambalda Recreation Centre Gymnasium recently. The upgrade will be welcomed by all our gym users with modern equipment installed and rearranged for the benefit of all patrons.

It is also pertinent to remind all users of Shire facilities, to adhere to both Shire and WA Health Department advice with regards to State Covid Health directions and observe strict personal hygiene standards at all times.

The Shire hosted the Inaugural 2022 Minerals Forum at the Kambalda Recreation Centre on March 2nd, Partnering with the Goldfields-Esperance Development Commission and Media Link. The Forum attracted 175 Delegates from the Mining Industry, Contracting Companies and other associated industries to what can be best described as a forum to hear of the many opportunities that are evolving with the resurgence of nickel and lithium resources along with the continuing growth of gold mining operations in the Shire of Coolgardie.

The Forum was opened by Member for Kalgoorlie Ali Kent, with the Keynote Speaker Paul Everingham from the Chamber of Minerals and Energy making a special trip to speak to the delegates on his thoughts on the future mining prospects in our region.

I would acknowledge our CEO James Trail and all the Shire Staff for all the effort they put into organising this very successful event, which certainly showcased our Recreation Centre as well as highlighting the opportunities and benefits the increased mining activity should bring into our communities during the next five to ten years.

The Shire has lodged an application for Federal Government funding under the Remote Roads Programme in an endeavour to undertake major road improvements to 24 kms of the Coolgardie North Road. This road is one of the busiest haulage and tourist routes within our Shire, and If successful will enable the Shire to upgrade the road to a much better standard as well as improved safety for all road users.

Shire Staff have been monitoring the amount of traffic passing through Coolgardie of the past month with the claim of capturing the massive increase in numbers of vehicles travelling on Great Eastern Highway due to the WA Border reopening and the closure of the Trans Australian Railway. The results from the traffic counter were astounding with 71,858 vehicle movements over just 31 days equating to 2,318 per day. It is also of great interest to note that a large percentage of these vehicles are travelling way over the allocated speed limit.

We are also hoping to be able to utilise this data to lobby both Federal and State Governments to increase funding for the Bayley Street upgrade project that is currently being considered.

Following complaints from members of the Coolgardie Community, Shire Staff are negotiating a solution with the Management of the Ampol Roadhouse to repair damaged sections of the Bayley - Jobson Street intersection pavement, which was causing safety concerns due to the damaged road surface caused by the increased heavy vehicle traffic accessing the roadhouse and Jobson Street along with excessive water discharge from the site. This work is expected to commence as soon as practicable.

With the ever-increasing threat of the spread of Covid 19 within our communities, I would encourage all residents to take extreme caution when out in public, ensure high standards of personal hygiene, which includes the wearing of masks and frequently sanitising hands, and look out for your friends and neighbours. It is also important to encourage everyone prepare their individual Covid Plans, and be fully vaccinated, although it does not stop people catching the virus, it will on most occasions assist in the recovery from Covid and prevent the risk of fatalities. We are all in this together; so stay safe.

Workshops and Meetings attended this period:

* February 24th Zoom meeting with Ravim|RBC, discuss arrangements for CEO review.
* March 2nd, 2022 Minerals Forum in Kambalda.
* March 8th Councillor discussion and CEO Review in Coolgardie.
* 10th March Telephone conference with Marcus Falconer; Australia's Golden Outback
  RE proposal for a new Goldfields Tourism Development Project.
* March 11th Local Emergency Management Committee meeting in Coolgardie.
  Discuss ongoing Covid 19 protocols and developments.
* 15th March Council Briefing Forum.
  Audit Committee Meeting in Coolgardie.
* 18th March LEMC meeting in Coolgardie.

Cr Malcolm Cullen

Shire President.

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11 REPORTS OF COMMITTEES

Nil

12 REPORTS OF OFFICERS

Nil

13 Executive Services

13.1.1 ELECTRONIC MEETINGS DURING PANDEMIC

Location: **Coolgardie**

Applicant: **Nil**

Disclosure of Interest: **Nil**

Date: **23 February 2022**

Author: **Steven Tweedie, Consultant**

SUMMARY

To advise Council of the procedures required to be taken, during the COVID 19 pandemic, to facilitate an electronic meeting of Council, and Committees of the Shire.

BACKGROUND

There are several methods whereby Council Members may participate electronically at Council and Committee meetings:

- remote attendance where a Council Member:
  - is more than 150kms away from the place of the meeting
  - is in a recognised townsite, within WA
  - will not attend more than 50% of the meetings in a year by that means (unless disabled)
  - has approval from Council, by absolute majority, to do so
- electronic attendance, after a natural disaster where a Council Member:
  - is preventing from physically attending the meeting
  - has the approval of the Mayor/President, or Council
- electronic attendance, in public health emergency or state of emergency, where:
  - part or all the District is affected by a public health emergency or a state of emergency
  - has the approval of the Mayor/President, or Council
- electronic meeting

This report focuses on the preconditions, and processes for an electronic meeting.

COMMENT

Reg 14D of the Local Government (Administration) Regulations permit various meetings to be conducted entirely electronically:

- an ordinary meeting of the council; or
- a special meeting of the council; or
- a meeting of a committee of the council; or
- a meeting of an audit committee of a local government.

but only with the precondition that:

- a public health emergency or a state of emergency exists in the whole or a part of the area of the district of a local government; and
- because of the public health emergency or state of emergency, the mayor, president, or council considers it appropriate for the meeting to be held by electronic means; or

- a direction is issued under the Public Health Act 2016 or the Emergency Management Act 2005 that prevents the meeting from being held in person; and
- the mayor, president or council authorises the meeting to be held by electronic means.

Currently in WA there are both a General State of Emergency and a Public Health State of Emergency, as declared by the WA Government, (although either, or both could be lifted at any time).

The CEO has discussed with the Shire President the preconditions to a move to electronical meetings.

The Shire must comply with a direction under the Public Health Act 2016 or the Emergency Management Act 2005 to move to electronic meetings, but otherwise it is a decision for the President, or Council to make.

If the pandemic worsens, and it is not appropriate for Council to meet in person, it may not be possible to convene a Council meeting to authorise electronic meetings. In such a situation the Shire President has the authority to do so.

If the President determines to conduct a Council meeting by electronic means, the CEO must be consulted before a decision is made.

CONSULTATION

Cr Malcolm Cullen, Shire President
James Trail, CEO

STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulations

FINANCIAL IMPLICATIONS

None arising from this Report

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council, by Simple Majority:

1. Note the provisions of the relevant legislation regarding convening Council, and Committee meetings by electronic means (in addition to other forms of participation) during a Public Health or General State of Emergency.
2. Note the Shire President's responsibility to be able to convene Council, and Committee meetings by electronic means, after consulting with the CEO.
3. Direct the CEO to ensure that all Council Members, and executive employees have access to suitable telecommunications equipment to be able to fully participate in any electronic meetings.
4. Note the individual Councillors responsibility to seek approval to attend meetings via electronic means, in writing through the President prior to the meeting.

RESOLUTION #39/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Sherryl Botting

That Council, by Simple Majority:

1. **Note the provisions of the relevant legislation regarding convening Council, and Committee meetings by electronic means (in addition to other forms of participation) during a Public Health or General State of Emergency.**
2. **Note the Shire President's responsibility to be able to convene Council, and Committee meetings by electronic means, after consulting with the CEO.**
3. **Direct the CEO to ensure that all Council Members, and executive employees have access to suitable telecommunications equipment to be able to fully participate in any electronic meetings.**
4. **Note the individual Councillors responsibility to seek approval to attend meetings via electronic means, in writing through the President prior to the meeting**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

13.1.2 2021 AUDIT COMPLIANCE RETURN

Location: NIL

Applicant: NIL

Disclosure of Interest: NIL

Date: 15 March 2022

Author: Martin Whitely, Consultant

SUMMARY

The purpose of this report is to present Council with the completed 2021 Compliance Audit Return (CAR).

BACKGROUND

In accordance with the Local Government Act 1995 and Local Government (Audit) Regulations 1996, a local government is required to complete an annual CAR for the period 01 January 2021 to 31 December 2021 of the preceding year. The CAR, after being adopted by Council, is to be forwarded to the Department of Local Government by 31 March 2022.

At the Audit Committee Meeting held 15th March 2022, the Committee resolved;

AUDIT COMMITTEE RESOLUTION AND OFFICER RECOMMENDATION

Moved: Cr Kathy Lindup

Seconded: Cr Rose Mitchell

That the Audit Committee receives the completed 2021 Compliance Audit Return for the period of 01 January 2021 to 31 December 2021 and recommends that Council endorses the return as tabled.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathy Lindup, Rose Mitchell and Tammee Keast

Against: Nil

CARRIED 6/0

COMMENT

The purpose of the annual CAR is for individual local governments to assess their level of compliance with the Local Government Act 1995 and associated Regulations.

With the exceptions of Elections (as it was an election year) and an "Optional" Category that included 9 questions relating to a number of different areas, the specific areas addressed by the CAR are the same as those covered in the 2020 return. Overall the areas covered include:

- Commercial Enterprises by Local Government
- Delegation of Power/Duty
- Disclosure of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning & Reporting

- Local Government Employees
- Official Conduct
- Optional Questions
- Tenders for Providing Goods and Services

The Compliance Audit Return has been undertaken as an internal audit, sourcing evidence of compliance through the Shire's own records. Where relevant, resolution references have been included in the CAR.

The review has found that there were 3 items of non-compliance. As a comparative, there were 2 items of non-compliance identified in the 2020 and 2019 Returns.

A summary for each of the sections is shown below;

Commercial Enterprises by Local Government
The Shire had no major trading undertakings during 2021.

Non Compliance matters raised - Nil

Delegation of Power/Duty
1. Were all delegations to the CEO in writing
2. Were all delegations by the CEO to any employee in writing
3. Written records have not been maintained on all occasions by persons exercising a delegated power/duty

Non-Compliance matters raised – 3

Although the Delegation Register is signed by the Shire President and Chief Executive Officer, there is a requirement for the Shire President to advise the CEO of his delegations in writing (letter). This did not occur due to staff changes.

Employees did not receive notification of their delegations from the CEO in writing during the 2021 year. Again this was due to staff changes.

While records were maintained for persons exercising delegated power or duty during the period, this was not recorded on all occasions. This was mainly due to staff changes however all staff with delegated authority have now been made aware of the requirements.

We now have a staff member responsible for Governance who will ensure that the above no compliant matters are monitored throughout the year to ensure it is compliant in 2022.

Disclosure of Interest
Council need to ensure that all Primary and Annual Returns are completed in a timely manner and returns are acknowledged in writing by the CEO (for all Councillors & Staff) and the President (for the CEO).

For the purpose of completing Primary and Annual Returns for staff, a designated employee is an employee, other than the Chief Executive Officer, to whom any power or duty has been delegated to that employee as explained in section 5.74 of the Local Government Act 1995.

The Local Government Act 1995 has very stringent rules for both Annual and Primary Returns. Annual Returns must be completed within 3 months of the commencement date, while Annual Returns must be completed by 31 August each year. There are very harsh penalties for non-compliance in this area with penalties of a $10,000 fine or imprisonment for 2 years that may be applied for Annual and Primary Returns not completed within the required timeframes. Below is an extract from the Local Government Act 1995;

5.75. Primary returns

(1) A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.

(2) A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.

(3) This section does not apply to a person who —

(a) has lodged a return within the previous year; or

(b) has, within 3 months of the start day, ceased to be a relevant person.

Penalty: $10 000 or imprisonment for 2 years.

5.76. Annual returns

(1) Each year, a relevant person other than the CEO must lodge with the CEO an annual return in the prescribed form by 31 August of that year.

(2) Each year, a CEO must lodge with the mayor or president an annual return in the prescribed form by 31 August of that year.

Penalty applicable to subsections (1) and (2): $10 000 or imprisonment for 2 years.

[Section 5.76 amended by No. 1 of 1998 s. 18; No. 66 of 2006 s. 12.]

5.77. Acknowledging receipt of returns

On receipt of a return under section 5.75 or 5.76 from a person, the CEO or the mayor or president, as the case may be, is to give the person written acknowledgment of having received the return.

Non Compliance matters raised – Nil

Disposal of Property

Public notice is required for the disposal of property under section 3.58 of the Act unless sold by public auction. There was no property disposed of during the period.

Non Compliance matters raised - Nil

Finance

It is a requirement that an Audit Committee is established and appointed by Council.

It is also a requirement for any significant matters raised in the Audit Report to be addressed by the CEO with an Action List addressing these matters raised endorsed by Council and a copy sent to the Minister within 3 months of receiving the Audit Report.

Non Compliance matters raised - Nil

Local Government Employees
This area relates to the advertising and appointment of the CEO.

Non Compliance matters raised - NIL

Official Conduct
This area relates to the requirements of a complaints register, policies, councillor professional development and budgets.

Non Compliance matters raised - NIL

Integrated Planning & Reporting

Non Compliance matters raised – Nil

Optional
In total there were 9 optional questions relating to a vast array of areas including finance, risk management, gift registers and elected member professional development & training.

All areas were compliant and the section completed accordingly.

Non Compliance matters raised – Nil

Tenders for Providing Goods and Services
This area relates to purchasing polices, tenders, provision for statewide public notices and tender register

Non Compliance matters raised – Nil

Local Government Employees
There are currently no designated senior employees as per the definition of the Local Government Act 1995 employed at the Shire.

Non Compliance matters raised - Nil

Official Conduct
No complaints were received in accordance with section 5.121 of the Local Government Act 1995

Non Compliance matters raised – Nil

Optional

The optional section included 4 questions relating to various financial management reporting and disclosures.
All of which were compliance and the questions were completed.

Non Compliance matters raised - Nil

Tenders for Providing Goods and Services
A tender register has been maintained and the processes for calling tenders followed within this reporting section. While a tender register has been maintained it is imperative to ensure the register is properly maintained at all times. Outlined below are the minimum requirements for information to be maintained in the tender register.

17. Tenders register

(1) The CEO is responsible for keeping the tenders register and making it available for public inspection.

(2) The tenders register is to include, for each invitation to tender —

(a) a brief description of the goods or services required; and

[(b) deleted]

(c) particulars of —

(i) any notice by which expressions of interests from prospective tenderers was sought; and

(ii) any person who submitted an expression of interest; and

(iii) any list of acceptable tenderers that was prepared under regulation 23(4);

and

(d) a copy of the notice of the invitation to tender; and

(e) the name of each tenderer whose tender has been opened; and

(f) the name of any successful tenderer.

(3) The tenders register is to include for each invitation to tender the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.

Non Compliance matters raised - Nil

Overall the completed CAR indicates that the Shire of Coolgardie is maintaining an acceptable level of compliance in the key areas that the CAR focuses on. Those items identified as being non-compliant can be rectified with the implementation of simple administration processes.

CONSULTATION

Bec Horan, Projects

STATUTORY ENVIRONMENT

Local Government Act 1995
Local Government (Audit) Regulations 1996
Local Government (Functions & General) Regulations 1996
Local Government (Administration) Regulations 1996
Local Government (Financial Management) Regulations 1996
Local Government (Rules of Conduct) Regulations 2007

Local Government Act 1995

7.13. Regulations as to audits

(1) Regulations may make provision as follows —

(i) requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance with such statutory requirements as are prescribed whether those requirements are —

(i) of a financial nature or not; or

(ii) under this Act or another written law.

Local Government (Audit) Regulations 1996

14. Compliance audits by local governments

(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.

(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.

(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.

(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —

(a) presented to the council at a meeting of the council; and

(b) adopted by the council; and

(c) recorded in the minutes of the meeting at which it is adopted.

15. Compliance audit return, certified copy of etc. to be given to Executive Director

(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —

(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and

(b) any additional information explaining or qualifying the compliance audit,

is to be submitted to the Executive Director by 31 March next following the period to which the return relates.

(2) In this regulation —

certified in relation to a compliance audit return means signed by —

(a) the mayor or president; and

(b) the CEO.

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Compliance Audit Return 2021

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

1. Adopts the completed 2021 Compliance Audit Return for the Shire of Coolgardie for the period 1 January to 31 December 2021 as presented in the attachment for this report, and
2. Submits the completed Compliance Audit Return for the Shire of Coolgardie to the Department of Local Government after the Joint Certificate is signed by the Shire President and the Chief Executive Officer

RESOLUTION #40/2022

Moved: Cr Kathie Lindup
Seconded: Cr Tammee Keast

That Council

1. Adopts the completed 2021 Compliance Audit Return for the Shire of Coolgardie for the period 1 January to 31 December 2021 as presented in the attachment for this report, and

2. Submits the completed Compliance Audit Return for the Shire of Coolgardie to the Department of Local Government after the Joint Certificate is signed by the Shire President and the Chief Executive Officer

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

Department of
Local Government, Sport
and Cultural Industries

GOVERNMENT OF WESTERN AUSTRALIA

Coolgardie - Compliance Audit Return 2021

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments

No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2021?	N/A		Martin Whitely
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2021?	N/A		Martin Whitely
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2021?	Yes		Martin Whitely
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2021?	Yes		Martin Whitely
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	N/A		Martin Whitely

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Delegation of Power/Duty

No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A		Martin Whitely
2	s5.16	Were all delegations to committees in writing?	N/A		Martin Whitely
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A		Martin Whitely
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A		Martin Whitely
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	N/A		Martin Whitely
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Martin Whitely
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes		Martin Whitely
8	s5.42(2)	Were all delegations to the CEO in writing?	No		Martin Whitely
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	No		Martin Whitely
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	Yes		Martin Whitely
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Martin Whitely
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes		Martin Whitely
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	No		Martin Whitely

Disclosure of Interest

No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes		Martin Whitely

Department of Local Government, Sport and Cultural Industries - Compliance Audit Return

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No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	Yes		Martin Whitely
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes		Martin Whitely
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Martin Whitely
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes		Martin Whitely
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Martin Whitely
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Martin Whitely
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Martin Whitely
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Martin Whitely
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Martin Whitely
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Martin Whitely
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Martin Whitely
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Martin Whitely

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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Martin Whitely
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?* *Question not applicable after 2 Feb 2021	N/A		Martin Whitely
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?* *Question not applicable after 2 Feb 2021	N/A		Martin Whitely
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes		Martin Whitely
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Martin Whitely
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Martin Whitely
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?* *Question not applicable after 2 Feb 2021	Yes		Martin Whitely
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?* *Question not applicable after 2 Feb 2021	Yes		Martin Whitely

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No	Reference	Question	Response	Comments	Respondent
22	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes		Martin Whitely
23	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4)?	Yes		Martin Whitely
24	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes		Martin Whitely
25	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	Yes		Martin Whitely

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	N/A		Martin Whitely
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	N/A		Martin Whitely

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Elections

No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Martin Whitely
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A		Martin Whitely
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Martin Whitely

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Finance

No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Martin Whitely
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A		Martin Whitely
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	Yes		Martin Whitely
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes		Martin Whitely
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	Yes		Martin Whitely
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	Yes		Martin Whitely
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes		Martin Whitely

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Integrated Planning and Reporting					
No	**Reference**	**Question**	**Response**	**Comments**	**Respondent**
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	June 2018 Council Resolution #108/18	Martin Whitely
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	June 2020 Council Resolution #101/20	Martin Whitely
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Martin Whitely

Local Government Employees					
No	**Reference**	**Question**	**Response**	**Comments**	**Respondent**
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Martin Whitely
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Martin Whitely
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Martin Whitely
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Martin Whitely
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Martin Whitely
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Martin Whitely

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Official Conduct

No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes		Martin Whitely
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)? Does the complaints register include all information required by section 5.121 (2)?	Yes		Martin Whitely
3	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Martin Whitely

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Optional Questions

No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	Yes	April 2019	Martin Whitely
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2021? If yes, please provide date of council's resolution to accept the report.	Yes	August 2018	Martin Whitely
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	Yes		Martin Whitely
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events ?	Yes		Martin Whitely
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Martin Whitely
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Policy No. 1.18 27 October 2020 Council Resolution #195/20	Martin Whitely
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	Yes	Register on website	Martin Whitely
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	Yes		Martin Whitely
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all it's expenditure, revenue and income?	Yes		Martin Whitely

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Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, $250,000 or less or worth $250,000 or less?	Yes		Martin Whitely
2	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	Yes		Martin Whitely
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Martin Whitely
4	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Martin Whitely
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	Yes		Martin Whitely
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Martin Whitely
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Martin Whitely
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A		Martin Whitely
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	N/A		Martin Whitely
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Martin Whitely

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No	Reference	Question	Response	Comments	Respondent
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	Yes		Martin Whitely
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Martin Whitely
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A		Martin Whitely
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	Yes		Martin Whitely
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	No		Martin Whitely
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Martin Whitely
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Martin Whitely
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Martin Whitely
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Martin Whitely
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Martin Whitely
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Martin Whitely

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No	Reference	Question	Response	Comments	Respondent
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	Yes		Martin Whitely

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Coolgardie

Signed CEO, Coolgardie

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13.1.3 REVIEW AND ADOPTION OF REGISTER OF DELEGATIONS AND AUTHORISATIONS

Location: **Shire of Coolgardie**

Applicant: **NIL**

Disclosure of Interest: **NIL**

Date: **15 March 2022**

Author: **Steven Tweedie, Consultant**

SUMMARY

The Register of Delegations must be reviewed at least once every financial year - in relation to delegations made under the Local Government Act 1995, and some other Acts. Some delegations made under other Acts do not require same, but the approach of the Shire of Coolgardie has been to review all delegations at the same time. Council was briefed in February 2022 on a significant review of the Register of Delegations to:

- take account of new positions titles following the recent reorganisation
- ensure a more complete document, updated for new delegations in recent years,
- provide a basis for a subsequent review of the Council and CEO Policy Manuals (which are cross referenced from the Register of Delegations)
- be in the same format as the WALGA template Register of Delegations, to make subsequent amendments and updates easier to make and track
- be in a format for ready adoption by ATTAIN, the cloud-based governance and compliance system,

The Register also includes sub delegations made by the CEO, for completeness of record, authorisations made by Council, the CEO or as of right and appointments, mostly as of right.

BACKGROUND

There are no significant changes, except as they relate to changes of titles of employees, with almost all prior instruments brought forward into the draft Register for consideration.

COMMENT

Council needs to revoke the current Register of Delegations 2020/2021 and then to adopt the draft register of Delegations 2021/2022.

NOTE: Council must follow a 2-step process for revocation of a decision:

- The Shire President needs to ensure that its consideration has the support of at least one third of the offices of the Council (cl 10(1)(b) Admin Regs) and Shire of Coolgardie Meeting Procedures Local Law Part 16
- Once that support is clear, Council may deal with the revocation.

The Register of Delegations must be adopted by an absolute majority.

CONSULTATION

Chief Executive Officer

Deputy Chief Executive Officer

Executive employees

STATUTORY ENVIRONMENT

Local Government Act and Regulations, other Acts which permit delegations.

POLICY IMPLICATIONS

Once the Register of Delegations has been adopted a review of the Council and CEO Policy Manuals will forward with updated cross references etc.

The Council Policy Manual will be brought to Council for formal consideration and approval.

FINANCIAL IMPLICATIONS

NIL

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Register of Delegations and Authorisations

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That

1. Based on the Shire President receiving written support of at least one third of Council Members to consider the revocation, that Council, by Absolute Majority, revoke the Register of Delegations and Authorisations 2020/2021.
2. Council adopt, by Absolute Majority, the Register of Delegations and Authorisations 2021/2022 and note the sub delegations and authorisations proposed by the CEO.

RESOLUTION #41/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Kathie Lindup

That

1. **Based on the Shire President receiving written support of at least one third of Council Members to consider the revocation, that Council, by Absolute Majority, revoke the Register of Delegations and Authorisations 2020/2021.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

RESOLUTION #42/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Sherryl Botting

That

2. **Council adopt, by Absolute Majority, the Register of Delegations and Authorisations 2021/2022 and note the sub delegations and authorisations proposed by the CEO.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

Shire of Coolgardie
Mother of the Goldfields

DELEGATION REGISTER

Current as at

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Introduction

FORMAT OF REGISTER

This Register includes:

- Delegations from the Council to the Chief Executive Officer, and where appropriate to other employees or other persons; and
- Sub delegations from the Chief Executive Officer to other employees or persons
- Authorisations made by the Council or the CEO
- Appointments made by the Council or the CEO, or as of right by virtue of legislation

The Register includes some instruments of sub delegation, authorisation, and appointment by the CEO, which do not need to be adopted/approved by Council. They are included to reflect a "one stop shop" approach.

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

TERMINOLOGY AND ACRONYMS

Clause – of the Shire of Coolgardie own Planning Scheme No 5 referenced by 'cl', as in cl8.2.1.

Employee – refers to an employee of the Shire of Coolgardie. It should be noted although the Chief Executive Officer may generally only delegate a function or duty to an employee (S5.44 Local Government Act 1995 and others), any 'person' may be appointed an Authorised Person (although some Acts, such as the Building Act 2011 and Health Act 1911 require only employees or certain qualified employees to be 'authorised' or 'appointed'). Thus, care needs to be taken to ensure that contractors are not 'delegated' functions or duties, although they may be appointed as Authorised Persons.

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

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

Section - of an Act, referenced by 's', as in s5.42.

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

DELEGATIONS AND SUB DELEGATIONS

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

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

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

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

This Register describes:

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

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

AUTHORISATIONS

This Register includes authorisations under the Local Government Act 1995 and other legislation. In most cases, authorisations are made by the Chief Executive Officer under s9.10 of the LGA 1995, in other cases via delegated authority. In some cases, authorisations are made by the Council itself because the relevant statute requires.

Some legislation provides for authorisation of Local Government officers to have powers as are necessary for them to perform their required duties as a specific function of the local government. These duties are carried out as 'acting through' functions under s5.45(2) of the Local Government Act 1995.

APPOINTMENTS

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

LOCAL GOVERNMENT ACT 1995

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

- any power or duty that requires a decision of an absolute majority or special majority of the local government,
- accepting a tender which exceeds an amount determined by the local government,
- appointing an auditor,
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government,
- any of the local government's powers under s5.98, 5.98A, s5.99, s5.99A and s5.100 of the Act,

- borrowing money on behalf of the local government,
- hearing or determining an objection of a kind referred to in s9.5 of the Act,
- the power under s9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government,
- any power or duty that requires the approval of the Minister or the Governor.

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

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

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

OTHER LEGISLATION

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

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

- Rates and Charges (Rebates and Deferments) Act 1982,
- Road Traffic Act 1974,
- Strata Titles Act 1985.

The Shire of Coolgardie Town Planning Scheme No 5 permits delegation by Council to employees (rather than via the Chief Executive Officer as per the Local Government Act). Accordingly, the process defined by the Town Planning Scheme for delegating authority and duties is utilised.

SUB DELEGATION BY THE CHIEF EXECUTIVE OFFICER

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

Other legislation permits sub delegation by the CEO, either, as of right, or with the express authority of the Council (Dog Act).

The Bush Fires Act prohibits sub delegation by the CEO.

REVIEW OF DELEGATIONS

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

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

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

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

RECORD OF ACTIONS AND DECISIONS

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

The record is to contain information on:

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

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

Similar provisions do not exist under other legislation regarding record keeping.

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

PRIMARY/ANNUAL RETURNS AND GIFT DISCLOSURES

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

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

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

The SoC has no designated senior employees.

ACTING THROUGH ANOTHER PERSON

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

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

a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or

b) a Chief Executive Officer from performing any of his or her functions by acting through another person.

The key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision-making function in his or her own right. Thus, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to 'act through' another employee.

The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

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

Delegation Register
Shire of Coolgardie

1 Local Government Act 1995 Delegations

1.1 Council to Committees of Council

Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2 Council to CEO

1.2.1 Performing Functions Outside the District

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.20(1) Performing functions outside district
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
Council Conditions on this Delegation:	a. A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation, and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**NIL**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.2 Compensation - Damage Incurred when Performing Executive Functions

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.22(1) Compensation s.3.23 Arbitration
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Council Conditions on this Delegation:	a. Delegation is limited to settlements which do not exceed a material value of $10,000. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**NIL**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1. Local Government Act 1995 Delegations

1.2.3 Powers of Entry

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Council Conditions on this Delegation:	a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995*: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Recreation and Aquatic Facilities Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995:* s.9.10 Appointment of authorised persons – also refer s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry s.3.34(2) Entry in an emergency – Refer to CEO Delegation

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1. Local Government Act 1995 Delegations

Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.4 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

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1. Local Government Act 1995 Delegations

1.2.5 Confiscated or Uncollected Goods

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. 4. Only the CEO may commence legal proceedings.
Council Conditions on this Delegation:	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than $20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*:Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.6 Disposal of Sick or Injured Animals

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1.2.7 Close Thoroughfares to Vehicles

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Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Council Conditions on this Delegation:	a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

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Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.8 Control Reserves and Certain Unvested Facilities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the *Parks and Reserves Act 1895*. [s.3.54(1)].
Council Conditions on this Delegation:	a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1. Local Government Act 1995 Delegations

1.2.9 Obstruction of Footpaths and Thoroughfares

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has:

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1. Local Government Act 1995 Delegations

	i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.10 Gates Across Public Thoroughfares

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996:* r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

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1. Local Government Act 1995 Delegations

	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.11 Public Thoroughfare – Dangerous Excavations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.12 Crossing – Construction, Repair and Removal

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995*: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*

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1. Local Government Act 1995 Delegations

1.2.13 Private Works on, over or under Public Places

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* r.17 Private works on, over, or under public places – Sch.9.1 cl.
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the *Local Government (Uniform Local Provisions) Regulations 1996*. b. Permission may only be granted where, the proponent has: i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

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1. Local Government Act 1995 Delegations

	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

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

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) 1996:* r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give notice to a land owner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift *[ULP r.21(1)]*.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Uniform Local Provisions) Regulations 1996* – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.15 Expressions of Interest for Goods and Services

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Council Conditions on this Delegation:	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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1. Local Government Act 1995 Delegations

1.2.16 Tenders for Goods and Services – Call Tenders

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)].
Council Conditions on this Delegation:	a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where : i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or ii. a current supply contract expiry is imminent; and iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**

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1. Local Government Act 1995 Delegations

	Project Manager **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.17 Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and ii. To accept the tender that is most advantageous within the $350,000 detailed as a condition on this Delegation [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into OR the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations before entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to vary a tendered contract, after it has been entered into, provided the variation/s are necessary for the

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1. Local Government Act 1995 Delegations

	goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% or to a maximum of $40,000 whichever is the lesser value [F&G r.21A(a)]. 9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).
Council Conditions on this Delegation:	a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications. b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where: i. The total consideration under the resulting contract is $350,000 or less; ii. The expense is included in the adopted Annual Budget; and iii. The tenderer has complied with requirements under F&G r.18(2) and (4). c. Where the CEO determines to exercise authority to decline to accept any tender [F&G r.18(5)], where such a tender must be determined by Council, the CEO must, at <u>least</u> advise the Shire President of the intention to do so, and the reasons for doing so. In addition, the CEO must advise the next appropriate forum of the Council of the intention, or if the decision has been made, of having done so, and why. d. A decision to vary a tendered contract <u>before</u> entry into the contract *[F&G r.20(1) and (3)]* must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply. e. A decision to vary a tendered contract <u>after</u> entry into the contract *[F&G r.21A(a)]* must include evidence that the variation is necessary and does not change the scope of the contract. f. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) **<u>and</u>** that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term. g. Contract variations under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to: • prior budget provision having been made, or

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1. Local Government Act 1995 Delegations

	• being to give effect to a Council decision to accept a variation of a contract entered into, or • the intentions and purposes of the contract are not substantially altered, • an assessment, in writing, of the reasons for the variation, as determined by the CEO, either generally or specifically in relation to a contract • consideration is given to the cumulative impact of variations, to ensure that the scope of the original contract is not significantly altered, and that a separate procurement process is not required, and where the effect on the total contract is – • a reduction or • the cumulative value remains below the tender threshold or • likely increase in cost to a cumulative total of $40,000 ex GST or 10% whichever is the greater, where the adjusted total contract payment remains within Budget provision: or • is a reasonable and unforeseen increase in duration of the contract. Contract extensions under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to: • prior budget provision having been made, or • being to give effect to a Council decision to extend a contract entered into, or • the intentions and purposes of the contract are not substantially altered, and • the original contract including provisions which permit an extension • an assessment, in writing, of the merits of extending the contract, as determined by the CEO, either generally or specifically in relation to a contract • any extension taking effect prior to the expiration of the original contract • written evidence that the terms of the contract extension have been mutually agreed by the Shire and the contractor.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Manager of Waste Services**

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1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.18 Tenders for Goods and Services - Exempt Procurement

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11(2) When tenders have to be publicly invited (*exemptions*)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&G.r.11(2)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)].
Council Conditions on this Delegation:	a. Tender exempt procurement under F&G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum $value specified for the following categories:

Category	Maximum Value for individual contracts
WALGA Preferred Supplier Program *[F&G.r.11(2)(b)]*	$350,000
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government *[F&G.r.11(2)(e)]*	$350,000
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below *[F&G.r.(2)(f)]*	$350,000
Supply of petrol, oil or any other liquid or gas used for internal combustion engines *[F&G.r.11(2)(g)]*	$350,000
Goods or services supplied by a person registered on the Aboriginal Business Directory WA	<$250,000*

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	OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that the contract represents value for money. *[F&G.r.11(2)(h)]*	**as specified in F&G.r.11(2)(h)(ii)*
	Goods or services supplied by an Australian Disability Enterprise *[F&G.r.11(2)(i)]*	$350,000

b. Tender exempt procurement under F&G r.11(2)(f) may only be approved where a record is retained that evidences:

i. A detailed specification;
ii. The outcomes of market testing of the specification;
iii. The reasons why market testing has not met the requirements of the specification;
iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and
v. The expense is included in the adopted Annual Budget.

c. Where the total consideration of a Tender Exempt procurement contract exceeds the value delegated above, the decision is to be referred to Council.

Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Manager of Waste Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Functions and General) Regulations 1996* – prescribe applicable statutory procedures Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services

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1. Local Government Act 1995 Delegations

1.2.20 Application of Regional Price Preference Policy

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Functions and General) Regulations 1996:* r.24G Adopted regional price preference policy, effect of
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to decide when not to apply the regional price preference policy to a particular future tender [F&G r.24G].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	a. Each sub-delegate may only use the sub-delegation in regard to contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 1.06 Regional Price Preference
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.21 Disposing of Property

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.58(2) & (3) Disposing of Property
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to dispose of property to: (a) the highest bidder at public auction [s.3.58(2)(a)]. (b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Council Conditions on this Delegation:	a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of $20,000 or less. c. When determining the method of disposal: • Where a public auction is determined as the method of disposal: o Reserve price has been set by independent valuation. o Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. • Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. • Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: o Negotiate the sale of the property up to a -10% variance on the valuation; and

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1. Local Government Act 1995 Delegations

	○ Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. d. Where the market value of the property is determined as being less than $20,000 (F&G r.30(3) excluded disposal) may be undertaken: • Without reference to Council for resolution; and • In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1. Local Government Act 1995 Delegations

1.2.22 Payments from the Municipal or Trust Funds

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Financial Management) Regulations1996*: r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
Council Conditions on this Delegation:	a. Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Manager Executive Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. 2. Payments by Cheque and EFT transactions must be approved jointly by two Delegates, one of whom must be the CEO or Deputy CEO. 3. Deputy CEO, Commercial Manager, Manager Executive Services are limited to ONLY counter sign payment authorities, when the other signatory is the CEO or Director Operations. Payment transaction and delegated authority records are retained in Synergy through 'Payment Reports'. 4. Monthly cheque and EFT payment listing recorded in Council Minutes and registered to Subject Tab: Financial Management / Financial Reporting 5. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval. 6. Such delegation applies to each employee for his/her area of responsibility.

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1. Local Government Act 1995 Delegations

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

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1. Local Government Act 1995 Delegations

1.2.23 Appointment of Acting Chief Executive Officer

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995* s5.36(1)(a), 5.39C
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Chief Executive Officer must inform the Shire President and all council members of all proposed Acting Chief Executive Officer arrangements. For periods of absence, longer than 20 working days the Chief Executive Officer shall submit a recommendation for the determination by the Council. For periods of absence of up to, and including, 10 working days the CEO may appoint any suitably qualified person to the position of Acting Chief Executive Officer, including any Director, other employee of the Shire, or another person. For periods of more than 10 working days and up to, and including 20 working days, the CEO may only appoint either the Deputy CEO, as Acting CEO and any other proposal must be determined by Council. Where the CEO proposes to appoint another employee, or any other person to be acting CEO then they must have the knowledge, experience, qualifications, and skills necessary to effectively perform the duties and responsibilities of the position of Acting Chief Executive Officer. If the Chief Executive Officer's position becomes vacant, all acting arrangements are to be determined by the Council, in accordance with the Local Government Act 1995, Regulations and relevant Standards.
Council Conditions on this Delegation:	Cannot be sub-delegated
Express Power to Sub-Delegate:	

Sub-Delegate/s: *Appointed by CEO*	
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1. Local Government Act 1995 Delegations

1.2.24 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Waive a debt which is owed to the Shire of Coolgardie [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Coolgardie [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of Coolgardie [s.6.12(1)(c)] 4. Make a donation.
Council Conditions on this Delegation:	a. Write-off a rates or service charge debt up to $2,000 in accordance with the Financial Hardship Policy 3.32 [s.6.12(1)(c) &(2)]. b. A debt may only be waived in accordance with Council Policies 2.8, 3.2, 3.3 or 3.5 and where all necessary measures have been taken to locate / contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire. c. A concession may only be granted in accordance with Council Policies 2.8, 3.2, 3.3 or 3.5. d. **Council by resolution on 7th April 2020 approved (by absolute majority) an additional and temporary delegation to the CEO to be able to determine applications:** • **for relief and outgoing relief in relation to various Shire commercial tenants and not for profit groups, affected by Covid-19, seeking a waiver of rent, fees and charges in relation Shire properties** • **relief to be for an initial period of 6 months, from the date of the delegation (April 7 2020) or the date of the application, subject to:** ➢ **Further reviews be undertaken on a case-by-case basis.** ➢ **The assessment including the restrictions on the operations of the business/group because of Covid-19** e. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor

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1. Local Government Act 1995 Delegations

	and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Coolgardie. i. Limited to individual debts valued below $500 or cumulative debts of a debtor valued below $1000 Write off of debts greater than these values must be referred for Council decision. f. Running record of donations maintained by the Chief Executive Officer's office and reported to Council on a quarterly basis. included quarterly in the Status Report. g. Maximum value of a donation is $2000, to any one applicant, either in 1 application, or multiple applications during a financial year – all other applications to be considered by Council.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	1. DCEO may only waive fees and charges related to their operational responsibilities and where such waiver is to rectify a service failure on the part of the Shire of Coolgardie limited to a value less than $1000 per customer within a financial year. 2. Sub delegates, other than DCEO, may waive fees and charges related to their operational responsibilities where such waiver is either to: i. rectify a service failure on the part of the Shire of Coolgardie limited to a value less than $500 per customer within a financial year; or ii. assist a not for profit community group or charitable entity in fulfilling a service, social or cultural outcome within the Shire of Coolgardie. 3. Concessions may only be granted where the debtor is in accordance with Policy. 4. DCEO may only write off debts limited to a value of less than $200 per debtor within a financial year.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Collection of Rates Debts – refer Delegations re: • Agreement as to Payment of Rates and Service Charges • Recovery of Rates or Service Charges • Recovery of Rates Debts – Require Lessee to Pay Rent • Recovery of Rates Debts – Actions to Take Possession of the Land

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1.2.25 Power to Invest and Manage Investments

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.14 Power to invest *Local Government (Financial Management) Regulations 1996:* r.19 Investments, control procedures for
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 1.04. b. A report detailing the investment portfolio's performance, exposures, and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	1. A decision to invest must be jointly confirmed by two Delegates. 2. Investment decisions are limited to a maximum of $500,000 per transaction on the short-term money market and up to a value of $500,00 per transactions for other markets.

Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

	3. Where exposure to a single market or investment type will exceed $1,000,000 the decision must be referred to the CEO.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government (Financial Management) Regulations 1996* – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) Council Policy 1.04 - Investments
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.26 Rate Record Amendment

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.39(2)(b) Rate record
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Council Conditions on this Delegation:	a. Delegates must comply with the requirements of s.6.40 of the Act.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.27 Agreement as to Payment of Rates and Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.49 Agreement as to payment of rates and service charges
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 3.32. b. Agreements must be in writing and, subject to the Council Policy 3.32 must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. c. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. d. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy 3.32
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.28 Determine Due Date for Rates or Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.50 Rates or service charges due and payable
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Coolgardie. [s.6.50].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.29 Recovery of Rates or Service Charges

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 3.32. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.6.60 Local Government may require lessee to pay rent
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Coolgardie. [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 3.32. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60. Council Policy 3.32.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

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

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.64(1) Actions to be taken s,6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire of Coolgardie [s.6.71]. 2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Council Conditions on this Delegation:	a. Decisions under this delegation must comply with Council Policy 3.32. b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes. c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the *Local Government Act 1995.* d. CEO must report to Council the intention to commence action to take possession of land. e. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

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Shire of Coolgardie

1. Local Government Act 1995 Delegations

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995* – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation. *Local Government (Financial Management) Regulations 1996* – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation. Council Policy 3.32
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.32 Rate Record – Objections

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.6.76 Grounds of objection
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
Express Power to Sub-Delegate:	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

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1. Local Government Act 1995 Delegations

1.2.33 Renewal or Extension of Contracts during a State of Emergency

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2) (ja)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2) (ja)]. This authority relates to: • contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds $250 000, and • contracts formed through a public tender.
Council Conditions on this Delegation:	a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies: i. It is exercised at the sole discretion of the Local Government; ii. It is in the best interests of the Local Government; iii. It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration; iv. It has potential to promote local and/or regional economic benefits. b. This authority may only be exercised where the total consideration for the renewal or extension is $350,000 or less. c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the President (i.e., before the expense is incurred) in accordance with LGA s.6.8(1)(c). d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.

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1. Local Government Act 1995 Delegations

	e. This authority may only be exercised where the total consideration under the resulting contract is $350,000 or less. f. The CEO cannot sub-delegate this authority.
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Local Government (Functions and General) Regulations 1996 Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.2.34 Procurement of Goods or Services required to address a State of Emergency

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2) (aa) Associated definition under subregulation 11(3)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: 1. Determine that particular goods or services with a purchasing value >$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and 2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2) (aa)].
Council Conditions on this Delegation:	a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe. b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e., before the expense is incurred) in accordance with LGA s.6.8. d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.

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1. Local Government Act 1995 Delegations

Compliance Links:	Local Government (Functions and General) Regulations 1996 WALGA Subscription Service – Procurement Toolkit Council Policy 1.05 Purchasing Policy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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1. Local Government Act 1995 Delegations

1.3 CEO to Employees

1.3.1 Determine if an Emergency for Emergency Powers of Entry

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

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

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1. Local Government Act 1995 Delegations

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

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Delegate/s:	**Deputy CEO** **Commercial Manager** **Project Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.9: 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b). 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
CEO Conditions on this Delegation:	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.9 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	This delegated authority is effective only in alignment with Delegated Authority 1.2.9 Obstructions of Footpaths and Thoroughfares. Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996

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1. Local Government Act 1995 Delegations

	Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

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

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
Delegate/s:	**Deputy CEO** **Commercial Manager** **Project Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12: 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. 4. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 5. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 6. Authority to • impose conditions on granting permission [ULP r.11(6)]. • renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)]. • determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage

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1. Local Government Act 1995 Delegations

	to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. • determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. • determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
CEO Conditions on this Delegation:	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations. b. Actions under this Delegation must comply with the procedural requirements detailed in *the Local Government (Uniform Local Provisions) Regulations 1996*. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. This delegated authority is effective only in alignment with Delegated Authority 1.2.12 Public Thoroughfares – Dangerous Excavations. Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the *Local Government Act 1995*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Uniform Local Provisions) Regulations 1996*: r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
Delegate/s:	**Deputy CEO** **Commercial Manager** **Project Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)]. 2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].
CEO Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. This delegated authority is effective only in alignment with Delegated Authority 1.2.14 Private Works on, over or under Public Places
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

1.3.5 Appoint Persons (other than employees) to Open Tenders

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Functions and Genera) Regulations 1996:* r.16(3) Receiving and opening tenders, procedure for
Delegate/s:	**Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend then tender opening [F&G r.16(3)].
CEO Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.

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

Version Control:

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1. Local Government Act 1995 Delegations

1.3.6 Electoral Enrolment Eligibility Claims and Electoral Roll

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government Act 1995*: s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election *Local Government (Elections) Regulations 1995*: r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
Delegate/s:	**Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day

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1. Local Government Act 1995 Delegations

	which is less than 100 days since the last election day [s.4.37(3)].
CEO Conditions on this Delegation:	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
Express Power to Sub-Delegate:	Nil.

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

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1. Local Government Act 1995 Delegations

1.3.7 Destruction of Electoral Papers

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

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

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1. Local Government Act 1995 Delegations

1.3.8 Information to be Available to the Public

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Administration) Regulations 1996*: r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) *Local Government Act 1995:* s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
Delegate/s:	**Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)]. 2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. 3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)]. 5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
CEO Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

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1. Local Government Act 1995 Delegations

Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.3.9 Financial Management Systems and Procedures

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Financial Management) Regulations 1996*: r.5 CEO's Duties as to financial management
Delegate/s:	**Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: i. Collection of money owed to the Shire of Coolgardie: ii. Safe custody and security of money collected or held by the Shire of Coolgardie; iii. Maintenance and security of all financial records, including payroll, stock control and costing records; iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; vi. Making of payments in accordance with Delegated Authority; vii. Preparation of budgets, budget reviews, accounts, and reports as required by legislation or operational requirements.
CEO Conditions on this Delegation:	a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. *Local Government Act 1995*

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1. Local Government Act 1995 Delegations

	Local Government (Financial Management) Regulations 1996 *Local Government (Audit) Regulations 1996* Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1. Local Government Act 1995 Delegations

1.3.10 Audit – CEO Review of Systems and Procedures

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government (Audit) Regulations 1996*: r.17 CEO to review certain systems and procedures
Delegate/s:	**Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to conduct the review of the appropriateness and effectiveness of the Shire of Coolgardie's systems and procedures in relation to i. risk management; and ii. internal controls; and iii. legislative compliance [r.17(1)].
CEO Conditions on this Delegation:	a. Each matter is to be reviewed at least once within every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.
Express Power to Sub-Delegate:	Nil.

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

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1. Local Government Act 1995 Delegations

1.3.11 Infringement Notices

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	*Local Government Act 1995:* s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice *Building Regulations 2012:* Regulation 70(1A), (1), (2) Approved officers and authorised officers
Delegate/s:	**Chief Executive Officer** **Deputy CEO** **Team Leader Ranger and Emergency Services**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)]. 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
CEO Conditions on this Delegation:	a. A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation. b. Delegation for Dog Act, Cat Act, Parking Local Law, Infringement Notices is limited to the following listed positions ONLY: (i) **Chief Executive Officer** (ii) **Deputy CEO** (iii) **Team Leader Ranger and Emergency Services** c. The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a precondition for appointment as an "Approved Officer" in accordance with *Building Regulation 70(1)* for the purposes of the *Criminal Procedure Act 2004* section 6(a) and *Building Act 2011* Infringement Notices: (i) **Chief Executive Officer** (ii) **Deputy CEO** *NOTE:* ***Delegates must also be appointed as an "Approved Officer"*** *– appointment to be*

Delegation Register
Shire of Coolgardie

1. Local Government Act 1995 Delegations

	determined by Council resolution or by a person with delegated authority under delegation 2.1.10.
Express Power to Sub-Delegate:	Nil.

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

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Shire of Coolgardie

1.4 Local Law Delegations to the CEO

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

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Activities in Thoroughfares and Public Places and Trading Local Law:* cl.2.5(2) Removal of redundant crossing cl.2.6 Interpretation – "acceptable material" cl.2.11 Notice to owner or occupier cl.2.15 Assignment of numbers cl.2.17(1) Signs cl.5.3 Declaration of flora road cl.5.5 Signposting of flora roads cl.5.7 Designation of special environmental areas cl.6.18 Obligations of permit holder (Outdoor Eating Facility) cl.7.1 Application for Permit cl.7.2 Decision on application for permit cl.7.3 Conditions which may be imposed on a permit cl.7.5 Compliance with and variation of conditions cl.7.7 Renewal of permit cl.7.8 Transfer of permit cl.7.10 Cancellation of permit cl.9.1 Notice to redirect or repair sprinkler cl.9.2 Hazardous plants cl.9.3 Notice to repair damage to thoroughfare cl.9.4 Notice to remove thing unlawfully placed on thoroughfare cl.10.2 Local government may undertake requirements of notice
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	**1. General Activity Control** 1A. Authority, limit to permits subject of this delegation, to: a. determine the form of a permit application [cl.7.1(1)(a)]; b. require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)]; c. require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)]; d. refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)]; e. determine the form of the permit [cl.7.2(2)]. 1B. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a Policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to:

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	a. Temporary vehicle crossing [cl.2.4(1)] b. Any activity described as requiring a permit under cl.2.2(1); i. dig or otherwise create a trench through or under a kerb or footpath; ii. throw, place or deposit anything on a verge; iii. cause any obstruction to a vehicle or person using a thoroughfare; iv. cause any obstruction to a water channel; v. throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare; vi. damage a thoroughfare; vii. light any fire or burn anything on a thoroughfare other than under a permit issued under cl.5.13; viii. fell any tree onto a thoroughfare; ix. lay pipes under or provide taps on any verge or place or install anything on any part of a thoroughfare; x. provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare; xi. use or do anything so as to create a nuisance; xii. place or cause to be placed in on a thoroughfare a bulk rubbish container; xiii. interfere with the soil of or anything in a thoroughfare or take anything from a thoroughfare; c. Drive or take a vehicle on a closed thoroughfare [cl.2.19]; d. Erect or place an advertising or directional sign [cl.3.2] e. Use of portable signs [cl.3.4]; f. Erection or placement of an Election Sign on a thoroughfare [cl.3.5]; g. Leave an animal or vehicle in a public place or local government property [cl.4.1(1)]; h. Clear and maintain in a cleared state, the surface of a thoroughfare within 1m of the person's land [cl.5.11]. i. Burn, subject to the *Bush Fires Act 1954*, slash or apply herbicides to part of a thoroughfare to reduce fire hazard, with the method approved to be beneficial to the preservation and conservation of native flora and fauna [cl.5.15]

	b. Construct firebreaks on a thoroughfare [cl.5.17] 1C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5] 1D. Authority to exempt a person from requiring a permit under cl.2.2(1) [cl.2.2(2)]. **2. Use of Public Places** 2A. Authority to determine conditions of use of a public place and to erect a sign to give effect to that decision [cl.2.17(1)]. **3. Crossings** 3A. Authority to give written notice, requiring an owner or occupier to remove any part or all of a crossing which does not give access to the land and reinstate the kerb, drain, footpath, verge and other thoroughfare infrastructure [cl.2.5(2)]. **4. Thoroughfares and Verges** 4A. Authority to determine and maintain the list of "acceptable materials"' which may be used as a verge treatment to create a hard stand and stable surface [cl.2.6]. 4B. Authority to give notice to an owner or occupier to make good the verge abutting their property, which is in breach of a provision of Verge Treatment requirements [cl.2.11]. 4C. Authority to assign a number to a lot and to assign another number to the lot instead of that previously assigned [cl.2.15]. 4D. Authority to give notice to the owner or occupier of land abutting a thoroughfare to: a. Alter the direction of a sprinkler or other watering equipment [cl.9.1]; b. Remove, cut, move or otherwise deal with a plant that is causing a hazard for any person using a thoroughfare [cl.9.2]; 4E. Authority to give notice to the owner or occupier of land abutting a thoroughfare, or any such person who may be responsible, to: Repair or replace that portion of a thoroughfare, which a person has caused damage to [cl.9.3]; Remove any thing placed in a thoroughfare in contravention of this Local Law [cl.9.4]. 4F. Authority to do the thing specified in a notice, where a person fails to comply with the notice, and recover from the person as a debt, the costs incurred in doing so [cl.10.2]. **5. Flora and Fauna within Thoroughfares**

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	5A. Authority to declare a flora road and to signpost it, where roadside vegetation is determined as high quality [cl.5.3 and cl.5.5]. 5B. Authority to designate a thoroughfare, or any part of a thoroughfare, as a special environmental area which has protected or rare flora or fauna or has environmental, aesthetic or cultural significance [cl.5.7]. 5C. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl. 7.3] or a policy adopted under cl.7.4 or determined as appropriate [cl.7.2(4)], limited to: a. Collecting native flora and / or native flora seeds [cl.5.20]; b. Planting or sowing any plant seeds in a thoroughfare [cl.5.9]. 5D. Authority to determine conditions [cl.7.2(4) and cl.7.8] to be complied with by a permit holder, and to vary conditions [cl.7.5]
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Team Leader Ranger and Emergency Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. A register of all special environmental areas must be maintained under cl.5.8 of the *Activities in Thoroughfares and Public Places and Trading Local Law*. Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17 of the *Local Government (Uniform Local Provisions) Regulations 1996* – refer CEO Delegations 1.3.3 and 1.3.4. Crossing permits are approved under Regulations 12 and 13 of the *Local Government (Uniform Local Provisions) Regulations 1996* – refer Delegation 1.2.13 Crossings – Construction, Repair and Removal.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Activities in Thoroughfares and Public Places and Trading Local Law:* cl.6.6 Conditions of Permit (Stallholders and Traders) cl.6.18 Obligations of permit holder (Outdoor Eating Facility) cl.7.1 Application for Permit cl.7.2 Decision on application for permit cl.7.3 Conditions which may be imposed on a permit cl.7.5 Compliance with and variation of conditions cl.7.7 Renewal of permit cl.7.8 Transfer of permit cl.7.10 Cancellation of permit
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	**1. Permits General** 1A. Authority, limited to the permit types listed below, to: a. determine the form of a permit application [cl.7.1(1)(a)]; b. require an applicant to provide additional information reasonably required to determine the application [cl.7.1(3)]; c. require a permit applicant to give local public notice of the application for a permit [cl.7.1(4)]; d. refuse to consider a permit application which is not in accordance with the application form or fee requirements [cl.7.1(4)]; e. determine the form of the permit [cl.7.2(2)]. **2. Stallholder, Trading and Performing** 2A. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.6 and cl.7.3] or a policy adopted under cl.7.4 or determined as appropriate, limited to: a. Stallholder [cl.6.2]; b. Trader [cl.6.3]; c. Perform in a public place [cl.6.10]. 2B. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5] 2C. Authority to authorise another person, as the permit holder's nominee for a specified period [cl.6.6(2)]. **3. Outdoor Eating Facilities**

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	3B. Authority to approve [cl.7.2], renew [c;.7.7], transfer [cl.7.8] refuse [cl.7.2] or cancel [cl.7.10] Permits, subject to conditions either prescribed in the Local Law [cl.6.18] or determined as appropriate, for the purposes of an outdoor eating facility [cl.6.16]. 3C. Authority to determine conditions [cl.7.2(4)] to be complied with by a permit holder, and to vary conditions [cl.7.5] 3D Authority to give notice to an outdoor eating facility permit holder requiring them to carry out work [cl.6.18(2)].
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Project Manager** **Team Leader Ranger and Emergency Services**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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1.4.3 Bush Fire Brigades Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Bush Fire Brigades Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1.4.4 Cats Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Cats Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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1.4.5 Cemeteries Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Cemeteries Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

1.4.6 Dogs Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Dogs Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

1.4.7 Fencing Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Fencing Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

1.4.8 Parking Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Parking Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

1.4.9 Waste Local Law

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	*All the powers, duties, and responsibilities of the local government pursuant to the Local Law.*
Council Conditions on this Delegation:	Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Shire of Coolgardie Waste Local Law
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
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2 Building Act 2011 Delegations

2.1 Council to CEO

2.1.1 Grant a Building Permit

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011:* s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor *Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT* *Building Services (Registration Act) 2011* – Section 7 *Home Building Contracts Act 1991* – Part 3A, Division 2 – Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.2 Demolition Permits

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit Building Regulations 2012 r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation:	

Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

Conditions on the original delegation also apply to the sub-delegations.	

Compliance Links:	*Building Act 2011* s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit *Building Services (Complaint Resolution and Administration) Act 2011* — Part 7, Division 2 *Building and Construction Industry Training Levy Act 1990* *Heritage Act 2018*
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration Building Regulations 2012 r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Act 2011* s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT *Building Services (Complaint Resolution and Administration) Act 2011* – Part 7, Division 2

Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

	Building and Construction Industry Training Levy Act 1990 *Heritage Act 2018*
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.4 Designate Employees as Authorised Persons

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)]. NOTE: An *authorised person* for the purposes of sections 96(3) and 99(3) is not an *approved officer* or *authorised officer* for the purposes of Building Reg. 70.
Council Conditions on this Delegation:	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**NA**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Act 2011:* s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.5 Building Orders

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to make Building Orders in relation to: a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: a. take any action specified in the order ; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the *Building Act 2011*.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Act 2011*: Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - *s.122* Building orders – application for review by SAT
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.6 Inspection and Copies of Building Records

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011:* s.131(2) Inspection, copies of building records
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine an application from a n interested person to inspect and copy a building record [s.131(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Act 2011* - s.146 Confidentiality
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.7 Referrals and Issuing Certificates

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Act 2011*: s.145A Local Government functions
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

Delegator: *Power / Duty assigned in legislation to:*	Permit Authority (Local Government)
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012*: r.51 Approvals by permit authority
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier, or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Sport and Leisure Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.9 Smoke Alarms – Alternative Solutions

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012:* r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011:* s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

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Delegation Register
Shire of Coolgardie

2. Building Act 2011 Delegations

2.1.10 Appointment of approved officers and authorised officers

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	*Building Regulations 2012:* r.70 Approved officers and authorised officers
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint an approved officer for the purposes of s.6(a) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(1) and (1A). *NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".* 2. Authority to appoint an authorised officer for the purposes of s.6(b) of the *Criminal Procedure Act 2004*, in accordance with Building Regulation 70(2). *NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).*
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Building Act 2011*: s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: *Appointed by CEO*	**NA - see Appointment Instrument**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Building Regulations 2012:* r 70(3) each authorised officer must be issued a certificate of appointment.
Record Keeping:	In accordance with s130 Building Act 2011 and r 12 Building Regulations 2012

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

3 Bush Fires Act 1954 Delegations

3.1 Council to CEO, Shire President and Bush Fire Control Officer

3.1.1 Make Request to FES Commissioner – Control of Fire

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.13(4) Duties and powers of bush fire liaison officers
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to request on behalf of the Shire of Coolgardie that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

3.1.2 Prohibited Burning Times - Vary

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to mayor or president and Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.17(7) Prohibited burning times may be declared by Minister *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	**Shire President and Chief Bush Fire Control Officer (jointly)**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
Council Conditions on this Delegation:	a. Decisions under s,17(7) must be undertaken jointly by both the President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
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3.1.3 Prohibited Burning Times – Control Activities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of Coolgardie or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.

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Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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3.1.4 Restricted Burning Times – Vary and Control Activities

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land *Bush Fire Regulations 1954:* r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].

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	6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Shire of Coolgardie or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

Version Control:

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3.1.5 Control of Operations Likely to Create Bush Fire Danger

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.27D Requirements for carriage and deposit of incendiary material *Bush Fires Regulations 1954:* r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. a person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. c. a person using explosives [r.39D(2)]. d. a person using fireworks [r.39E(3) 2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. *Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.*
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

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3.1.6 Burning Garden Refuse / Open Air Fires

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 *Bush Fires Regulations 1954:* r.27(3) Permit, issue of
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].

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Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

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3.1.7 Firebreaks

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.33 Local government may require occupier of land to plough or clear fire-breaks
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Coolgardie: a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

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3.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.38 Local Government may appoint bush fire control officer
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Coolgardie [s.38(5A)] 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)* *See Appointment Instrument*

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

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3.1.9 Control and Extinguishment of Bush Fires

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.46 Bush fire control officer or forest officer may postpone lighting fire
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

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3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.58 General penalty and recovery of expenses incurred
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Coolgardie or those on behalf of the Shire of Coolgardie to do [s.58].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

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

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3.1.11 Prosecution of Offences

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Bush Fires Act 1954:* s.48 Delegation by local government
Express Power or Duty Delegated:	*Bush Fires Act 1954:* s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*NIL – Sub-delegation is prohibited by s.48(3)*

Compliance Links:	*Bush Fires Act 1954:* s.65 Proof of certain matters s.66 Proof of ownership or occupancy
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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4 Cat Act 2011 Delegations

4.1 Council to CEO

4.1.1 Cat Registrations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011:* s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags *Cat Regulations 2012* Schedule 3, cl.1(4) Fees Payable
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Coolgardie's District [Regs. Sch. 3 cl.1(4)].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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Compliance Links:	Cat Regulations 2012 r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the *Cat Act 2011*.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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4.1.2 Cat Control Notices

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011*: s.26 Cat control notice may be given to cat owner
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Coolgardie's District [s.26].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Cat Regulations 2012* – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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4.1.3 Approval to Breed Cats

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011*: s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged, or destroyed [s.39(2)].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the *Cat Act 2011*.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Cat Regulations 2012: r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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4.1.4 Recovery of Costs – Destruction of Cats

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Act 2011:* s.49(3) Authorised person may cause cat to be destroyed
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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4.1.5 Applications to Keep Additional Cats

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat (Uniform Local Provisions) Regulations 2013*: r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the *Cat (Uniform Local Provisions) Regulations 2013.*
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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4.1.6 Reduce or Waiver Registration Fee

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.44 Delegation by local government
Express Power or Duty Delegated:	*Cat Regulations 2012:* Schedule 3 Fees clause 1(4)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
Council Conditions on this Delegation:	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the *Local Government Act 1995.*
Express Power to Sub-Delegate:	*Cat Act 2011:* s.45 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

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4.2 Cat Act Delegations - CEO to Employees

4.2.1 Infringement Notices – Extensions and Withdrawals

Delegator: *Power / Duty assigned in legislation to:*	Chief Executive Officer
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	*Cat Act 2011*: s.64 Extension of time s.65 Withdrawal of notice
Delegate/s:	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to extend the period of 28 days within which the modified penalty may be paid, and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
CEO Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.

Compliance Links:	*Cat Regulations 2012:* r.28 Withdrawal of infringement notice (s.65(1))
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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5 Dog Act 1974 Delegations

5.1 Dog Act Delegations Council to CEO

5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.10A Payments to veterinary surgeons towards costs of sterilisation
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of $150 [s.10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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5. Dog Act 1974 Delegations

5.1.2 Refuse or Cancel Registration

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976*: s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the *Cat Act 2011* or the *Animal Welfare Act 2002*; or ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept iv. the dog is required to be microchipped but is not microchipped; or v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Coolgardie's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]

Delegation Register
Shire of Coolgardie

5. Dog Act 1974 Delegations

Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Only the CEO may commence legal action.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	*Dog Act 1976* s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Delegation Register
Shire of Coolgardie

5. Dog Act 1974 Delegations

5.1.3 Kennel Establishments

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.27 Licensing of approved kennel establishments
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Application processing and decisions under this delegation are to comply with the Shire of Coolgardie Dogs Local Law. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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Delegation Register
Shire of Coolgardie

5. Dog Act 1974 Delegations

5.1.4 Keeping more than 2 dogs, and up to 6 dogs

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.26 Keeping more than 2 dogs
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Whereas the Shire of Coolgardie Dogs Local Law, limits the number of dogs in Urban areas to 2 animals and in Rural or Special Rural to 3 animals, the local government may give approval to keep more than 2 (or 3) dogs, under s26 of the Dog Act, up to threshold for a kennel establishment.
Council Conditions on this Delegation:	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. Application processing and decisions under this delegation are to comply with the Shire of Coolgardie Dogs Local Law. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

5. Dog Act 1974 Delegations

5.1.5 Recovery of Moneys Due Under this Act

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.29(5) Power to seize dogs
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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5. Dog Act 1974 Delegations

5.1.6 Dispose of or Sell Dogs Liable to be Destroyed

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.29(11) Power to seize dogs
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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5. Dog Act 1974 Delegations

5.1.7 Declare Dangerous Dog

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Only the CEO may commence legal proceedings. c. A person who has made a declaration cannot determine an objection or revocation of that determination.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	

Delegation Register
Shire of Coolgardie

5. Dog Act 1974 Delegations

5.1.8 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Only the CEO may commence legal proceedings. c. A person who has made a declaration cannot determine an objection or revocation of that determination.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation:	

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5. Dog Act 1974 Delegations

Conditions on the original delegation also apply to the sub-delegations.	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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5. Dog Act 1974 Delegations

5.1.9 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.33H(5) Local government may revoke declaration or proposal to destroy
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Only the CEO may commence legal proceedings. c. A person who has made a declaration cannot determine an objection or revocation of that determination.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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5. Dog Act 1974 Delegations

5.1.10 Determine Recoverable Expenses for Dangerous Dog Declaration

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	*Dog Act 1976:* s.33M(1)(a) Local Government expenses to be recoverable
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous *[s.33H(5)].*
Council Conditions on this Delegation:	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Does not include the setting of the fee under s33(M)(10(b) as this must be determined by Council, pursuant to s6.16 LGA. c. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Dog Act 1976:* s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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6 Food Act 2008 Delegations

6.1 Council to CEO

6.1.1 Determine Compensation

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Delegate:	**CEO** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. b. Compensation under this delegation may only be determined upon documented losses up to a maximum of $500. Compensation requests above this value are to be reported to Council.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

6. Food Act 2008 Delegations

6.1.2 Prohibition Orders

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Delegate:	**CEO** **Deputy CEO** **Contract Environmental Health Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Shire of Coolgardie

6. Food Act 2008 Delegations

6.1.3 Food Business Registrations

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Delegate:	**CEO** **Deputy CEO** **Contract Environmental Health Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: • Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA • Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1 • WA Priority Classification System • Verification of Food Safety Program Guideline
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Delegation Register
Shire of Coolgardie

6. Food Act 2008 Delegations

6.1.4 Appoint Authorised Officers and Designated Officers

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Delegate:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016,* to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: • Appointment of Authorised Officers as Meat Inspectors • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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6. Food Act 2008 Delegations

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6. Food Act 2008 Delegations

6.1.5 Debt Recovery and Prosecutions

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Delegate:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3). 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

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

Version Control:

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6. Food Act 2008 Delegations

6.1.6 Food Businesses List – Public Access

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	*Food Act 2008*: r.51 Enforcement agency may make list of food
Delegate:	**CEO** **Deputy CEO** **Contract Environmental Health Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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7 Graffiti Vandalism Act 2016 Delegations

7.1 Council to CEO

7.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express Power or Duty Delegated:	*Graffiti Vandalism Act 2016:* s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Council Conditions on this Delegation:	a. Only the CEO may commence legal proceedings.
Express Power to Sub-Delegate:	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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Shire of Coolgardie

7. Graffiti Vandalism Act 2016 Delegations

7.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express Power or Duty Delegated:	*Graffiti Vandalism Act 2016:* s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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7. Graffiti Vandalism Act 2016 Delegations

7.1.3 Obliterate Graffiti on Private Property

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express Power or Duty Delegated:	*Graffiti Vandalism Act 2016:* s.25(1) Local government graffiti powers on land not local government property
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Council Conditions on this Delegation:	a. Subject to exercising Powers of Entry.
Express Power to Sub-Delegate:	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
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7. Graffiti Vandalism Act 2016 Delegations

7.1.4 Powers of Entry

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express Power or Duty Delegated:	*Graffiti Vandalism Act 2016:* s.28 Notice of entry s.29 Entry under warrant
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger** **Project Manager**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

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

Version Control:

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8 Public Health Act 2016 Delegations

8.1 Council to CEO

8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Health (Asbestos) Regulations 1992:* r.15D(7) Infringement Notices
Express Power or Duty Delegated:	*Health (Asbestos) Regulations 1992:* r.15D(5) Infringement Notices
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the *Criminal Procedure Act 2004* Part 2 [r.15D(5)].
Council Conditions on this Delegation:	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express Power to Sub-Delegate:	Nil – the *Health (Asbestos) Regulations 1992* do not provide a power to sub-delegate.

Compliance Links:	*Criminal Procedure Act 2004* – Part 2
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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8. Public Health Act 2016 Delegations

8.1.2 Enforcement Agency Reports to the Chief Health Officer

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.22 Reports by and about enforcement agencies
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Coolgardie [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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8. Public Health Act 2016 Delegations

8.1.3 Designate Authorised Officers

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.24(1) and (3) Designation of authorised officers
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to designate a person or class of persons as authorised officers for the purposes of: i. The Public Health Act 2016 or other specified Act ii. Specified provisions of the Public Health Act 2016 or other specified Act iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act. Including: a. an environmental health officer or environmental health officers as a class; OR b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR c. a mixture of the two. [s.24(1) and (3)].
Council Conditions on this Delegation:	a. Subject to each person so appointed being; • Appropriately qualified and experienced [s.25(1)(a)]; and • Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers

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8. Public Health Act 2016 Delegations

	s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority *Criminal Investigation Act 2006*, Parts 6 and 13 – refer s.245 of the *Public Health Act 2016* *The Criminal Code*, Chapter XXVI – refer s.252 of the *Public Health Act 2016*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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8. Public Health Act 2016 Delegations

8.1.4 Determine Compensation for Seized Items

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.264 Compensation
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Council Conditions on this Delegation:	a. Compensation is limited to a maximum value of $1000, with any proposal for compensation above this value to be referred for Council's determination.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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8. Public Health Act 2016 Delegations

8.1.5 Commence Proceedings

Delegator: *Power / Duty assigned in legislation to:*	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: *Power that enables a delegation to be made*	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	*Public Health Act 2016* s.280 Commence proceedings
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. The Chief Executive Officer is delegated authority to commence proceedings for an offence under the Public Health Act 2016 [s.280]
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	*Public Health Act 2016* s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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9 Planning and Development Act 2005 Delegations

9.1 Council to CEO

9.1.1 Illegal Development

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Planning and Development Act 2005:* Section 214(2), (3) and (5)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation:	

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9. Planning and Development Act 2005 Delegations

Conditions on the original delegation also apply to the sub-delegations.	

Compliance Links:	Part 13 of the *Planning and Development Act 2005*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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9. Planning and Development Act 2005 Delegations

9.1.2 Unauthorised or Non – complying Development – Directions and Offences

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Planning and Development Act 2005:* Section 214, 218
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Issue written direction to stop unauthorised development [P&D s214(2)] & s218]. 2. Issue written direction to require the unauthorised development to be brought into compliance by removing, pulling down, taking up or altering the unauthorised development and by restoring the land to how it was prior to the development [P&D s214(3)]. • execute work to have unauthorised development brought into compliance [P&D s214(5).
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Part 13 of the *Planning and Development Act 2005*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

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9.2 Local Planning Scheme – Council to CEO

9.2.1 General Delegation

Delegator: *Power / Duty assigned in legislation to:*	Local Government
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Planning and Development Act 2005:* Section 214(2), (3) and (5)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	1. Authority to exercise any of the local government's powers or the discharge of any of the local government's duties under Local Planning Scheme No 5, other than this power of delegation
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	

Compliance Links:	Part 13 of the *Planning and Development Act 2005*
Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

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10 Delegations by the CEO

NOTE: The following delegations are made by the CEO, who holds the original power or duty. Council has no role in these decisions of the CEO, and they are included only for completeness in the Register.

10.1 Local Government Act 1995

10.1.1 Electoral Enrolment Eligibility Claims and Electoral Roll

Delegator: *Power / Duty assigned in legislation to:*	**Chief Executive Officer**
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government Act 1995*: s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election *Local Government (Elections) Regulations 1995*: r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	To: • require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. • decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. • decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)]. • make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. • approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their family's safety at risk [Elections r.13(2)]. • amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. • ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. • decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider

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	submissions [s.4.35(6)], before making such determination. • determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. • decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
Council Conditions on this Delegation:	NA
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).

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

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10.1.2 Destruction of Electoral Papers

Delegator: *Power / Duty assigned in legislation to:*	**Chief Executive Officer**
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Elections) Regulations 1996*: r.82(4) Keeping election papers – s4.84(a)
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	After a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
Council Conditions on this Delegation:	NA
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).

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

Version Control:

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10.1.3 Information to be Available to the Public

Delegator: *Power / Duty assigned in legislation to:*	**Chief Executive Officer**
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Administration) Regulations 1996:* r.29(2) & (3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) *Local Government Act 1995:* s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority to: • determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)]. • determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. • determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. • determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)]. • determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].
Council Conditions on this Delegation:	NA
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**

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CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).

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

Version Control:

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10.1.4 Financial Management Systems and Procedures

Delegator: *Power / Duty assigned in legislation to:*	**Chief Executive Officer**
Express Power to Delegate: *Power that enables a delegation to be made*	*Local Government Act 1995:* s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	*Local Government (Financial Management) Regulations 1996:* *r.5 CEO's Duties as to financial management*
Delegate:	**Chief Executive Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority to: • to establish systems and procedures which give effect to internal controls and risk mitigation for the: i. Collection of money owed to the Shire, ii. Safe custody and security of money collected or held by the Shire, iii. Maintenance and security of all financial records, including payroll, stock control and costing records, iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities, v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards, vi. Making of payments in accordance with Delegated Authority 1.17, vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. [FM r.5].
Council Conditions on this Delegation:	NA
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]

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

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10.2 Cat Act 2011
10.2.1 Infringement Notices – Extensions and Withdrawals

Delegator: *Power / Duty assigned in legislation to:*	**Chief Executive Officer**
Express Power to Delegate: *Power that enables a delegation to be made*	*Cat Act 2011:* *s.44 Delegation by local government* *s.45 Delegation by CEO of local government*
Express Power or Duty Delegated:	*Cat Act 2011*: s.64 Extension of time s.65 Withdrawal of notice
Delegate:	**Deputy CEO** **Team Leader Ranger and Emergency Services**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority to: • extend the period of 28 days within which the modified penalty may be paid, and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. • within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
Council Conditions on this Delegation:	NA
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: *Appointed by CEO*	**Deputy CEO**
CEO Conditions on this Sub-Delegation: *Conditions on the original delegation also apply to the sub-delegations.*	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).

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

Version Control:

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11 Authorisations and Appointments – As of Right

NOTE: The following authorities are as of right, by virtue of specific legislative provisions, and they are included only for completeness in the Register.

11.1 Australian Citizenship Act 2017

Express Power or Duty:	Australian Citizenship Act 2017 s27(5)
Authorisations:	**President** **Deputy President** **Chief Executive Officer**
Function:	Pursuant to s27(5) of the Australian Citizenship Act 2017 the Shire President, Deputy President, CEO are authorised persons, as of right, to receive a Pledge of Commitment under the Act.

11.2 Litter Act 1979

Express Power or Duty:	Litter Act 1978 – S26(1)(c)(i), (ii)), S30(4a)
Authorisations:	**All elected members and employees are Authorised Persons by virtue of their office.**
Function:	S26(1)(c)(i), (ii) prescribes that all elected members and employees are Authorised Persons by virtue of their office.

12 Authorisations and Appointments by Council

NOTE: The following authorisations and appointments are made by Council, as the Local Government.

12.1 Criminal Code 2013

12.1.1 Person in control of Local Government Property

Appointer:	**Local Government**
Express Power or Duty:	Criminal Code 2013 – S70A
Appointees:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Chief Executive Officer is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings
Conditions on this Authorisation or Appointment:	

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

Version Control:

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12.2 Environmental Protection Act 1986

12.2.1 Referral of Proposals – Environmental Protection Act 1986

Appointer:	**Local Government**
Express Power or Duty:	Environmental Protection Act 1986 – s87, 114(3)
Appointees:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Chief Executive Officer is authorised to refer Proposals to the Environmental Protection Authority.
Conditions on this Authorisation or Appointment:	

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

Version Control:

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12.2.2 Authorisation

Appointer:	**Local Government**
Express Power or Duty:	Environmental Protection Act 1986 – s87, 114(3)
Appointees:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	IF, pursuant to s87 of the Environmental Protection Act 1986 the Chief Executive Officer of the relevant State Government Department requests nominations to be appointed as an Authorised Person for enforcement, the CEO is to be nominated. The CEO, acting with the consent of the CEO of the relevant State Government Department is authorised to initiate prosecutions.
Conditions on this Authorisation or Appointment:	

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

Version Control:

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12.3 Equal Opportunity Act 1984

12.3.1 Equal Employment Opportunity Management Plans

Appointer:	**Local Government**
Express Power or Duty:	Equal Employment Opportunity Act 1984 – S145
Appointees:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Chief Executive Officer is to prepare and implement equal employment opportunity management plans pursuant to s145 Equal Employment Opportunity Act 1984.
Conditions on this Authorisation or Appointment:	

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

Version Control:

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12.4 Food Act 2008

12.4.1 Authorised Persons

Appointer:	**Local Government**
Express Power or Duty:	*Food Act 2008*: s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Appointees:	**CEO** **Contract Environmental Health Officer** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Contract Environmental Health Officer, Deputy CEO are appointed as: • an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. • an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)]. • an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7).
Conditions on this Authorisation or Appointment:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: • Appointment of Authorised Officers as Meat Inspectors • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer

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

Version Control:

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12.5 Gaming and Wagering Commission Act 1987

12.5.1 Authorised Persons

Appointer:	**Local Government**
Express Power or Duty:	*Gaming and Wagering Commission Act 1987 s21(2), 55(3)*
Appointees:	**CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	If the Commission requests, the Chief Executive Officer is to be the authorised officer and pursuant to s55(3) if the Commission requests the relevant Reports, the CEO is authorised to provide same.
Conditions on this Authorisation or Appointment:	Only activated if the Commission requests

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

Version Control:

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12.6 Liquor Control Act 1988

12.6.1 Issue Certificates, removal of Licences, Application for Extended Trading Permits

Appointer:	**Local Government**
Express Power or Duty:	*Liquor Control Act 1988 – S39; S40; S61(1)(d), (2;) 69(7), (8)*
Appointees:	**CEO** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, are authorised to: • issue Certificates for grant, change or removal of liquor licences pursuant to s39 (Health), 40 (Planning) Liquor Control Act 1988 • provide comment and make recommendations on Applications for Extended Trading Permits pursuant to s61(1)(d), (2) Liquor Control Act 1988 • intervene in Applications pursuant to S69(7), (8) of the Liquor Control Act 1988
Conditions on this Authorisation or Appointment:	The Chief Executive Officer, Deputy CEO cannot recommend approval or refusal for first time applications for Extended Trading Permits to the relevant State Government authority. Such applications must be considered and determined by the Council. The Chief Executive Officer may recommend approval or refusal for subsequent applications.

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

Version Control:

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12.7 Litter Act 1979

12.7.1 Authorised Officers, Withdrawal of Infringement Notices

Appointer:	**Local Government**
Express Power or Duty:	*Litter Act 1978 – S26(1)(c)(i), (ii)), S30(4a)*
Appointees:	**CEO** **Deputy CEO** **Commercial Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Pursuant to S30(4a) Litter Act 1979 the Chief Executive Officer, Deputy CEO, Commercial Manager are authorised to withdraw infringement notices.
Conditions on this Authorisation or Appointment:	Employees and elected members appointed under S26(1)(c)(i), (ii) must hold a certificate stating the person is authorised, in accordance with s26(4)(c). If the Chief Executive Officer has issued the relevant infringement notice, the Shire President is authorised to withdraw such a notice.

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

Version Control:

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12.8 Local Government Act 1995

12.8.1 Authorised Persons - Public Statements on behalf of the local government

Appointer:	**Local Government**
Express Power or Duty:	*Local Government Act 1995) S.2.8(1)(d), 5.41(f)*
Appointees:	**CEO** **Deputy CEO** **Commercial Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Chief Executive Officer is authorised to speak in public, on behalf of the Shire, **on all matters of an operational nature** and, where the Shire President agrees: • on a specific occasion; or • on a specific subject matter; or • on a specified category of occasions or a specified category of subjects when they arise.
Conditions on this Authorisation or Appointment:	It is acknowledged that under s.5.41, the CEO has additional broad functions including the function of managing the day-to-day operations of the local government. That function requires the CEO from time to time to speak in public as to the local government's affairs, but the agreement of the Shire President is only required where the CEO makes a public statement on behalf of the local government of a kind which would ordinarily fall within the role of the Shire President as the spokesperson of the local government.

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

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12.9 Rates and Charges (Rebates and Deferments) Regulation Act 1992

12.9.1 Review Officer and Determination Officer – Rates and Charges (Rebates and Deferments) Regulation Act 1992

Appointer:	**Local Government**
Express Power or Duty:	*Rates and Charges (Rebates and Deferments) Regulation Act 1992 – S12; S13; S32*
Appointees:	**CEO** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Chief Executive Officer is the Pensioner Rates Review Officer, as defined by the Act. The Deputy CEO is the Pensioner Rates Determination Officer as defined by the Act.
Conditions on this Authorisation or Appointment:	

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

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13 Authorisations and Appointments by CEO

NOTE: The following authorisations and appointments are made by the CEO, either as of right, or because of delegated authority from the Council, as the local government. As such they require no Council decisions but are included for completeness of the record.

13.1 Building Act 2011

13.1.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Building Act 2011*: s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Recreation and Aquatic Facilities Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority as Authorised Persons
Conditions on this Authorisation or Appointment:	A permit authority must give an identity card to each person designated by it as an authorised person and which must: (a) identify the person as an authorised person; and (b) contain a recent photograph of the person Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.

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

Version Control:

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13.2 Caravan Parks and Camping Grounds Act 1995

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13.2.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Caravan Parks and Camping Grounds Act 1995 – s17(1)*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority as Authorised Persons
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.3 Bush Fires Act 1954

13.3.1 Bush Fire Control Officers

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Bush Fires Act 1954:* s.38 Local Government may appoint bush fire control officer
Appointees:	**Chief Executive Officer** **Commercial Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO appoints CEO, Commercial Manager to be a Bush Fire Control Officer for the purposes of the Bush Fires Act 1954; and • appoints Commercial Manager as the Chief Bush Fire Control Officer and Lead Hand Construction as the Deputy Chief Bush Fire Control Officer; and • determines the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. ➢ • to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire [s.38(5A)]
Conditions on this Authorisation or Appointment:	

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

Version Control:

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13.4 Caravan Parks and Camping Grounds Act 1995

13.4.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Caravan Parks and Camping Grounds Act 1995 – s17(1)*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, Commercial Manager, Team Leader Ranger and Emergency Services, Ranger are appointed Authorised Persons, with powers of entry and inspection pursuant to s17(1) Caravan Parks and Camping Grounds Act.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.4.2 Authorised Persons - Infringement Notice

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Caravan Parks and Camping Grounds Act 1995 – s23(2)*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority as Authorised Persons are appointed an Authorised Person pursuant to s23(2) Caravan Parks and Camping Grounds Act 1995.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.4.3 Authorised Persons - Infringement Notice

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Caravan Parks and Camping Grounds Act 1995 – s23(3)(5)(7)*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Authority as Authorised Persons for the purposes of s23(3)(5)(7) Caravan Parks and Camping Grounds Act 1995.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.5 Cat Act 2011

13.5.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Cat Act 2011: s. 48 Authorised persons*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, Commercial Manager, Team Leader Ranger and Emergency Services, Ranger, are designated Authorised Persons for the purposes of s62 Cat Act. CEO, Deputy CEO, Team Leader Ranger and Emergency Services, Ranger are designated Authorised Persons for all purposes of the Cat Act, except as otherwise provided.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.6 Control of Vehicles (Off Road Areas) Act 1978

13.6.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Control of Vehicles (Off Road Areas) Act 1978 – s38(3)*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Commercial Manager** **Team Leader Ranger and Emergency Services** **Ranger**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, Commercial Manager, Team Leader Ranger and Emergency Services, Ranger, are designated Authorised Persons for the purposes of the Act.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.7 Dog Act 1976

13.7.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995 s9.10* *Dog Act 1976: s.11(1) Staff and Services s.33E(1) Individual dog may be declared to be dangerous dog (declared)*
Appointees:	**CEO** **Deputy CEO** **Team Leader Ranger and Emergency Services** **Commercial Manager** **Ranger** **Kambalda Place Manager** **Recreation and Community Service Officers** **Support Officer** **Recreation and Sports Development Officer** **Coolgardie Place Manager** **Recreation and Community Services Coordinator**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, Team Leader Ranger and Emergency Services, Commercial Manager, Ranger, Kambalda Place Manager, Recreation and Community Service Officers, Support Officer, Recreation and Sports Development Officer, Coolgardie Place Manager, Recreation and Community Services Coordinator are designated Authorised Persons for the purposes of the Act. The CEO, Deputy CEO, Ranger, Team Leader Ranger and Emergency Services, Commercial Manager, Kambalda Place Manager, Recreation and Community Service Officers, Support Officer, Recreation and Sports Development Officer, Coolgardie Place Manager, Recreation and Community Services Coordinator are designated as Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3]. The Deputy CEO, Ranger are designated as Authorised Persons to exercise the powers conferred on an authorised person by this Act [s.11(1)] and specifically to make declarations pursuant to s.33E(1) Individual dog may be declared to be dangerous dog.
Conditions on this Authorisation or Appointment:	The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates.

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	(5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

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13.8 Freedom of Information Act 1992

12.8.1 Information Coordinator and Principal Decision Maker

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Freedom of Information Act 1992 – S11, 12, 41, 100*
Appointees:	**CEO as Principal Review Officer** **Deputy CEO as Freedom of Information Coordinator**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Deputy CEO as the Freedom of Information Coordinator to undertake the duties and functions associated with the lodgement and collation of an application for information in accordance with S11, 12, of the Freedom of Information Act 1992 Deputy CEO as the Principal Decision Maker The Chief Executive Officer is the Principal Review Officer.
Conditions on this Authorisation or Appointment:	Principal Decision Maker is the Chief Executive Officer, or an employee directed by the Chief Executive Officer to undertake the duties and functions s100 Principal Review Officer cannot be subordinate to Principal Decision Maker s41

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

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13.9 Graffiti Vandalism Act 2016

13.9.1 Authorised Persons

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016].*
Appointees:	**CEO** **Deputy CEO** **Ranger** **Team Leader Ranger and Emergency Services** **Project Manager**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	
Conditions on this Authorisation or Appointment:	Cannot determine Objections or Suspension of effect in relation to Notice issued by the employee - s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice

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

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13.10 Local Government Act 1995

13.10.1 Authorised Persons - Legal Proceedings, Infringements and Enforcements

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Local Government Act 1995) s9.10(1), 9.11, 9.13, 9.16 and 9.24 s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land]*
Appointees:	**CEO** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	CEO, Deputy CEO, Authorised Persons for the purposes of s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] and s9.10(1), 9.11, 9.13, 9.16 and 9.24
Conditions on this Authorisation or Appointment:	Only the CEO may commence legal proceedings. The CEO must give to each person appointed an identity card that — (a) on the front of the card, sets out — (i) the name and official insignia of the local government; and (ii) the name of the person; and (iii) a recent photograph of the person; and (b) on the back of the card, specifies each law to which the person's appointment relates. (5) A person appointed under subsection (2) (the authorised person) must — (a) carry their identity card at all times when performing functions under a specified law; and (b) produce their identity card for inspection when required to do so by a person in respect of whom the authorised person has performed or is about to perform a function under a specified law. A person who, without reasonable excuse, fails to return their identity card to the CEO within 14 days after their appointment ceases to have effect commits an offence.

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

Delegation Register
Shire of Coolgardie

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Delegation Register
Shire of Coolgardie

13.11 Local Government (Financial Management) Regulations 1996

13.11.1 Authority to Incur Liabilities

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Regs 5, 11 Local Government (Financial Management) Regulations 1996*
Appointees:	**As detailed below**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Requisitions and Purchase Orders Authority is provided to the following employees to raise requisitions (where appropriate) and to incur liabilities through the issue of Purchase Orders, within the following limits: Chief Executive Officer $249,999* Deputy CEO $249,999* Commercial Manager $249,999* Project Manager $$100,000 Works and Services Leading Hand $10,000 Mechanic $10,000 Sport and Leisure Manager $10,000 Team Leader Ranger and Emergency Services $5,000 Team Leader Heritage and Tourism $5,000 Executive Assistant to CEO $5,000 Executive Assistant to Deputy CEO $5,000 Executive Assistant to Project Manager $5,000 Coolgardie Place Manager $5,000 Kambalda Place Manager $5,000 Manager Waste Services $20,000 Project Manager*$249,999 is limit, tender required for $250,000 or more. Credit and Debit Cards Authority is provided to the following employees to incur liabilities through Shire of Coolgardie credit or debit cards, within the following limits: Chief Executive Officer $15,000 Deputy CEO $10,000 Commercial Manager $10,000
Conditions on this Authorisation or Appointment:	Use of corporate credit or debit cards must be consistent with Council Policies, and instructions and procedures determined by the CEO.

Compliance Links:	

Delegation Register
Shire of Coolgardie

Record Keeping:	In accordance with r19 Local Government (Administration) Regulations 1996

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Delegation Register
Shire of Coolgardie

13.12 Planning and Development Act 2005

13.12.1 Authorised, Designated Persons - Infringement Notices

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Planning and Development Act 2005 s228,229,230, 231, 234 Clause 82, Schedule 2, Planning and Development (Local Planning Schemes) Regulations 2015*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Consultant Town Planner**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Chief Executive Officer designates the Chief Executive Officer as a Designated Person for the purposes of s230, 231. The Chief Executive Officer designates the Deputy CEO, Consultant Town Planner Designated Persons for the purposes of s.228, 229 The Chief Executive Officer designates the Chief Executive Officer, Deputy CEO, Consultant Town Planner as Authorised Persons.
Conditions on this Authorisation or Appointment:	A Designated Person pursuant to s228 cannot be appointed for the purposes of any other Sections as a Designated person

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Delegation Register
Shire of Coolgardie

13.14 Public Health Act 2016

13.14.1 Authorised Officers

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Public Health Act 2016 s.24(1) and (3) Designation of authorised officers*
Appointees:	**Chief Executive Officer** **Deputy CEO** **Contract Environmental Health Officer** **Consultant Town Planner**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Deputy CEO, Contract Environmental Health Officer, Consultant Town Planner, are designated as an authorised officer under s24 of the Public Health Act 2016.
Conditions on this Authorisation or Appointment:	Must operate in accordance with the conditions within the Shire of Coolgardie Health Local Law 2021. A list of all officers designated as authorised officers must be kept and maintained in accordance with s27 of the Public Health Act 2016. Each person who is designed as an authorised officer must be issued with certificate of authority as an authorised officer in accordance with s30 of the Public Health Act 2016.

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Delegation Register
Shire of Coolgardie

13.14.2 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Health (Asbestos) Regulations 1992* *Pt 2 Criminal Procedure Act 2004*
Appointees:	**CEO** **Deputy CEO** **Contract Town Planner** **Contract Environmental Health Officer**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	The Contract Environmental Health Officer, Deputy CEO, Contract Town Planner are appointed Authorised Persons and authorised pursuant to the Health (Asbestos) Regulations 1992 for the issuing of infringement notices. The Chief Executive Officer is appointed as an Approved Officer pursuant to the Health (Asbestos) Regulations 1992 and the Criminal Procedure Act 2004 for the withdrawal or extension to a period to pay an infringement notice.
Conditions on this Authorisation or Appointment:	Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

Delegation Register
Shire of Coolgardie

13.15 Public Interest Disclosure Act 2003

13.15.1 Public Interest Disclosures

Appointer:	**Chief Executive Officer**
Express Power or Duty:	*Public Interest Disclosure Act 2003 – s23(1)(a)*
Appointees:	**CEO** **Deputy CEO**
Function: *This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.*	Pursuant to s23(1)(a) Public Interest Disclosure Act 2003 the Principal Executive Officer (Chief Executive Officer) designates the occupant of a specified position within the authority as the person responsible for receiving disclosures of public interest information. The Deputy CEO of the Shire of Coolgardie is designated accordingly.
Conditions on this Authorisation or Appointment:	

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

Version Control:

1	<<insert reference / detail identifying decision to adopt, amend the delegation>>
2	
3	

14 Statutory Authorisations and Delegations to Local Government from State Government Entities

14.1 Environmental Protection Act 1986

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 47. 19-Mar-2004
Page: 919 Pdf - 476kb

EV401

ENVIRONMENTAL PROTECTION ACT 1986
Section 20
Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

Delegation Register
Shire of Coolgardie

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

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 232. 20-Dec-2013
Page: 6282 Pdf - 3Mb

EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

(a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;

(b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);

(c) community activities--noise control notices in respect of community noise under regulation 16;

(d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;

(e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;

(f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;

(g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--

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

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

Delegation Register
Shire of Coolgardie

14.1.3 Noise Management Plans – Construction Sites

Published by:
Environment

GOVERNMENT GAZETTE
Western Australia
Previous Close Next

No. 71. 16-May-2014
Page: 1548 Pdf - 2Mb

EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Delegation Register
Shire of Coolgardie

14.2 Planning and Development Act 2005

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

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

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

Dated the 2nd day of June 2016

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

Delegation Register
Shire of Coolgardie

SCHEDULE

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

Column 1	Column 2	Column 3
The power to sign as owner in respect of Crown land that is: • a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or • the land is a road of which the local government has the care, control and management under section 55(2) of the *Land Administration Act 1997* and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road. in respect of development applications being made under or referred to in: (i) section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act); (ii) section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act); (iii) section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act); (iv) section 122A of the Planning and Development Act 2005 in respect of which approval is required under an improvement scheme (as that term is defined in that Act); (v) section 162 of the *Planning and Development Act 2005* in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act); (vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part; (vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).	City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Bayswater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brookton Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Donnybrook-Balingup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray	In accordance with and subject to aproved Government Land policies. Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the *Planning and Development Act 2005* (including any planning scheme). The signature does not represent aproval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.

Delegation Register
Shire of Coolgardie

Shire of Nannup
Shire of Naremboon
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjarraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

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

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of June 2016

Delegation Register
Shire of Coolgardie

14.2.2 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;

B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;

C. TO AMEND "Del 2020/01—Powers of Local Governments" to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

Schedule 1

1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

(a) propose the creation of a vacant lot;

(b) propose vacant air stratas in multi-tiered strata scheme developments;

(c) propose the creation or postponement of a leasehold scheme;

(d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);

(e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—

i. a type of development; and/or

ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

(a) section 21 of the *Strata Titles Act 1985*;

(b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

Delegation Register
Shire of Coolgardie

14.3 Main Roads Act 1930

14.3.1 Traffic Management - Events on Roads
A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website here

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

RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS

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

i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;

ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or

iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

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

(a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;

(b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and

(c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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

1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and

2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

Page 1 of 2

Dated:

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

_____
Signature of Witness

_____
Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

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

THE COMMON SEAL of)
)
)
_____)
[Insert name of Local Government])
)
Was hereunto affixed pursuant to a)
resolution of the Council in the)
presence of:)
)

_____
Signature of Chief Executive Officer

_____
Signature of Witness

_____
Name of Witness (please print)

Delegation Register
Shire of Coolgardie

14.3.2 Traffic Management – Road Works
A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website here

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

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

(a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;

(b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and

(c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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

Dated:

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

_____
Signature of Witness

_____
Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

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

THE COMMON SEAL OF THE)

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

_____
Chief Executive Officer

_____
Witness

Delegation Register
Shire of Coolgardie

14.4 Road Traffic (Vehicles) Act 2012

14.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles

Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

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

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

(a) the *Local Government Act 1995*;

(b) regulations made under the *Local Government Act 1995*;

(c) a local law;

(d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or

(e) any combination of the above paragraphs (a) to (d);

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

CONDITIONS

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

Delegation Register
Shire of Coolgardie

Government of **Western Australia**
Department of **Transport**
Driver and Vehicle Services

(a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and

(b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

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

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

Dated the 5th day of September 2017

Approval for ranger vehicles to fit and use yellow flashing lights (transport.wa.gov.au)
Extracted on line on 15 March 2021

13.1.4 TENDER 01/2022 - LOCAL GOVERNMENT SERVICES

Location: Shire of Coolgardie

Applicant: NIL

Disclosure of Interest: NIL

Date: 15 March 2022

Author: Rebecca Horan, Executive Assistant to the Project Manager

SUMMARY

The purpose of this report is to recommend to Council to accept the preferred tenders in response to Request for Tender (RFT) 01/2022 – Local Government Services.

BACKGROUND

The Shire of Coolgardie called for Tender 01/2022 – Local Government Services on 20th January 2022. The tender process was managed by the Shire of Coolgardie which included preparation of the tender documentation, lodgement of advertisements, electronic receipts of tenders (utilising the Shire of Coolgardie's secure Tenderlink Tender Portal) and assessment of submitted tenders.

The tender closed at 2pm on Friday 4th February 2022. Fourteen tenders were received via www.tenderlink.com/shireofcoolgardie and publicly opened electronically at the Kambalda Administration Office by Project EA, Bec Horan, Director of Operation, Robert Hicks and EA to the CEO, Jackie Pilkington. All tenders submitted were compliant.

COMMENT

The following weighting criteria were used to assess the tenders:

Criteria	Weighting
Relevant Local Government Experience in the Goldfields-Esperance Region	50%
Proposed Resources – Key Personnel	10%
Tendered Pricing	40%

All tenders submitted were compliant

Tenderer C, E, G, J, K, M and N are recommended contractors to provide Local Government Services for the following reasons:-

- The scores for each of the weighting criteria for Relevant Local Government Experience in the Goldfields-Esperance Region, Proposed Resources and value for money were all excellent.
- They are all received a score of 92% or above based on the weighting criteria demonstrates that they are considered value for money.

Two of the tenderers did express an interest in providing Rates and Property Services, however after consultation with them both they confirmed that that they could only provide advice or a portion of what was required under the scope, therefore we will need to re-tender for this portion.

CONSULTATION

Robert Hicks, Deputy CEO

Barry Donkin, Project Manager

STATUTORY ENVIRONMENT

Regulation 16 (3) (a) (ii) of the Local Government (Functions and General) Regulation 1996

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Costings for these services are included in the Shire of Coolgardie's 2021/2022 financial year budget and will also be requested as part of the 2022/2023 budget.

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Tender 01/2022 - Local Government Services**
2. **Assessment 1 - Confidential**
3. **Assessment 2 - Confidential**
4. **Assessment 3 - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council

1. Authorise the Chief Executive Officer to award Corporate Governance Services under Tender 01/2022 to Steven Tweedie (Tenderer K) for a period of three years;

2. Authorise a contract to Steven Tweedie for Corporate Governance Services.

3. Authorise the Chief Executive Officer to award Strategic and Statutory Land Use Planning Services and Land Development Services under Tender 01/2022 to Milbridge Urban Planning and Business Solutions (Tenderer G), for a period of three years;

4. Authorise a contract to Milbridge Urban Planning and Business Solutions for Strategic and Statutory Land Use Planning Services and Land Development Services.

5. Authorise the Chief Executive Officer to award Engineering Services under Tender 01/2022 to WML Consulting Engineers (Tenderer M) for a period of three years;

6. Authorise a contract to WML Consulting Engineers for Engineering Services.

7. Authorise the Chief Executive Officer to award Fleet Management and Procurement and Contract Management Services under Tender 01/2022 to Uniqco International Pty Ltd (Tenderer N), for a period of three years;

8. Authorise a contract to Uniqco International Pty Ltd, for Fleet Management and Procurement and Contract Management Services.

9. Authorise the Chief Executive Officer to award Professional Development and Performance Reporting and Human Resources Services under Tender 01/2022 to RAVIM/RBC (Tenderer J) for a period of three years;

10. Authorise a contract to RAVIM/RBC for Professional Development and Performance Reporting and Human Resources Services.

11. Authorise the Chief Executive Officer to award Strategic Corporate Planning and Accounting Services under Tender 01/2022 to LG Corporate Solutions (Tenderer E) for a period of three years;

12. Authorise a contract to LG Corporate Solutions for Strategic Corporate Planning and Accounting Services.

13. Authorise the Chief Executive Officer to award Workplace Health and Safety Services to under Tender 02/2022 to HSE Collective (Tenderer C) for a period of three years;

14. Authorise a contract to HSE Collective for Workplace Health and Safety Services.

15. Declines to accept any submissions for Rates and Property Services and to re-tender.

RESOLUTION #43/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That Council

1. **Authorise the Chief Executive Officer to award Corporate Governance Services under Tender 01/2022 to Steven Tweedie (Tenderer K) for a period of three years;**

2. **Authorise a contract to Steven Tweedie for Corporate Governance Services.**

3. **Authorise the Chief Executive Officer to award Strategic and Statutory Land Use Planning Services and Land Development Services under Tender 01/2022 to Milbridge Urban Planning and Business Solutions (Tenderer G), for a period of three years;**

4. **Authorise a contract to Milbridge Urban Planning and Business Solutions for Strategic and Statutory Land Use Planning Services and Land Development Services.**

5. **Authorise the Chief Executive Officer to award Engineering Services under Tender 01/2022 to WML Consulting Engineers (Tenderer M) for a period of three years;**

6. **Authorise a contract to WML Consulting Engineers for Engineering Services.**

7. **Authorise the Chief Executive Officer to award Fleet Management and Procurement and Contract Management Services under Tender 01/2022 to Uniqco International Pty Ltd (Tenderer N), for a period of three years;**

8. **Authorise a contract to Uniqco International Pty Ltd, for Fleet Management and Procurement and Contract Management Services.**

9. **Authorise the Chief Executive Officer to award Professional Development and Performance Reporting and Human Resources Services under Tender 01/2022 to RAVIM/RBC (Tenderer J) for a period of three years;**

10. **Authorise a contract to RAVIM/RBC for Professional Development and Performance Reporting and Human Resources Services.**

11. **Authorise the Chief Executive Officer to award Strategic Corporate Planning and Accounting Services under Tender 01/2022 to LG Corporate Solutions (Tenderer E) for a period of three years;**

12. **Authorise a contract to LG Corporate Solutions for Strategic Corporate Planning and Accounting Services.**

13. **Authorise the Chief Executive Officer to award Workplace Health and Safety Services to under Tender 02/2022 to HSE Collective (Tenderer C) for a period of three years;**

14. **Authorise a contract to HSE Collective for Workplace Health and Safety Services.**

15. **Declines to accept any submissions for Rates and Property Services and to re-tender.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

Request for Tender

Request for Tender:	Local Government Services

Deadline:	2.00pm on Friday, 4th February 2022

Address for Delivery:	Electronically at https://portal.tenderlink.com/shireofcoolgardie No other method of delivery will be accepted.

RFT Number:	RFT 01/2022

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Part 1 READ AND KEEP THIS PART

1 Conditions of Tendering

1.1 Definitions

Below is a summary of some of the important defined terms used in this Request:

Attachments:	The documents you attach as part of your Tender.
Contractor:	Means the person or persons, corporation or corporations who's Tender is accepted by the Principal, including the executors or administrators, successors and assignments of such person or persons, corporation or corporations.
Deadline:	The deadline for lodgement of your Tender as detailed on the front cover of this Request.
General Conditions of Contract:	Means the General Conditions of Contract for the Supply and Delivery of Goods and/or Services provided or nominated in Part 3.
Offer:	Your offer to supply the Requirements.
Principal:	Shire of Coolgardie
Request OR RTF OR Request for Tender	This document.
Requirement:	The Goods and/or Services requested by the Principal as set out in Part 2.
Selection Criteria:	The Criteria used by the Principal in evaluating your Tender.
Special Conditions:	The additional contractual terms.
Specification:	The Statement of Requirements that the Principal requests you to provide if selected.
Tender:	Completed Offer form, Response to the Selection Criteria and Attachments.
Tenderer:	Someone who has or intends to submit an Offer to the Principal.
Tenderlink:	Means the web-based portal to be used for downloading Tender documents and raising queries in the online forum during the Tender Open Period. This medium operates through the website https://portal.tenderlink.com/shireofcoolgardie Where required, the portal will be used for the lodgement of Tenders.
Tender Open Period:	The time between advertising the Request and the Deadline.

Part 1 READ AND KEEP THIS PART

1.2 Tender Documents

This Request for Tender is comprised of the following parts:

Read and Keep this Part:

Part 1 – Conditions of Tendering *(read and keep this part)*.

Part 2 – Specification and/or plans/drawings *(read and keep this part)*.

Part 3 – Letter of Acceptance Template and General Conditions of Contract *(read and keep this part)*.

Including any other associated documentation provided with the Request for Tender.

Complete and Return this Part:

Part 4 – Tenderer's Offer, including Annexure A, Similar Experience Table and Annexure B, Key Personnel Table *(complete and return this part)*.

Part 5 – Tenderer's Occupational Safety and Health Management System Questionnaire *(complete and return this part)*.

Part 6 – Tenderer's Safety Record *(complete and return this part)*.

Part 7 – Tenderer's Resources Schedule *(complete and return this part)*.

Separate Documents

a) Addenda and any other special correspondence issued to Tenderers by the Principal.

b) Any other policy or document referred to but not attached to the Request.

1.3 How to Prepare Your Tender

Tenderers must:

a) Carefully read all parts of this document;

b) Ensure you understand the Requirements;

c) Complete and return the Offer (Part 4) in all respects and include all Attachments;

d) Make sure you have signed the Offer Form and responded to all of the Selection Criteria; and

e) Lodge your Tender before the Deadline.

1.4 Contact Persons

Tenderers should not rely on any information provided by any person other than the person listed below:

ALL questions relating to the RFT should be requested online using Tenderlink only. All enquiries are to made through the Shire of Coolgardie's E-Tendering Portal's Q & A Forum - https://portal.tenderlink.com/shireofcoolgardie

Part 1 READ AND KEEP THIS PART

1.5 Requests for Clarification

Tenderers may submit a written request for clarification on any part of the RFT documents prior to lodgement of their Tender. Written clarifications must be made using the online forum on the tender details page of Tenderlink and may be subject of an addendum to this Request.

No requests for information or clarification to the RFT Documents will be accepted later than three (3) days prior to the Deadline of this Request.

1.6 Tender Briefing/Site Inspection

There is no site visit in relation to this Request for Tender.

1.7 Lodgement of Tenders and Delivery Method

The tender must be lodged by the Deadline. The Deadline for this request is *2.00pm, Friday 4th February 2022.*

The Tender is to be uploaded to the Tenderlink portal.

Respondents will receive a Successful Submission Receipt timed and dated upon completion. Should you need assistance with Tenderlink please call the support team on 1800 233 533 or email support@tenderlink.com.

Please note that all enquiries are to be made through the Shire of Coolgardie's E-Tendering Portal's Q & A Forum - https://portal.tenderlink.com/shireofcoolgardie

Hand delivered Tenders, electronic mail Tenders and Tenders submitted by Facsimile will not be accepted.

1.8 Rejection of Tenders

A Tender will be rejected without consideration of its merits in the event that:

a) It is not submitted before the Deadline; or
b) It is not submitted at the place specified in the Request; or
c) It may be rejected if it fails to comply with any other requirements of the Request.

1.9 Late Tenders

Tenders received:

a) After the Deadline; or
b) In a place other than that stipulated in this Request;

will not be accepted for evaluation.

Part 1 READ AND KEEP THIS PART

1.10 Acceptance of Tenders

Unless otherwise stated in this Request, Tenders may be for all or part of the Requirements and may be accepted by the Principal either wholly or in part. The Principal is not bound to accept the lowest Tender and may reject any or all Tenders submitted.

1.11 Disclosure of Contract Information

Documents and other information relevant to the contract may be disclosed when required by law under the *Freedom of Information Act 1992* or under a Court order.

All Tenderers will be given particulars of the successful Tenderer*(s)* be advised that no Tender was accepted.

1.12 Tender Validity Period

All Tenders will remain valid and open for acceptance for a minimum period of ninety (90) days from the Deadline or forty-five (45) days from the Principal's resolution for determining the Tender, whichever is the later unless extended on mutual agreement between the Principal and the Tenderer in writing.

1.13 Precedence of Documents

In the event of there being any conflict or inconsistency between the terms and conditions in this Request and those in the General Conditions of Contract, the terms and conditions appearing in this Request will have precedence.

1.14 Alternative Tenders

All Alternative Tenders may be accompanied by a conforming Tender.

Tenders submitted as Alternative Tenders or made subject to conditions other than the General and Special Conditions of Contract must in all cases be clearly marked "**Alternative Tender**".

The Principal may in its absolute discretion reject any Alternative Tender as invalid.

Any printed "General Conditions of Contract" shown on the reverse of a Tenderer's letter or quotation form will not be binding on the Principal in the event of a Contract being awarded unless the Tender is marked as an Alternative Tender.

1.15 Tenderers to Inform Themselves

Tenderers will be deemed to have:

a) examined the Request and any other information available in writing to Tenderers for the purpose of tendering;

b) examined all further information relevant to the risks, contingencies, and other circumstances having an effect on their Tender which is obtainable by the making of reasonable enquires;
c) satisfied themselves as to the correctness and sufficiency of their Tenders including tendered prices which will be deemed to cover the cost of complying with all the Conditions of Tendering and of all matters and things necessary for the due and proper performance and completion of the work described therein;
d) acknowledged that the Principal may enter into negotiations with a chosen Tenderer and that negotiations are to be carried out in good faith; and
e) satisfied themselves they have a full set of the Request documents and all relevant attachments.

1.16 Alterations

The Tenderer must not alter or add to the Request documents unless required by these Conditions of Tendering.

The Principal will issue an addendum to all registered Tenderers where matters of significance make it necessary to amend or supplement the issued Request documents before the Deadline.

1.17 Risk Assessment

The Principal may have access to and give consideration to:

a) any risk assessment undertaken by any credit rating agency;
b) any financial analytical assessment undertaken by any agency; and
c) any information produced by the Bank, financial institution, or accountant of a Tenderer;

so as to assess that Tender and may consider such materials as tools in the Tender assessment process.

Tenderers may be required to undertake to provide to the Principal (or its nominated agent) upon request all such information as the Principal reasonably requires to satisfy itself that Tenderers are financially viable and have the financial capability to provide the Services for which they are submitting and meet their obligations under any proposed Contract. The Principal reserves the right to engage (at its own cost) an independent financial assessor as a nominated agent to conduct financial assessments under conditions of strict confidentiality. For this assessment to be completed, a representative from the nominated agent may contact you concerning the financial information that you are required to provide.

Part 1 READ AND KEEP THIS PART

The financial assessment is specifically for use by the Principal for the purpose of assessing Tenderers and will be treated as strictly confidential.

1.18 Evaluation Process

This is a Request for Tender.

Your Tender will be evaluated using information provided in your Tender.

The following evaluation methodology will be used in respect of this Request:

a) Tenders are checked for completeness and compliance. Tenders that do not contain all information requested (eg completed Offer form and Attachments) may be excluded from evaluation.
b) Tenders are assessed against the Selection Criteria. Contract costs are evaluated (eg tendered prices) and other relevant whole of life costs are considered.
c) The most suitable Tenderers may be short listed and may also be required to clarify their Tender, make a presentation, demonstrate the product/solution offered and/or open premises for inspection. Referees may also be contacted prior to the selection of the successful Tenderer.

A Contract may then be awarded to the Tenderer whose Tender is considered the most advantageous Tender to the Principal.

1.19 Selection Criteria

The Contract may be awarded to a Tenderer/*(s)* who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

The Principal has adopted a best value for money approach to this Request. This means that, although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

A scoring system will be used as part of the assessment of the qualitative criteria. Unless otherwise stated, a Tender that provides all the information requested will be assessed as satisfactory. The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

Part 1 READ AND KEEP THIS PART

1.20 Compliance Criteria

These criteria are detailed within Part 4 of this document and will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Tender from consideration.

1.21 Qualitative Criteria

In determining the most advantageous Tender, the Evaluation Panel will score each Tenderer against the qualitative criteria as detailed within Part 4 of this document. Each criterion will be weighted to indicate the relative degree of importance that the Principal places on the technical aspects of the goods or services being purchased.

It is essential that Tenderers address each qualitative criterion. Information that you provide addressing each qualitative criterion will be point scored by the Evaluation Panel. Failure to provide the specified information may result in elimination from the tender evaluation process or a low score.

1.22 Value Considerations

The Weighted Price method is used where price is considered to be crucial to the outcome of the contract. The price is then assessed with quality. Include any items that may affect any pricing outcomes (e.g. Regional Price Preference Policy).

Criteria	Weighting
Relevant Local Government Experience in the Goldfields-Esperance Region	50%
Proposed Resources – Key Personnel	10%
Tendered Pricing	40%

Once the tenders have been ranked, the evaluation panel will make a value judgement as to the cost affordability, qualitative ranking and risk of each Tender, in order to determine the Tender which is most advantageous to the Principal.

The tendered price will be considered along with related factors affecting the total cost to the Principal (eg the lifetime operating costs of goods or the Principal's contract management costs may also be considered in assessing the best value for money outcome).

1.23 Regional Price Reference *(optional)*

A regional price preference will apply to this tender.

Part 1 READ AND KEEP THIS PART

1.24 Price Basis

All prices for goods/services offered under this Request are to be fixed for the term of the *three-year term of the* Contract. *A CPI adjustment may be proposed in relation to any extension of the term of the Contract.* Tendered prices must include Goods and Services Tax (GST).

Unless otherwise indicated prices tendered must include delivery, unloading, packing, marking and all applicable levies, duties, taxes and charges. Any charge not stated in the Tender, as being additional will not be allowed as a charge for any transaction under any resultant Contract.

1.25 Ownership of Tenders

All documents, materials, articles and information submitted by the Tenderer as part of or in support of the Tender will be become upon submission the absolute property of the Principal and will not be returned to the Tenderer at the conclusion of the Tender process PROVIDED that the Tenderer be entitled to retain copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

1.26 Canvassing of Officials

If the Tenderer, whether personally or by an agent, canvasses any of the Principal's Commissioners or Councillors Officers (as the case may be) with a view to influencing the acceptance of any Tender made by it or any other Tenderer, then regardless of such canvassing having any influence on the acceptance of such Tender, the Principal may at its absolute discretion omit the Tenderer from consideration.

1.27 Identity of the Tenderer

The identity of the Tenderer and the Contractor is fundamental to the Principal. The Tenderer will be the person, persons, corporation or corporations named as the Tenderer in Part 4 and whose execution appears on the Offer Form in Part 4 of this Request. Upon acceptance of the Tender, the Tenderer will become the Contractor.

1.28 Costs of Tendering

The Principal will not be liable for payment to the Tenderer for any costs, losses or expenses incurred by the Tenderer in preparing their Offer.

1.29 Tender Opening

Tenders will be opened in the Principal's offices, following the advertised Deadline. All Tenderers and members of the public may attend or be represented at the opening of Tenders.

Part 1 READ AND KEEP THIS PART

The names of the persons who submitted the Tender by the due Deadline will be read out at the Tender Opening. No discussions will be entered into between Tenderers and the Principal's officers present or otherwise, concerning the Tenders submitted.

The Tender Opening will be held on or as soon as practicable after the Deadline at Principal's Offices at Irish Mulga Drive, Kambalda WA 6442.

1.30 In House Tenders

The Principal does not intend to submit an In-House Tender.

Part 3	READ AND KEEP THIS PART

2 Specification

2.1 Contract Requirements in Brief

A full statement of the goods/services required under the proposed contract appears in the Specification as set out in detail in the General Conditions of Contract as referred to in Part 3 and provided with this Request for Tender.

2.2 Introduction

Tenders are invited from suppliers who wish to provide services to the Shire of Coolgardie on an as and when required basis in respect to one or more of the services categories listed below.

Each successful Tenderer will be engaged by the Shire for a period of three years with the option to extend the contract for a further two year period at the sole discretion of the Principal.

The services to be provided by each successful Tenderer will be provided as and when required by the Shire under a purchase order at the tendered rates in accordance with the terms and conditions of the contract.

Local Government service to be tendered for are listed below:

- Corporate Governance Services
- Strategic Corporate Planning Services
- Engineering Services
- Strategic and Statutory Land Use Planning Services
- Land Development Services
- Professional Development and Performance Reporting Services
- Accounting Services
- Fleet Management Services
- Procurement and Contract Management Services
- Workplace Health and Safety Services
- Rates and Property Services
- Human Resources Services

2.3 Definitions

Below is a summary of some of the important defined terms used in this Part:

Contractor's Representative:	Means any Officer or person duly authorised by the Contractor, in writing, to act on their behalf for the purpose of the Contract;
Principal's Representative	Means any Officer of person duly authorised by the Principal, in writing, to act on their behalf for the purpose of the Contract;

Part 3	READ AND KEEP THIS PART

Works or Services:	Means the Services, which the Contractor is required to provide to the Principal and the Contractor under the Contract;

2.4 Scope of Work

The following indicates the type of services sought under each of the service categories. Additional services may be added as the need arises

Corporate Governance Services

- Compliance with Legislation relevant to Local Government
- Governance Advice and Services
- Councillor Training & Development
- Policy
- Delegations
- Internal audits

Strategic Corporate Planning Services

- Provision of strategic corporate planning services including the Integrated Planning and reporting framework
- Strategic Community Plan
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plan
- Workforce Plan, and
- Other informing plans

Engineering Services

- Road Assessments and costings
- Experience in RAV heavy haulage assessments
- Senior Road Safety Auditor
- Full understanding of all local government funding and applications
- Demonstrated knowledge of road construction and maintenance

Strategic and Statutory Land Use Planning Services

- Statutory Land Use Planning
- Strategic Planning

Land Development Services

- Marketing and selling residential and industrial land
- Cost benefit analysis of residential and industrial land

Professional Development and Performance Reporting Services

- Service level reviews
- Changing cultures and improving processes
- Best practice programs
- Workforce strategy
- Advocacy

Part 3 READ AND KEEP THIS PART

- Development of excel models and templates for management and service level reporting
- CEO Performance Reviews

Accounting Services

- Balance sheet reconciliations
- Monthly management reporting
- Internal control and procedures analysis
- Profit and loss analysis
- Cost Accounting analysis
- Preparation of Annual Budget
- Preparation of Annual Financial Statements
- Monthly statutory reporting
- Monthly overheads analysis

Fleet Management Services

- Provision of fleet management services, including fleet category management support
- Red, Amber, Green (RAG) Reporting against operational IPWEA KPI's detailed in IPWEA best practice manual through a BIS Tool
- Application of both the on road and maintenance Chains of Responsibilities.
- Provide line of sight from the fleet to organisational service delivery outcomes
- Whole of life costing include FBT and fuel consumption allowances modelled using a Whole of Life Calculator
- Provision of annual plant and fleet hire rates
- Fleet management service providers do not include leasing, fleet hire or financing companies

Procurement and Contract Management Services

- Provision of ad hoc procurement and tendering support
- Provision of ad hoc contract management support
- Assistance with development of scopes and go-to-market documentation
- Contract management training
- Commercial queries and support
- Contract dispute support
- Contractor Performance Management
- General procurement and contract management services

Workplace, Health and Safety Services

- Undertake audits of Councils Workplace, Health and Safety (WHS) Management System
- Provide consultancy, training and other WHS related services as required
- Senior Management and staff training
- Workplace Inspections
- Workplace Risk Assessments
- Draft and review Councils WHS Policy and Procedures

Part 3	READ AND KEEP THIS PART

Rates and Property Services

- Responsible for raising rates assessments, Annual and Quarterly Rates notices
- Maintaining accurate records and reconciling the rates register in accordance with the Local Government Act 1995, Valuation of Land Act 1978, the Mining Act 1978 and the Rates and Charges (Rebates and Deferment) Act 1992
- Ensure rate and revenue standards are maintained in conjunction with Councils finance staff to provide efficient, accurate and reliable revenue performance across the organisation
- Responsible for the accurate and efficient recovery of monies payable to Council
- Maintenance of the Emergency Services Levy (ESL) collection, Reconciliation and remittance process
- Responsible for Gross rental values and unimproved values in correspondence with the Valuer Generals Office
- Provide expert rating advice and training of Council staff as required

Human Resources

- Organisation Development
- Organisation Design
- Performance Management
- Policy Development

Part 3 READ AND KEEP THIS PART

3 General Conditions of Contract

3.1 Contract

Please refer to the General Conditions of Contract included in the Request for Tender.

3.2 Insurances

Without limiting its obligations and responsibilities, the Tenderer shall take out Insurance for the entire Contract period under the following headings;

(a) Public Liability:
The policy of Public Liability Insurance taken out by the Tenderer is to provide a minimum limit of liability of five (5) million dollars in respect of Death, Property Damage and Bodily Injury.

(b) Professional Indemnity Insurance:
Effect and maintain a Professional Indemnity policy for an amount of indemnity of not less than one (1) million dollars for any one occurrence and unlimited as to the number of occurrences and in the aggregate.

The Tenderer is to provide the Principal with certificates of currency and/or a copy of the policy wording confirming as laid down within the tender document (if not mentioned, within seven (7) days) that the above insurance policies are in place for the entire contract period

Part 4	COMPLETE AND RETURN THIS PART

4 Tenderer's Offer

4.1 Form of Tender

The Chief Executive Officer
Shire of Coolgardie
Irish Mulga Drive
KAMBALDA WA 6442

I/We (Registered Entity Name): _____
(BLOCK LETTERS)

of: _____
(REGISTERED STREET ADDRESS)

ABN _____ ACN (if any) _____

Telephone No: _____ Facsimile No: _____

E-mail: _____

In response to RFT 01-2022 Local Government Services

1/We agree that I am/We are bound by, and will comply with this Request and its associated schedules, attachments, all in accordance with the Conditions of Tendering contained in this Request signed and completed.

The tendered price is valid up to ninety (90) calendar days from the date of the Tender closing or forty-five (45) days from the Council's resolution for determining the Tender, whichever is the later unless extended on mutual agreement between the Principal and the Tenderer in writing.

I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Tender irrespective of its outcome.

The tendered consideration is as provided under the schedule of rates of prices in the prescribed format and submitted with this Tender.

Dated this _____ day of _____ 20____

Signature of authorised signatory of Tenderer: _____

Name of authorised signatory **(BLOCK LETTERS):** _____

Position: _____

Telephone Number: _____

Authorised signatory Postal address: _____

_____

Email Address: _____

Part 4	COMPLETE AND RETURN THIS PART

4.2 Selection Criteria

4.2.1 Compliance Criteria

Please select with a "Yes" or "No" whether you have complied with the following compliance criteria:

Description of Compliance Criteria	
Tenderer Profile a) State the Tenderer's business structure (i.e. sole trader/partnership/proprietary limited liability company/trustee) and provide all business details including the Australian Company Number (ACN) where applicable, and include the Tenderer's Australian Business Number (ABN), Registered Entity Name and full business address (physical and postal address) (refer 4.1) b) Provide details of the Tenderer's Authorised Person preparing the response to this Request including; full name, position title, postal address, phone number and email address (refer 4.1)	Yes / No
Tenderer's Declaration By indicating Comply, I (The Tenderer's Authorised Person) We (The Tenderer) agree that I am/We are bound by, and will comply with the Conditions of Tender contained in this Request. I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Tender irrespective of its outcome. By submitting this Response, I the person named as the authorised person, confirm my understanding that by lodging a Tender, in accordance with Part 1 of this Request, I understand no physical signature is required on this Declaration; that by lodging this Tender I am automatically providing an electronic signature for this Declaration in accordance with the *Electronic Transactions Act 1999* (Cth) and corresponding state and territory acts.	Yes / No
Financial Position a) Does the Tenderer have the ability to pay all debts in full as and when they fall due? (If no, please provide details) b) Does The Tenderer have any current litigation, claim or judgement as a result of which you may be liable for $50,000 or more? (If yes, please provide details) c) Will the Tenderer co-operate with an independent financial assessor during the conduct of financial assessments? (If no please outline reasons why).	Yes / No
Conflict of Interest Will any actual or potential conflict of interest in the performance of the Tenderer's obligations under the Contract exist if awarded the Contract; or are any such conflicts of interest likely to arise during the Contract? If yes, please provide details.	Yes / No

Part 4	COMPLETE AND RETURN THIS PART

Description of Compliance Criteria	
Alternative Tenders Alternative Tenders will not be considered.	Yes / No
Acknowledgement of Addenda Does the Tenderer acknowledge receipt of any addendum issued and has allowed for any price adjustments resulting in any issued addendum? If yes, please state how many addenda have been received?	Yes / No
Contract Conditions Does the Tenderer agree to the General Conditions of Contract as provided with the Request?	Yes / No
Critical Assumptions Tenderers are to specify any assumptions they have made that are critical to the Tender, including assumptions relating to pricing and ability to provide the Requirements in the manner specified in the Request.	Yes / No
Licencing Requirements Does the Tenderer have current company registration? If yes, attach a copy of the registration detailing the holder, registration number and expiry date. Does the Tenderer have the necessary trades licence requirements to undertake these works? If yes, provide a copy of the licence detailing the licence holder, licence number and expiry date.	Yes / No / N/A
References The Tenderer is to provide details of 3 similar projects carried out within the last 3 years in the Goldfields Esperance region. The details must include a checkable reference (Referee) along with their current contact details.	Yes / No
Pricing Has the Tenderer completed and submitted the Price Schedule in the provided format?	Yes / No
Risk Assessment Tenderers must address the following information in an attachment and label it **"Risk Assessment"**:	Yes / No

No	Requirement	Information provided Yes / No
i)	*An outline of your organisational structure inclusive of any branches and number of personnel.*	Yes / No
ii)	*If companies are involved, attach their current*	Yes / No

Part 4	COMPLETE AND RETURN THIS PART

Description of Compliance Criteria			
	ASC company extracts search including latest annual return		
iii)	*Provide the organisation's directors/company owners and any other positions held with other organisations*	Yes / No	
iv)	*Provide a summary of the number of years your organisation has been in business.*	Yes / No	
v)	*Attach details of your referees. You should give examples of work provided for your referees where possible.*	Yes / No	
vi)	*Are you acting as an agent for another party? If Yes, attach details (including name and address) of your principal.*	Yes / No	
vii)	*Are you acting as a trustee of a trust? If Yes, give the name of the trust and include a copy of the trust deed (and any related documents); and if there is no trust deed, provide the names and addresses of beneficiaries.*	Yes / No	
viii)	*Do you intend to subcontract any of the Requirements? If Yes provide details of the subcontractor(s) including; the name, address and the Requirements that will be subcontracted. Clearly indicate any local/regional subcontractors and/or suppliers to be used.*	Yes / No	
ix)	*Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract? If Yes, please supply in an attachment details of any actual or potential conflict of interest and the way in which any conflict will be dealt with.*	Yes / No	
x)	*Are you presently able to pay all your debts in*	Yes / No	

Part 4	COMPLETE AND RETURN THIS PART

Description of Compliance Criteria			
	full as and when they fall due?		
xi)	*Are you currently engaged in litigation as a result of which you may be liable for $50,000 or more? If Yes please provide details.*	Yes / No	
xii)	*In order to demonstrate your financial ability to undertake this contract, if successful, will you be able to provide a profit and loss statement and the latest financial return for you and each of the other proposed contracting entities, together with a referee report from your bank and/or accountant.*	Yes / No	
xiii)	*The insurance requirements for this Request are stipulated in Part 3 of this Request. Tenderers are to supply evidence of their insurance coverage including, insurer, expiry date, value and type of insurance. If Tenderer holds "umbrella Insurance" please ensure a breakdown of the required insurances are provided. A copy of the Certificate of Currency is to be provided to the Principal within 7 days of acceptance.*	Yes / No	
xiv)	Attachment labelled as **"Risk Assessment"** attached.	Yes / No	

Part 4	COMPLETE AND RETURN THIS PART

4.2.2 Proposed Local Government Services

Tenderers are requested to select the local government services categories it can provide to the Shire of Coolgardie:

No	Local Government Services Category	Please Select
1	Corporate Governance Services	Yes / No
2	Strategic Corporate Planning Services	Yes / No
3	Engineering Services	Yes / No
4	Strategic and Statutory Land Use Planning Services	Yes / No
5	Land Development Services	Yes / No
6	Professional Development and Performance Reporting Services	Yes / No
7	Accounting Services	Yes / No
8	Fleet Management Services	Yes / No
9	Procurement and Contract Management Services	Yes / No
10	Workplace Health and Safety Services	Yes / No
11	Rates and Property Services	Yes / No
12	Human Resources Services	Yes / No

4.2.3 Qualitative Criteria

Before responding to the following qualitative criteria, Tenderers must note the following:

a) All information relevant to your answers to each criterion are to be contained within your Tender;
b) Tenderers are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience;
c) Tenderers are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
d) Tenderers are to address each issue outlined within a qualitative criterion.

A. Relevant Local Government Experience in the Goldfields-Esperance Region	**Weighting**
Tenderers must address the following: **Relevant Experience** i. Provide details of similar services provided in the Goldfields Esperance region for three similar clients/projects	**50%**

Part 4 COMPLETE AND RETURN THIS PART

ii. Demonstrate competency and proven track record of achieving outcomes **Tenderers must complete and return Annexure A, Similar Experience Table as provided in the RFT to meet this qualitative requirement.**	
B. Key Personnel Tenderers must address the following: i. Please provide a brief written overview of your proposed consultants/ personnel you intend to utilise and label the overview –Proposed resources **Tenderers must complete and return Annexure B, Key Personnel Table as provided in the RFT to meet this qualitative requirement.**	**Weighting** **10%**
C. Tendered Price **Tenderers must complete the Pricing Schedule as included in section 4.3 below.** The Price Schedule has been designed to give an indicative level and range of services to be provided for a three-year period and will be used to assess an indicative cost to the Shire for the contract period. The actual level and range of services required will be dependent on budget allocation for each budget year during the contract period. The tendered prices must be fixed for the (three-year) term of the Contract. A CPI Perth adjustment may be proposed as set out in the Contract.	**Weighting** **40%**

Part 4	COMPLETE AND RETURN THIS PART

4.3 Price Information

Tenderers must complete the following "Price Schedule". Before completing the Price Schedule, Tenderers should ensure they have read this entire Request. All prices offered under this Request are to be fixed for the 3-year term of the Contract. Tendered price must include Goods and Services Tax (GST). Tendered may propose a CPI Perth adjustment in relation to any extension of the term of the contract.

4.3.1 Price Schedule

Service	Cost Basis	Price (exc GST)	GST	Price (inc GST)
Consultant Rates				
Consultant - Role	Per hour	$	$	$
Consultant - Role	Per hour			
Please insert more lines as required				
Expenses, Reimbursable Cost Items and/or other				
Travel (at cost)				
Other				
Accommodation (at cost)				
Please insert more lines as required				

Part 7	COMPLETE AND RETURN THIS PART

5 Tenderer's WHSE Management System Questionnaire

This questionnaire forms part of the Principal's Tender evaluation process and is to be completed by tenderers and submitted with their Tenders and labelled as "**Tenderer's WHSE Management**". The objective of the questionnaire is to provide an overview of the status of Tenderer's safety management system. Tenderers may be required to verify their responses noted in their questionnaire by providing evidence of their ability and capacity in relevant matters.

OSH Policy and Management	**Yes**	**No**
Is there a written company Health and Safety Policy? If Yes, provide a copy of the policy.	☐	☐
Does the company have an OSH Management System? If Yes, provide a copy.	☐	☐
Safe Workplace Practices and Procedures	**Yes**	**No**
Does the company have any processes and procedures in place for managing incidents? If Yes, provide a copy of a standard Incident Report form.	☐	☐
Do Incident Reports contain prevention recommendations?	☐	☐
Occupational Safety and Health		
Is a record maintained of all training and inductions programmes undertaken for employees in your company? If Yes, provide examples of Safety Training records. _____ _____ _____		
Provide details of any company safety induction programmes for company employees and or subcontractors.		

Part 7 COMPLETE AND RETURN THIS PART

_____

_____

_____

Safety and Health Performance Monitoring	Yes	No
Has the company ever been convicted of an Occupation Health and Safety offence? If Yes, provide details. _____ _____ _____	☐	☐

Part 7	COMPLETE AND RETURN THIS PART

6 Tenderer's Safety Record

Complete the following details and submit with your Tender labelled as "**Tenderer's Safety Record**".

Project	Date of Accident/Notice	Accident or Infringement Notice	Reason	Time Lost

Part 7	COMPLETE AND RETURN THIS PART

7 Tenderer's Resource Schedule

7.1 Tenderer's Current Commitment Schedule

Project	Description	Value as Let	Date Started	Referees Name Telephone Number

7.2 Tenderer's Human Resources Schedule

Staff name	Title	Time in Role	Availability in Project

Chief Executive Officer, James Trail having prior declared an Impartial Interest in the matter for consideration, asked to remain in the room to be available to answer any questions that may arise.

RESOLUTION #44/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Sherryl Botting

That Council approve Chief Executive Officer, James Trail to remain in the room to be available to answer any questions that may arise.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

13.1.5 TENDER 02/2022 - SUPPLY AND INSTALLATION OF WORKERS ACCOMMODATION VILLAGE AT KAMBALDA

Location: **Kambalda**

Applicant: **NIL**

Disclosure of Interest: **NIL**

Date: **15 March 2022**

Author: **Barry Donkin, Projects Manager**

SUMMARY

That Council award Tender 02/2022 – Supply and Installation of Workers Accommodation Village at Kambalda to Rangecon Pty Ltd for Separable Portions 1,2,3 and 4.

BACKGROUND

The Shire of Coolgardie issued a Request for Tender for the Workers Accommodation Village Installation Works for Kambalda which included accommodation units, dry mess, recreation room, meeting room and small gym.

The RFT was advertised on 10th February 2022 via Tenderlink, Shire website, Kalgoorlie Miner and West Australian with submissions closing at 4pm Thursday 3rd March 2022.

COMMENT

The scope of works was broken down into the following separable portions:-

a. **Separable Portion 1: Camp Supply**, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout).

b. **Separable Portion 2: Site and Building Works**, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections

c. **Separable Portion 3: Freight** and delivery of items supplied/sourced/for installation;

d. **Separable Portion 4: Ancillary Camp Works** including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting.

The Shire reserved the right to include or exclude Separable Portions from the Scope of Works and ward the Separable Portions to various contractors.

The following 4 (four) organisations submitted tender offers for Supply and Installation of Workers Accommodation Village at Kambalda as set out in the RFT (in no particular order) and for the Separable Portions as Indicated below:

No	Tenderer	Financial Basis	Separable Portions Offered
1	Jmac Civil Pty Ltd	Supply on a lease only basis Subject to successful approval and funding	Separable Portions 1 and 2
2	McNally Group Contracting Pty Ltd t/a	No offer for supply on a lease basis Only offered lease/buy option	Separable Portions 1 and 3 McNally noted that due to time constraints they were not in a

No	Tenderer	Financial Basis	Separable Portions Offered
	McNally Mining & Resources		position to tender for portions 2 and 4 Furthermore the McNally offer is only valid for 30 days from tender submission.
3	HN QVC Pty Ltd & Qantac Villages Pty Ltd (QCV Pty Ltd)	Offered both lease and lease/buy options	Separable Portions 1 and 3
4	Rangecon Pty Ltd	Offered both lease and lease/buy options	All Separable Portions

The tenders were assessed against meeting the requirements with respect to compliance, qualitative criteria and pricing criteria. The detailed outcome of the assessment completed, is set out below and included in the related documentation as provided with this Tender Assessment Workbook.

The process and outcome of the tender assessment completed, is as detailed in this Tender Assessment Workbook.

In terms of the evaluation of the RFT, the RFT evaluation was broken down into the following main stages:

a) Stage 1: Mandatory Criteria
b) Stage 2: Compliance Criteria
c) Stage 3: Qualitative Criteria
d) Stage 4: Pricing.

The selection criteria and weighting for the RFT was as follows:

CRITERIA	WEIGHTING
Works Delivery and Execution	**20%**
Experience and Resources	**40%**
Pricing	**40%**

The preferred tenderer has provided a submission for the four (4) Separable Portions which exceeds the pre contract value. The contributing factors include:

- A significant increase in construction costs and prelimineries associated with the current market conditions
- Limited availability of subcontractors due to high demand
- Availability of second – hand accommodation units
- Significant increase in freight costs
- A significant increase in the price of new accommodation units and associated ancillary items.

Should the Officers recommendation be endorsed, Council will be required to increase the 2022/2023 budget allocations for the project.

The increase in costs as a direct result of the contributing factors above will be offset by the increase in the daily rate the Shire will be able to charge for accommodation if the officers recommendation is endorsed. Furthermore with the villages provided for in the tender being new or near to new will result in a higher quality product and

outcome being delivered. Annual repairs and maintenance will be significantly less and the return on the Shire investment will be quicker and greater.

CONSULTATION

Celia Jordaan, Uniqco

Bec Horan, Projects

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

Council allocated $9.0m in its 2021/2022 budget for the installation and associated works for the proposed villages at Kambalda and Coolgardie. In the Budget Review 2021/2022 Council allocated $6 million for the installation and associated works for the proposed workers accommodation village at Kambalda. Council will be required to increase 2022/2023 budget allocations for the project for both expenditure and revenue. Council has allocated $7 million loan funding towards the installation and associated works for the proposed village in Kambalda

The Shire has now received tenderers and costings for the installation, associated works and leasing costs for the proposed village. The estimated costs for the proposed village have been provided in the confidential attachment financial analysis;

Installation and associated works - $8.4 million

Leasing Costs - $11.6 million

Estimated profit over 7 years $15.6 million

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **RFT 02/2022 - Tender Assessment Workbook - Confidential**
2. **RFT 02/2022 - Scope of Works**
3. **RFT 02/2022 - Pricing Schedule - Confidential**
4. **Concept Plan - Confidential**
5. **Works Methodology - Confidential**
6. **Pricing Portions 2-4 - Confidential**
7. **Village Room Design - Confidential**
8. **Kitchen Design - Confidential**
9. **Proposed Village Accommodation Financial Analysis - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:-

1. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:
   a. Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.
   b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections;
   c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;
   d. Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;
2. Approves a provisional amount to the value of $275,000.00 excluding GST (approximately $1,000 for 200 rooms each and $75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;

3. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:
   a. Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;
4. Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel as required) for the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;
5. Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;
   a. Clarifications being satisfied associated with any cost savings with its tender submission and;
   b. Any further variations of a minor nature

RECOMMENDATION

That Council:-

1. **Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:**
   a. **Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.**
   b. **Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections;**
   c. **Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;**
   d. **Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;**
2. **Approves a provisional amount to the value of $275,000.00 excluding GST (approximately $1,000 for 200 rooms each and $75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;**

3. **Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:**
   a. **Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;**
4. **Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel as required) for the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;**
5. **Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;**
   a. **Clarifications being satisfied associated with any cost savings with its tender submission and;**
   b. **Any further variations of a minor nature**

OFFICER RECOMMENDATION

That Council ACCEPT the alternate recommendation.

That Council:-

1. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:

a. Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.
b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections;
c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;
d. Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;

2. Approves a provisional amount to the value of $275,000.00 excluding GST (approximately $1,000 for 200 rooms each and $75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;

3. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:
   a. Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;
4. Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel as required) for the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;
5. Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;
   a. Clarifications being satisfied associated with any cost savings with its tender submission and;
   b. Any further variations of a minor nature
6. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.
7. Delegate authority to the Chief Executive Officer to EXECUTE a contract with Ruka Industries Pty Ltd t/a PGE Servies ABN 17 629 226062 for Separable Portion 3; Supply and Install Plumbing excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.
8. Delegate authority to the Chief Executive Officer to EXECUTE a contract with Pryce Mining Services Pty Ltd ABN 22 120 999359 for Separable portion 2; Supply and Install Power excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.
9. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation for RFT 07/2021 Workers Accommodation Village Installation works for Kambalda for Separable Portion 2 and Separable Portion 3.

RESOLUTION #45/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Sherryl Botting

That Council:-

1. **Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:**
   a. **Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.**
   b. **Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections;**
   c. **Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;**
   d. **Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;**
2. **Approves a provisional amount to the value of $275,000.00 excluding GST (approximately $1,000 for 200 rooms each and $75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;**

3. **Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:**
   a. **Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;**
4. **Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel as required) for the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;**
5. **Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;**
   a. **Clarifications being satisfied associated with any cost savings with its tender submission and;**
   b. **Any further variations of a minor nature**
6. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.**
7. **Delegate authority to the Chief Executive Officer to EXECUTE a contract with Ruka Industries Pty Ltd t/a PGE Servies ABN 17 629 226062 for Separable Portion 3; Supply and Install Plumbing excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.**
8. **Delegate authority to the Chief Executive Officer to EXECUTE a contract with Pryce Mining Services Pty Ltd ABN 22 120 999359 for Separable portion 2; Supply and Install Power excluding provisional items as the most advantageous tender based on the**

assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.

9. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation for RFT 07/2021 Workers Accommodation Village Installation works for Kambalda for Separable Portion 2 and Separable Portion 3.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

OFFICER RECOMMENDATION

That Council **RESOLVE** to accept the alternate Officer Recommendation.

RESOLUTION #46/2022

Moved: Cr Kathie Lindup
Seconded: Cr Tracey Rathbone

That Council RESOLVE to accept the alternate Officer Recommendation.

1. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:
   a. Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.
   b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections;
   c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;
   d. Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;
2. Approves a provisional amount to the value of $275,000.00 excluding GST (approximately $1,000 for 200 rooms each and $75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;

3. Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:
   a. Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;
4. Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel

as required) for the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;

5. **Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;**
    a. **Clarifications being satisfied associated with any cost savings with its tender submission and;**
    b. **Any further variations of a minor nature**
6. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.**
7. **Delegate authority to the Chief Executive Officer to EXECUTE a contract with Ruka Industries Pty Ltd t/a PGE Servies ABN 17 629 226062 for Separable Portion 3; Supply and Install Plumbing excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.**
8. **Delegate authority to the Chief Executive Officer to EXECUTE a contract with Pryce Mining Services Pty Ltd ABN 22 120 999359 for Separable portion 2; Supply and Install Power excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.**
9. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation for RFT 07/2021 Workers Accommodation Village Installation works for Kambalda for Separable Portion 2 and Separable Portion 3.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

RFT 02/2022

Workers Accommodation Village Supply and Installation for Kambalda

Scope of Works

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1 REQUEST FOR TENDER REQUIREMENTS IN BRIEF

1.1 Requirements in Brief

The Shire is hereby inviting reputable and reliable contractors to submit a response to its request for tender for the supply, source, installation requirements for a 200 room worker accommodation village in Kambalda on the separable portions as set out in the RFT Scope of Works.

To assist with scheduling and timely completion of the Works, the scope is broken down into a number of separable portions and the Shire reserves the right to separate portions from the Works and award it to various contractors as set out in the Scope of Works.

The RFT is set up on the basis that the camp facilities will be supplied and delivered to Kambalda.

The scope of works is broken down into the following Separable Portions as set out in detailed in the Scope of Works and summarised below:

Kambalda Village Works:

a. Separable Portion 1: Village Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout).
b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, cranage, building placement, tie-ins and connections
c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;
d. Separable Portion 4: Ancillary Village Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting.

It is mandatory for Tenderers to provide a proposal with respect to Separable Portion 1 of the Kambalda Village Works).

Separable Portions 2 – 4 are not mandatory for participation.

The Shire reserves the right to award Separable Portion(s) to different Contractors, subject to the best value for money considerations as set out in its request for tender.

Please note that the primary pricing basis is lease and/or lease/buy of the camp and ancillary equipment supply.

The Shire reserves the right to award Separable Portions to different Contractors, subject to the best value for money considerations as set out in its request for tender.

Given the critical demand on accommodation it is the expectation of the Shire that the invited Contractors will be in a position to deliver and/or install village type accommodation by the 30th September 2022 or as close to this date as practical.

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Furthermore, there is a high expectation by the Shire that local contractors will be engaged to assist in various aspects of the RFT.

2 REGULATORY REQUIREMENTS

2.1 Building Code of Australia

The work shall be undertaken in compliance with the latest revision of the National Construction Code of Australia and all applicable subsections such as the Building code of Australia and the Plumbing code of Australia and to the satisfaction of the Local Authority.

2.2 Australian Standards

The work shall be undertaken in compliance with the relevant Australian Standards noted through the Request for tender and all its attached appendices and referenced documents.
The Principal Contractor and or Consultant shall furnish notices, pay all fees and conform to the regulations and by-laws of all statutory authorities as required.

2.3 Building Application and Approval

The Contract that will be awarded Separable Portion 1:

a) Must be a registered builder – relevant and current.
b) may be required to work with the Shire on how best to include all services included under the total project under a combined building application and approval permit as registered builders.

It is the Shire's preference that all Contractors have a relevant and current registered builder registration and other relevant certifications in place in order to be able to complete the required approvals and permits.

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3 SCOPE OF WORK

3.1 Introduction

The Shire of Coolgardie ("the Shire") is seeking proposals for the installation of accommodation units, dry mess, recreation room, meeting room and small gym for village type accommodation in Kambalda.

The Shire is proposing to:
a) develop a 200 room worker accommodation village in Kambalda;
b) operate the worker accommodation facility to meet the needs of the local mining industry; and
c) engage a suitably skilled and experience operator to provide the worker accommodation facility and services.

At this stage the installation of the village accommodation will be required to enable the village to operate initially without the potential connection too mains power, water and sewerage. However, the successful proponent will need to work with the Shire to ensure that the initial installation of the village accommodation will be delivered in such a way that connection to mains power, water and sewer is possible into the future. The Shire has issued a tender for the electrical, power, sewer and water installation. Preferred local suppliers have been identified. Proponents are encouraged to engage with the preferred suppliers in preparing tender submissions.

The proponent must demonstrate the ability to complete the selected Separable Portions for the accommodation village on/before 30th September 2022 or as close to this date as practical.

The Contractor shall perform the Works as detailed in this Scope of Work and any relevant technical specifications, drawings and project specific documentation and, unless otherwise noted, shall furnish all management, supervision, trades personnel, labour, survey, logistics, materials, loading, unloading, delivery, transportation, construction plant, equipment, tools, consumables, office and crib/ ablution facilities (if required) and all other necessary items for the completion of the Works, unless specifically excluded in this Scope of Work.

The Contractor shall also provide all quality assurance, inspection, and testing, together with all necessary information, documentation, planning administration, and reporting as may be required to comply with the requirements of the Shire.

In summary, the Contractor must:

a) Carry out all of the Works in accordance with the relevant legislation, the relevant Australian and International Standards, the Building Code of Australia, the Contract terms and conditions and good industry practice;
b) Provide suitably qualified and experienced personnel, at all times, in all areas of the Works on an ongoing basis;
c) Ensure that the standards and requirements of health and safety management and implementation on site are maintained at a high standard and are, as a minimum,

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in accordance with this Scope of Work and the relevant Health and Safety legislation.

d) Provide adequate quality assurance and project control as required by this Scope of Work and good industry practice.
e) Advise and provide good quality, new (unless expressly approved in writing by the Shire), cost-effective and functional buildings, equipment, product and/or service solutions and materials as part of the Works.
f) Complete the Works in accordance with the agreed project programme and at all times work diligently and continuously on the Works.

3.2 Separable Portions

The Scope of Works is broken down into the following separable portions:

a. Separable Portion 1: Village Supply, including planning and approvals, layout and design.
b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks.
c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;
d. Separable Portion 4: Ancillary Village Works

The Shire reserves the right to include or exclude separable portions from the Scope of Works and award the Separable Portions to various contractors.

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3.3 Project Location - Site

The accommodation village is proposed to be located in the location indicated below:



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3.4 Project Concept Plan

At a minimum the following is to be provided with the RFT submission at no cost to the Shire:

a) Site Plan updated with works completed
b) Elevations
c) Cross Section/s
d) Materials Specification
e) Product data sheets for proposed fittings and fixtures (If applicable)
f) Product data sheets for mechanical equipment (If applicable)
g) Project Schedule

The Kambalda Accommodation Village is located in the Kambalda town centre in close proximity of schools, aged care facilities and other community facilities. The design and set up of the Separable Portion components should take into consideration the appropriate controls to minimise disruptive interactions and interfaces, including where the camp entrance and parking would be located.

Access to the camp should be off Bluebush Road.

The car park should make provision for approximately 20 vehicles, given that most workers will be using bus transportation to and from sites.

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3.5 Included in Scope

Subject to the Separable Portions as set out in this Scope of Works, the following is included in the Kambalda Village Works:

Item	Items to be Supplied
SEPARABLE PORTION 1: CAMP SUPPLY	
Camp Supply	a) Building Certification as required b) Camp Layout c) Village Units Manufacturing/Sourcing, Layout Design and Associated Disciplines and Supply, including: a. Kitchen b. Dining room/mess c. 200 single person en-suite accommodation units – approx. 3.55m x 3.3m. d. Camp laundries. e. Camp recreation room / small gym. f. Meeting room. g. Office for camp and key management. d) Concrete footings;
SEPARABLE PORTION 2: APPROVALS, SITE PREPARATION, BUILDING PLACEMENT AND INSTALLATION	
Planning and Approvals	a) Site survey and ground condition assessment if required b) Building Certification and approvals as required c) Camp Layout design will be done by others but will require Contractors to work with the Principal and others in collating and completing any approvals required d) Design review and development as required for any items not included in the detailed design to be provided e) Collation and consolidation of all design development documentation if required in order to facilitate building approvals
Site Preparation	f) Survey and bulk earthworks plan g) Site preparation as per layout and design, including survey. h) Site clearing required. i) Bulk earthworks. j) Including planning and approvals.
Camp Installation	k) Offloading, Placement and Installation a. Kitchen b. Dining room/mess c. 200 single person en-suite accommodation units – approx. 3.55m x 3.3m. d. Camp laundries. e. Camp recreation room / small gym. f. Meeting room. g. Office for camp and key management. l) Concrete footings supply and install;

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Item	Items to be Supplied
Camp Supply – Ancillary Items not included or Provided in the Free-Issue Supply of Facilities	m) Supply and installation in village accommodation where required – included as provisional item: a. All fixtures and fittings including items such as build in tables, shelves, wardrobe, bathroom fit out. b. Air conditioner – one standard 1.5HP air conditioner per unit. c. Small motel fridge per single person accommodation unit. d. TVs. e. King size single beds – one per accommodation unit. f. Access to rooms and buildings will be using keys with master keys – two keys per single person accommodation unit and two sets of master keys for the village. g. Repairs required on facilities supplied for installation. h. Upgrades to facilities where required to ensure building compliance.
Placement and installation	a) Preparation of foundations, concrete footings engineered to design criteria, cranage and placement requirements b) Placement of all units. c) Installation, d) Verandas. e) Tie-ins and connections. n) Testing, commissioning and handover.
SEPARABLE PORTION 3: FREIGHT AND SUPPLY	
Supply and Install Power	a) Manufacture, procure, supply and installation of the power requirements to meet the requirements of a 200-camp room village: a. Gensets / power supply requirements including redundancy. b. Communication, TV connection points and WIFI. c. Power distribution boards. d. Power reticulation from main distribution board to buildings including trenching. e. Air conditioner connections. f. Fire detection and suppression as required by the relevant legislation and electrical codes. g. As required to operate a 200-camp room village. b) Tie-ins and connections c) Testing, commissioning, and handover

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Item	Items to be Supplied
SEPARABLE PORTION 4: ANCILLARY CAMP WORKS	
Ancillary camp works	a) Provision, supply, and installation of ancillary camp works functional for a 200-camp room village: a. Footpaths and pathways. b. Parking. c. Recreational areas / BBQs/ seating areas. d. Landscaping. e. Fencing – including additional measures to minimise interaction with minors and seniors. For example, consideration should be given to Colorbond fencing on the north and western boundaries of the facility and for street facing boundaries garrison style fencing. f. Security. g. Supply and installation of ancillary items such as washing lines, bollards, lighting. b) Tie-ins and connections c) Testing, commissioning, and handover.

The Kambalda Accommodation Village is located in the Kambalda town centre in close proximity of schools, aged care facilities and other community facilities. The design and set up of the Separable Portion components should take into consideration the appropriate controls to minimise disruptive interactions and interfaces, including where the camp entrance and parking would be located.

Access to the camp should be off Bluebush Road.

The car park should make provision for approximately 20 vehicles, given that most workers will be using bus transportation to and from sites.

3.6 Design and Building Specifications

The following is required as part of the Works
a) All works shall be suitable for their location at Kambalda (as appropriate), in accordance with the latest or most relevant edition of the relevant Australian Standard, the Australian Building Code and applicable regulatory authorities.
b) All site works and installations shall be in accordance with applicable legislation and standards.
c) The Works will adhere to Terrain Category 2 Region A conditions.

The Contractor must provide the Shire with its proposed methodology as part of its RFT submission.

3.7 Construction Works

The construction should consider materials, suppliers, and construction techniques commonly used in the Goldfields region.
The preferred method of construction is:

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a) Suitable for a classification of Class 1B as per the BCA; and
b) Be prefabricated and demountable.

3.8 Site Considerations

The unit layout should be in consideration of the proposed demarcation and achieve an effective use of space.

Setbacks between facilities/buildings are to be provided to:
a) Provide suitable fire separation;
b) To minimise the impacts of development on neighbouring properties;
c) To provide appropriate separation between buildings;
d) To be in compliance with the Shire of Coolgardie's Planning Scheme
The site is to be:
a) Fully serviced;
b) Landscaped; and
c) Complete with nominated amenities.

Stormwater drainage should be such that it meets the requirements of the Shire of Coolgardie and is consistent with AS3500.

Contractors will be required to provide detailed drawings for the Works under Contract within 21 days from the date of Contract for review and approval by the Shire.

3.9 Materials

Except where specified otherwise in this RFT, Australian and New Zealand Materials shall be used. Overseas materials shall not be used unless approved by the Shire of Coolgardie.

Quality of items/components procured from suppliers is solely responsibility of the Contractor.

Raw Material suppliers shall provide chemical/physical test reports identifying conformance with the applicable standard and specification.

3.10 Health and Wellbeing Factors and Considerations

The Contractor must ensure that the proposed workers accommodation village include consideration of the health and wellbeing of the people that will be staying in the villages and the interaction with the community. Factors to be considered, include:

a) Air quality, noise and light pollution;
b) Water quality;
c) Land and hazard management;
d) Radiation;
e) General health;
f) Impact on community;
g) Appropriate management of wastewater;
h) Appropriate management of water-borne diseases such as legionnaires disease;

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i) Appropriate management of food quality, hygiene requirements of food preparation and eating areas, food logistics.

3.11 Energy Efficiency

The Contractor must take into consideration energy efficiency considerations as part of its RFT submission.

All works are required to be designed to comply with the provisions of the latest revision of the National Construction Code regarding energy efficiency ratings.

The facilities should be appropriately situated on site for optimal, climatic responsive design for improved internal comfort and reduced heating and cooling demand.

The building design should maximize opportunity for prevailing cool breezes to be efficiently utilised for cross ventilation and for the shading of summer sun and deep winter sun penetration into habitable rooms.

3.12 Bushfire Assessment

Where the planning approval requires the works to be within a designated bushfire prone area, the buildings, building materials and building performance are to comply with relevant requirements of the National Construction Code of Australia (BCA) and Australian Standard AS3959.

3.13 Accommodation

It is intended that the standard of accommodation and associated facilities will be functional. Low cost aesthetic features may be incorporated, such as bull nosing to verandas and coordinated colour schemes.

All buildings will need to be fully compliant with the latest revision of the Building Code of Australia, various Australian Standards for equipment, materials, design and fire safety and various State and Commonwealth Acts and Regulations including energy efficiency.

As the Principal may be procuring second-hand buildings, the Contractors must take into consideration:

a) buildings may need repair works to ensure the buildings are in good repair and separated from noise, heat, dirt and atmospheric contaminants;
b) the buildings are adequately secured to protect the occupants and their belongings;
c) buildings in cyclonic areas are constructed to cyclone proof specifications;
d) emergency evacuation planning;
e) ventilation is provided and there is protection from emissions, dust, smoke, ash, odour;
f) there are buffers from noise (including traffic), as potential noise impacts to incoming residents and accommodation villages can occur from sources such as industrial equipment, trucks and machinery, pumps or refrigeration plants);
g) adequate lighting.

The Contractor must provide the Shire with its proposed methodology for the Separable Portions offered as part of its RFT submission.

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3.14 Design Review as required

At a minimum the Design review and collaboration will include the following items but will not be limited to:

a) Consultation and approval by the Principal
b) Preparation of a Health Safety and Environment Plan, including proposed Dust, Traffic and Noise controls suitable for approval by the Principal and the relevant local authorities
c) Construction Method Proposal
d) Documentation to completion of construction
e) Documentation inclusive of all required approvals.
f) Program

At a minimum the design development documentation for each design will include (respective to their field of expertise) but not be limited to;

a) Technical drawings and documentation appropriate to development of the concept to construction stage.
b) Material notation and specification
c) Building and construction methodology
d) Costings
e) Project program

The documentation approved in this stage will constitute the basis of the construction documentation to follow directly after.
Include a minimum of four (4) Amendments to DD ('Final' signed off design of Concept from Design report).

3.15 Concept Design

At a minimum the following is to be provided with the RFT submission at no cost to the Shire:

h) Site Plan updated with works completed
i) Elevations
j) Cross Section/s
k) Materials Specification
l) Product data sheets for proposed fittings and fixtures (If applicable)
m) Product data sheets for mechanical equipment (If applicable)
n) Project Schedule

3.16 Planning Approval

At a minimum the documentation deliverables for the Scope of Works and the various Separable Portions will include but are not limited to the following:

a) Site plan and set out of building on detail survey
b) Landscaping
c) Floor Plans
d) Elevations; External and Internal
e) Cross Section/s
f) Joinery and Case Work
g) Construction Details
h) Member sizing and specification of material
i) Material Specification

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j) Roof storm water plan
k) Data communications and cabling layout
l) Fixtures specification (final) for Approval by the Superintendent
m) Hydraulic Plan
n) Electrical Plan
o) Heating and Cooling System and specification approval by the Superintendent
p) Security system and specification approval by the Superintendent
q) Any other deliverables as required to obtain Planning Approval from the Shire of Coolgardie.

3.17 Structural Design

The structural design is to be completed by suitably qualified persons; the minimum qualifications apply:

a) Member of the Institute of Engineers Australia with chartered professional status;
b) Membership to the relevant Colleges;
c) Registered on the National Professional Engineers Register.

The design shall be consistent with the building fabric and elements as nominated in any design documentation provided.

The design should incorporate typical and widely adopted construction techniques. It additionally should include for economical building practices, in consideration of the regional and remote location of the village.

The design should include for any requirements for structural adequacy in relation to fire resistance.

3.18 Layout and Site Works

The village layout will consider the following principles:

a) Rationalisation of vehicle movements, deliveries, parking and bus pickup for efficiency and safety.
b) Clustering of facilities with related function into discrete areas to improve efficiency and minimise utility servicing costs.
c) Alignment of accommodation buildings approximately east west in a rectangular pattern to minimise servicing costs, minimise heat load on long walls and minimise walking distance to central facilities.
d) Minimisation of overall village disturbance footprint, subject to the provision of a reasonably comfortable living environment.
e) Impact on community (the facility is in close proximity to a school, town centre and aged care facilities).

The Contractor must provide the Shire with a copy of its proposed methodology for each Separable Portion offered as part of its RFT submission.

3.19 Site Preparation

Site preparation includes the following:

a) Planning and approvals;
b) Layout and Design, including survey – please note that the layout design may be provided by others;
c) Clearing; and

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d) Bulk earthworks.

Where the Contractor elects not to provide an offer for site preparation but for supply and installation, it must provide clear and detailed information on what conditions are required for the preparation for the site in order to place and install the village facilities.

3.20 Village Facilities

a) The following main facilities are proposed to be included as part of the Works:
   a) Kitchen / Dining building: This building is an important hub and aside from compliance with regulatory standards is proposed to meet contemporary standards. Food storage must be taken into consideration.
   b) Tavern facility: The Kambalda Accommodation Village will be dry camps and no provision is made for wet messes.
   c) Laundry buildings: These buildings will include washing machines and dryers for personal clothes laundering, a short term linen store and a cleaner's store. Selected laundries must include a communications hub panel in the cleaner's room. The laundries will be located around the perimeter of the accommodation areas to allow easy access for delivery and collection of linen.
   d) Other support facilities: These cover the various facilities required for the efficient running of the village and include a small administration office, a meeting and induction room, a small medical facility, a communications hub building, a bulk linen store and a village maintenance shed.
   e) Recreation facilities: Included in the initial scope is a small gymnasium and a recreation room if required

The Contractor must provide the Shire with its proposed methodology for each Separable Portion offered as part of its RFT submission.

3.21 Utilities

Utility services will be reticulated throughout the village. These will include:

a) Potable water: Water for the village will be piped from a water tank to be installed. Storage tanks sufficient to hold two to three days reserve storage will be located at the village. A constant pressure variable flow pump system will deliver water to all accommodation rooms and facilities via a looped reticulation system. The water must be disinfected by chlorination and UV treatment at the village.
b) Sewerage: There will be a gravity sewer system throughout the village. This will drain to a single pump station for transfer to the sewerage treatment facilities.
c) Fire systems: Fire systems will include smoke alarms in each room, external break glass alarms, extinguishers fixed to prominent locations on each building, fire hose reels and hydrants connected off a dedicated fire pump system. Smoke detectors and break glass indicators will alarm back to a central fire indicator panel via the communications system.
d) Electrical systems: Power will be delivered to the village by generators initially with an option to tie-in to the grid at a later stage. The Contractor must determine the power distribution requirements to distribute low voltage power to all of the rooms and facilities.
e) Communications: A fibre backbone system will carry fire alarms, data / internet services and entertainment services to all accommodation rooms and facilities. Telephone services will be reticulated to selected offices for village management

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purposes. A central communications room will house the main equipment hardware. Entertainment services will include free to air television and cable television services received via satellite.

3.22 Roads and parking

For safety and effective traffic control, light vehicle parking, bus parking and heavy delivery areas must be separated. This can be achieved using a loop road with drive through parking for a minimum of 20 vehicles at Kambalda and two drive through bus bays positioned within the loop. A delivery area at the back of the kitchen facilities may allow the manoeuvring of trucks and forklifts unhindered by other traffic.

The Contractor must provide the Shire with its proposed methodology for each Separable Portion offered as part of its RFT submission.

3.23 Water, waste and sewerage treatment

The following measures are proposed to support these objectives:

a) Where practical, low water consumption fixtures to be used throughout the village.
b) High energy efficient appliances must be used throughout the village. Building orientation, shading and insulation will minimise the need for heating and cooling.
c) Heat pump-type hot water services must be installed.

3.24 Landscaping

Where the Contractor is responsible for landscaping, the design of the village must take into account existing vegetation, whilst clearing and earthworks will be limited to only those areas directly required for buildings, facilities and services. This will deliver a village nestled into the existing landscape with no requirement for further plantings, limiting a demand on the scarce water resource.

The Contractor must provide a provisional landscaping plan as part of its RFT submission.

3.25 Transportation

Where the Contractor is responsible for transport:

a) The Contractor is responsible for the safe transportation and delivery of the buildings and facilities to and from site, site installation and removal of any waste, all necessary materials, insurance and the mobilisation and demobilisation of labour to and from site.
b) All trucks and vehicles required for the transportation of the transportable buildings shall comply with the Road Traffic Act, relevant legislation and standards.
c) The Contractor will arrange all permits required for the transportation.

The Contractor must provide information on the management of transportation logistics as part of its RFT submission.

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3.26 Delivery

Where the Contractor is responsible for delivery and placement:

a) The Contractor will arrange cranage to coincide with the delivery of the buildings to site.
b) Offloading of materials from transport is the responsibility of the Contractor. The Company will provide a specified lay down area.
c) The Shire shall be responsible for obtaining the clearing permit and the Coolgardie Shire building permits where required. All other necessary approvals shall be obtained by the Contractor prior to the installation from authorities having jurisdiction over the works.
d) Kambalda Village Works: All activities must be restricted between the hours of 0700 (7am) and 1800 (6pm), this includes loading and offloading of materials from transport and installation.
e) Shire supplied items, facilities and/or services will be agreed in each individual with the Contractor.
f) The Contractor will be responsible for provision of accommodation and messing at Coolgardie/Kambalda for the Contractor staff and sub-contractors required during the installation of the buildings and facilities.

The Contractor must provide information on the management of delivery logistics as part of its RFT submission.

3.27 Installation

Where the Contractor is responsible for installation components as part of its selected Separable Portion, the Contractor must provide details of its installation methodology and requirements.

It should include, but not limited to:

a. Confirmation and placement of all buildings, facilities and infrastructure level and at the correct orientation.
b. Installation of buildings and facilities on site, including footings engineered to design criteria;
c. Installation of associated site requirements, fencing, shade structures, walkways etc.;
d. Connection to services, electrical, sewerage and water;
e. Commissioning of services;
f. Handover of buildings to the Shire Representative or his/her delegate;
g. Demobilisation from site at the end of the required period;
h. Trenching and sewage from buildings to sewage pit/waste treatment facilities;
i. Water reticulation to buildings;
j. Power reticulation from main distribution board to buildings;
k. Air conditioners, connection of TV to rooms;
l. Hot water heaters connection;
m. All material, equipment, labour for installation of buildings;
n. Verandas;
o. Fire Hydrants.

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The Contractor must provide details of its installation methodology and tie-in requirements as part of the RFT submission. The Contractor must further provide information on compaction and levels required for installation.

3.28 Interfaces and Working with Others

As the Shire may award the various Separable Portions to different contractors, the Contractor may be required to work in conjunction with other contractors and third parties. The Contractor shall provide clear information on any interfaces and connections required in a timely manner and will at all times work collaboratively with the Shire and any appointed contractors and third parties as instructed by the Shire.

3.29 Local Content

The Shire is placing a strong emphasis on local content for the RFT, and Contractors will need to demonstrate how they will utilise local content, subcontractors and local business in their RFT submission.

The requirement for local content will be included in all project reporting.

3.30 Hold Points and Inspections

The Shire will be entitled to carry out onsite and offsite inspections periodically during the course of the Works.

The Contractor shall provide a weekly project update and schedule update from the commencement of the Works.

Any relevant survey, certificates, supporting documentation, test plans etc. will be required at the time of the review and/or inspections.
The following hold point's specific to the structural portion of the construction works will be adopted at a minimum:

a) Completion of Site stripping;
b) Completion of bulk earthworks;
c) Completion of building pad;
d) Pre-Pour Concrete Inspections (all);
e) Installation of buildings;
f) Practical Completion.

The Contractor must provide pro forma inspection and test register for review by the Shire as part of its RFT submission.

3.31 Warranties

The Contractor will ensure that:

a) All warranties must name the Shire as warrantee.
b) Register with manufacturers as necessary.
c) Retain copies delivered with components and equipment.

Warranty periods will commence at the latest of practical completion or at acceptance of installation if acceptance is not concurrent with practical completion.

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Where installation is not by manufacturer, and product warranty is conditional on the manufacturer's approval of the installer, submit the manufacturer's written approval of the installing firm.

3.32 Operation and Maintenance Manuals

The Contractor must as part of its handover and commissioning process:

a) submit operation and maintenance manuals for installations.
b) Ensure all personnel completing any operational and maintenance manual set up, training and handover are experienced in the maintenance and operation of equipment and systems installed, and with editorial ability from the Shire.

If referenced documents or technical sections require that manuals be submitted, include corresponding material in the operation and maintenance manuals.

3.33 Commissioning

The Contractor will be required to complete any commissioning activities relating to the Works.

The Contractor must provide the Shire with a copy of its proposed commissioning plan as part of the RFT submission.

3.34 Handover

Before completion of any milestones during the Works, the Shire will request a joint pre-hand over inspection with the Contractor to develop a list of issues to be completed prior to final handover (punch- list) for the buildings and facilities.

On completion of any necessary rectification work, the buildings will be handed over and the keys made available for occupancy. In the situation where punch-list items are not completed, but they do not affect the undisturbed use of the rooms by occupants and are not impacting on building usage; the Shire will not use this as grounds to delay acceptance of the buildings.

4 CONSTRUCTION REQUIREMENTS

4.1 General

This specification covers the minimum technical requirements for the placement and installation of the village facilities.

4.2 Technical Specification

Works performed and materials furnished shall be in accordance with the latest revisions at the date of issue of this specification, of the publications listed below, together with rules and regulations of the statutory authorities having jurisdiction over the site. All work, materials, appliances, furniture, equipment and items supplied shall be "Industry Standard", complying to all relevant Australian Standards, requirements of relevant statutory Authorities and to this specification.

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Full standardised details of all units to be supplied are detailed in the scope. This is to include manufacturers literature of all appliances, furniture and equipment items supplied as part of this contract.

4.3 Plumbing

Hot and cold water supply feeds to be run in copper tubing with size variation making pressure as uniform as necessary.
Pipework is generally surface mounted. Exposed pipework is chrome plated.
Water inlet 19mm connection.
Supply outlets to plumbing fittings are generally chrome plated capstan head type designated hot or cold. No individual isolation cocks are included.
All plumbing fittings suitably fixed and flashed - in accordance with relevant codes.
Water heaters complete with pressure relief valve, isolation cock, overflow discharge and mounting brackets. Capacity as noted.
PVC wastepipes generally to be; 50mm for hand basins and sinks, 80mm for showers, 100mm for main soil waste.
All floor wastes terminate in individual outlets just below floor level for harnessing and connection to mains by others.

4.4 Electrical

The work covered by this specification consists of the supply of all materials, labour and equipment to make a complete internal electrical installation, terminated at point of entry. Attachment of power by others.

4.4.1 Electrical Supply

All wiring shall be fully tested and balanced as evenly as possible over the phase or phases of supply. All wiring shall comply with the latest AS3000. Buildings shall be designed as three (3) phase supply and internal distribution unless it can be demonstrated that a single-phase supply is satisfactory.

4.4.2 Wiring

Generally, Thermo Plastic Sheath cables with copper conductors shall be used throughout the installation. Minimum size of conductors, unless otherwise specified, shall be 1.5mm² for light and 2.5mm² for power circuits. Where a conduit installation is specified single insulated cables shall be used.
Unless specifically directed, wiring shall be concealed in the ceiling and wall spaces.
The PVC insulation of all conductors shall be colour coded as follows: -

a) Active Conductors: RED in single phase sub circuits. RED, WHITE and BLUE (to correspond to the Supply Authority's phase coding) for 3 phase sub-circuits.
b) Switched Active: Conductors to all fittings - WHITE (or in limited unavoidable circumstances RED).
c) Neutral Conductors: BLACK.
d) Earth Conductors: GREEN with YELLOW line.

Wiring in buildings transported in sections shall be terminated in externally mounted junction boxes complete with Klippon SAK4 terminals and terminal rail to allow for re-termination on site with minimal site work. A junction box shall be provided on the outside wall of each building to accommodate connection of incoming submain cables. The junction box shall comprise insulated post terminals for each phase(s), neutral and earth and will allow large cables, sized for volt drop, to be terminated. Wiring between the junction box and the switchboard shall be included.

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4.4.3 Switchboards
Boards shall be surface mounted, and with their tops 2,020mm above floor level. Cable shall be installed in trunking between ceiling and top of switchboard. Provision of earthing of neutral conductors of all switchboards.

4.4.4 Smoke Detections
Mains powered smoke detectors with integral electronic sounders shall be provided in each accommodation block room. Detection in one room shall sound alarms in all rooms in the block.

4.4.5 Labelling
Switchboards shall be labelled with traffolyte black on white and circuit identification shall be made utilising IPA Identification Studs and an A4 circuit identification sheet inside a sleeve either fixed inside the switchboard or in the case of a small switchboard fixed outside adjacent to the switchboard.

4.4.6 Accessories
Switches mounted internally shall be surface flush type. Switches mounted externally shall be weatherproof. Earth leakage circuit breakers shall be utilised on individual GPO circuits only and not grouped to cover all GPO circuits. GPOs shall be combination switch and three flat pin outlet rated at 10 amps. Air conditioner outlets shall be rated to suit air conditioner size.
Colour of accessories depends on wall finish - brown or white.
Incandescent light fittings shall be white batten holder. Fluorescent light fittings shall be batten type with no diffuser. Exterior lights shall be weatherproof type. A separate price shall be provided for utilising fluorescent light fittings exclusively in lieu of incandescent fittings.

4.4.7 Appliance Connectors
All appliances shall be wired according to the specified code over one, two or three phase as required by the particular appliance. Where hard wiring is not required appliances such as exhaust fans and strip heaters shall operate through an adjacent suitably rated fitting.

4.4.8 Electrical Drawings
Electrical three-line diagram shall be submitted within two weeks of contract award to allow comment prior to construction commencing.

4.5 Foundations and Footings
Concrete foundations and footings are to be employed with masses sufficient to prevent overturning against the design wind loading specified in AS1170.2 and complying with the required factor of safety.

5 SERVICE CONNECTIONS

5.1 Electrical

It will be the responsibility of the relevant Contractor to determine the power requirements for the site, make application to Western Power and pay all charges applicable to any infrastructure upgrades or headworks fees.

Alternately the contractor may wish to supplement the service with an off-grid supply for example, solar or diesel generators.

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5.2 Communications
It will be the responsibility of the relevant Contractor to determine the communication requirements for the site, make application to the NBN and pay all charges applicable to connect into the existing network.

5.3 Wastewater
It will be the responsibility of the relevant Contractor to determine the wastewater requirements for the site, make application to the Shire of Coolgardie and pay all fees and headworks charges applicable to connect into the existing gravity sewer network.

5.4 Water and Fire Services
It will be the responsibility of the relevant Contractor to determine the water and fire service requirements for the site, make application to Water Corporation and pay all charges applicable for the provision of water services.

6 INTERNAL SERVICES

6.1 Electrical
The design is to be in accordance with AS3000 and completed by a professional electrical engineer.

6.2 Communications
The design is to be completed by a professional communications engineer.

6.3 Wastewater
The design is to be in accordance with AS3500 and completed by a professional hydraulic engineer.

6.4 Water
The design is to be in accordance with AS3500 and completed by a professional hydraulic engineer.

7 GENERAL REQUIREMENTS

7.1 Shire Requirements
The Contractor shall, at all times:

a) Comply with the regulations and restrictions imposed by the Shire relating to the storage of materials, the routing of construction traffic, the interruption of existing services and facilities and any other regulations in force on the Site;
b) Comply with all statutes, regulations and bylaws relating to the protection of the environment;
c) Obtain written approval from the Shire for the formation of any temporary roads, the erection of temporary structures or any site clearing not specifically documented;
d) Ensure that no trees or shrubs shall be removed or destroyed without the written approval of the Shire;
e) Ensure that no fire shall be lit without the written approval of the Shire; and
f) Store flammable or explosive products in accordance with the relevant statutes and to the approval of the Shire.

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7.2 Site Works

7.2.1 Existing Improvements

Where, within the Site there are a range of existing improvements, roads, drainage and other services, the Contractor shall protect and maintain the same throughout the term of the Works.

The Contractor shall allow for all traffic control measures to maintain the roads in a safe trafficable condition.

7.2.2 Temporary Safety Fencing

The Contractor shall provide temporary fencing and security as required by the Occupational Safety and Health Act 1984 and the Occupational Safety and health Regulations 1996 and with any amendments that may be made to the Act and the Regulations.

7.2.3 Temporary Facilities and Amenities

The Contractor shall provide all statutory and necessary amenities and sanitary facilities for workmen and other persons lawfully upon the Site and remove them on practical completion of the Works.

Occupation of any part of the Scope of Works and Site for the provision of Facilities and Amenities shall not be permitted without the prior written approval of the Shire.

7.2.4 Working Hours

The Works to be performed under the Contract will be as set out in the Scope of Works.

7.2.5 Warranties

The Contractor shall guarantee the ability of Works and buildings, facilities, equipment provided under the Works for a minimum of twenty four months. Copies of all warranties shall be provided to the Shire.

The Contractor shall select all components for continuous, safe, unattended operation.

7.3 Construction Environment

7.3.1 Noise Control

The Contractor shall, at all times, take adequate measures to control noise on the Site.

The Contractor shall comply with all statutory requirements relating to control of noise levels on the Site and take all necessary precautions to minimise nuisance from noise and vibration and ensure that all sub-contractors observe similar care.

The Contractor shall arrange the operations and shall provide silencing equipment to the plant, at its own expense, to whatever extend it necessary to satisfy the requirements of the Shire in relation to the sound level arising from the Contractor's operations near the boundaries of existing occupied properties.

7.3.2 Soil Erosion

The Contractor shall take all proper precautions to prevent soil erosion from any land used or occupied by the Contractor in the execution of the Works.

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7.3.3 Dust, dirt, water and fumes
The Contractor shall prevent any nuisance occurring through the discharge of dust, dirt, water, fumes and the like onto persons or property.

7.3.4 Vehicles
All debris, spoil, rubbish or materials shall be suitably contained and covered in vehicles during transportation to or from the Site to prevent spillage or contamination of adjoining and other areas or property.

The Contractor shall maintain vehicles, wheels and tracks in a suitable clean condition to prevent transfer of mud onto adjacent streets or other areas.

7.3.5 Refuse Disposal
All Site refuse (including foodstuffs) shall be handled and disposed of in accordance with the requirements of relevant statutes and to the approval of the Shire.

7.3.6 Smoking
The Contractor shall at all times ensure that all personnel, tradespeople and visitors on the Site comply with the following Smoking Policy;
In respect of the Site, smoking is prohibited:
a) in Site Offices, lunchrooms or enclosed toilet facilities; and
b) inside existing premises that are designated as “no smoking” areas.

7.4 Workplace safety, health and environment
7.4.1 WHSE Requirements
The Contractor shall comply with the Occupational Safety and Health Act 1984 (the "Act") and the Occupational Safety and Health Regulations 1996 (the "Regulations") and with any amendments that may be made to the Act and Regulations from time to time.

The Contractor shall be solely responsible for ensuring that wherever practicable, its employees and those of the sub-contractors and employees of separate contractors, the Shire and visitors to the Site, are not exposed to hazards.

Attention is drawn to the requirement to supply manufacturers/suppliers “Material Safety Data Sheets”. These sheets should be consistent with the “Work Safe” information and format.
A copy of all “Material Safety Data Sheets” shall be supplied to the Shire with another copy kept on Site by the Contractor.

7.4.2 Duty of Care
The Contractor will ensure that the Contractor provides as a minimum as part of its duty of care at all times during the Works:
a) A safe workplace and safe methods of working.
b) Equipment tools and machinery that are in a safe condition.
c) Protective clothing and equipment.
d) Safe, hygienic facilities and first aid stations.

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e) Information, training and supervision to all workers.
f) A process for consultation with workers and interested parties involving them in decisions that may affect their occupational safety and health.
g) Processes for identifying hazards, assessing risks and controlling risks.

7.4.3 WHSE Management Plan

The Contractor shall, throughout the Works, implement and maintain a Workplace Health, safety and Environmental Management Plan (WHSE Management Plan).
The Contractor shall prepare the WHSE Management Plan in conjunction with a person suitably experienced and qualified in safety, health and environmental matters.
The WHSE Management Plan will also include information on the management of community interactions and controls to minimise adverse impact to the community.

Prior to the commencement of the Works, the Contractor shall supply to the Shire in writing, its WHSE Management Plan.

7.4.4 Training and Inductions

Employees and subcontractors of the Contractor, its subcontractors and employees of separate contractors shall not commence the Works on the Site until they have been inducted.

Upon commencement of work on the Site, the Contractor shall further induct each employee with regard to all significant hazards associated with their particular activity and area of employment on the Site and where relevant shall include the use of powered plant, tools and equipment.

7.4.5 Fitness for Work

The Contractor will ensure all personnel, contractors, suppliers and/or visitors are fit for work and do not allow anyone who is not fit for work to access the Site.

7.4.6 Communication and Consultation

The Contractor is responsible to ensure that:
a) That pre-start meetings and regular toolbox meetings occur.
b) OSH consultative arrangements are in place and training is provided.
c) That the appropriate people are consulted before decisions are taken affecting their health and safety while at work.
d) That information is provided to employees and external service providers on relevant risks, risk control measures and reporting procedures through safety meetings and workplace instruction.

7.4.7 Management of Near Misses, Incidents and Accidents

The Contractor will ensure all accidents and incidents are investigated and reported to the Shire as soon as it happens or as soon as reasonably practical but no later than the end of the shift.

The Contractor will include in its reporting to the Shire, the following as applicable:
a) All near misses, accidents/incidents.
b) A worker seeking First Aid attention.
c) Work-related injury/fatality.

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d) Work-related illness or disease.
e) A worker presenting a Hazard Report.
f) OSH breaches discovered from the ITP procedures.
g) Inspector/ Union intervention.
h) Non-compliance with OSH risk management processes.
i) Non-compliance with OSH policies, procedures, instructions, or specifications.
j) Breakdown of plant and equipment.
k) Inadequate OSH information and or documentation.
l) Inadequate training.
m) Poor injury management.
n) Security breaches.

The Contractor will have adequate incident control systems and processes in place to:
a) Control the emergencies evacuation.
b) Contact relevant rescue services.
c) Report illness/injury and incidents.
d) Quarantine non-complying materials and other products.
e) Promptly detect, identify and document any non-compliance.
f) Eliminate unsafe work practices and unsafe areas.
g) Rectify irregularities, non-conformances and non-compliances.
h) Consult with personnel about proposed changes that may affect their safety.

The Contractor will ensure corrective action is taken as soon as reasonably practicable following the identification of an OSH hazard, near miss, incident and/or accident.

7.4.8 Pre-job planning and risk management

Where legislation or codes of practice identify particularly hazardous activities including but not limited to work in confined spaces, asbestos removal, demolition work, excavation work, working near power lines and live conductors and working at heights, the Contractor shall supply to the Shire a Safe Work Procedure prior to the commencing such activity or type of work on the Site.

The Contractor shall induct its employees and its Subcontractors with regard to Safe Work Procedures and shall prepare "Training Session Attendance" sheets signed by each attendee verifying that such induction has occurred.

7.4.9 Chemical Information

The use of chemicals specified or required during the currency of the Works shall comply with the requirements of the Act and associated Regulations concerning information on chemical substances.
The Contractor shall ensure manufacturers, importers and suppliers of chemical substances for use on the Works, are responsible for providing information on those substances to be used, refer to Section 23(3) of the Act.

Copies of all information supplied shall be kept on the Site.

The Contractor is responsible for passing on information supplied by manufacturers; importers and suppliers of chemical substances to workers on Site refer to Section 19(1)(B) of the Act.

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7.5 Trade Names

Where a trade name, brand or catalogue number is referred to in the Contract, the Contractor may substitute equivalent material or equipment provided that in the opinion of the Shire the characteristics of type, quality, finish, appearance, method of construction and performance are not less than that specified and are approved in writing prior to use by the Shire.

Such approval shall not be anticipated because of similar approval having been given in a previous contract.

7.6 Site and Public Security

Notwithstanding the Contractor's obligations to Site and public security as stated elsewhere in the Scope of Works, the Contractor shall monitor and control wherever practical, the access of all persons to the Site.

The Contractor shall ensure that no persons, including without limitation friends and relatives (particularly children) of employees and the representative of organisations unrelated to the Contractor, enter the Site without the express permission of the Contractor.

7.7 Contractor's Representative

The Contractor's Representative shall have sufficient command of the English language and of Australian construction and technical terminology, to be able to read, converse and receive instructions in English.

7.8 Advertisements and Promotions on Site

The Contractor may erect on the Site or permit to be erected on Site only those signs:
a) required by law;
b) specified in the Contract documents; and
c) required to identify the Contractor's premises

The Contractor shall not erect on Site, or permit to be erected on site, any other sign, advertisement, promotion or other display without the prior written approval of the Shire.

7.9 Publicity

The Contractor shall not issue any information, publication, document or article for publication in any media which includes details of the Works under the Contract without the prior written approval of the Shire.

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8 PROJECT TIMELINE AND MILESTONES

The Contractor will provide a detailed timeline and schedule for completion of the Works as set Scope of Work prior to mobilisation to Site for approval by the Shire.

The Contractor will provide weekly progress updates against the schedule, noting any delays and control implemented to mitigate any delays.

8.1 Project Timeline and Milestones

8.1.1 Gantt Chart

The Contractor must as part of its RFT submission, provide a program (in weeks) from the date of acceptance of their submission, to practical completion.

The Contractor is required to provide details and nominate:
a) all major activities/tasks;
b) expected duration;
c) and which week they will start and finish,
to demonstrate a clear understanding of the project requirements.

Provide a Gantt chart (or similar format if possible) for the Kambalda Village Works.

Given the critical demand on accommodation it is the expectation of the Shire that the invited Contractors will be in a position to have the complete works completed and ready for handover by the 30th September 2022.

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9 DOCUMENTATION AND DRAWINGS

The Contractor will for all Works completed provide the Shire within 30 days from Date of Practical Completion with:

a) "As Built" drawings - one printed set, one electronic set in .dwg and PDF format each;
b) Manufacture Data Report, Operation and Maintenance Manuals – one printed set and one electronic set in PDF or another Microsoft Office format;
c) Third party warranties and guarantees - one printed set and one electronic set in PDF or another Microsoft Office format.

9.1 Construction Documentation

In brief the requirement for these technical documents is to provide the Principal with a professional set of Technical Drawings and Documentation for construction of the units.

The listed below are to be included for the requirements for the respective Separable Portions in the Scope of Works.

At a minimum the Construction Documentation deliverables will include but are not limited to the following for the respective Separable Portions as applicable:

a) Construction drawings and technical specifications suitable for Building Permit and Construction of the proposed buildings including:
    a. Site Plan
    b. Floor Plans
    c. Elevations
    d. External
    e. Internal
    f. Cross Section/s
    g. Construction Details
    h. Finish Details
    i. Joinery Fixtures and Finishes Schedule
    j. Door and window Schedules
    k. Structural Engineering
    l. Storm Water discharge and Drainage Plans
    m. Services
        i. Electrical lighting, fixtures and fittings
        ii. Hydraulic fixtures and fittings
        iii. Mechanical fixtures and fittings
        iv. Security
    n. Kitchen Equipment
    o. Closed Circuit Television CCTV Security System
    p. Access Control i.e., keying hierarchy
b) Certification Documentation/Reports suitable for Building Permit and Construction of proposed Building including:
    a. Liaise with supply authority for gaining approval for services supply to building.

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b. Certification Documentation/Reports for Building permit and final handover after construction
c. Certification Documentation/Reports
d. Preparation of application for Building Permit
e. Full working drawings and specifications sufficient to obtain Relevant Building Permits.
f. Compliance with NCC and relevant building Codes and Australian Standards
g. All Fees and Charges (Building/Training Levy and Local Authority)
h. Issuing of Certificate of Design Compliance 'CDC'
i. Issuing of Certificate of Building Compliance 'CBC'
j. Occupancy Permits
k. Notification of Completion
l. All Certificate and Sufficient Certifications
m. All warranties and manuals

9.2 Drawings and Documentation

a) The Contractor will provide detailed drawings for the Works under Contract within 21 days from the date of Contract for review and approval by the Shire.
b) All drawings provided by the Contractors will be required to be clear and descriptive construction documentation.
c) All Contractors will be responsible for clarifying any and all items as requested by the Principal or Principals representatives and Superintendent.
d) All drawing documentation is to be produced in Computer Aided Drafting software (e.g., REVIT or AUTO CAD) relevant to the construction industry best practice. The Consultant must be able to produce any and all revisions to the Superintendent or Principal when requested in DWG and PDF formats.
e) All drawings and drawing revisions will be in appropriate scale.
f) All Contractors' drawings and technical documentation to be Quality Assured by relevant design consultant industry standard reviewed and signed by a registered professional.
g) All drawings produced for the purposes of the project will remain the intellectual property of the developer.

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10 SCOPE OF WORKS DELIVERABLES AND CONTRACT PERFORMANCE MANAGEMENT

10.1 Deliverables and Requirements

During the Works, the Contractor shall:

a) Complete the Works in accordance with the Scope of Work.
b) Develop a Health, Safety and Environmental Management Plan and submit to the Shire for approval prior to mobilisation to site, including a construction Risk Assessment.
c) Monitor on site progress of works and provide weekly reporting on compliance with design, quality and identifying areas of non-compliance or concerns.
d) Conduct necessary inspections of materials and workmanship as necessary to verify quality and compliance with the Works.
e) Ensure that the execution of the Works is carried out in accordance with the Scope of Work and all documents developed and agreed during the project kick off meeting.
f) Co-ordinate the Works with the Shire and any other contractors. This shall include attendance at meetings, provision of detailed diagrams, studies, safety plans, relocation of safety barriers/demarcation and access for others and any other matters required.
g) Submit a detailed construction schedule to the Shire for approval prior to mobilising. This shall be in accordance with the site access and completion dates noted in the Scope of Work. The Schedule shall be progressed and updated on a weekly basis as the Works proceed.
h) Carry out the work in a collaborative manner and provide all interface, tie-in, connection and other information to the Shire and the Shire's nominated contractors in a timely, complete and detailed manner.
i) Carry out the work in such a manner and at such times as to minimise noise and disturbance and to maintain compliance with all laws and regulations. All working shall have due regard for any limitations on working hours applicable to the Works as a whole or any specific work practices.
j) Develop a Quality, Inspection and Test Plan (ITP) and perform all quality control and acceptance testing, including the provision of suitably qualified testing personnel, testing equipment and facilities. Supply all test certificates and results which shall be made available to the Shire upon request.
k) Maintain one full set of prints of the Drawings for as-built purposes. This set shall be maintained in a clean condition on site and shall be marked-up to show the as-built works. Deviations from the Drawings shall be marked on the drawings in red ink with unchanged dimensions, locations and levels underlined in red ink.
l) Review "As Built Documentation" for consistency and documented structure, format, content, design and technical compliance required, provide mark ups, commentary of concerns, corrective measures and recommendation.
m) Conduct Defect Inspections to ensure quality criteria are met, developing a Defects List for corrective action, within agreed time frames and, in any event, prior to issue of Final Completion certificate.

10.2 Quality Management

The Contractor shall permit the Shire free access to the Works at all times for the purposes of inspection and monitoring of progress and shall furnish all necessary facilities for the carrying out of such. Any inspection by the Shire shall not prevent the

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ultimate rejection of any portion of the work in which defects are found at any time prior to Practical Completion.
The Contractor shall prepare and submit a detailed inspection and testing report (ITP) detailing inspections, responsible personnel, testing personnel, testing programs and hold points, etc. for review and approval by the Shire. The detailed content and specific plans to be produced shall be agreed with the Shire prior to commencement of the works.
All records shall be maintained in an up-to-date file on site in the format required for later submission of a final signed off ITP. These shall be available for inspection by the Shire at any time.

10.3 Reporting Requirements

Reporting are as follows:

a) Weekly progress update to be provided to the Shire by Monday morning at 10am at the latest;
b) Monthly progress report to be provided to the Shire by COB the 2nd working day of the month; this will form the basis of any progress claims to be approved for payment – including safety, key performance indicators and utilisation of regional suppliers and subcontractors;
c) Weekly safety performance – overall performance, risk assessments completed, lessons learned.
d) Any testing completed;
e) ITP to be provided prior to the Date for Practical Completion for each of the tenancies under the Works – to be signed off by the Contractor Representative and the Shire as part of the handover inspection at the Date for Practical completion.

10.4 Key Performance Requirements

The Contractor's performance for the Works will be subject to meeting the following key performance requirements:

Key Performance Area	Detail	Measure of Success
Schedule Compliance	Completion of the Works in accordance with the approved schedule Minimal delays Delays are proactively managed by the Contractor	Date for Practical Completion is 30 September 2022. Project is completed and ready for inspection on/before 30 September 2022.
Budget Compliance	Completion of the Works in accordance with the approved schedule Minimal variations	Completion of the project within the approved fixed Contract Sum
Quality Compliance	Works are completed as per the Scope of Work. The Works demonstrate industry best practice Limited punch list items	Completion as per the ITP and Scope of Work Minimal punch list items to be completed post the Date for Practical Completion
Safety, Health and Environmental Compliance	Mature safety and health culture Detailed safety, health and environmental management plan developed, controls	No safety/health incidents on the project Any incidents/accidents are investigated, managed, controls put in place and actions closed out

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Key Performance Area	Detail	Measure of Success
	implemented and followed during the project Daily prestart meetings Regular toolbox meetings The Shire is immediately notified of any incidents, accidents and/or near misses Management of community interaction and minimise exposure to incidents and community distress.	
Local and Regional Procurement	Local and regional suppliers and contractors used where possible and practical Real action taken to build local capability and capacity Where no local content is available, the Contractor will be required to demonstrate its attempts to engage local and regional contractors in a collaborative and capability building capacity	Minimum of 10% local spend recommended Information is made available on local suppliers and subcontractors used and capability building provided
Deliverables	Deliverables provided as per the Contract, including management plans	No delays in providing deliverables for review Good quality deliverables submitted Actions followed up and closed out
Reporting and deliverables	Reporting completed as per the Contract	No delays in reporting Good quality reports submitted Actions followed up and closed out
Lessons learned	Contract Close Out Review completed Contract KPIs reviewed Lessons learned reviewed	KPIs measured and deliverables provided

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13.2 Operation Services

13.2.1 LIST OF PAYMENTS - FEBRUARY 2022

Location: **Nil**

Applicant: **Nil**

Disclosure of Interest: **Nil**

Date: **14 March 2022**

Author: **Corina Morgan, Accounts**

SUMMARY

For Council to receive the list of accounts for February 2022

BACKGROUND

The Local Government (Financial Management) Regulations 1996, Regulation 13(3)(b) requires that Council receive a list of accounts paid in the month, and that this be recorded in the minutes. Council has delegated to the Chief Executive Officer that authority to make these payments from Municipal and Trust Funds.

COMMENT

Presented in this item is a table of accounts (invoices) and includes that cheque (or EFT) identifier for the transaction, the entity, date, and amount paid, description of the goods, service, or other that relates to the payment. Extra details of invoices relating to payments are included for the information of Councillors.

The schedule of payment made under delegated authority as summarised below and recommended to be received by Council, has been checked and is supported by vouchers and invoices which have been duly certified as to the receipt of goods and provision of services, and verification of prices and costings.

Significant Payments for the month of February 2022 are:

1. Coxdon - Tender 07/20 - Alterations And Additions to Coolgardie Post Office Complex

2. Raubex Construction Pty Ltd - Tender 02/2021, Cell 1 And Leachate Pond, Coolgardie Waste Facility

3. Dallcon - Dalwallinu Concrete Pty Ltd, Supply And Delivery Of Box Culverts, Base Slabs And Head Walls For Carins Road

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996, Regulation 13 – Lists of Accounts

POLICY IMPLICATIONS

CS-PROCUREMENTS POLICY. Policy CS-11 sets the guidelines with regards to the purchase of goods or services provided.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. List of Payments - February 2022

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive listing (attached) of accounts paid during the month of February 2022 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling $1,178,896.93 on Municipal vouchers EF22315 – EFT22489
2. Credit card payments totalling $8,708.08 for the month of February 2022

RESOLUTION #47/2022

Moved: Cr Sherryl Botting
Seconded: Cr Tracey Rathbone

That Council receive listing (attached) of accounts paid during the month of February 2022 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling $1,178,896.93 on Municipal vouchers EF22315 – EFT22489

2. Credit card payments totalling $8,708.08 for the month of February 2022

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
Cheques

Chq	Date	Name	Description	Amount
				$ -

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22315	03/02/2022	Access Hire Kalgoorlie Pty Ltd	Hire Of 15T Smooth Drum Vibe Roller 17 - 22 December 2021	3,692.92
EFT22316	03/02/2022	Aflex Technology (W2) Limited	Inflatables For Shire Of Coolgardie Aquatic Facilities	3,070.10
EFT22317	03/02/2022	Ampol (Formally Caltex Australia)	Monthly Fuel Charges For January 2022	11,287.70
EFT22318	03/02/2022	Australian Museums And Galleries Association	Amaga Membership	550.00
EFT22319	03/02/2022	Australian Services Union	Payroll Deductions/Contributions	75.70
EFT22320	03/02/2022	Boc Limited	Oxygen, Acetylene, Argoshield & Medical Oxygen Bottles Supplied To The Shire Of Coolgardie Monthly - January 2022	227.68
EFT22321	03/02/2022	Bouncy Fun Entertainment	Bouncy Castles -Junior Bouncy Castles, Mini Golf, Twister And Supervision. Australia Day 2022	1,190.00
EFT22322	03/02/2022	Bp Australia Limited	Monthly Fuel For January 2022	4,671.27
EFT22323	03/02/2022	Building And Energy Department Of Mines, Industry Regulation And Safety	Bsl January 2022	56.65
EFT22324	03/02/2022	Bunnings Buildings Supplies	Lighting For Events	463.87
EFT22325	03/02/2022	Child Support Agency	Child Support From Pay Runs 57, 60 & 61 For Daniel Buckland 0000687	1,200.00
EFT22326	03/02/2022	Cleanaway Pty Ltd	Cleanaway - Waste Removal Services At The Kambalda Waste Transfer Station For The Month Of December 2021	1,001.00
EFT22327	03/02/2022	Colleen Shona Sandford	Rates Refund For Assessment A1076 7 Spinifex Street Kambalda West 6442	467.46
EFT22328	03/02/2022	Coolgardie Youth Club Inc	Community Movie Night, Australia Day 2022	750.00
EFT22329	03/02/2022	Department Of Planning, Lands And Heritage	Scheme Amendment Maps For Sites In Coolgardie	82.00
EFT22330	03/02/2022	Donald Hemara - The Trustee For Donrico Unit Trust	Live Music -Australia Day 2022 Sundowner. Live Music, All Pa System, Travel	500.00
EFT22331	03/02/2022	Eagle Petroleum (Wa) Pty Ltd	3943007 , Fuchs Gt-1 Pro-C3	354.20
EFT22332	03/02/2022	Edith Elizabeth Fielder	Rates Refund For Assessment A1646 62 Lindsay Street Coolgardie 6429	858.89
EFT22333	03/02/2022	Extreme Marquees Pty Ltd	X2 Shire Branded Marquees, Australia Day 2022, Including Freight	2,256.00
EFT22334	03/02/2022	Global Communication Services	Gcs Quote #120349 Replacement Aerial For Grader (Plant #P277 - Cat 12M - Rego #1Drw996 - Engine #G9G03744 - Chassis #Cat0012Mjb9F01317) Includes Travel To/From Coolgardie ($681.23 +Gst)	750.00
EFT22335	03/02/2022	Goodnews Newsagency	Monthly Newspapers For Kambalda Office December 2021	116.80
EFT22336	03/02/2022	Gvroc - Goldfields Voluntary Regional Organisation Of Councils	Annual Contribution 2021/2022	16,500.00
EFT22337	03/02/2022	Harvey Norman Av/It Kalgoorlie - Orliavit Pty Ltd	Freezer, Meals On Wheels Ice Packs (Covid19 Preparation) With Delivery	389.00
EFT22338	03/02/2022	High Standard Systems	Kcrf Monitoring Security January 2022	153.86
EFT22339	03/02/2022	Host Corporation Pty Ltd	Covid Safe, Individually Wrapped -Cutlery For Australia Day 2022 X2 Boxes	165.00
EFT22340	03/02/2022	Hse Collective	Work Health And Safety Advisory Contractor Role - 24 - 28 January 2022	3,840.00

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22341	03/02/2022	Integrated Ict - Market Creations Technology Pty Ltd	Voice Services - Hardware And Calls (Telephony)	1,759.39
EFT22342	03/02/2022	Jahnay Brooking	Reimbursement For Rlsswa Requal And Liwa Membership	291.00
EFT22343	03/02/2022	Jbs & G Australia Pty Ltd	Soc Technical Oversight, Remediation Jan 2022	3,630.00
EFT22344	03/02/2022	Kalgoorlie Refrigeration And Airconditioning - The Trustee For Beil And Dowdle Family Trust	Repairs To Split System Air-Conditioner At Warden Finnerty'S Residence	317.68
EFT22345	03/02/2022	Kambalda Pa Equipment - Michael James Aslin	Full Dj Set Up, Speakers, Portable Microphone And Music - Australia Day 2022	280.00
EFT22346	03/02/2022	Kambalda Volunteer Fire Brigade	Community Bbq, Assistance And Cooking. Australia Day 2022 Kambalda	500.00
EFT22347	03/02/2022	Kleenheat Gas Pty Ltd	Kambalda Recreation Centre Bulk Gas Monthly - Jan 2021	1,401.88
EFT22348	03/02/2022	Lgis Wa	Actual Wage Adjustment For Period 30/06/20 - 30/06/21 (1 invoice)	56,830.41
EFT22349	03/02/2022	M&R Party Hire - Morgan Lilly (Baker)	Outdoor Games And Fairy Floss With Worker 9-12	330.00
EFT22350	03/02/2022	Mining Supplies Kambalda	Mining Supplies Kambalda - Kambalda Depot Consumables (Quote #25496)	361.22
EFT22351	03/02/2022	Modus Compliance Pty Ltd	Building Certification Services 2021/2022 - 1/11 Barnes Drive Kambalda West Ba2201	176.00
EFT22352	03/02/2022	Moran Store - Boothey Family (Iga Coolgardie)	Monthly Morans Invoices For December 2021	790.82
EFT22353	03/02/2022	Napa Kalgoorlie	Consumables	764.10
EFT22354	03/02/2022	Paywise	Payroll Deductions/Contributions	1,041.79
EFT22355	03/02/2022	Ray White Kambalda	Rent For Unit 13/8 Myoporum Street For 05.02.2022 To 04.03.2022	955.95
EFT22356	03/02/2022	Rebecca Anne Horan	Reimbursement For Purchase Of Credit Card For Cdc	1,007.95
EFT22357	03/02/2022	Red Dot	Australia Day Flags For Residents	194.00
EFT22358	03/02/2022	Refresh Waters Pty Ltd	15Lt Water Bottles	100.00
EFT22359	03/02/2022	Resources Trading Hub	1 X Truck Box 3 Drawer Toolbox For P348	2,168.40
EFT22360	03/02/2022	Royal Life Saving Society Of Western Australia Inc	Royal Life Saving Wa X4 Staff Members - Full Lifeguard Course. Serenity Te Hira Coker, Karlyn Te Hira Morgan, Lillian Kent, Boston Tepania	1,514.00
EFT22361	03/02/2022	Rusted Strings - Marcus Mcguire	Live Music Coolgardie Park -Rusted Strings, Marcus Mcguire (Including Microphone And Set Up For Speeches)	450.00
EFT22362	03/02/2022	Sheridan'S For Badges	Medallions For Australia Day Awards -Quote 81596	498.30
EFT22363	03/02/2022	Shire Of Coolgardie	Anaconda Hire -2 Hours. Australia Day 2022 Coolgardie	605.00
EFT22364	03/02/2022	Statewide Bearings	Consumables	82.10
EFT22365	03/02/2022	Steven Tweedie	General Governance Advice Jan 2022	2,208.25
EFT22366	03/02/2022	Super Sarah & Friends - Sarah Jane Betts	Super Sarah -Facepainting, Australia Day 2022, Coolgardie	270.00
EFT22367	03/02/2022	Sykes Transport Wa - Matchbury Enterprises Pty Ltd	Freight From Sunny Signs	196.88
EFT22368	03/02/2022	Talis Consultants	Construction Quality Assurance Services - Coolgardie Waste Facility Cell 1 And Leachate Pond Cqa Fee Proposal	929.50
EFT22369	03/02/2022	Telstra	Grouped Monthly Landline Charges 05 Jan - 04 Feb 2022	4,559.69
EFT22370	03/02/2022	Tjd Mechanical Pty Ltd	Carry Out Electrical Service/ Inspection At Goldfields Record Storage - P356 Elevated Work Platform (Vin: Gs3012A-11113297)	555.50

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22371	03/02/2022	Toll Transport Pty Ltd Toll Express	Freight For 30 Nov To 07 Dec 2021	474.50
EFT22372	03/02/2022	Tquip	Purchase Of Turf Maintenance Coring Machine - Toro 24 Inch Stand On Aerator, As Per Quote #210904 From T-Quip	15,059.00
EFT22373	03/02/2022	Vanessa Australia	Consumables	544.54
EFT22374	03/02/2022	Vera Rakic	Rates Refund For Assessment A586 34 Needlewood Street Kambalda West 6444	564.81
EFT22375	03/02/2022	Westrac Pty Ltd	256 7902 Primary Element	95.77
EFT22376	03/02/2022	Winc Australia Pty Ltd	Monthly Stationary Order - January 2022	530.98
EFT22377	03/02/2022	Woolworths Ltd	Visa Gift Cards Plus Activation Fees	1,545.15
EFT22378	09/02/2022	Caps Australia Pty Ltd	Wilson Pep 16 (Plant #298) - Investigate & Repair Oil Leak On Genset At Coolgardie Refuse Site (08/10/2021)	5,488.50
EFT22379	09/02/2022	Chs Mining & Civil Services - Alaxon Group Pty Ltd	Hire Of 1 X 966 Loader @Coolg Tip - December 2021	13,777.50
EFT22380	09/02/2022	Coxdon Pty Ltd	Progress Payment - Supply Of 10M Wide Cantilever Gate At The Coolgardie Waste Facility	21,819.38
EFT22381	17/02/2022	3E Advantage Pty Ltd	Printer Services For Shire Of Coolgardie Admin/Rec Centre Services For January 2022	4,230.13
EFT22382	17/02/2022	Air Liquide	Monthly Cylinder Hire Fees For Kambalda Depot, Kambalda Rec Centre And Kambalda Pool January 2022	76.40
EFT22383	17/02/2022	Allrid Pest Management - Rentokil Initial Pty Ltd	Allrid (Quote Dated 29/06/2021) - Weed Control At The Kambalda Airport (For The Quarter Being December 2021, January 2022 & February 2022) $2250 Inc Gst	2,250.00
EFT22384	17/02/2022	Ampac Debt Recovery (Wa) Pty Ltd	Debt Recovery January 2022	148.50
EFT22385	17/02/2022	Australia Post	Postage Charges For January 2022	596.95
EFT22386	17/02/2022	Australian Services Union	Payroll Deductions/Contributions	75.70
EFT22387	17/02/2022	Australian Venture Consultants Pty Ltd	Tyre & Plastics Pyrolysis Plant Infrastructure - Provide Consultant Support To Complete Work Plan. 50% Deposit On Commencement 50% Upon Completion	9,900.00
EFT22388	17/02/2022	Boc Limited	Oxygen Medical C Size X1 Kambalda Pool Plus Gst	60.51
EFT22389	17/02/2022	Braden Ross Shilton	Rates Refund For Assessment A4240 104 Forrest Street Coolgardie Wa 6429	628.05
EFT22390	17/02/2022	Bradley John Mcghie	Rates Refund For Assessment A17567 Lot P16/03055 Prospecting Lease/Licence Coolgardie 6429	403.77
EFT22391	17/02/2022	Bryan And Cynthia Parsissons Transport	Hire Of Water Truck And Driver For Works At North Road 11-13 January 2022	10,010.00
EFT22392	17/02/2022	Bt Mechanical & Hire Pty Ltd	2 Days Dingo Hire ($200 P/Day + Gst)	440.00
EFT22393	17/02/2022	Bunnings Buildings Supplies	Miscellaneous Items	396.65
EFT22394	17/02/2022	Burnz Fitness & Pt Burnz Fitness & Pt	Kcrf Fitness Classes And Gym Inductions Engaged Burnz Fitness Contractor Services - January 2022	227.50
EFT22395	17/02/2022	Cabcharge Payments Pty Ltd	Cabcharges For January 2021	97.32
EFT22396	17/02/2022	Cleanaway Pty Ltd	Cleanaway - Provision Of Refuse Collection Services (Residential Wheelie Bin Services & Collection Services) December 2021	14,186.40
EFT22397	17/02/2022	Coxdon Pty Ltd	Tender 07/20 - Alterations And Additions - Coolgardie Post Office Complex (2 invoices)	218,388.47
EFT22398	17/02/2022	Danielle Fleet	Reimbursement For Utilities	1,470.59
EFT22399	17/02/2022	Deltawest Training Pty Ltd	Hr Licence Training For Kenneth Godman And Levi Forster	700.00
EFT22400	17/02/2022	Ess Kambalda Village	Meals On Wheels 10-16 Jan 2022	1,897.50

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22401	17/02/2022	Eurofins Arl Pty Ltd	Coolgardie Water Sampling Analysis Refer Quote # 300721	421.30
EFT22402	17/02/2022	Evolution Mining (Mungari) Pty Ltd	Rates Refund For Assessment A17435 Lot P16/03008 Prospecting Lease/Licence Coolgardie 6429	942.42
EFT22403	17/02/2022	Foxtel Management Ptt Ltd	Foxtel For Kambalda Gym January 2022	210.00
EFT22404	17/02/2022	Gencon Civil Pty Ltd	Periodic Airport Maintenance - 28Th Jan 2022	21,464.30
EFT22405	17/02/2022	Geoffrey Harcombe	Environmental Health Consultancy Services 1-3 February 2022	4,979.80
EFT22406	17/02/2022	Geoffrey James Brown	Rates Refund For Assessment A17568 Lot P16/03056 Prospecting Lease/Licence Coolgardie 6429	379.55
EFT22407	17/02/2022	Global Communication Services	Install Cb Radio And Celfi-Go To P348	2,030.00
EFT22408	17/02/2022	Goldfields Electrical Contractors	Coolgardie Recreation Centre Replacement Of Main Electrical Distribution Board To Meet Compliance	18,343.60
EFT22409	17/02/2022	Goldfields Linemarking - Goldline Wa Pty Ltd	Ladyloch Road/Tindals Road Intersection Linemarking	9,036.50
EFT22410	17/02/2022	Goldfields Locksmiths - Tns Access & Security Solutions Pty Ltd	Pfm01Kr Salto Proximity Fob 1Kb (Red) X 50	2,726.10
EFT22411	17/02/2022	Goldfields Printing Company Pty Ltd	250 Business Cards For Cherie Preece	143.00
EFT22412	17/02/2022	Goldfields Truck Power - Major Motors Unit Trust	Consumables	517.63
EFT22413	17/02/2022	Hardy Spicer P/L	08/001/06/000 , Type A 3/4Male Cplg Bsp ."	292.57
EFT22414	17/02/2022	Heatley Industrial,Safety&Packaging - Heatley Sales Pty Ltd	5 X Polo Shirts For Cdc Hub Co-Ordinator With Shire Logo	115.50
EFT22415	17/02/2022	Hicks Homes & Carpentry Pty Ltd	Supply Of Material - Building Insurance Repairs Within The Coolgardie Townsite - Stage 3	25,000.00
EFT22416	17/02/2022	Integrated Ict - Market Creations Technology Pty Ltd	Supply 5 X Replacement Computers And Screens - Coolgardie Office Due To Age	13,453.00
EFT22417	17/02/2022	Isc Teamwear Pty Ltd	Lifeguarding Shirts For Kambalda Pool Aquatic Staff As Per Quote From Isc Team Wear	390.50
EFT22418	17/02/2022	Jessie Brooking	Reimbursement For Lifeguard Requalifications And Police Clearance	587.93
EFT22419	17/02/2022	Jobfit Health Group	Pre-Employment Medical And Drug Screen For Peter Mcgregor	227.70
EFT22420	17/02/2022	Kal Engineering Consultants	Coolgardie Post Office Chimney Site Inspection And Report (Fire)	965.25
EFT22421	17/02/2022	Kalgoorlie -Boulder Chamber Of Commerce & Industry Inc	Membership Of The Chamber For November 2021 - October 2022	390.50
EFT22422	17/02/2022	Kalgoorlie Retravision - Dorsett Retail Pty Ltd	1 X Dryer And Fridge For 5 Dundas Court, Kambalda	1,366.00
EFT22423	17/02/2022	Kambalda East Deli	Catering For Seniors Staying Connected Lunch 2Nd December 2021	120.00
EFT22424	17/02/2022	Kambalda Hotel - Jsd Holdings (Wa) Pty Ltd	Catering, Staff Health Review, Special Briefing And Special Council Meeting, 01 February 2022	759.00
EFT22425	17/02/2022	Karen Lesley Vodden	Reimbursement For Item Purchased For Swim For Fruit Leonora	157.41
EFT22426	17/02/2022	Kmart Australia	Purchase Of Household Items For 5 Dundas Court	1,362.75
EFT22427	17/02/2022	Logic Enterprises Pty Ltd T/A Logic Health (Boulder Medical)	Pre-Employment Medical And Drug Screen For Cherie Preece	302.50
EFT22428	17/02/2022	Mandalay Technologies Pty Ltd	Front Image Capture Camera For Outbound Traffic Configuration, Support And Testing And Freight	1,628.00

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22429	17/02/2022	Market Force	Advertising For Annual Electors Meeting - Kalgoorlie Miner $212.38 Plus Gst	622.95
EFT22430	17/02/2022	Mcleods Barristers And Solicitors	Governance Advice 2020	134.20
EFT22431	17/02/2022	Mine Ag Fleet Hire	Hamm Roller Hire For January 2022	1,842.50
EFT22432	17/02/2022	Mister Signs	Coolgardie Pool - Adhesive Sticker To Update Operating Hours Plus Gst	88.00
EFT22433	17/02/2022	Mitre 10 Kalgoorlie - Cardajam Pty Ltd	Mitre 10 - Quote #10050444	6,240.44
EFT22434	17/02/2022	Modus Compliance Pty Ltd	Building Certification Services 2021/2022 - General Advice, Exploration Camp Widgiemooltha	44.00
EFT22435	17/02/2022	Napa Kalgoorlie	Led Driving Light	895.97
EFT22436	17/02/2022	Neil James Higgins	Rates Refund For Assessment A499 45 Mallee Drive Kambalda West 6444	122.00
EFT22437	17/02/2022	Netcon - Netsight Consulting Pty Ltd Atf Am2 Trust & Fm2 Trust	Myosh Monthly Subscription For February 2022	431.20
EFT22438	17/02/2022	Neverfail Springwater Ltd	Springwater For Kambalda Office February 2022	97.15
EFT22439	17/02/2022	Office National Kalgoorlie	Peerless Jal Majestic Liquid Hand Soap 5L	49.61
EFT22440	17/02/2022	Office Of The Auditor General	Fee For Cert For Roads To Recovery Funding For Year Ended 30 June 2021	1,650.00
EFT22441	17/02/2022	Orix Australia Corporation Limited	Payroll Deductions/Contributions	1,492.90
EFT22442	17/02/2022	Paywise	Payroll Deductions/Contributions	1,041.79
EFT22443	17/02/2022	Penrith Rubber Stamps - Margaret Anne Crowell	Payment Authorisation Stamp As Per Quote	235.00
EFT22444	17/02/2022	Pmh Electrical Contracting Services Pty Ltd	Connection Of Kennards' Generator At The Coolgardie Landfill Site On The 03Rd Of July 2021.	525.80
EFT22445	17/02/2022	Poolshop Online Pty Ltd	Kambalda Pool Supplies	3,728.18
EFT22446	17/02/2022	Public Transport Authority Of Western Australia	Trans Wa Ticket Sales Jan 2022	32.90
EFT22447	17/02/2022	Raubex Construction Pty Ltd	Tender 02/2021 - Cell 1 And Leachate Pond - Coolgardie Waste Facility (1 invoice)	399,909.43
EFT22448	17/02/2022	Ravim Rbc	Extension Of Contract As Per Tender Rft 08-17 Local Government Services, And Council Resolution #62/20 Rate @ $198.00 -11 October 2020 - 10 October 2022	13,563.00
EFT22449	17/02/2022	Refresh Waters Pty Ltd	Replacement Of Water Feb 2022	100.00
EFT22450	17/02/2022	Robert Heatley T/A Great Northern Tree Lopping	Replace Banners In Coolgardie Townsite	550.00
EFT22451	17/02/2022	Rsa Works	Road Services Contract 19 Dec 21 - 07 Jan 22	7,803.73
EFT22452	17/02/2022	Ryco Hydraulics Pty Ltd	Hose Assembly	114.68
EFT22453	17/02/2022	Shire Of Coolgardie	Transwa Commission Jan 2022	7.15
EFT22454	17/02/2022	Sports Power Kalgoorlie	Wahu Double Cricket Set (Beach)	370.00
EFT22455	17/02/2022	St John Ambulance Coolgardie	Bbq Cooking And Assistance -Coolgardie St John (Australia Day 2022)	250.00
EFT22456	17/02/2022	St John Ambulance Kalgoorlie	First Aid Course - 24 January 2022 Vanessa Browne	960.00
EFT22457	17/02/2022	State Library Of Western Australia	Dds Freight Recoup 2020-21 Kambalda And Coolgardie Libraries	482.63
EFT22458	17/02/2022	Steven Tweedie	Governance Consultant - Quotation For Preparation Of Presentations, Attendance At Soc On 01/02/22, All Travel And Accommodation Costs, Travel Time. Plus Gst	2,860.00
EFT22459	17/02/2022	Sykes Transport Wa - Matchbury Enterprises Pty Ltd	Freight From Poolshop	1,501.89
EFT22460	17/02/2022	Synergy	Grouped Electricity For 05 Nov - 08 Jan 22 (4 invoices)	30,046.53

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
EFT's

EFT	Date	Name	Description	Amount
EFT22461	17/02/2022	Taps Industries Pty Ltd	Harry Steinhausser Oval Replace 20Mm Garden Tap And Repair Leak On Line Shire Office Disabled Toilet Replace Flush Pipe Rubber And Reseal Pan Cone Rubber On Leaking Toilet Plus Gst	385.00
EFT22462	17/02/2022	Toll Transport Pty Ltd Toll Express	Freight From Winc 27/01/22	51.87
EFT22463	17/02/2022	Tquip	Consumables	562.10
EFT22464	17/02/2022	Tyrepower Kalgoorlie - Peter Alan Sloane	Please Balance All Wheels & Rotate Them On Vehicle . Redgo = Cg-5964 , 2016 Rg Colorado 4 X 4 Ute .	152.00
EFT22465	17/02/2022	Uniqco International Pty Ltd	Plant & Vehicle Asset Management Service Fee For Month Of February 2022	14,069.00
EFT22466	17/02/2022	Vibe Roadhouse - Deborah Anne Ovens	Council Catering 25 May 2012 - 15 People	583.00
EFT22467	17/02/2022	Wa Hino - Falconet Pty Ltd	Consumables	674.91
EFT22468	17/02/2022	Westrac Pty Ltd	Westrac Repair Estimate #20210806 - Replace Dpf Filter (P368 - Cat 966K Loader , Pin N# Cat0966Ketfs00793, Model 966K, Serial #Tfs00793) Located At Coolgardie Tip	9,268.28
EFT22469	17/02/2022	Wml Consultants Pty Ltd	Tender Document And Cost Estimate Preparation And Review For Carins Road	9,152.00
EFT22470	17/02/2022	Woolworths Ltd	$200 Wish Gift Card	610.25
EFT22489	23/02/2022	Dallcon - Dalwallinu Concrete Pty Ltd	Supply And Delivery Of Box Culverts , Base Slabs And Head Walls As Per Quote 12151453 For Carins Road (1 invocie)	91,757.60
				$ 1,178,896.93

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
Direct Debits

Chq/EFT	Date	Name	Description	Amount
DD7801.1	08/02/2022	Beam Clearing House	Superannuation For Pay Run # 81	21,535.30
				$ 21,535.30

Shire of Coolgardie
Payments by Delegated Authority
1st February 2022 to 28th February 2022
Credit Cards

Reference	Date	Description		Value	Card
	28-Feb-22	Bunnings 435000 Kalgoorlie	$	73.79	59
	25-Feb-22	Harvey Norman Av/It Kalgoorlie	$	34.95	59
	21-Feb-22	Office National Kalgoo Kalgoorlie	$	65.65	59
	18-Feb-22	Mailchimp 000-0000000	$	15.82	59
	09-Feb-22	Fairfax Subscriptions Pyrmont	$	59.00	59
	07-Feb-22	Wizard Pharmacy Kalg Kalgoorlie	$	1,100.00	59
	07-Feb-22	Regional Express Orange	$	349.16	59
	04-Feb-22	Dropbox*Hnjds39Z79Xz D02Fd79	$	19.25	59
	02-Feb-22	Wanewsadv Osborne Park	$	100.32	59
	28-Feb-22	Bws Liquor/Kambalda S/C B Kambalda West	$	215.00	855
	21-Feb-22	Xero Au Inv-20357586 Hawthorn	$	54.00	855
	21-Feb-22	Comfort Inn Bay Of I Esperance	$	364.20	855
	10-Feb-22	Adobe Systems Pty Ltd Sydney	$	515.87	855
	07-Feb-22	Tenderlink Com Melbourne	$	194.70	855
	07-Feb-22	Compass Group Aus Pl Perth	$	172.51	855
	03-Feb-22	Wanewsadv Osborne Park	$	56.43	855
	28-Feb-22	Event* Galvanize Www.Cvent.Com 3500.00 Usd 149.34 Aud	$	5,127.29	9340
	28-Feb-22	Paypal *Daphneflori 4029357733	$	180.00	9340
	28-Feb-22	Facebk *R82Vvefeh2 Fb.Me/Ads	$	10.14	9340
			$	**8,708.08**	
	28-Feb-22	Autorepayment - Thank You	$	4,515.09	576

Feb-22

Payments directly to Shire of Coolgardie	
Payments to AMPAC debt recovery	$ 148.50
Total Received	$ 148.50

Commissions	
Costs	$ -
Total Paid to Ampac	

MINING

Payments directly to Shire of Coolgardie	$ -
Payments to AMPAC debt recovery	$ -
Total Received	

Costs	$ 148.50
Total Paid to Ampac	**$ 165.00**

13.2.2 MONTHLY FINANCIAL STATEMENT FOR THE PERIOD ENDED 28 FEBRUARY 2022

Location: N/A

Applicant: N/A

Disclosure of Interest: Nil

Date: 15 March 2022

Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 28 February 2022 is presented to Council for adoption.

BACKGROUND

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations,* the Shire is to prepare a monthly Financial Statement for approval by Council.

The format for monthly reporting was introduced by the Department of Local Government from 1 July 2005; the change was implemented to provide elected members with a better idea of operating and capital revenues and expenditures. The requirement is for a Statement of Financial Activity with a report detailing material variances. The Financial Report presented includes this as well as other statements and supplementary information.

Section 6.4 of the Local Government Act 1995, requires that financial reports be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations*. Regulation 34 has been amended to require that Councils report on the sources and applications of funds on a monthly basis and that the report be noted by Council.

COMMENT

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 28 February 2022, loan repayments, and reserve account status.

In accordance with the *Local Government (Financial Management) Regulations*, a report must be compiled on variances greater than the percentage agreed by Council which is currently 10% or $10,000. With the report prepared at program level, comments have been made regarding variances. A nil variance is equal to 100%, meaning that the year to date actual is identical to the year to date budget. Comments are therefore provided where variance values are <90% or >100% and the dollar variance exceeds $10,000.

CONSULTATION

James Trail, Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and

(b) an explanation of each of the material variances referred to in sub regulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity may be shown —

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —

(a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) Recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The Financial Report is information only and there are no financial implications relating to this item.

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Demonstrating sound financial management and plans for the Shire's long term financial sustainability

ATTACHMENTS

1. **Monthly Financials - February 2022**
2. **Management Report - February 2022**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Draft Monthly Financial Activity Statement for the period 1 July 2021 to 28 February 2022 be received.

RESOLUTION #48/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That the Draft Monthly Financial Activity Statement for the period 1 July 2021 to 28 February 2022 be received.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

SHIRE OF COOLGARDIE

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 28 February 2022

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

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Statement of Financial Activity by Nature or Type		7
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MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2022

INFORMATION

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 15 March 2022
Prepared by: Martin Whitely
Reviewed by: James Trail

BASIS OF PREPARATION

REPORT PURPOSE

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

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities and to the extent they are not in-consistent with the *Local Government Act 1995* and accompanying regulations), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1995* and accompanying regulations. Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement, but a separate statement of those monies appears at Note 13.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

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

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

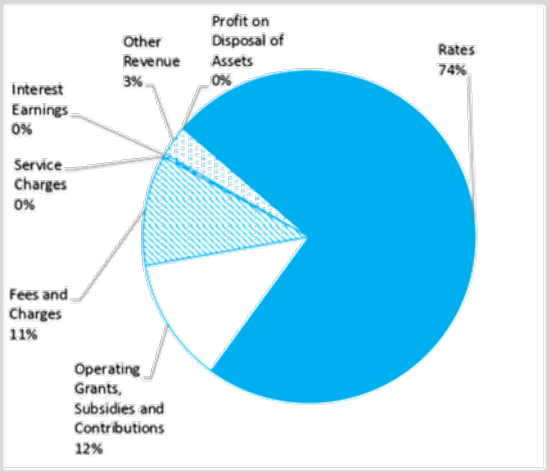
ROUNDING OFF FIGURES

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

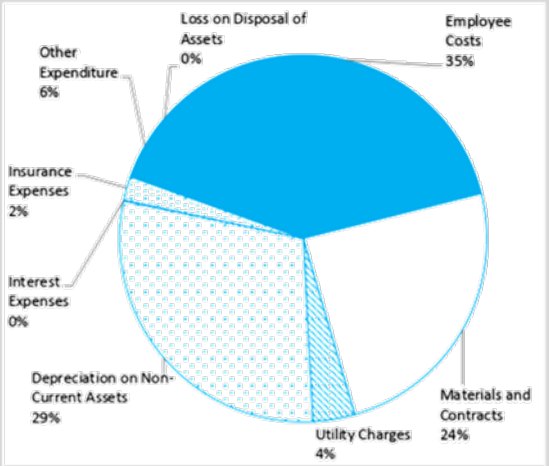
MONTHLY FINANCIAL REPORT
FOR THE PERIOD ENDED 28 FEBRUARY 2022

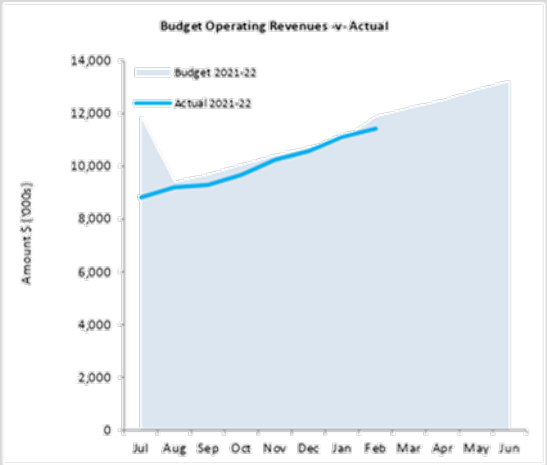
SUMMARY GRAPHS

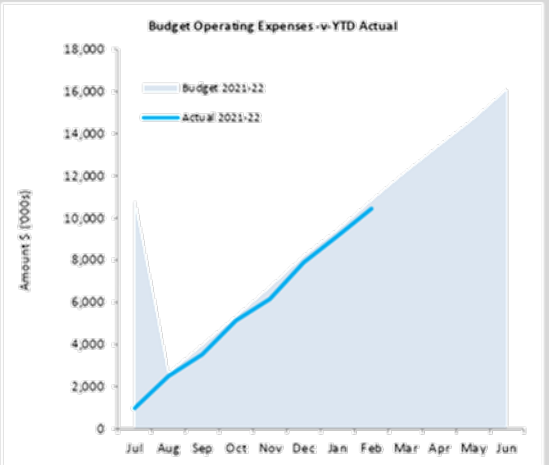
OPERATING REVENUE



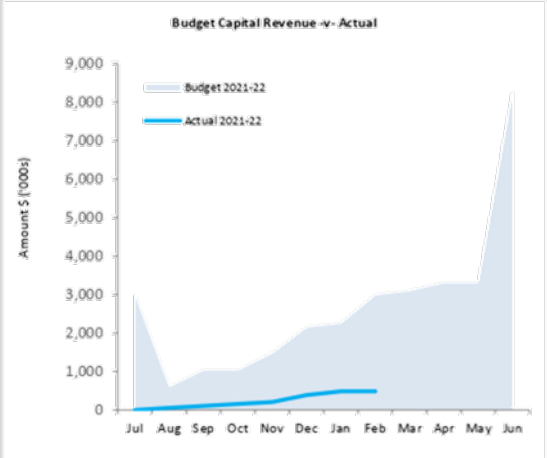
OPERATING EXPENSES



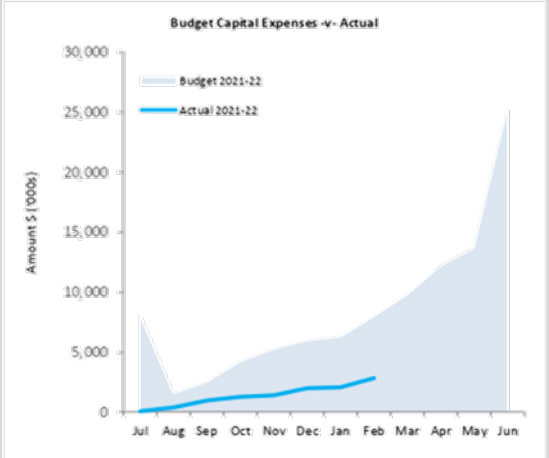




CAPITAL REVENUE



CAPITAL EXPENSES



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

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 28 FEBRUARY 2022

STATUTORY REPORTING PROGRAMS

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

GOVERNANCE	**ACTIVITIES**
To provide a decision making process for the efficient allocation of scarce resources.	Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services
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 community.	Fire prevention, animal control and safety.
HEALTH	
To provide services to help ensure a safer community.	Food quality, pest control and meat inspections.
EDUCATION AND WELFARE	
To meet the needs of the community in these areas.	Includes education programs, youth based activities and resources centres. Care of families and the aged and disabled activities and resources centres.
HOUSING	
Provide housing services required by the community	Maintenance of staff, aged and rental housing.
COMMUNITY AMENITIES	
Provide services required by the community.	Rubbish collection services, landfill maintenance, effluent disposal, town site storm water drainage control and maintenance, administration of the Town Planning Scheme and maintenance of cemeteries.
RECREATION AND CULTURE	
To establish and manage efficiently, infrastructure and resources which will help the social well being of the community.	Maintenance of halls, the aquatic centres, recreation centres and various reserves, operation of library, support of arts and community festivals. Also matters relating to heritage.
TRANSPORT	
To provide effective and efficient transport services to the community.	Construction and maintenance of streets, road and footpaths, cleaning and lighting of streets, roads and footpaths, traffic signs and depot maintenance.
ECONOMIC SERVICES	
To help promote the Shire and improve its economic wellbeing.	The regulation and provision of tourism, area promotion, building control, noxious weeds.
OTHER PROPERTY AND SERVICES	
To provide effective and efficient administration, works operations and plant and fleet services.	Private works operations, plant repairs and operational costs. Administration overheads.

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

STATUTORY REPORTING PROGRAMS

	Ref Note	Amended Budget	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)	Var.
			$	$	$	$	%	
Opening Funding Surplus / (Deficit)	1(c)	(352,872)	(352,872)	(352,872)	**(262,942)**	89,930	(25.49%)	
Revenue from operating activities								
Governance		3,200	3,200	1,800	**22,697**	20,897	1160.94%	▲
General Purpose Funding - Rates	6	8,773,693	8,773,693	8,415,915	**8,415,915**	0	0.00%	
General Purpose Funding - Other		488,515	488,515	632,009	**533,394**	(98,615)	(15.60%)	▼
Law, Order and Public Safety		30,700	30,700	22,875	**6,655**	(16,220)	(70.91%)	▼
Health		5,001	5,001	3,334	**5,784**	2,450	73.49%	
Education and Welfare		290,589	290,589	203,257	**140,480**	(62,777)	(30.89%)	▼
Housing		108,750	108,750	72,500	**84,704**	12,204	16.83%	▲
Community Amenities		1,456,116	1,456,116	848,119	**893,935**	45,816	5.40%	
Recreation and Culture		223,220	223,220	171,080	**156,996**	(14,084)	(8.23%)	
Transport		684,996	684,996	528,423	**548,838**	20,415	3.86%	
Economic Services		1,131,437	1,131,437	953,391	**577,122**	(376,269)	(39.47%)	▼
Other Property and Services		26,201	26,201	19,443	**42,672**	23,229	119.47%	▲
		13,222,418	**13,222,418**	**11,872,146**	**11,429,192**	(442,954)		
Expenditure from operating activities								
Governance		(1,945,487)	(1,945,487)	(1,299,556)	**(1,213,967)**	85,589	6.59%	
General Purpose Funding		(429,814)	(429,814)	(263,334)	**(412,085)**	(148,751)	(56.49%)	▼
Law, Order and Public Safety		(435,456)	(435,456)	(296,071)	**(277,855)**	18,216	6.15%	
Health		(506,415)	(506,415)	(370,682)	**(348,779)**	21,903	5.91%	
Education and Welfare		(463,631)	(463,631)	(312,030)	**(211,744)**	100,286	32.14%	▲
Housing		(200,710)	(200,710)	(137,845)	**(145,654)**	(7,809)	(5.67%)	
Community Amenities		(2,200,228)	(2,200,228)	(1,460,865)	**(1,649,868)**	(189,003)	(12.94%)	▼
Recreation and Culture		(3,840,673)	(3,840,673)	(2,683,239)	**(2,368,348)**	314,891	11.74%	▲
Transport		(4,596,814)	(4,634,314)	(3,038,485)	**(3,002,816)**	35,669	1.17%	
Economic Services		(1,393,079)	(1,393,079)	(934,945)	**(710,869)**	224,076	23.97%	▲
Other Property and Services		(35,769)	(35,769)	(23,846)	**(96,100)**	(72,254)	(303.00%)	▼
		(16,048,076)	**(16,085,576)**	**(10,820,898)**	**(10,438,085)**	382,813		
Non-cash amounts excluded from operating activities	1(a)	4,665,664	4,665,664	3,126,074	**2,895,256**	(230,818)	(7.38%)	
Amount attributable to operating activities		**1,840,006**	**1,802,506**	**4,177,322**	**3,886,363**	(290,959)		
Investing Activities								
Proceeds from non-operating grants, subsidies and contributions	12(b)	8,256,462	8,256,462	2,981,510	**484,846**	(2,496,664)	(83.74%)	▼
Proceeds from disposal of assets	7	4,500	4,500	0	**9,750**	9,750	0.00%	
Purchase of property, plant and equipment	8	(25,237,873)	(25,200,373)	(7,969,256)	**(2,819,421)**	5,149,835	64.62%	▲
Amount attributable to investing activities		**(16,976,911)**	**(16,939,411)**	**(4,987,746)**	**(2,324,825)**	2,662,921		
Financing Activities								
Proceeds from New Debentures		15,200,000	15,200,000	0	**0**	0	0.00%	
Transfer from Reserves	10	877,446	877,446	0	**0**	0	0.00%	
Repayment of Debentures	9	(416,743)	(416,743)	0	**0**	0	0.00%	
Principal elements of lease payments		(122,529)	(122,529)	0	**0**	0	0.00%	
Transfer to Reserves	10	(48,397)	(48,397)	0	**0**	0	0.00%	
Amount attributable to financing activities		**15,489,777**	**15,489,777**	**0**	**0**	0		
Closing Funding Surplus / (Deficit)	1(c)	**0**	**0**	**(1,163,296)**	**1,298,595**			

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 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 28 FEBRUARY 2022

NATURE OR TYPE DESCRIPTIONS

REVENUE

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

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS
Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

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

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

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

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

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

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

EXPENSES

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

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

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)
Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

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

LOSS ON ASSET DISPOSAL
Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS
Depreciation expense raised on all classes of assets.

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

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

BY NATURE OR TYPE

	Ref Note	Amended Budget	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		$	$	$	$	$	%	
Opening Funding Surplus / (Deficit)	1(c)	(352,872)	(352,872)	(352,872)	**(262,942)**	89,930	(25.49%)	▲
Revenue from operating activities								
Rates	6	8,773,693	8,773,693	8,698,693	**8,415,915**	(282,778)	(3.25%)	
Operating grants, subsidies and contributions	12(a)	1,773,424	1,773,424	1,293,919	**1,394,445**	100,526	7.77%	▲
Fees and charges		1,979,223	1,979,223	1,214,226	**1,231,821**	17,595	1.45%	▲
Interest earnings		83,250	83,250	54,282	**38,280**	(16,002)	(29.48%)	
Other revenue		611,328	611,328	609,526	**338,981**	(270,545)	(44.39%)	
Profit on disposal of assets	7	1,500	1,500	1,500	**9,750**	8,250	550.00%	
		13,222,418	**13,222,418**	**11,872,146**	**11,429,192**	(442,954)		
Expenditure from operating activities								
Employee costs		(5,661,857)	(5,659,357)	(3,816,862)	**(3,627,320)**	189,542	4.97%	▲
Materials and contracts		(3,867,911)	(3,907,911)	(2,533,165)	**(2,552,170)**	(19,005)	(0.75%)	
Utility charges		(600,310)	(600,310)	(401,698)	**(388,074)**	13,624	3.39%	▲
Depreciation on non-current assets		(4,682,361)	(4,682,361)	(3,121,574)	**(3,043,323)**	78,251	2.51%	▲
Interest expenses		(129,375)	(129,375)	(84,128)	**10,890**	95,018	112.94%	▲
Insurance expenses		(282,135)	(282,135)	(282,135)	**(218,905)**	63,230	22.41%	▲
Other expenditure		(818,127)	(818,127)	(575,336)	**(619,183)**	(43,847)	(7.62%)	
Loss on disposal of assets	7	(6,000)	(6,000)	(6,000)	**0**	6,000	100.00%	
		(16,048,076)	**(16,085,576)**	**(10,820,898)**	**(10,438,085)**	382,813		▲
Non-cash amounts excluded from operating activities	1(a)	4,665,664	4,665,664	3,126,074	**2,895,256**	(230,818)	(7.38%)	
Amount attributable to operating activities		**1,840,006**	**1,802,506**	**4,177,322**	**3,886,363**	(290,959)		
Investing activities								
Non-operating grants, subsidies and contributions	12(b)	8,256,462	8,256,462	2,981,510	**484,846**	(2,496,664)	(83.74%)	
Proceeds from disposal of assets	7	4,500	4,500	0	**9,750**	9,750	0.00%	
Payments for property, plant and equipment	8	(25,237,873)	(25,200,373)	(7,969,256)	**(2,819,421)**	5,149,835	(64.62%)	▲
Amount attributable to investing activities		**(16,976,911)**	**(16,939,411)**	**(4,987,746)**	**(2,324,825)**	2,662,921		▲
Financing Activities								
Proceeds from new debentures		15,200,000	15,200,000	0	**0**	0	0.00%	
Transfer from reserves	10	877,446	877,446	0	**0**	0	0.00%	
Repayment of debentures	9	(416,743)	(416,743)	0	**0**	0	0.00%	
Principal elements of lease payments		(122,529)	(122,529)	0	**0**	0	0.00%	
Transfer to reserves	10	(48,397)	(48,397)	0	**0**	0	0.00%	
Amount attributable to financing activities		**15,489,777**	**15,489,777**	**0**	**0**	0		
Closing Funding Surplus / (Deficit)	1(c)	**0**	**0**	**(1,163,296)**	**1,298,595**			

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.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 1
STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(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.

Non-cash items excluded from operating activities	Notes	30 June 2020	Adopted Budget	YTD Budget (a)	YTD Actual (b)
			$	$	$
Adjustments to operating activities					
Less: Profit on asset disposals		(5,455)	(1,500)	(1,500)	(9,750)
Movement in accrued interest on long term borrowings		(2,567)	(21,197)	0	(21,197)
Movement in employee benefit provisions (current)		71,791	0	0	(64,449)
Movement in employee benefit provisions (non-current)		(11,772)	0	0	0
Movement in pensioner deferred rates (non-current)					(52,672)
Movement in lease liabilities (current)		0	0	0	0
Movement in right of use assets		0	0	0	0
Add: Loss on asset disposals		100,603	6,000	6,000	0
Add: Depreciation on assets		4,601,235	4,682,361	3,121,574	3,043,323
Total non-cash items excluded from operating activities		**4,753,835**	**4,665,664**	**3,126,074**	**2,895,256**

(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 Jun 2021	This Year Opening 01 Jul 2021	This Time Last Year 27 Feb 2021	Year to Date 28 Feb 2022
Adjustments to net current assets					
Less: Reserves - restricted cash	10	(1,065,502)	(588,938)	(1,035,502)	(1,065,502)
Less: Accrued Interest on Long Term Borrowings		21,197	0	0	0
Less: Accrued Salaries & Wages		0	0	(59,389)	(64,449)
Add: Borrowings	9	300,036	298,544	68,858	300,036
Add: Lease Laibilities	9	92,363	46,346	47,728	44,687
Add: Provisions - employee	11	363,871	256,067	284,222	363,871
Total adjustments to net current assets		(288,035)	12,019	(694,084)	(421,356)

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

Current assets					
Cash and cash equivalents	2	1,336,216	975,854	4,560,016	2,821,097
Rates receivables	3	1,185,607	697,851	1,846,063	1,409,415
Receivables	3	703,170	137,275	158,827	314,595
Other current assets	4	9,171	9,298	15,350	152,235
Less: Current liabilities					
Payables	5	(1,897,744)	(1,231,340)	(704,969)	(894,505)
Borrowings	9	(300,036)	(298,544)	(68,858)	(300,036)
Contract liabilities	11	(555,057)	0	0	(1,349,673)
Lease liabilities	11	(92,363)	(46,346)	0	(69,307)
Provisions	11	(363,871)	(256,067)	(284,222)	(363,871)
Less: Total adjustments to net current assets	1(c)	(288,035)	12,019	(694,084)	(421,356)
Closing Funding Surplus / (Deficit)		(262,942)	0	4,828,122	1,298,595

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.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 2
CASH AND FINANCIAL ASSETS

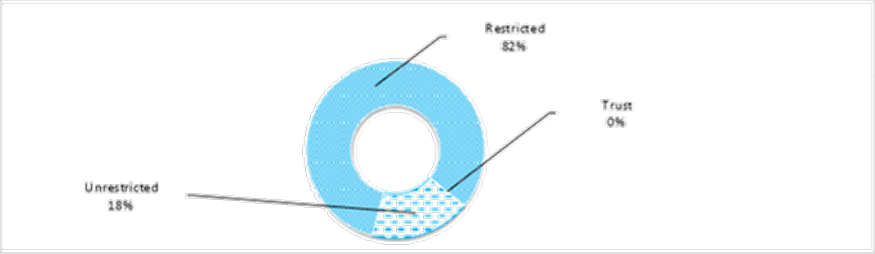
Description	Classification	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
		$	$	$	$			
Cash on hand								
MUNICIPAL CASH AT BANK	Cash and cash equivalents	517,821	1,850,000		2,367,821	ANZ	0.01%	N/A
CASH ON HAND	Cash and cash equivalents	1,212			1,212	N/A	0.00%	N/A
NAB TERM DEPOSIT	Cash and cash equivalents	0	8		8	NAB	0.01%	On Call
CBA TERM DEPOSIT	Cash and cash equivalents	0	452,056		452,056	CBA	0.17%	On Call
Total		**519,033**	**2,302,064**	**0**	**2,821,097**			
Comprising								
Cash and cash equivalents		519,033	2,302,064	0	2,821,097			
Financial assets at amortised cost		0	0	0	0			
		519,033	**2,302,064**	**0**	**2,821,097**			

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.



Total Cash	Unrestricted
$2.82 M	$.52 M

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

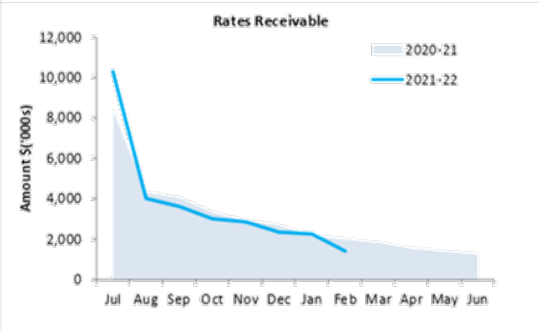
Rates Receivable	30 June 2021	28 Feb 22
	$	$
Opening Arrears Previous Years	1,259,604	1,185,607
Levied this year	8,126,028	8,415,915
Less - Collections to date	(8,200,025)	(8,192,107)
Equals Current Outstanding	**1,185,607**	**1,409,415**
Net Rates Collectable	**1,185,607**	**1,409,415**
% Collected	87.4%	85.3%

Receivables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Receivables - General	0	133,765	37,746	21,206	194,252	386,969
Percentage	0%	34.6%	9.8%	5.5%	50.2%	
Balance per Trial Balance						
Sundry receivable						205,013
GST receivable						169,379
Allowance for impairment of receivables						(160,916)
Prepayments						181,956
Emergency Services Levy						(97,505)
Pensioner Rebates						16,668
Total Receivables General Outstanding						**314,595**

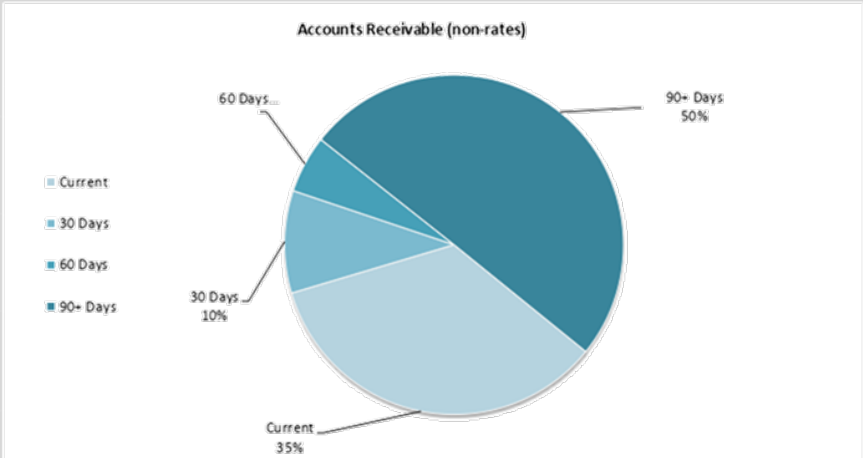
Amounts shown above include GST (where applicable)

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 uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Collected	Rates Due
85.3%	$1,409,415



Debtors Due
$314,595

Over 30 Days
66%

Over 90 Days
50.2%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 4
OTHER CURRENT ASSETS

Other Current Assets	Opening Balance 1 July 2021	Asset Increase	Asset Reduction	Closing Balance 28 February 2022
	$	$	$	$
Inventory				
Museum Memorabilia & Giftware	9,171	143,064	0	152,235
Total Other Current assets				**152,235**

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land held for resale

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

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

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

CONTRACT ASSETS

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

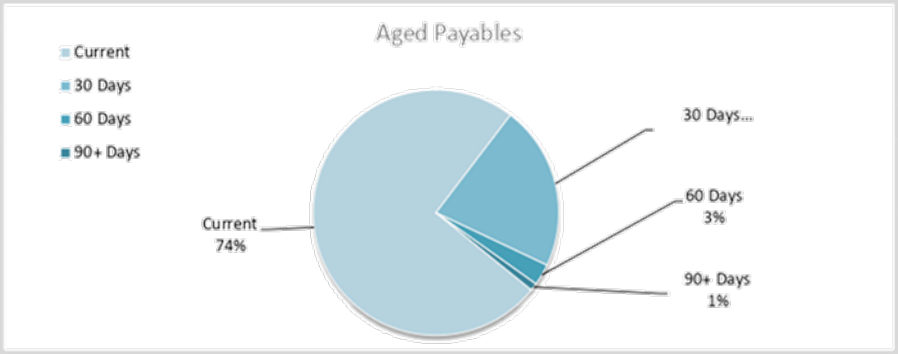
OPERATING ACTIVITIES
NOTE 5
Payables

Payables - General	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Payables - General	0	382,921	111,397	14,490	4,991	513,799
Percentage	0%	74.5%	21.7%	2.8%	1%	
Balance per Trial Balance						
Sundry creditors						593,090
Accrued salaries and wages						(64,449)
ATO liabilities						62,150
Prepaid Rates						181,956
Bonds & Deposits						121,757
Total Payables General Outstanding						**894,504**

Amounts shown above include GST (where applicable)

KEY INFORMATION

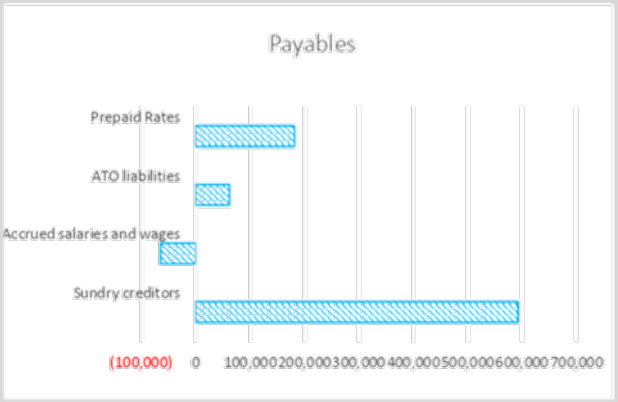
Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are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

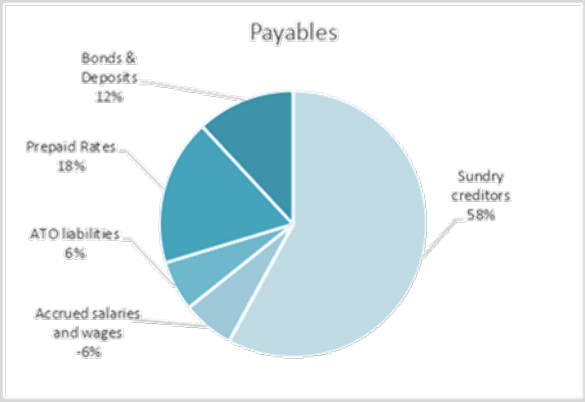


Creditors Due
$894,504

Over 30 Days
26%

Over 90 Days
1%



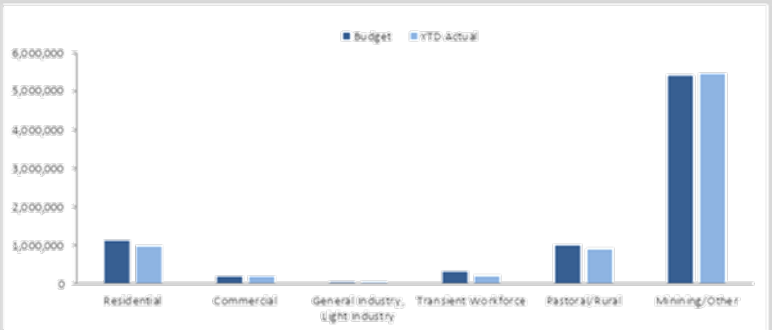


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

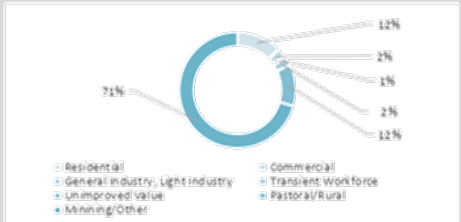
OPERATING ACTIVITIES
NOTE 6
RATE REVENUE

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				$	$	$	$	$	$	$	$
Differential General Rate											
Gross Rental Value											
Residential	0.077556	1,046	12,482,548	968,096	150,000	0	1,118,096	968,096	335	0	968,431
Commercial	0.077556	39	2,403,111	186,376	0	0	186,376	186,376	0	0	186,376
General Industry, Light Industry	0.077556	46	525,789	40,778	0	0	40,778	40,778	0	0	40,778
Transient Workforce	0.152009	3	1,251,500	190,239	126,000	0	316,239	190,239	0	0	190,239
Unimproved Value											
Pastoral/Rural	0.11261	29	8,863,063	998,070	0	0	998,070	998,070	(56,677)	(48,890)	892,503
Mining/Other	0.22129	1,187	24,437,196	5,407,609	0	0	5,407,609	5,407,609	47,178	(2,188)	5,452,599
Sub-Total		**2,350**	**49,963,207**	**7,791,168**	**276,000**	**0**	**8,067,168**	**7,791,168**	**(9,164)**	**(51,078)**	**7,730,926**
Minimum Payment	**Minimum $**										
Gross Rental Value											
Residential	721	586	3,871,330	422,506	0	0	422,506	422,506	0	0	422,506
Commercial	721	33	117,029	23,793	0	0	23,793	23,793	0	0	23,793
General Industry, Light Industry	721	43	213,673	31,003	0	0	31,003	31,003	0	0	31,003
Transient Workforce	1,413	0	0	0	0	0	0	0	0	0	0
Unimproved Value											
Pastoral/Rural	697	14	593,140	9,758			9,758	9,758			9,758
Mining/Other	445	537	13,500	238,965			238,965	238,965			238,965
Sub-Total		**1,213**	**4,808,671**	**726,025**	**0**	**0**	**726,025**	**726,025**	**0**	**0**	**726,025**
Concessions							(19,500)				(41,036)
Amount from General Rates							**8,773,693**				**8,415,915**
Total General Rates							**8,773,693**				**8,415,915**

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



General Rates		
Budget	**YTD Actual**	**%**
$8.77 M	**$8.42 M**	**0.9592**

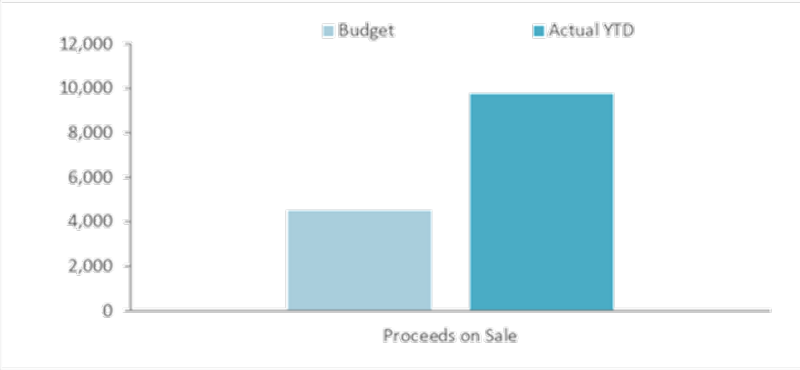


NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 7
DISPOSAL OF ASSETS

		Budget				YTD Actual			
Asset Ref.	Asset Description	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		$	$	$	$	$	$	$	$
	Plant and equipment								
	Transport								
P257	Toro Mower	0	1,500	1,500	0	0	0	0	0
P315	Toro Mower	4,500	1,500	0	(3,000)	0	0	0	0
P317	Toro Mower	4,500	1,500	0	(3,000)	0	0	0	0
P335	Mitsubishi Triton Utility	0	0	0	0	0	9,750	9,750	0
		9,000	**4,500**	**1,500**	**(6,000)**	**0**	**9,750**	**9,750**	**0**

KEY INFORMATION



Proceeds on Sale		
Annual Budget	YTD Actual	%
$4,500	$9,750	217%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

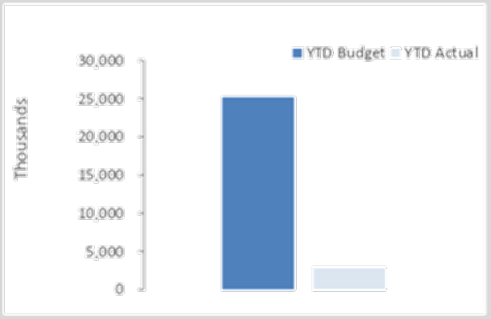
INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital Acquisitions	Amended Budget	Adopted Original Budget	YTD Budget	YTD Actual	YTD Actual Variance
		$	$	$	$
Land & Buildings	11,603,270	11,603,270	1,938,270	893,413	1,044,856
Furniture and equipment	30,000	30,000	20,000	24,961	(4,961)
Plant and equipment	1,184,500	1,184,500	184,500	124,241	60,259
Infrastructure - Roads	2,056,603	2,019,103	1,593,653	587,003	1,006,650
Infrastructure - Footpaths	50,000	50,000	0	14,224	(14,224)
Infrastructure - Drainage	65,000	65,000	15,000	9,700	5,300
Infrastructure - Parks & Ovals	85,000	85,000	0	12,650	(12,650)
Infrastructure - Sewerage	20,000	20,000	0	0	0
Infrastructure - Other Infrastructure	10,143,500	10,143,500	4,217,833	1,153,229	3,064,604
Capital Expenditure Totals	25,237,873	25,200,373	7,969,256	2,819,421	5,149,835
Capital Acquisitions Funded By:					
		$	$	$	$
Capital grants and contributions	8,256,462	8,256,462	2,981,510	484,846	(2,496,664)
Borrowings	15,200,000	15,200,000	0	0	0
Other (Disposals & C/Fwd)	4,500	4,500	0	9,750	9,750
Cash Backed Reserves					
Road Reserve	62,537	118,499	0	0	0
Infrastructure Reserve	0	500,000	0	0	0
Recreation Reserve	0	250,000	0	0	0
Land & Building Reserve		199,449		0	0
Plant Reserve	154,500	377,364	0	0	0
Sewerage Reserve		100,000		0	0
Landfill Reserve	84,798	268,000	0	0	0
Environmental Reserve	276,162	300,000	0	0	0
Aerodrome Reserve	0	129,000	0	0	0
Contribution - operations	1,198,914	(502,901)	4,987,746	2,324,825	(2,662,921)
Capital Funding Total	25,237,873	25,200,373	7,969,256	2,819,421	(5,149,835)

SIGNIFICANT ACCOUNTING POLICIES

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

KEY INFORMATION



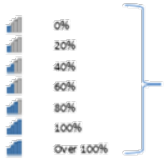
Acquisitions	Annual Budget	YTD Actual	% Spent
	$25.2 M	$2.82 M	11%

Capital Grant	Annual Budget	YTD Actual	% Received
	$8.26 M	$.48 M	6%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS (CONTINUED)

Capital Expenditure Total
Level of Completion Indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

% of Completion

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

		Account Description	Amended Budget	Original Budget	YTD Budget	YTD Actual	Variance (Under)/Over
	Land & Buildings						
	C13086	Kambalda Shire Administration Office	50,000	50,000	0	0	0
	C13015	West Oval Lighting	0	0	0	0	0
	C13097	Housing & Workers Accommodation	9,000,000	9,000,000	0	0	0
	C13087	Kambalda Gym Disabled Access	15,000	15,000	0	13,398	(13,398)
	C13090	Coolgardie Recreation Centre - Distribution Board	20,000	20,000	0	17,056	(17,056)
	C13094	Coolgardie Recreation Centre - Stadium Floor	10,000	10,000	0	0	0
57%	C13039	Coolgardie Cultural & Community Hub	1,388,270	1,388,270	1,388,270	789,235	599,034
	C13051	Industrial Subdivision	20,000	20,000	0	1,865	(1,865)
	C13100	Land Development	500,000	500,000	0	0	0
5%	INS348	Coolgardie Storm Damage - Stage 2	450,000	450,000	450,000	23,442	426,558
48%	INS349	Coolgardie Storm Damage - Stage 3	150,000	150,000	100,000	48,417	51,583
46%	**Total Land & Buildings**		**11,603,270**	**11,603,270**	**1,938,270**	**893,413**	**1,044,856**
	Furniture & Equipment						
125%	C04003	IT Upgrades And Replacements	30,000	30,000	20,000	24,961	(4,961)
125%	**Total Furniture & Equipment**		**30,000**	**30,000**	**20,000**	**24,961**	**(4,961)**
	Plant & Equipment						
	C12039	Replacement of P257 - Toro Mower	27,000	27,000	27,000	0	27,000
	C12040	Replacement of P315 - Toro Mower	31,000	31,000	31,000	0	31,000
	C12053	Replacement of P317 - Toro Mower	31,500	31,500	31,500	0	31,500
	C12049	Aerator	15,000	15,000	15,000	13,690	1,310
	C12061	Generator	25,000	25,000	25,000	24,622	378
	C12067	Generator	25,000	25,000	25,000	24,622	378
	C12069	Pool Managers Vehicle	0	0	0	0	0
	C13075	Ford Ranger	0	0	0	60,618	(60,618)
	C13078	Small Plant Purchases	30,000	30,000	30,000	689	29,311
	C13098	Tyre Shredder	1,000,000	1,000,000	0	0	0
67%	**Total Plant & Equipment**		**1,184,500**	**1,184,500**	**184,500**	**124,241**	**60,259**

% of Completion		Level of completion indicator, please see table at the end of this note for further detail.	Account Description	Amended Budget	Original Budget	YTD Budget	YTD Actual	Variance (Under)/Over
		Infrastructure - Roads						
17%		RRG002	Coolgardie North Road Construction	150,000	150,000	150,000	24,866	125,134
		R002	Coolgardie North Road Construction	37,200	37,200	0	44,820	(44,820)
		R005	Victoria Rocks Road	0	0	0	0	0
		R006	Ora Banda Road	0	145,500	0	0	0
79%		RRG052	Jaurdi Hills Road	150,000	150,000	150,000	118,801	31,199
12%		R052	Jaurdi Hills Road	59,600	59,600	59,600	7,267	52,333
38%		R138	Tip Road Coolgardie	170,000	170,000	170,000	65,091	104,909
		R153	Bayley Street	55,500	55,500	0	0	0
1%		R155	Cave Hill Road	420,000	420,000	210,000	1,725	208,275
113%		RTR155	Cave Hill Road	183,000	0	182,750	205,652	(22,902)
23%		R156	Carins Road Construct	511,304	511,304	511,304	118,781	392,523
		R018	Sharp Road (Karrawang)	320,000	320,000	160,000	0	160,000
37%		**Total Infrastructure - Roads**		**2,056,603**	**2,019,103**	**1,593,653**	**587,003**	**1,006,650**
		Infrastructure - Footpaths						
		RF001	Footpath Construction - Renewal	50,000	50,000	0	14,224	(14,224)
		Total Infrastructure - Footpaths		**50,000**	**50,000**	**0**	**14,224**	**(14,224)**
		Infrastructure - Drainage						
		RD001	Drainage Construction - Renewal	50,000	50,000	0	0	0
		RD500	Drainage Construction - Renewal	0	0	0	9,700	(9,700)
		C13055	Drainage Construction - Renewal	15,000	15,000	15,000	0	15,000
65%		**Total Infrastructure - Drainage**		**65,000**	**65,000**	**15,000**	**9,700**	**5,300**
		Infrastructure - Sewerage						
		C10015	Sewerage Fencing	20,000	20,000	0	0	0
		Total Infrastructure - Sewerage		**20,000**	**20,000**	**0**	**0**	**0**
		Infrastructure - Parks & Ovals						
		C11130	Kambalda Entry Statement	0	0	0	0	0
		C11134	Coolgardie Water Park	0	0	0	11,650	(11,650)
		C13081	Kambalda East Nature Playground	85,000	85,000	0	1,000	(1,000)
		Total Infrastructure - Parks & Ovals		**85,000**	**85,000**	**0**	**12,650**	**(12,650)**
		Infrastructure - Other Infrastructure						
95%		C11012	Coolgardie Pool Refurbishment	100,000	100,000	100,000	95,314	4,686
74%		C13028	Coolgardie Transit Park - Driver Reviver	208,500	208,500	69,500	51,574	17,926
17%		C13042	Christmas Decorations	10,000	10,000	10,000	1,655	8,345
		C11014	Kambalda Pool Refurbishment	0	0	0	64,774	(64,774)
		C13101	Coolgardie Horse Undercover Area	75,000	75,000	75,000	0	75,000
		RS004	Kambalda Refuse Site - Siteworks	100,000	100,000	33,333	0	33,333
		C12901	Kambalda Airstrip Generator	0	0	0	38,921	(38,921)
		C13080	Kambalda Airstrip Generator	0	0	0	0	0
34%		RS005	Coolgardie Refuse Site	2,500,000	2,500,000	2,500,000	860,216	1,639,784
		RS008	Waste Sorting Facility	4,950,000	4,950,000	990,000	0	990,000
9%		RS009	Waste Sorting Facility	2,200,000	2,200,000	440,000	40,776	399,224
27%		**Total Infrastructure - Other Infrastructure**		**10,143,500**	**10,143,500**	**4,217,833**	**1,153,229**	**3,064,604**
35%		**Grand Total**		**25,237,873**	**25,200,373**	**7,969,256**	**2,819,421**	**5,149,835**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

FINANCING ACTIVITIES
NOTE 9
BORROWINGS

Repayments - Borrowings

Information on Borrowings		New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	1 July 2021	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	$	$	$	$	$	$	$	$	$
Housing									
Housing & Workers Accommodation	0	0	9,000,000	0	0	0	9,000,000	0	0
Community amenities									
Coolgardie Class 3 Facility	0	0	2,500,000	0	116,707	0	2,383,293	0	34,963
Tyre Shredder	0	0	1,000,000	0	0	0	1,000,000	0	0
Recycling Facility	0	0	2,200,000	0	0	0	2,200,000	0	0
Recreation and culture									
Loan 112 - Coolgardie Aquatic Facilities	168,621	0	0	0	41,212	168,621	127,409	5,995	5,995
Loan 114 - Kambalda Aquatic Facilities	1,732,511	0	0	0	180,119	1,732,511	1,552,392	32,417	42,735
Loan 115 - Kambalda Aquatic Facilities	602,110	0	0	0	57,642	602,110	544,468	7,646	10,106
Economic services									
Loan 113 - Coolgardie Post Office	399,262	0	0	0	21,063	399,262	378,199	11,151	22,032
Other property and services									
Land Development	0	0	500,000	0	0	0	500,000	0	0
	2,902,504	0	15,200,000	0	416,743	2,902,504	17,685,761	57,208	115,830
Total	2,902,504	0	15,200,000	0	416,743	2,902,504	17,685,761	57,208	115,830
Current borrowings	416,743					300,036			
Non-current borrowings	2,485,761					2,602,468			
	2,902,504					2,902,504			

All debenture repayments were financed by general purpose revenue.

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.



Principal Repayments
$0

Interest Earned	Interest Expense
$38,280	$57,208

Reserves Bal	Loans Due
$1.07 M	$2.9 M

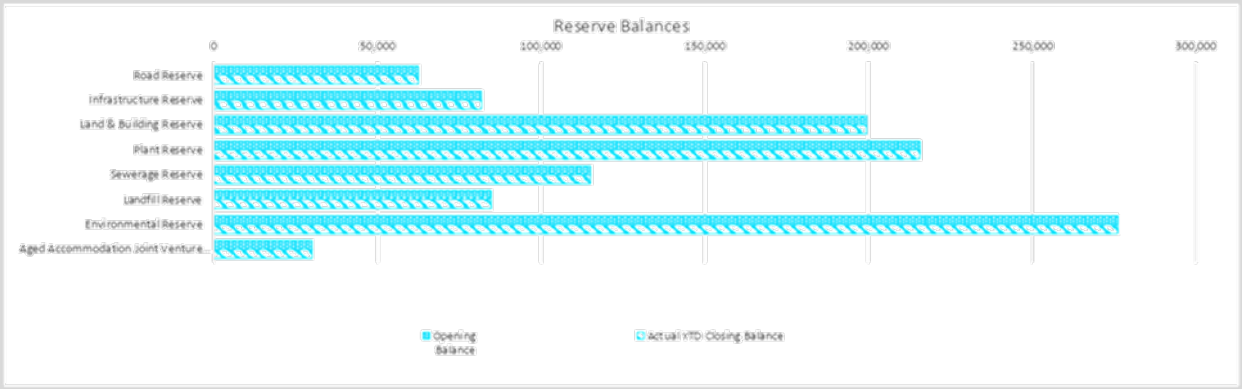
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 10
CASH RESERVES

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Amended Budget Transfers In (+)	Actual Transfers In (+)	Amended Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	$	$	$	$	$	$	$	$	$
Road Reserve	62,537	0	0	0	0	(62,537)	0	0	62,537
Infrastructure Reserve	81,802	0	0	3,897	0	0	0	85,699	81,802
Land & Building Reserve	199,449	0	0	0	0	(199,449)	0	0	199,449
Plant Reserve	215,668	0	0	4,500	0	(154,500)	0	65,668	215,668
Sewerage Reserve	115,086	0	0	40,000	0	(100,000)	0	55,086	115,086
Landfill Reserve	84,798	0	0	0	0	(84,798)	0	0	84,798
Environmental Reserve	276,162	0	0	0	0	(276,162)	0	0	276,162
Aged Accommodation Joint Venture Reserve	30,000	0	0	0	0	0	0	30,000	30,000
	1,065,502	0	0	48,397	0	(877,446)	0	236,453	1,065,502

KEY INFORMATION



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

OPERATING ACTIVITIES
NOTE 11
OTHER CURRENT LIABILITIES

Other Current Liabilities	Note	Opening Balance 1 July 2021	Liability Increase	Liability Reduction	Closing Balance 28 February 2022
		$	$	$	$
Provisions					
Annual leave		251,341	0	0	251,341

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at 11(a) and 11(b)

KEY INFORMATION

PROVISIONS

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

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

EMPLOYEE BENEFITS

Short-term employee benefits

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

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

Other long-term employee benefits

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

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 12(a)
OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Operating Grant, Subsidies and Contributions Liability					Unspent Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Current Liability 30-Jun	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual
	$	$	$	$	$	$	$	$	$	$	$
Operating Grants and Subsidies											
Governance											
Australia Day Grant	0	0	0		0	0	0	0	0	0	16,000
General purpose funding											
Grants Commission - General Purpose	0	0	0		0	255,665	191,749	255,665	0	255,665	218,752
Law, order, public safety											
DFES Operating Grants	0	0	0		0	12,900	10,675	12,900	0	12,900	11,263
Education and welfare											
Kambalda CRC	0	0	0		0	113,072	75,479	113,072	0	113,072	55,459
Kambalda Centrelink	0	0	0		0	5,300	5,300	5,300	0	5,300	5,040
Coolgardie CRC	0	0	0		0	143,117	107,078	143,117	0	143,117	53,166
Recreation and culture											
Kambalda Recreation Centre Trainee	0	0	0		0	35,000	35,000	35,000	0	35,000	0
Youth Grant	0	0	0		0	0	0	0	0	0	1,650
Transport											
Main Roads Direct Grant	0	0	0		0	128,000	128,000	128,000	0	128,000	133,998
Grants Commission - Road Component	0	0	0		0	234,958	176,219	234,958	0	234,958	197,942
Economic services											
Cashless Card Scheme	0	0	0		0	251,000	167,333	251,000	0	251,000	130,616
CDC Program	0	0	0		0	200,000	133,333	200,000	0	200,000	87,152
	0	**0**	**0**	**0**	**0**	**1,379,012**	**1,030,166**	**1,379,012**	**0**	**1,379,012**	**911,038**
Operating Contributions											
Governance											
Various Reimbursements	0	0	0		0	1,200	800	1,200	0	1,200	0
Donations Received	0	0	0		0	2,000	1,000	2,000	0	2,000	0
Donations Received	0	0	0		0	0	0	0	0	0	3,636
GVROC Reimbursements	0	0	0		0	0	0	0	0	0	2,901
General purpose funding											
Reimbursements - Rates Recovery	0	0	0		0	100,000	60,000	100,000	0	100,000	216,082
Northern Star Camp	0	0	0		0	0	0	0	0	0	16,901
Diesel Rebates	0	0	0		0	18,000	12,000	18,000	0	18,000	9,032
Health											
BHP - Covid vaccinations	0	0	0		0	0	0	0	0	0	1,818
Education and welfare											
Goldfields - Meals on Wheels	0	0	0		0	24,000	12,000	24,000	0	24,000	24,255
Services Australia	0	0	0		0	0	0	0	0	0	720
Housing											
Aged Accommodation Reimbursements	0	0	0		0	0	0	0	0	0	273
Aged Accommodation Reimbursements	0	0	0		0	0	0	0	0	0	99
Aged Accommodation Reimbursements	0	0	0		0	0	0	0	0	0	61
Community amenities											
Staff Vehicle Contributions	0	0	0		0	0	0	0	0	0	3,500
Recreation and culture											
Men's Shed	0	0	0		0	400	400	400	0	400	6,003
Kambalda Recreation Centre Reimbursements	0	0	0		0	1,500	1,500	1,500	0	1,500	0
Sponsorship - What's on down the track	0	0	0		0	5,000	5,000	5,000	0	5,000	0
Haulage Campaign Funds	0	0	0		0	216,038	156,038	216,038	0	216,038	154,467
Street Lighting Subsidy	0	0	0		0	4,500	0	4,500	0	4,500	0
Economic services											
Mystery Road Contribution	0	0	0		0	0	0	0	0	0	5,000
Donations Received	0	0	0		0	1,500	1,500	1,500	0	1,500	989
Other property and services											
Goldfields Records Facility	0	0	0		0	20,274	13,516	20,274	0	20,274	16,100
Workers Compensation	0	0	0		0	0	0	0	0	0	21,569
	0	**0**	**0**	**0**	**0**	**394,412**	**263,754**	**394,412**	**0**	**394,412**	**483,407**
TOTALS	**0**	**0**	**0**	**0**	**0**	**1,773,424**	**1,293,919**	**1,773,424**	**0**	**1,773,424**	**1,394,445**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 12(b)
NON-OPERATING GRANTS AND CONTRIBUTIONS

Provider	Unspent Non Operating Grants, Subsidies and Contributions Liability					Non Operating Grants, Subsidies and Contributions Revenue					
	Liability 1-Jul	Increase in Liability	Liability Reduction (As revenue)	Liability 30-Jun	Current Liability 30-Jun	Adopted Budget Revenue	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual (b)
	$	$	$	$	$	$	$	$	$	$	$
Non-Operating Grants and Subsidies											
Health											
St John's Primary Health Alliance	0	0	0		0	0	0	0	0	0	100,000
Community amenities											
Waste Sorting Facility	0	0	0		0	4,500,000	0	4,500,000	0	4,500,000	0
Transport											
Department of Communities & Infrastructure	0	0	0		0	1,014,258	701,936	1,014,258	0	1,014,258	0
Regional Road Group	0	0	0		0	518,153	414,522	518,153	0	518,153	247,261
Roads to Recovery	0	0	0		0	375,100	375,100	375,100	0	375,100	0
Economic services											
Post Office Development - Lotterwest	0	0	0		0	200,461	(369,029)	200,461	0	200,461	137,585
Post Office Development - RED Grant	0	0	0		0	100,000	0	100,000	0	100,000	0
Kambalda East Nature Playground - Election Promise	0	0	0		0	60,000	0	60,000	0	60,000	0
DPIRD - Coolgardie Horse Undercover Area	0	0	0		0	75,000	824,490	75,000	0	75,000	0
Post Office Complex - Heritage Council	0	0	0		0	20,000	0	20,000	0	20,000	0
Coolgardie Truck Bay Driver Reviver	0	0	0		0	149,000	0	149,000	0	149,000	0
Post Office Complex - Building Better Regions	0	0	0		0	824,490	824,490	824,490	0	824,490	0
	0	**0**	**0**	**0**	**0**	**7,836,462**	**2,771,510**	**7,836,462**	**0**	**7,836,462**	**484,846**
Non-Operating Contributions											
Transport											
Mining Contributions	0	0	0		0	420,000	210,000	420,000	0	420,000	0
	0	**0**	**0**	**0**	**0**	**420,000**	**210,000**	**420,000**	**0**	**420,000**	**0**
Total Non-operating grants, subsidies and contributions	**0**	**0**	**0**	**0**	**0**	**8,256,462**	**2,981,510**	**8,256,462**	**0**	**8,256,462**	**484,846**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 13
TRUST FUND

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

Description	Opening Balance 1 July 2021	Amount Received	Amount Paid	Closing Balance 28 Feb 2022
	$	$	$	$
Nil	0	0	0	0
	0	0	0	0

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2022

NOTE 14
BUDGET AMENDMENTS

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

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				$	$	$	$
	Budget Adoption		Opening Surplus(Deficit)				0
	Actual Opening Surplus per audited financial report	Proposed			89,929		89,929
030175	Interim Rates	Proposed	Operating Income			(150,000)	(60,071)
030177	Interim Rates	Proposed	Operating Income			(126,000)	(186,071)
030184	Interim Rates	Proposed	Operating Income			(50,000)	(236,071)
030185	Rates Penalty Interest	Proposed	Operating Income			(30,000)	(266,071)
030186	Rates Instalment Interest	Proposed	Operating Income		12,000		(254,071)
030189	Rates Recovery Legal Fees	Proposed	Operating Income		200,000		(54,071)
030100	Rates - Payroll & Associated Costs	Proposed	Operating Expenditure			(200,000)	(254,071)
030275	Grants Commission - General Purpose	Proposed	Operating Income		36,004		(218,067)
030279	Other General Purpose Funding	Proposed	Operating Income		16,901		(201,166)
040100	Executive Services - Members of Council	Proposed	Operating Expenditure		57,964		(143,202)
040107	Members Contributions	Proposed	Operating Expenditure		19,500		(123,702)
040110	Human Resources & Associated Costs	Proposed	Operating Expenditure		47,000		(76,702)
040120	Consultancy Governance	Proposed	Operating Expenditure			(100,000)	(176,702)
050208	Animal Control - Coolgardie	Proposed	Operating Expenditure			(14,500)	(191,202)
050209	Animal Control - Kambalda	Proposed	Operating Expenditure		14,500		(176,702)
050308	Other Law Order and Public Safety	Proposed	Operating Expenditure			(20,000)	(196,702)
050312	Emergency Services	Proposed	Operating Expenditure		20,000		(176,702)
070113	Health Services	Proposed	Operating Expenditure			(60,440)	(237,142)
070174	Grant Funding for Health Services	Proposed	Operating Income		50,000		(187,142)
070750	Covid-19 Income	Proposed	Operating Income		1,818		(185,324)
070710	COVID-19 Operating Costs	Proposed	Operating Expenditure			(6,000)	(191,324)
080610	Youth Services	Proposed	Operating Expenditure		20,000		(171,324)
080409	Senior Citizens	Proposed	Operating Expenditure		10,000		(161,324)
080710	Coolgardie Resource Centre	Proposed	Operating Expenditure		22,000		(139,324)
090205	Other Housing Operating Costs	Proposed	Operating Expenditure			(2,000)	(141,324)
100174	Income - Bin Services (Residential)	Proposed	Operating Income		13,180		(128,144)
100175	Kambalda Tip Income	Proposed	Operating Income		60,000		(68,144)
100177	Contract Waste Income	Proposed	Operating Income			(100,000)	(168,144)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				$	$	$	$
100274	Income - Bin Services (Residential)	Proposed	Operating Income			(19,371)	(187,515)
100276	Grant Income - Sanitation	Proposed	Capital Income			(4,500,000)	(4,687,515)
100108	Refuse Sites	Proposed	Operating Expenditure			(228,000)	(4,915,515)
100374	Sewerage Income	Proposed	Operating Income			(897)	(4,916,411)
100308	Coolgardie Sewerage	Proposed	Operating Expenditure		20,000		(4,896,411)
100408	Urban Drainage	Proposed	Operating Expenditure		20,000		(4,876,411)
100668	Town Planning & Development Fees	Proposed	Operating Income		6,000		(4,870,411)
100709	Public Conveniences - Kambalda	Proposed	Operating Expenditure		6,000		(4,864,411)
100709	Public Conveniences - Coolgardie	Proposed	Operating Expenditure			(6,000)	(4,870,411)
110300	Coolgardie Swimming Pool	Proposed	Operating Expenditure		25,000		(4,845,411)
110400	Kambalda Swimming Pool	Proposed	Operating Expenditure			(25,000)	(4,870,411)
110508	Parks and Gardens Coolgardie	Proposed	Operating Expenditure			(5,600)	(4,876,011)
110515	Parks and Reserves Kambalda West	Proposed	Operating Expenditure		77,500		(4,798,511)
110516	Parks and Reserves Kambalda East	Proposed	Operating Expenditure			(4,500)	(4,803,011)
110800	Coolgardie Recreation Centre - Operating	Proposed	Operating Expenditure		15,000		(4,788,011)
110801	Coolgardie Recreation Centre Income	Proposed	Operating Income		5,000		(4,783,011)
110900	Kambalda Recreation Centre - Operating	Proposed	Operating Expenditure			(25,000)	(4,808,011)
110901	Kambalda Recreation Centre Income	Proposed	Operating Income		30,000		(4,778,011)
110908	Kambalda Recreation Centre Activities	Proposed	Operating Expenditure		3,000		(4,775,011)
111007	TV & Broadcasting Costs	Proposed	Operating Expenditure			(2,500)	(4,777,511)
111174	Community Development Income	Proposed	Operating Income		5,000		(4,772,511)
111100	Community Development	Proposed	Operating Expenditure		40,000		(4,732,511)
111114	Community Development & Culture	Proposed	Operating Expenditure			(5,000)	(4,737,511)
120205	Income Roads - Contributions	Proposed	Operating Income			(420,000)	(5,157,511)
120206	Main Roads Direct Grant	Proposed	Operating Income		5,998		(5,151,513)
120220	Grants Commission - Roads Component	Proposed	Operating Income		28,965		(5,122,548)
120275	Income - Limited Cartage Campaign	Proposed	Operating Income		100,000		(5,022,548)
120210	Road Maintenance	Proposed	Operating Expenditure		100,000		(4,922,548)
120215	Street Own Resources	Proposed	Operating Expenditure			(11,000)	(4,933,548)
120217	Footpath Maintenance	Proposed	Operating Expenditure		19,000		(4,914,548)
120221	Streets (non RTR related)	Proposed	Operating Expenditure			(119,000)	(5,033,548)
130270	Visitors Centre Income	Proposed	Operating Income		5,000		(5,028,548)
130208	Tourism & Area Promotion	Proposed	Operating Expenditure		17,000		(5,011,548)
130210	Lookout & Information Bays	Proposed	Operating Expenditure		13,500		(4,998,048)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				$	$	$	$
130676	Post Office Complex Income	Proposed	Operating Income		1,150,000		(3,848,048)
130730	Cashless Card Income	Proposed	Operating Income		7,263		(3,840,785)
130735	CDC Support Hub	Proposed	Operating Income		15,909		(3,824,876)
130617	Other Buildings & Facilities	Proposed	Operating Expenditure		4,000		(3,820,876)
130640	CDC Support Hub	Proposed	Operating Expenditure			(115,909)	(3,936,785)
130320	Building Control	Proposed	Operating Expenditure		10,000		(3,926,785)
040200	Administration Employee Costs	Proposed	Operating Expenditure		40,000		(3,886,785)
040204	IT & Associated Costs	Proposed	Operating Expenditure		40,000		(3,846,785)
040220	Subscriptions & Consultants	Proposed	Operating Expenditure			(40,000)	(3,886,785)
140308	Fuel & Oils	Proposed	Operating Expenditure		20,000		(3,866,785)
140367	Plant Costs Allocated to Works & Services	Proposed	Operating Expenditure			(20,000)	(3,886,785)
C13086	Kambalda Shire Administration Office	Proposed	Capital Expenditure		40,000		(3,846,785)
C13097	Housing & Workers Accommodation	Proposed	Capital Expenditure		4,100,000		253,215
C13039	Coolgardie Cultural & Community Hub	Proposed	Capital Expenditure			(20,000)	233,215
C13087	Kambalda Gym Disabled Access	Proposed	Capital Expenditure		1,602		234,817
C13100	Land Development	Proposed	Capital Expenditure		500,000		734,817
C10009	Coolgardie Cemetery	Proposed	Capital Expenditure			(30,000)	704,817
C13103	Other Housing	Proposed	Capital Expenditure			(40,000)	664,817
INS348	Coolgardie Storm Damage - Stage 2	Proposed	Capital Expenditure		250,000		764,817
INS349	Coolgardie Storm Damage - Stage 3	Proposed	Capital Expenditure			(220,000)	544,817
INS355	Coolgardie Post Complex - Fire Damage	Proposed	Capital Expenditure			(1,200,000)	(655,183)
C1002	Traxcavator	Proposed	Capital Expenditure			(20,000)	(675,183)
C13075	Mechanic's Vehicle	Proposed	Capital Expenditure			(60,618)	(735,801)
C13078	Small Plant Purchases	Proposed	Capital Expenditure		10,000		(725,801)
C13098	Tyre Shredder	Proposed	Capital Expenditure		1,000,000		274,199
C12026	Works Supervisor Utility	Proposed	Capital Expenditure			(50,000)	224,199
C12039	Replacement of P257 - Toro Mower	Proposed	Capital Expenditure			(23,000)	201,199
C12040	Replacement of P315 - Toro Mower	Proposed	Capital Expenditure			(19,000)	182,199
C12053	Replacement of P317 - Toro Mower	Proposed	Capital Expenditure		31,500		213,699
R006	Roads to recovery - Ora Banda Road	Proposed	Capital Expenditure		142,750		356,449
R006	Roads to recovery - Ora Banda Road	Proposed	Capital Expenditure		2,750		359,199
M004	Road Maintenance - Nepean Rd	Proposed	Operating Expenditure		40,000		399,199
RTR155	Roads to recovery - Cave Hill Road	Proposed	Capital Expenditure			(142,750)	256,449
RTR155	Roads to recovery - Cave Hill Road	Proposed	Capital Expenditure			(40,000)	216,449

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				$	$	$	$
M0001	Road Maintenance - Various	Proposed	Operating Expenditure			(2,750)	213,699
RTR155	Roads to recovery - Cave Hill Road	Proposed	Capital Expenditure			(22,902)	190,797
R052	Jaurdi Hills Road	Proposed	Capital Expenditure		59,600		250,397
RD500	Coolgardie Community Hub Drainage	Proposed	Capital Expenditure		40,000		290,397
RF001	Footpath Construction	Proposed	Capital Expenditure		35,000		325,397
C11012	Coolgardie Pool Refurbishment	Proposed	Capital Expenditure		4,686		330,083
C13042	Christmas Decorations	Proposed	Capital Expenditure		8,345		338,428
C11014	Kambalda Swimming Pool Refurbishment	Proposed	Capital Expenditure			(64,774)	273,654
RS004	Kambalda Refuse Site - Siteworks	Proposed	Capital Expenditure		65,000		338,654
C12901	Kambalda Airport Development	Proposed	Capital Expenditure			(275,000)	63,654
RS005	Coolgardie Class 3 Waste Facility	Proposed	Capital Expenditure			(1,360,960)	(1,297,306)
RS008	Waste Sorting Facility	Proposed	Capital Expenditure		4,950,000		3,652,694
RS009	Plastics Facility	Proposed	Capital Expenditure		2,050,000		5,702,694
110477	Loan Proceeds	Proposed	Capital Income			(5,700,000)	2,694
120377	Proceeds from Sale of Assets	Proposed	Capital Income		9,750		12,444
721000	Transfer to Plant Reserve - Proceeds from Mitsubishi Triton	Proposed	Capital Income			(9,750)	2,694
750000	Transfer to Reserves (After Completion of Budget Review)	Proposed	Capital Revenue			(2,694)	0
				9,750	**15,860,915**	**(15,860,915)**	**0**

KEY INFORMATION
As per above

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 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	20,897	1,160.94%	▲	Permanent	Refer to Note 14 - Budget Amendments
General Purpose Funding - Other	(98,615)	(15.60%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Law, Order and Public Safety	(16,220)	(70.91%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Education and Welfare	(62,777)	(30.89%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Housing	12,204	16.83%	▲	Permanent	Refer to Note 14 - Budget Amendments
Economic Services	(376,269)	(39.47%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Other Property and Services	23,229	119.47%	▲	Permanent	Refer to Note 14 - Budget Amendments
Expenditure from operating activities					
General Purpose Funding	(148,751)	(56.49%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Education and Welfare	100,286	32.14%	▲	Permanent	Refer to Note 14 - Budget Amendments
Community Amenities	(189,003)	(12.94%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Recreation and Culture	314,891	11.74%	▲	Permanent	Refer to Note 14 - Budget Amendments
Transport	35,669	1.17%	▲	Permanent	Refer to Note 14 - Budget Amendments
Economic Services	224,076	23.97%	▲	Permanent	Refer to Note 14 - Budget Amendments
Other Property and Services	(72,254)	(303.00%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(2,496,664)	(83.74%)	▼	Permanent	Refer to Note 14 - Budget Amendments
Capital Acquisitions	5,149,835	64.62%	▲	Permanent	Refer to Note 14 - Budget Amendments

Shire of Coolgardie
Management Report for the period ended 28 February 2022

PENDING / OUTSTANDING ITEMS

Topic	Matter Raised	Date Identified	Explanation	Action Required	Priority	Status	Comment	Projected Completion
Bank Reconciliations	Reconciliation	**June 2021**	During the compilation of the Monthly financial Statements, it was noted that not all transactions in the Municipal bank account had been reconciled.	All bank accounts are to be reconciled at the end of each month with a nil balance.	**HIGH**	**Open**	Staff working with IT Vision to transfer data over from the from manual bank reconciliations to the Altus bank reconciliation module. Transition delayed as result of locking in IT Vision to assist with data migration.	**March 2022**

ITEMS CLOSED / COMPLETED

Topic	Matter Raised	Date Identified	Explanation	Action Required	Priority	Status	Comment	Projected Completion
Assets	Capitalisation	**June 2019**	FM Reg 17A(5) requires the capitalisation of assets under $5,000	All assets under $5,000 now require to be capitalised	**HIGH**	**Closed / Ongoing**	Transactions required to be completed for 18/19 Annual Financial Statements.	**Oct 2019**
Balance Sheet Reconciliations	Various	**May 2019**	Not all balance sheet accounts are being regularly reconciled	All balance sheet accounts to be reconciled monthly	**MEDIUM**	**Closed / Ongoing**	Balance sheet reconciliations completed every month as part of the normal month end process.	**Oct 2019**
Asset Reconciliations	Disposals & Acquisitions	**August 2019**	Disposals and Acquisitions not processed in Synergy	Process asset transactions in Synergy & reconcile back to GL	**MEDIUM**	**Closed / Ongoing**	Assets purchased and disposed during the month have not been processed in Synergy.	**Oct 2019**
Financial Management Review	Various	**May 2019**	The recently completed FMR highlighted some areas that will require to be addressed.	Implement an Action Plan for addressing the matters raised in the FMR.	**HIGH**	**Closed / Ongoing**	Implemented as part of the month end checklist	**Dec 2019**
Trust	Funds held in trust	**June 2019**	Position paper released by OAG	Remove any items not required to be held in trust	**HIGH**	**Closed / Ongoing**	Funds transferred to Municipal Bank	**May 2020**
Bank Reconciliations	Reconciliation	**April 2019**	During the compilation of previous Monthly financial Statements, it was noted that the Municipal bank account did not reconcile.	All bank accounts are to be reconciled at the end of each month with a nil balance	**HIGH**	**Closed / Ongoing**	Needs to be monitored closely	**May 2020**

Topic	Matter Raised	Date Identified	Explanation	Action Required	Priority	Status	Comment	Projected Completion
GRS Facility	Transactions held in Trust	**August 2019**	All transactions are being maintained as part of the trust module. Refer to recent paper released from OAG on the treatment for accounting for trust funds	Separate accounting module to be maintained for GRS facility transactions	**HIGH**	**Closed / Ongoing**	All transactions have been inputted into MYOB and reconciliations completed. All invoicing and payments are processed in MYOB.	**July 2020**
Debtors	Negative Balances	**August 2019**	There are still some negative debtors' balances	Investigate the existing negative balances	**MEDIUM**	**Closed / Ongoing**	Debtor balances are now much cleaner with only several long outstanding items to be finalised. Balances will be closely monitored to ensure negative balances are minimised.	**June 2020**
Purchase Orders	Raising purchase order before expenditure is committed	**June**	During the interim audit sample testing of 10 payment transactions noted an instance where a purchase order was not raised and another instance where a purchase order was raised after the date of the corresponding supplier invoice.	All authorised officers should be reminded of the need to ensure purchase orders are raised prior to the authorising of works/services or ordering of goods.	**HIGH**	**Closed / Ongoing**	All staff with delegated authority are aware that purchase orders need to be raised prior to obtaining the good or service. This is an area that has been identified by management previously and is continually being reviewed to ensure compliance with the Shire's Procurement Policy.	**July 2020**
Revenue Recognition	Revenue not recognised in accordance with new accounting standards	**June 2020**	AASB 15 Revenue from contracts with customers and AASB 1058 income of not-for-profit entities came into effect for the Shire on 1 July 2019 superseding previous accounting standards.	A detailed revenue recognition assessment of all revenue streams	**MEDIUM**	**Closed / Ongoing**	Revenue recognised correctly as at 30 June 2020 in the Annual Financial Report. Revenue recognition for the 2020/21 financial year has also been accounted more in accordance with the accounting standards.	**September 2020**

Topic	Matter Raised	Date Identified	Explanation	Action Required	Priority	Status	Comment	Projected Completion
Annual Financial Statements	Changes to the Local Government Financial Management Regulations	**November 2020**	The Local Government (Financial Management) Amendment Regulations 2020 were published in the Government Gazette on 6 November 2020.	Changes to the new regulations need to be included in the 2019/20 Annual Financial Report.	**HIGH**	**Closed / Ongoing**	New Financial Management Regulation changes resulted in prior year adjustments required to be implemented in the Annual Financial Report.	**Dec 2020**
Payroll Reconciliations	Payroll Suspense account is unreconciled	**June 2020**	Payroll journals are being processed manually and the payroll suspense is out of balance	Firstly, the payroll suspense account needs to reconciled. Secondly, payroll transactions need to be automatically allocated by the payroll software.	**HIGH**	**Closed / Ongoing**	In June 2020 the Shire moved to a new payroll program called Definitiv. Since transferring to this program payroll journals have been processed manually and the payroll suspense has been out of balance as a result. Staff are working with IT Vision to rectify the issue.	**April 2021**
Asset Useful Lives & Depreciation	Review of current asset useful lives and depreciation rates	**March 2020**	The OAG paper released on the 2018-19 Audit Results raised the issue of the need to review current asset useful lives and depreciation rates as per AASB 116.	Management required to undertake an annual review of current asset useful lives and depreciation rates.	**HIGH**	**Closed / Ongoing**	Staff will undertake a thorough review of the Shire's current asset useful lives and depreciation rates for all asset classes prior to 30 June 2021. The review will be documented, with any suggested changes will be implemented in the 2020/21 financial year.	**July 2021**
Balance Sheet Reconciliations	Reconciliations	**June 2021**	Noted that not all balance sheet accounts have been reconciled for the period ending 30 June 2021.	All balance sheet accounts to be reconciled monthly.	**HIGH**	**Closed / Ongoing**	A template has been established to assist with the balance sheet reconciliations. This template should be completed each month and reviewed by a second person as part of the month end processes.	**September 2021**

Topic	Matter Raised	Date Identified	Explanation	Action Required	Priority	Status	Comment	Projected Completion
Payroll Reconciliations	Payroll Suspense account is unreconciled	**June 2021**	Payroll journals are being processed manually and the payroll suspense is out of balance.	Firstly, the payroll suspense account needs to be reconciled. Secondly, payroll transactions should be automatically allocated by the payroll software.	**HIGH**	**Closed / Ongoing**	IT Vision currently working with staff correct the awards & allowances correctly in Definitiv. Additional training is also required to ensure staff have a better understanding of the module.	**January 2022**

13.2.3 HAULAGE CAMPAIGN - BELLINI BULK HAULAGE PL

Location: **Kambalda**

Applicant: **Bellini Bulk Haulage PL**

Disclosure of Interest: **Nil**

Date: **13 January 2022**

Author: **Robert Hicks, Director of Operations**

SUMMARY

For Council to consider a proposal from Bellini Bulk Haulage PL to utilise Coolgardie North Road, Carins Road & Jaurdi Hills Road for an annual haulage campaign from 01/03/2022 to 28/02/2023 comprising of 150,000 tonnes per annum.

BACKGROUND

Bellini's are currently seeking approval from the Shire to utilise a total of 15.13km's of Shire roads to fulfil contractual obligations to BHP for the supply and delivery of sand. They currently have valid approvals due to expire on 28 February 2022. Bellini operate from mining tenements situated within the Shire's network located off the Sand Haul Road and Jaurdi Hills Road. These tenements are known as:

Mt Burgess Pit 1 (M15/1339) located off the Sand Haul Road with access via Carins Road and Coolgardie North Road = 13.82kms.
Coolgardie North Road – SLK: 6.42km to 17.20km = 10.78km
Carins Road – SLK 0.00km – 3.04km (3.04km); and
Mt Burgess Pit 2 (M15/1795) located off Jaurdi Hills Road with access via Carins Road, Coolgardie North Road and Jaurdi Hills Road = 1.31kms
Jaurdi Hills Road to Intersection of Sand Haul Road – SLK 19.95km to 21.26km = 1.31km

Bellini Bulk Haulage PL have approached the Shire to undertake a haulage campaign on Coolgardie North Road, Carins Road & Jaurdi Hills Road. Bellini plan to cart 100,000 tonnes of sand to BHP from Mt Burgess Pit 1 (per annum) and 50,000 tonnes of sand to BHP from Mt Burgess Pit 2 (per annum).

As per Council's Policy #044 (Haulage Campaigns) - Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principle (Bellini Bulk Haulage PL) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

Main Roads Mapping Tool https://mrwebapps.mainroads.wa.gov.au/hvsnetworkmap confirms Bellini's CA07 appropriateness to the RAV network status being;
Jaurdi Hills Road RAV Tandem Drive Network Concessional Level 7.3; and
Coolgardie North Rd and Carins Road RAV Tandem Drive Network Concessional Level 10.3 vehicle.

At the Ordinary Council Meeting February 2021, Council resolved -

COUNCIL RESOLUTION #17/2021

Moved: ***Cr Kathie Lindup***

Seconded: ***Cr Tracey Rathbone***

That Council,

1. ***In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Bellini Bulk Haulage PL (Principal) to use Coolgardie North Road, Carins Road and Jaurdi Hills Road for a campaign comprising of 150,000 tonnes per annum (total of campaign 450kt for 2021/22/23) from 01 March 2021 to 28 February 2022 for the following contributions;***
   - ***Coolgardie North & Carins Roads - Maintenance Contribution at $0.04 p/tonne p/km; at 100,000 tonnes over 13.82 kms = $60,808 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)***
   - ***Jaurdi Hills Road – Maintenance Contribution at $0.04 p/tonne p/km; at 50,000 tonnes over 1.31 kms = $2882 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)***
2. ***Authorise the CEO to determine any request from the Companies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.***
3. ***Require Bellini Bulk Haulage PL (Principal) to maintain all proposed haulage routes consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state.***
4. ***Require Bellini Bulk Haulage PL (Principal) to apply annually for consideration of renewal of CA07 Letters of Approval.***
5. ***Require Bellini Bulk Haulage PL (Principal) pay 50% (of per annum maintenance contributions) prior to campaign starting.***
6. ***Authorise the Chief Executive Officer to issue CA07 Letters of Approvals to Bellini Bulk Haulage PL (Principal) for a period of 12 months once 50% payment is received and cleared to the Shire bank account.***
7. ***Require Bellini Bulk Haulage PL (Principal) to pay remaining/final 50% of payment by 31 August 2021.***

In Favour: ***Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast and Kathie Lindup***

Against: ***Nil***

CARRIED 5/0

All haulage activities undertaken will be in accordance with Council Policy #044 (Haulage Campaigns) which applies to haulage campaigns within the Shire of Coolgardie. All haulage campaigns should be read in conjunction with the Shire's Policy #045 (Heavy Vehicles Conditions for use of Shire Roads). The purpose of both policies aims to ensure safe use on Shire roads by long term haulage campaign users.

Consistent with previous Council decisions, the operator may wish to enter into an alternate agreement with the Shire, however, Council may request the provision of capital and/or maintenance contribution prior to starting a haulage campaign. The Shire, unless otherwise stipulated in an agreement with the Shire, will not undertake watering of haulage routes, and watering will remain the responsibility of the operator daily whilst the haulage campaign is in progress (to ensure dust is suppressed and the road surface is maintained). If a capital contribution is requested contributions will be used to repair fair damage and deterioration. Once contributions are exhausted, if the road becomes further damaged the Shire reserves the right to close the road as per the Local Government Act 1995, until the road is repaired by the person or body who caused that damage, or further contribution is made to repair damage not provided under the annual or other agreement.

COMMENT

Carins Road

Maintenance contribution of $0.04 per tonne per km at 150,000 tonnes over 1.3 kms = $8,850.00 (inc GST)

Capital contribution at $0.07 per tonne per km at 150,000 tonnes over 1.3 kms = $15,015.00 (inc GST)

Coolgardie North Road (SLK6.42 to 17.20 = 10.78km) & Jaurdi Hills Road (SLK19.95 to 21.26 = 1.31km): TOTAL SLK = 12.09km

Maintenance Contribution at $0.04 per tonne per km at 150,000 tonnes over 12.09 kms = $79,794.00 (inc GST)

Capital Contribution of $0.07 per tonne per km at 150,000 tonnes over 12.09 kms = $139,639.50 (inc GST)

CONSULTATION

Alison Bellin – Director; Bellini Bulk Haulage PL

Shire of Coolgardie Staff

STATUTORY ENVIRONMENT

Road Traffic (Administration) Act 2008 Section 132(4)

POLICY IMPLICATIONS

Policy #044 – Haulage Campaigns

Policy #045 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

Any contribution received will be placed in the road construction reserve account for use on the relevant road infrastructure.

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting local businesses in the Shire

Accountable and effective leaders

Demonstrating sound financial management and plans for the Shire's long term financial sustainability

ATTACHMENTS

1. **Bellini Bulk Haulage - CA07 Coolgardie North Road**
2. **Bellini Bulk Haulage - CA07 Application Jaurdi Hills Road**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Bellini Bulk Haulage (Principle) to use Carins Road and Coolgardie North Road, Jaurdi Hills Road for a campaign comprising of 150,000 tonnes from 01 March 2022 to 28 February 2023 for the following contributions;
   (a) Carins Road – Capital Contribution at $0.07 p/tonne p/km; at 150,000 tonnes over 1.3 kms = $15,015.00 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)

(b) Coolgardie North & Jaurdi Hills Roads - Maintenance Contribution at $0.04 p/tonne p/km; at 150,000 tonnes over 12.09 kms = $79,794.00 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)

2. That the CEO be authorised to determine any request from the Company/ies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.
3. Require Bellini Bulk Haulage PL to maintain all proposed haulage routes consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state.
4. Require Bellini Bulk Haulage PL to apply annually for consideration of renewal of CA07 Letters of Approval.
5. Require Bellini Bulk Haulage PL pay 50% prior to campaign starting.
6. Authorise the Chief Executive Officer to issue CA07 Letters of Approvals to Bellini Bulk Haulage PL for a period of 12 months once 50% payment is received and cleared to the Shire bank account.
7. Require Bellini Bulk Haulage PL to pay remaining/final 50% of payment by 31 August 2022.

RESOLUTION #49/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

That Council,

1. **In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Bellini Bulk Haulage (Principle) to use Carins Road and Coolgardie North Road, Jaurdi Hills Road for a campaign comprising of 150,000 tonnes from 01 March 2022 to 28 February 2023 for the following contributions;**
   - **(a) Carins Road – Capital Contribution at $0.07 p/tonne p/km; at 150,000 tonnes over 1.3 kms = $15,015.00 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)**
   - **(b) Coolgardie North & Jaurdi Hills Roads - Maintenance Contribution at $0.04 p/tonne p/km; at 150,000 tonnes over 12.09 kms = $79,794.00 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)**
2. **That the CEO be authorised to determine any request from the Company/ies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.**
3. **Require Bellini Bulk Haulage PL to maintain all proposed haulage routes consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state.**
4. **Require Bellini Bulk Haulage PL to apply annually for consideration of renewal of CA07 Letters of Approval.**
5. **Require Bellini Bulk Haulage PL pay 50% prior to campaign starting.**
6. **Authorise the Chief Executive Officer to issue CA07 Letters of Approvals to Bellini Bulk Haulage PL for a period of 12 months once 50% payment is received and cleared to the Shire bank account.**
7. **Require Bellini Bulk Haulage PL to pay remaining/final 50% of payment by 31 August 2022**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

APPLICATION FORM

Restricted Access Vehicle/ CA07

Application for approval to operate RAV on road/s under control of the Shire of Coolgardie.

Application should be read in conjunction with Shire of Coolgardie Policy 044 (Haulage Campaigns) and Policy 045 (Heavy Vehicles Conditions for use on Shire Roads).

Applicants will receive a determination from the Shire.

If approved, the determination will constitute a letter of authority to comply with a CA07 condition on a Restricted Access Vehicle (RAV).

Please tick Application Type

Fees are subject to revision.

☐ **TYPE 1:** Short Term Campaign. Where a cartage campaign does not exceed 25,000 tonnes or 100 return trips in any annual period, the operator needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. The CEO has authority to deal with Short Term Campaigns.

✓ **TYPE 2:** Long Term Campaign. Where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the operator needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. The decision on Long Term Campaigns will be made by the Council subject to an agreement between the Operator and the Shire.

Heavy Vehicle Cost Recovery Contribution: In consideration of the use of Shire Roads, the Shire will request either:

- $0.07 (07 cents) as a capital contribution per tonne per kilometre travelled on Shire of Coolgardie Road Networks from the operator
- $0.04 (04 cents) as a maintenance contribution per tonne per kilometre travelled on Shire of Coolgardie Road Networks from the operator

Applicant: BELLINI BULK HAULAGE						
	rate	Tonnes	Km	Contribution	GST	Total inc GST
Capital	$			$	$	$
Maintenance	$0.04	100,000.00	13.82	$55,280.00	$5,528.00	$60,808.00

Applicant Details (Applicant is the Owner of the mine)

Name of Applicant	ALISON BELLIN
Organisation	GFSG PTY LTD
Postal Address	PO BOX 2539, BOULDER WA 6432

Applicant Contact Person	Name: ALISON BELLIN Position: DIRECTOR
Contact details	Phone: 0409 051 176 Email: ALISON@BELLINIGROUP.COM.AU

Details of Haulage Proposal

Proposed Route

Origin:	MT BURGESS (PIT 1) – SAND AND GRAVEL LEASE
Destination:	LOCAL CONTRACTORS
Route: ***Attach map*** *and include all roads in Shire of Coolgardie – include SLKs to be travelled on each road within network*	COOLGARDIE NORTH – SLK: 6.42KM to 17.20 (TOTAL: 10.78) CARINS ROAD – SLK 0.00 – 3.04KM (TOTAL: 3.04KM)
Total Kilometres (one way in Shire of Coolgardie origin to destination)	13.82KM

Shire Roads – RAV Network Status

Include information for all roads in the Shire of Coolgardie that are the subject of this application.

RAV Network Status Shire Roads *Please state the current Main Roads RAV network classification of the road or indicate if the road is not on the network.*	Shire Road	Current RAV network status
	COOLGARDIE NORTH ROAD	10.3
	CARINS ROAD	10.3

Vehicle Type

RAV Vehicle Class	7.3	10.3
Truck & Trailer Combination Details	B-TRAIN DOG	QUAD ROADTRAIN
GCM (tonnes)	118.5	174 – 164
Payload (tonnes)	70TON	104TON

Office Use: Approval No. & initials of the DO: .....

Concessional Loading Requested (CLBPS) EG Tandem Drive Concessional Levels 1-3 or Tri Drive Concessional Levels 1-3	7.3	10.3

Haulage Task Details

Total number of truck movements per 24 hour period:	LOADED: 4 Direction: SOUTH UNLOADED: 4 Direction: NORTH
Number of trucks in use	UP TO 3
Number of shifts per 24 hrs	1
Estimated total loaded truck movements per month	**ESTIMATE ONLY**: 120
Material to be transported	SAND
Estimated total tonnes per campaign material transported	Estimated total tonnes per annum material transported • 150,000.00

Duration of RAV access

Estimated commencement date of haulage task:	28 FEBRUARY 2022
Estimated completion date of haulage task:	31 DECEMBER 2023 (TBC – possibility of extension)

Details of Haulage Company

Provide details of the haulage company/ies that will operate under this approval. Attach a separate list or vehicle registration numbers (Prime-Movers only; trailer registration not necessary).	BELLINI BULK HAULAGE PLEASE SEE ATTACHED

Documents and Other Relevant Information

Documents Attached	✓ Map ☐ Engineering specifications ☐ Safety management plan ☐ Community benefit proposal ✓ Other (provide details)

Office Use: Approval No. & initials of the DO: .....

Other Relevant Information	BHP Nickle West ("BHP") have engaged the services of Bellini Bulk Haulage ("Bellini") to supply and deliver sand to the BHP Nickle Smelter. Sand will be provided from Bellini's mining tenement situated on the Sand Haul Road (M15/1795). Bellini currently hold valid permits for a long-term campaign, due to expire on 28 February 2022. BHP have committed to a haulage campaign for the next 3 years, so Bellini can commit to a campaign that commences in January 2021 through until December 2023, with the possibility of an extension. Bellini would appreciate permits being provided for the entirety of their fleet to operate on this road for another 12 months.

DECLARATION/SIGNATURE

I, ALISON BELLIN of BELLINI BULK HAULAGE

hereby make application for a letter of authority for operation of Restricted Access Vehicles on RAV network roads in the Shire of Coolgardie to comply with the CA07 condition of a valid RAV approval held by me. I confirm that the details in this application are correct.

Signed: .....

Date: 19/01/2022

Office Use: Approval No. & initials of the DO: .....

Restricted Access Vehicle/ CA07 DETERMINATION

Name & organisation of Applicant	ALISON BELLIN
Name of Haulage Company	BELLINI BULK HAULAGE
Road/s in Shire of Coolgardie	COOLGARDIE NORTH ROAD & CARINS ROAD

Shire of Coolgardie Office

☐ **APPROVED** – Letter of Authority Granted

Council Resolution Number: ..... ☐ Not applicable – less than 25,000t

Signed Director of Operations: ..... Date: .....

Approval **COMMENCES** on (date): .....

Approval **EXPIRES** on (date): .....

(not valid without Council Resolution number and signature of DO)

The Shire of Coolgardie has APPROVED this application for the period stated within. The operator must adhere to all conditions imposed by Main Roads WA and the following additional CONDITIONS imposed by the Shire of Coolgardie:

1. **Bonnie Vale Bypass Road is not on network 10.3, therefore Coolgardie North Road should be used.**

This approval, if validated with a Council Resolution number and signature of the Director of Operation of the Shire of Coolgardie, constitutes a **letter of authority** in compliance with the CA07 requirement of a valid RAV approval.

Shire of Coolgardie Office

☐ **DECLINED**

The Shire of Coolgardie has DECLINED to approve this application.

Council Resolution Number: .....

Signed Director of Operations: ..... Date: .....

Date .....

Office Use: Approval No. & initials of the DO: .....

L:\Technical Services\Haulage\SOC CA07 Application

Information for Applicant

	TYPE 1	TYPE 2
Processing time	Allow 7 – 14 days. Payment must be receipted by the Shire before CA07 Letters of Approval will be issued.	Allow 7 – 30 days (may be longer depending on Council meeting dates and road condition). ▪ Will depend on condition of road and extent of haulage task. ▪ Allow *minimum 6 months* if legal agreement & major road upgrades required. ▪ Payment must be receipted by the Shire before CA07 Letters of Approval will be issued.
Formal decision of council required	No	Yes - Council Resolution Number required
Legal agreement required	Generally no	Generally yes (construct and/or maintain and/or user pays road use)

1. Legal agreements – applicants may need to enter into one or more agreements with the Shire:
   - Construct and/or maintain: if the haulage proposal is for a class of RAV that is greater than the current RAV network classification of the road, and/or the road is not in a condition suitable for the haulage task, the applicant will be required to upgrade and maintain the road at the cost of the applicant.
   - Road Use (Restricted Vehicle Haulage): applications will be considered on their merits but as a general rule will be required for a haulage task that is for greater than 25,000 tonne per annum.
2. Operation of a restricted access vehicle on any road in the Shire of Coolgardie constitutes an offence under the Road Traffic (Vehicle Standards) Regulations 2002 unless:
   - The road is on a classified RAV network route approved by Main Roads; and
   - The RAV is of a class that is authorised for operation on the relevant network; and
   - The operator holds a valid approval issued by Main Roads WA **and** a valid letter of authority from the local government to comply with a CA07 condition.

Process and Additional Information

Occasionally applicants may be required to provide additional information. This will depend on a range of variable factors particularly the condition and classification of the road relative to the duration, class of vehicle and annual tonnage of the haulage task. The applicant is responsible for all costs. Costs may include engineering fees, legal fees and staff time.

Process

1. Applicant submits proposal (Restricted Access Vehicle/ CA07 Application Form)
2. Shire requests further relevant information / retains consulting engineer at applicant's cost to review proposal
3. Application submitted to council with recommendation for in-principle approval
4. Terms and conditions are negotiated:
   - Scope of capital works to prepare the road (the Pre Work) for the haulage task
   - Scope of ongoing maintenance
   - Community benefit
   - Engineering sign off
   - Legal agreements drafted (construct and/or maintain, and/or RAV access)

Office Use: Approval No. & initials of the DO: .....

5. Final recommendation to council
6. Legal agreements signed and sealed
7. Applicant completes Pre Work
8. Main Roads and Shire assess
9. If approved, Shire issues CA07 Letter of Authority
10. Applicant can commence haulage in accordance with CA07 and/or legal agreement.

Engineering Assessment

In the first instance, applicants should contact Main Roads Heavy Vehicles Operations Branch to obtain MRWA document "Guidelines for Assessing the Suitability of Routes for Restricted Access Vehicles"

Some applications may require a detailed engineering assessment of the current road, and the upgrades required relevant to the haulage task.

This assessment should be presented as a Technical Report to include all relevant matters, such as:

- Horizontal and vertical alignment relative to Design Vehicle and Design Speed
- Earthworks required – note any requirement to widen, raise, re-sheet, re-align to accommodate horizontal, vertical design
- Road Pavement - note design width, surfacing, elevation relative to natural surface
- Pavement design – based on MRWA Road Note 9
- Bitumen Surfacing – per MRWA Specification
- Drainage assessment including table drains, offshoot drains, floodways and culverts. Nominal Design ARI 10 years.
- Intersections – detail swept path analysis and GIVE WAY / STOP control assessment
- Stock Grids – note existing width relative to Road Design width and also existing condition / proposed improvements
- Gravel and water supply for road improvements – determine supplies of suitable material and carting details
- Clearing permits required for any road widening and for sourcing road building materials
- Signs, Lines and Guideposts
- Safety management plan including Traffic Management Plan for construction phase.

It is necessary to have a LEGAL AGREEMENT with the Shire before carrying out ANY work, testing or modification to any road under the control of the Shire of Coolgardie including the road reserve.

Office Use: Approval No. & initials of the DO: .....

APPLICATION FORM

Restricted Access Vehicle/ CA07

Application for approval to operate RAV on road/s under control of the Shire of Coolgardie.

Application should be read in conjunction with Shire of Coolgardie Policy 044 (Haulage Campaigns) and Policy 045 (Heavy Vehicles Conditions for use on Shire Roads).

Applicants will receive a determination from the Shire.

If approved, the determination will constitute a letter of authority to comply with a CA07 condition on a Restricted Access Vehicle (RAV).

Please tick Application Type

Fees are subject to revision.

☐ **TYPE 1:** Short Term Campaign. Where a cartage campaign does not exceed 25,000 tonnes or 100 return trips in any annual period, the operator needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. The CEO has authority to deal with Short Term Campaigns.

✓ **TYPE 2:** Long Term Campaign. Where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the operator needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. The decision on Long Term Campaigns will be made by the Council subject to an agreement between the Operator and the Shire.

Heavy Vehicle Cost Recovery Contribution: In consideration of the use of Shire Roads, the Shire will request either:

- $0.07 (07 cents) as a capital contribution per tonne per kilometre travelled on Shire of Coolgardie Road Networks from the operator
- $0.04 (04 cents) as a maintenance contribution per tonne per kilometre travelled on Shire of Coolgardie Road Networks from the operator

Applicant: BELLINI BULK HAULAGE						
	rate	Tonnes	Km	Contribution	GST	Total inc GST
Capital	$			$	$	$
Maintenance	$0.04	50,000.00	1.31	$2,620	$262.00	$2,882.00

Applicant Details (Applicant is the Owner of the mine)

Name of Applicant	ALISON BELLIN
Organisation	GFSG PTY LTD
Postal Address	PO BOX 2539, BOULDER WA 6432

Applicant Contact Person	Name: ALISON BELLIN Position: DIRECTOR
Contact details	Phone: 0409 051 176 Email: ALISON@BELLINIGROUP.COM.AU

Details of Haulage Proposal

Proposed Route

Origin:	MT BURGESS (PIT 2) – SAND AND GRAVEL LEASE
Destination:	BHP NICKLE SMELTER
Route: ***Attach map*** *and include all roads in Shire of Coolgardie – include SLKs to be travelled on each road within network*	JAURDI HILLS ROAD TO INTERSECTION SLK 19.95 – 21.26KM (TOTAL: 1.31KM)
Total Kilometres (one way in Shire of Coolgardie origin to destination)	1.31KM

Shire Roads – RAV Network Status

Include information for all roads in the Shire of Coolgardie that are the subject of this application.

RAV Network Status Shire Roads *Please state the current Main Roads RAV network classification of the road or indicate if the road is not on the network.*	Shire Road	Current RAV network status
	JAURDI HILLS ROAD	7.3

Vehicle Type

RAV Vehicle Class	7.3	
Truck & Trailer Combination Details	B-TRAIN DOG	
GCM (tonnes)	118.5	
Payload (tonnes)	70TON	

Office Use: Approval No. & initials of the DO: .....

Concessional Loading Requested (CLBPS) EG Tandem Drive Concessional Levels 1-3 or Tri Drive Concessional Levels 1-3	7.3	

Haulage Task Details

Total number of truck movements per 24 hour period:	LOADED: 4 Direction: SOUTH UNLOADED: 4 Direction: NORTH
Number of trucks in use	UP TO 3
Number of shifts per 24 hrs	1
Estimated total loaded truck movements per month	**ESTIMATE ONLY**: 120
Material to be transported	SAND
Estimated total tonnes per campaign material transported	Estimated total tonnes per annum material transported • 50,000.00

Duration of RAV access

Estimated commencement date of haulage task:	28 FEBRUARY 2022
Estimated completion date of haulage task:	31 DECEMBER 2023 (TBC – possibility of extension)

Details of Haulage Company

Provide details of the haulage company/ies that will operate under this approval. Attach a separate list or vehicle registration numbers (Prime-Movers only; trailer registration not necessary).	BELLINI BULK HAULAGE PLEASE SEE ATTACHED

Documents and Other Relevant Information

Documents Attached	✓ Map ☐ Engineering specifications ☐ Safety management plan ☐ Community benefit proposal ✓ Other (provide details)

Office Use: Approval No. & initials of the DO: .....

Other Relevant Information	BHP Nickle West ("BHP") have engaged the services of Bellini Bulk Haulage ("Bellini") to supply and deliver sand to the BHP Nickle Smelter. Sand will be provided from Bellini's mining tenement situated on the Sand Haul Road (M15/1795). Bellini currently hold valid permits for a long-term campaign, due to expire on 28 February 2022. BHP have committed to a haulage campaign for the next 3 years, so Bellini can commit to a campaign that commences in January 2021 through until December 2023, with the possibility of an extension. Bellini would appreciate permits being provided for the entirety of their fleet to operate on this road for another 12 months.

DECLARATION/SIGNATURE

I, ALISON BELLIN of BELLINI BULK HAULAGE

hereby make application for a letter of authority for operation of Restricted Access Vehicles on RAV network roads in the Shire of Coolgardie to comply with the CA07 condition of a valid RAV approval held by me. I confirm that the details in this application are correct.

Signed: .....

Date: 19/01/2022

Office Use: Approval No. & initials of the DO: .....

L:\Technical Services\Haulage\SOC CA07 Application

Restricted Access Vehicle/ CA07 DETERMINATION

Name & organisation of Applicant	ALISON BELLIN
Name of Haulage Company	BELLINI BULK HAULAGE
Road/s in Shire of Coolgardie	JAURDI HILLS ROAD

Shire of Coolgardie Office

☐ **APPROVED** – Letter of Authority Granted

Council Resolution Number: ..... ☐ Not applicable – less than 25,000t

Signed Director of Operations: ..... Date: .....

Approval **COMMENCES** on (date): .....

Approval **EXPIRES** on (date): .....

(not valid without Council Resolution number and signature of DO)

The Shire of Coolgardie has APPROVED this application for the period stated within. The operator must adhere to all conditions imposed by Main Roads WA and the following additional CONDITIONS imposed by the Shire of Coolgardie:

This approval, if validated with a Council Resolution number and signature of the Director of Operation of the Shire of Coolgardie, constitutes a **letter of authority** in compliance with the CA07 requirement of a valid RAV approval.

Shire of Coolgardie Office

☐ **DECLINED**

The Shire of Coolgardie has DECLINED to approve this application.

Council Resolution Number: .....

Signed Director of Operations: ..... Date: .....

Date .....

Office Use: Approval No. & initials of the DO: .....

L:\Technical Services\Haulage\SOC CA07 Application

Information for Applicant

	TYPE 1	TYPE 2
Processing time	Allow 7 – 14 days. Payment must be receipted by the Shire before CA07 Letters of Approval will be issued.	Allow 7 – 30 days (may be longer depending on Council meeting dates and road condition). ▪ Will depend on condition of road and extent of haulage task. ▪ Allow *minimum 6 months* if legal agreement & major road upgrades required. ▪ Payment must be receipted by the Shire before CA07 Letters of Approval will be issued.
Formal decision of council required	No	Yes - Council Resolution Number required
Legal agreement required	Generally no	Generally yes (construct and/or maintain and/or user pays road use)

1. Legal agreements – applicants may need to enter into one or more agreements with the Shire:
   - Construct and/or maintain: if the haulage proposal is for a class of RAV that is greater than the current RAV network classification of the road, and/or the road is not in a condition suitable for the haulage task, the applicant will be required to upgrade and maintain the road at the cost of the applicant.
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2. Operation of a restricted access vehicle on any road in the Shire of Coolgardie constitutes an offence under the Road Traffic (Vehicle Standards) Regulations 2002 unless:
   - The road is on a classified RAV network route approved by Main Roads; and
   - The RAV is of a class that is authorised for operation on the relevant network; and
   - The operator holds a valid approval issued by Main Roads WA **and** a valid letter of authority from the local government to comply with a CA07 condition.

Process and Additional Information

Occasionally applicants may be required to provide additional information. This will depend on a range of variable factors particularly the condition and classification of the road relative to the duration, class of vehicle and annual tonnage of the haulage task. The applicant is responsible for all costs. Costs may include engineering fees, legal fees and staff time.

Process

1. Applicant submits proposal (Restricted Access Vehicle/ CA07 Application Form)
2. Shire requests further relevant information / retains consulting engineer at applicant's cost to review proposal
3. Application submitted to council with recommendation for in-principle approval
4. Terms and conditions are negotiated:
   - Scope of capital works to prepare the road (the Pre Work) for the haulage task
   - Scope of ongoing maintenance
   - Community benefit
   - Engineering sign off
   - Legal agreements drafted (construct and/or maintain, and/or RAV access)

Office Use: Approval No. & initials of the DO: .....

5. Final recommendation to council
6. Legal agreements signed and sealed
7. Applicant completes Pre Work
8. Main Roads and Shire assess
9. If approved, Shire issues CA07 Letter of Authority
10. Applicant can commence haulage in accordance with CA07 and/or legal agreement.

Engineering Assessment

In the first instance, applicants should contact Main Roads Heavy Vehicles Operations Branch to obtain MRWA document "Guidelines for Assessing the Suitability of Routes for Restricted Access Vehicles"

Some applications may require a detailed engineering assessment of the current road, and the upgrades required relevant to the haulage task.

This assessment should be presented as a Technical Report to include all relevant matters, such as:

- Horizontal and vertical alignment relative to Design Vehicle and Design Speed
- Earthworks required – note any requirement to widen, raise, re-sheet, re-align to accommodate horizontal, vertical design
- Road Pavement - note design width, surfacing, elevation relative to natural surface
- Pavement design – based on MRWA Road Note 9
- Bitumen Surfacing – per MRWA Specification
- Drainage assessment including table drains, offshoot drains, floodways and culverts. Nominal Design ARI 10 years.
- Intersections – detail swept path analysis and GIVE WAY / STOP control assessment
- Stock Grids – note existing width relative to Road Design width and also existing condition / proposed improvements
- Gravel and water supply for road improvements – determine supplies of suitable material and carting details
- Clearing permits required for any road widening and for sourcing road building materials
- Signs, Lines and Guideposts
- Safety management plan including Traffic Management Plan for construction phase.

It is necessary to have a LEGAL AGREEMENT with the Shire before carrying out ANY work, testing or modification to any road under the control of the Shire of Coolgardie including the road reserve.

Office Use: Approval No. & initials of the DO: .....

13.2.4 LOCAL PLANNING SCHEME NO 5 - AMENDMENT NO 4

Location: Lot 971 No 2 Marianthus Road, Kambalda West

Applicant: NA

Disclosure of Interest: NIL

Date: 15 March 2022

Author: Francesca LeFante, Town Planning Consultant

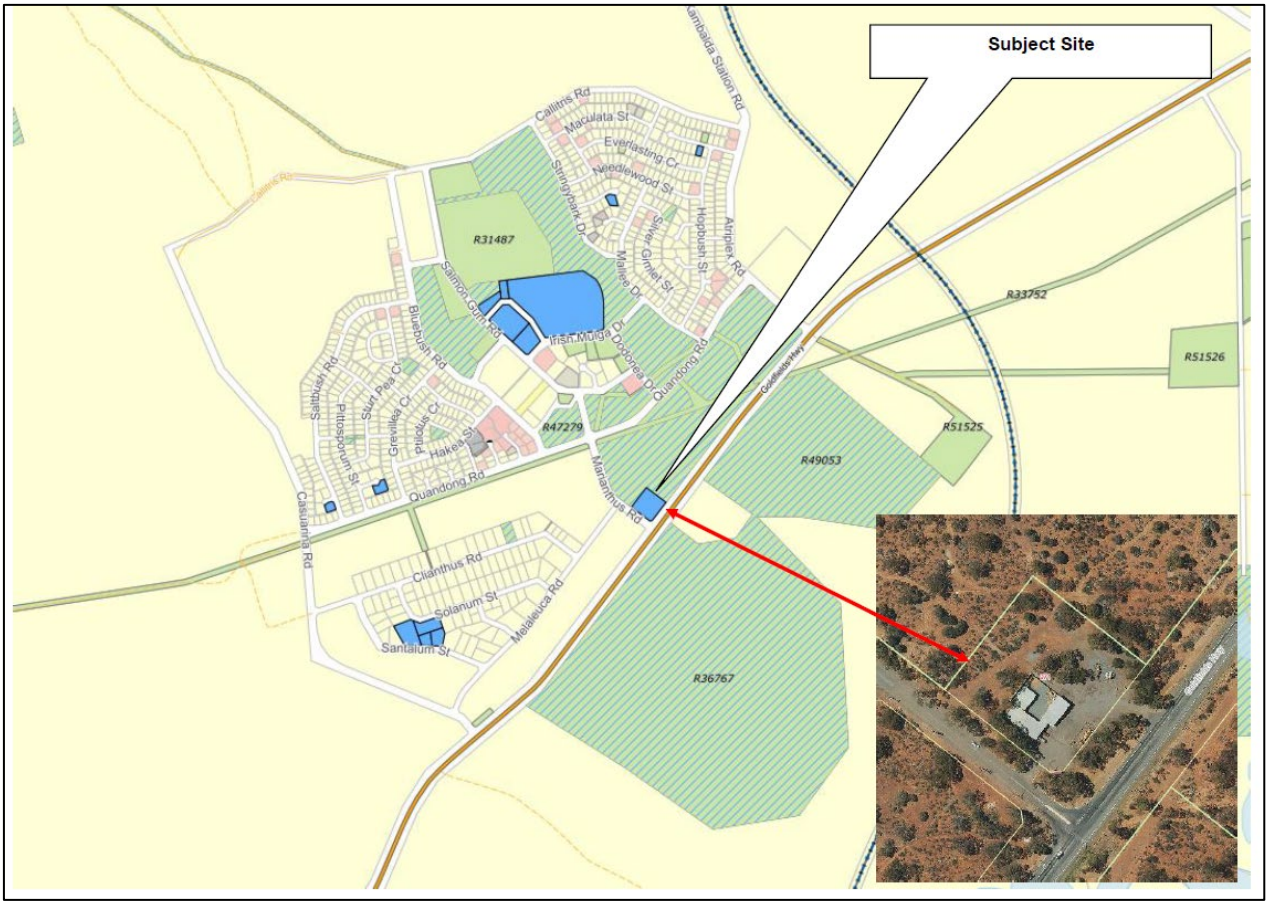
SUMMARY

For the Shire to consider finals approval of the proposed Scheme Amendment No 4 to Local Planning Scheme No 5 following the close of the statutory advertising period.

BACKGROUND

Site

The site is located on the corner of Goldfields Highway and Marianthus Road on the entry to Kambalda West townsite. The existing buildings on the site are used as a community arts centre, The site is owned by the Shire and was previously uses for commercial activities / services station. Access to the site is via both roads.



The Shires Local Planning Scheme No 5 was gazetted on 8 March 2017.

Council at its meeting on the 26 May 2020 resolved to

1. *INITATES Amendment No 4 to Local Planning Scheme No 5 to rezone Lot 971 No 2 Marianthus Road, Kambalda from Public Purposes to Commercial.*

2. *CONSIDERS Amendment No4 to Local Planning Scheme No 5 to be 'standard' under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.*

3. *PREPARES the Scheme Amendment report and documentation.*

4. *REFERS to Scheme Amendment to the EPA in accordance with assessment in accordance with Regulation Section 81 of the Planning and Development Act 2005.*

5. *AUTHORISES the public advertising of the proposal upon receipt of EPA advice regarding environmental assessment being received, and the incorporation.*

Environmental Assessment

In accordance with Council resolution the Scheme Amendment documents were prepared and referred to Environmental Protection Authority (EPA).

In correspondence dated 29 October 2021 the EPA advised that it has carried out some investigations and inquiries before deciding not to assess this scheme. And accordingly, that the EPA considers that the Scheme Amendment should not be assessed under Part IV Division 3 of the EPA Act and that it is not necessary to provide any advice or recommendations.

Following receipt of the EPA notification of the assessment public advertising of the Scheme amendment was undertaken

Public Advertising

The Shire undertook public advertising of the proposal scheme amendment for 42 days commencing on 29 November 2021 with initial closing date of 11 January 2022, and was extended until 22 February 2022 in accordance with Regulation 47 as follows:

- Public Notice displayed on the public Notice Boards in the Kambalda Recreation Centre/library and the Coolgardie Recreation/Centre
- On the website of the local government.
- Publish in the paper circulating in the scheme area in West Australian and Kalgoorlie Miner
- Letters were sent to the following agencies for comment
    - DWER (Department of Water and Environment Regulation)
    - DPLH (Department Planning, Lands and Heritage
    - DMIRS (Department of Mines, Industry Regulation and Safety) & Resource Safety and Dangerous Goods
    - Department of Primary Industries and Regional Development
    - DBCA (Department of Biodiversity, Conservation and Attractions
    - Main Roads – Perth & Kalgoorlie
    - Western Power
    - Water Corporation
    - DFES - Department of Fire and Emergency Services – Perth & Kalgoorlie

At close of adverting period on was extended and closed on the Shire had received 10 submissions, comprising:-

- 4 Submission from agencies, Water Corporation, DWER, DFES, Main Roads WA - Goldfield Esperance Region
    - No objections were raised.
    - DFES noted that SPP3.7 is not application as there is currently no intensification of the land.
- 6 submissions against the amendment. The main concerns related to the:-
    - Impact on the Kambalda Arts Centre that currently leases the site from the Shire.
    - Defend the public purpose zone due to the 20 year timeframe the Arts Centre has been on the site.
    - The value of the Arts centre to tourists and locals
        - site appearance and various mining equipment
        - services information and activities occurring of the Arts Centre.
        - Future services
    - Expressed concern with the advertising process
    - That the proposal should be considered a complex amendment.
    - History of the site and Arts Group and collections of the Art Centre
    - Impact on the current tenant including potentially higher rates.
    - Expressed concern the amendment undervalues the role and history of the Arts group in providing a range of activities from the site.
    - Uses the Kambalda Arts Centre which provided for public locals and tourists.
    - Expresses concern with content to the report regarding site cleared, site distance from townsite
    - Role of the current zoning to support community needs.

Positive benefit of the Arts Centre

COMMENT

This scheme amendment proposes is to rezone the site to commercial to facilitate a range of more intensive activities with the potential for an icon development reflecting the entrance to the Kambalda West townsite. Since that time the Shire has been proactively pursuing a range of opportunities to strengthen the townsite and broaden its economic base as part long term sustainability and population growth.

This Scheme amendment expands the range of suitable uses for the site, that facilitate the actions to increase townsite identify and visibility to the current and future residents, tourists, and the broader region.

Consideration of submissions

In accordance with the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 the Shire has given due considerations to the submissions received during the advertising period the recommended actions or modifications to the Scheme Amendment are required.

The majority of the submissions objecting to the proposed amendment raised the following concerns:-

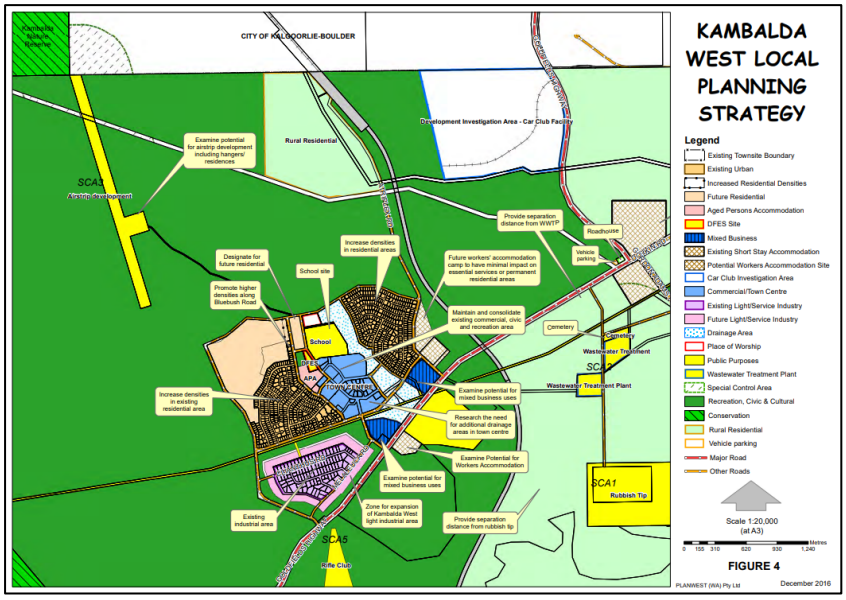
Objection	Response
Expressed concern with the advertising process	In response to this concern the advertising period extended until 22 February 2022.
That the proposal should be considered a complex amendment.	Disagree with the comment. This Amendment is considered to meet the legislative provisions of a Standard Amendment.

Impact on the Kambalda Arts Centre that currently leases the site from the Shire.	Noted
History of the site and Arts Group and collections of the Art Centre	The Commercial zoning facilitates cultural and arts activities including arts galleries, club premises, community uses, civic uses.
Impact on the current tenant including potentially higher rates.	The proposal relates to the zoning of the land rather than the current tenant. The lease arrangements for the site are a separate matter between the Shire, as landowner and the tenant.
The site has a caveat restricting services station use on the site.	The current caveat on the site relates to services station use on the site. The commercial zoning facilitates a range of uses covering commercial activities, residential and cultural and arts activities including arts galleries, club premises, community uses, civic uses.
The public purpose zone due to the 20 year timeframe the Arts Centre has been on the site. Role of the current zoning to support community needs.	The Shire has continued to develop and focus community activities on various locations including the Kambalda Community and Recreation Centre.
Expresses concern with content to the report regarding site cleared, site distance from townsite	The site has been altered including clearing to facilitate the existing development of the site buildings and hardstand area.
The value of the Arts centre to tourists and locals • site appearance and various mining equipment • services information and activities occurring of the Arts Centre. • Future services	The value all community groups and their activities is supported. The lease arrangements for the site are a separate matter between the Shire, as landowner and the tenant.
Expressed concern the amendment undervalues the role and history of the Arts group in providing a range of activities from the site.	The amendment reflects an appropriate zoning of the site which facilitates a range of uses covering commercial activities, residential and cultural and arts activities including arts galleries, club premises, community uses, civic uses.
The Kambalda Arts Centre which provided for public locals and tourists.	The commercial zoning facilitates cultural and arts activities including arts galleries, club premises, community uses, civic uses.

The Shires Local Planning Strategy was endorsed by WAPC in October 2016. This plan provides a guide for the Council over the next 10-15 years and includes setting put the future path for growth and development. Under the Strategy, Kambalda West will continue to provide modern and efficient services to meet the district service centre role and will be supported as the focus of recreation, administration, commercial and residential development for the Shire and District. The key strategies for the Townsite include

- Recognise Kambalda West, Kambalda East and Coolgardie as key settlements where urban development would be supported and be consolidated as the centres for cultural, recreation, business, social and administrative uses.
- Adopt the townsite expansion plans for key settlements. Maintain an ongoing working relationship with the essential service agencies
- Allocate adequate land in key settlements to cater for employment opportunities.
- Examine the viability of creating new mixed business areas in Kambalda West
- Provide for mining camp sites to be established within easy access to services and supply outlets of key settlements.

The subject site is identified as part of an area suitable for future mixed business uses.



The Shire of Coolgardie continues to focus on activities and opportunities for sustainable development within the townsite. The subject land has been identified through the Shire local planning strategy as a site capable of supporting a range of uses with development opportunities including, commercial, residential and community to facilitate future opportunities, including landmark building that creates visibility and identity at the primary entrance to the Kambalda West Townsite.

Investigations have identified that the single use identified in the zone unreasonably restrict compatible development surrounding the townsites. Such development restrictions are considered to negatively impact on the subject sites and surrounding area.

The Shire's is committed to facilitate appropriately zoned land that delivers economic, employment, lifestyle, social, and environmental benefits and sustainability to the community and businesses. The objectives contained within the Scheme and Local Planning Strategies, aim to develop and enhance the amenity and economic prosperity of the Shire and facilitate the release of suitably zoned and unconstrained land for development

Procedural Requirements

In accordance with Regulation 50 the council is to consider the submissions and pass a resolution to either: -

- Support the amendment without modifications
- Support the amendment with proposal modifications to address the concerns in the submission, or
- Not support the amendment

Options

The options available to the Shire in considering the proposal are: -

1. Support Scheme Amendment - for which the actions comprise Council resolution, signed and add common seal to scheme documents
2. Modify the details to be included in the Scheme Amendment. Where a modification is proposed.
    a. An explanation of the reasons for the modification
    b. Particulars of how the modification was advertised
    c. Schedule of submissions made on the modifications,
3. Not support initiation of the Scheme Amendment - A summary of the reasons why the local government does not support the amendment to be provided

No modifications are proposed to this Scheme Amendment. It is recommended that the Shire approve the scheme amendment in support the rezoning of Lot 971 No 2 Marianthus Road Kambalda West.

Summary

This scheme amendment proposes to increase the range of uses which reflect the location of the site on major transport route at the entrance of the Kambalda townsite

The Shire of Coolgardie Local Planning Strategy identifies land in close proximity of the town as having potential for development of a various uses that enhances the growth and sustainability of the townsites.

It is therefore recommended that the WAPC support Amendment 4 to Local Planning Scheme No 5 to rezone the site Commercial Zone to reflect its location.

CONSULTATION

EPA

Statutory Public Advertising

Referral to State Agencies

STATUTORY ENVIRONMENT

Planning and development Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Ensuring a well-informed Council makes good decisions for the community

Effective management of infrastructure, heritage and environment

Encouraging cultural and historical community projects and activities

ATTACHMENTS

1. **EPA NOTICE**
2. **EPA DETERMINATION**
3. **SUBMISSIONS SCHEDULE**
4. **SUBMISSION 1 - WATER CORP**
5. **SUBMISSION 2 - DWER**
6. **SUBMISSION 3 - DFES**
7. **SUBMISSION 4 - PAUL WILLCOX**
8. **SUBMISSION 5 - BRODIE TITCHENER**
9. **SUBMISSION 6 - KAMBALDA CULTURAL ARTS GROUP**
10. **SUBMISSION 7 - JOHN SCOTT**
11. **SUBMISSION 8 - JOHN WILLIAM & CINDY DUKE**
12. **SUBMISSION 9 - JAN MCLEOD**
13. **SUBMISSION 10 - MAIN ROADS**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That That Council

1. APPROVE Amendment No 4 to Shire of Coolgardie Local Planning Scheme No 5 to:-
    a. Reclassify Lot 971 No 2 Marianthus Road Kambalda West from Public Purpose to Commercial
    b. Modify the Scheme Map accordingly
2. AUTHORISE the affixing of the Common Seal to the Scheme Amendment documents
3. AUTHORISE the signed and sealed documents to be forward to the Western Australian Planning Commission for final approval including the Schedule of Submission made on the amendment and the Shires response.

RESOLUTION #50/2022

Moved: Cr Sherryl Botting
Seconded: Cr Tracey Rathbone

That That Council

1. **APPROVE Amendment No 4 to Shire of Coolgardie Local Planning Scheme No 5 to:-**
    a. **Reclassify Lot 971 No 2 Marianthus Road Kambalda West from Public Purpose to Commercial**
    b. **Modify the Scheme Map accordingly**
2. **AUTHORISE the affixing of the Common Seal to the Scheme Amendment documents**
3. **AUTHORISE the signed and sealed documents to be forward to the Western Australian Planning Commission for final approval including the Schedule of Submission made on the amendment and the Shires response.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

GOVERNMENT OF WESTERN AUSTRALIA

Environmental Protection Authority

Mr James Trail
Chief Executive Officer
Shire of Coolgardie
PO Box 138
KAMBALDA WA 6442

Our Ref: *CMS 18087*
Enquiries: *Angela Coletti, 6364 6430*
Email: *Angela.Coletti@dwer.wa.gov.au*

Dear Mr Trail

DECISION UNDER SECTION 48A(1)(a)
Environmental Protection Act 1986

SCHEME	**Shire of Coolgardie Local Planning Scheme 5 Amendment 4**
LOCATION	**Lot 971 (No.2) Marianthus Road, Kambalda**
RESPONSIBLE AUTHORITY	**Shire of Coolgardie**
DECISION	**Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. No Advice Given. (Not Appealable)**

Thank you for referring the above scheme to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations. I have attached a copy of the Chair's determination of the scheme.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision to not assess the scheme.

Prime House, 8 Davidson Terrace Joondalup, Western Australia 6027.
Postal Address: Locked Bag 10, Joondalup DC, Western Australia 6919.

Telephone: (08) 6364 7000 | Facsimile: (08) 6364 7001 | Email: info.epa@dwer.wa.gov.au

A copy of the Chair's determination will be made available to the public via the EPA website.

Yours sincerely



Shaun Meredith
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

29 October 2021

Encl. Chair's Determination

GOVERNMENT OF WESTERN AUSTRALIA

Environmental Protection Authority

S48A Referrals

Title: Shire of Coolgardie Local Planning Scheme 5 Amendment 4

Location: Lot 971 (No.2) Marianthus Road, Kambalda

Description: Amendment 14 proposes to rezone the site from Public Purposes to Commercial.

Ref ID: CMS18087

Date Received: 14/10/2021 **Date Sufficient Information Received:** 14/10/2021

Responsible Authority: Shire of Coolgardie

Contact: Francesca Lefante PO Box 138 Kambalda WA 6442

Preliminary Environmental Factors: None

Potential Significant Effects: None

Management: Not required

Determination: **Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of EP Act. No Advice Given. (Not Appealable).**

The EPA has carried out some investigations and inquiries before deciding not to assess this scheme. In deciding not to formally assess schemes, the EPA has determined that no further assessment is required by the EPA.

This Determination is not appealable.

Chair Initials:

Date: 26 October 2021

SCHEDULE OF SUBMISSION

SHIRE OF COOLGARDIE LOCAL PLANNING SCHEME No 5 - AMENDMENT 4

REZONING Lot 971 No 2 Marianthus Road, Kambalda West – From Public Purpose – to Commercial

SUB. NO	SUBMITTER (Name and Address)	SUMMARY OF COMMENTS	OFFICERS COMMENTS	RECOMMENDATION
1	Water Corporation	No objection to the proposed change	Noted	Council support the amendment without modifications
2	DWER	DWER has assessed the amendment and has no comments to provide	Noted	Council support the amendment without modifications
3	DEFS	Given the proposal seeks to rezone land from 'Public Purposes' to 'Commercial' as per your correspondence, which may not be considered an intensification of land use, the application of *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) may not be required, in this instance. Please note that the application of SPP 3.7 is ultimately at the discretion of the decision maker. DFES has no further comments.	Noted	Council support the amendment without modifications
4	Paul Wilcox	Raised concerns and some typo errors in the document	Typo changes were corrected, and advertising period extended until 22 February 2022. No specific concerns regarding the amendment were included	Council support the amendment without modifications
5	Brodie Titchener	Expressed interest in developing the site as a service station	Noted Development of the land is a separate matter which does not form part of this Scheme Amendment process.	Council support the amendment without modifications
6	Kambalda Cultural and Arts Centre Committee members	Objection • The submission covered the value of the Arts centre to tourists and locals, including site appearance, information and activities occurring on the site. • Defend the public purpose zone due to the 20 year timeframe the Arts Centre has been on the site. • The Art Group current display various mining equipment	Noted. • The proposal relates to the zoning of the land rather than the current tenant. The lease arrangements for the site are a separate matter between the Shire, as landowner and the tenant. • The current caveat on the site relates to services station use on the site. The commercial zoning facilitates a range of uses covering commercial activities, residential and cultural and arts activities including arts galleries, club premises, community uses, civic uses.	Council support the amendment without modifications
7	John Scott	Objection • Resident of Kambalda and a founding member of the Arts Club, who currently occupy the site • Expressed concern with the advertising process	• Typo changes were corrected, and advertising period extended until 22 February 2022. • The lease arrangements for the site are a separate matter between the Shire, as landowner and the tenant.	Council support the amendment without modifications

SCHEDULE OF SUBMISSION

SHIRE OF COOLGARDIE LOCAL PLANNING SCHEME No 5 - AMENDMENT 4

REZONING Lot 971 No 2 Marianthus Road, Kambalda West – From Public Purpose – to Commercial

		• That the proposal should be considered a complex amendment. • Provided an overview of the history of the site and Arts Group.	• The submission focuses on the Arts Group use of the site and expectation to stay on the site. The Shire has continued to develop and focus community activities in various locations including the Kambalda Community and Recreation Centre. • Commercial zoning facilitates cultural and arts activities including arts galleries, club premises, community uses, civic uses. • The proposal amendment is considered a standard amendment.	
8	John William Head & Cindy Duke	Objection • Impact on the current tenant including potentially higher rates. • Seeking Shire's intension relating to the services of the Arts Group. • Expressed concern the amendment undervalues the role and history of the Arts group in providing a range of activities from the site.	• The issues of tenancy lease and rating are separate matter between the Shire, as landowner and the tenant. • Commercial zoning facilitates cultural and arts activities including arts galleries, club premises, community uses, civic uses. • The submission focuses on the Arts Group use of the site and expectation to stay on the site. The Shire has continued to develop and focus community activities and uses in various locations including the Kambalda Community and Recreation Centre.	Council support the amendment without modifications
9	Jan McLeod	Objection • Uses the Kambalda Arts Centre which provided for public locals and tourists. • Outlines the services of the Arts Centre. • Expresses concern with content to the report regarding site cleared, site distance from townsite • History of the Arts Centre and collections of the Arts Centre • Role of the current zoning to support community needs. • Positive benefit of the Arts Centre	• The submission focuses on the Arts Group use of the site and expectation to stay on the site. The Shire has continued to develop and focus community activities in various locations including the Kambalda Community and Recreation Centre. • The site has been altered and cleared to facilitate the existing development of the site which contains buildings and hardstand area. • The site is located within the Kambalda Townsite. • The current caveat on the site relates to services station use on the site • The Shire has continued to develop and focus community activities in various locations including Kambalda Community and Recreation Centre. • Commercial zoning facilitates cultural and arts activities including arts galleries, club premises, community uses, civic uses.	Council support the amendment without modifications
10	Main Roads	No Comments	Noted	Council support the amendment without modifications

From: Matt Calabro <Matt.Calabro@watercorporation.com.au>
Sent: Thursday, 2 December 2021 12:46 PM
To: mail <mail@coolgardie.onmicrosoft.com>
Subject: FW: Planning Scheme No 5 - Amendment No 4

Hi

Thank you for your letter requesting comment on the Local Planning Scheme Amendment no. 4.

After investigating the site that the changes pertain to, the site has the necessary Water and Wastewater servicing already installed.
Thus Water Corporation has no objection to the proposed changes.

Regards,

Matt Calabro
Advisor – Land Planning
Development Services

E Matt.Calabro@watercorporation.com.au

watercorporation.com.au

From: Lucy Karafilis <admin@coolgardie.wa.gov.au>
Sent: Wednesday, 1 December 2021 12:14 PM
To: Land Planning <LandPlanning@watercorporation.com.au>
Cc: Francesca Lefante <Planning@coolgardie.wa.gov.au>
Subject: Planning Scheme No 5 - Amendment No 4

Good Afternoon,

Please see attached our letter and attachments referring to the Local Planning Scheme Amendment.

Kind regards,

Lucy Karafilis
Administration

P (08) 9080 2111

Irish Mulga Drive, Kambalda WA 6442
Sylvester Street, Coolgardie WA 6429
PO Box 138, Kambalda WA 6442

Shire of Coolgardie
Mother of the Goldfields

The Shire of Coolgardie accepts no liability for the content of this email, or for the consequences of any actions taken on the basis of the information provided, unless that information is subsequently confirmed in writing. Any views or opinions presented in this email are solely those of the author and do not necessarily represent those of the company.

From: Corey Boivin <Corey.Boivin@dwer.wa.gov.au>
Sent: Tuesday, 14 December 2021 3:00 PM
To: Lucy Karafilis <admin@coolgardie.wa.gov.au>
Subject: Response: Planning Scheme 5 - Amendment 4

Dear Lucy,

The Department of Water and Environmental Regulation has assessed **Planning Scheme 5 – Amendment 4** and has no comments to provide.

Feel free to contact me if you have any questions.

Kind regards,

Corey Boivin
Natural Resource Management Officer
Planning Advice Section

Department of Water and Environmental Regulation
Swan Avon Region
7 Ellam St, Victoria Park, WA 6100
T: (08) 6250 8027| F: (08) 6250 8050
E: corey.boivin@dwer.wa.gov.au | www.dwer.wa.gov.au
Twitter: @DWER_WA

Disclaimer: This e-mail is confidential to the addressee and is the view of the writer, not necessarily that of the Department of Water and Environmental Regulation, which accepts no responsibility for the contents. If you are not the addressee, please notify the Department by return e-mail and delete the message from your system; you must not disclose or use the information contained in this email in any way. No warranty is made that this material is free from computer viruses.

From: DFES Land Use Planning <advice@dfes.wa.gov.au>
Sent: Wednesday, 12 January 2022 1:26 PM
To: mail <mail@coolgardie.onmicrosoft.com>
Cc: Francesca Lefante <Planning@coolgardie.wa.gov.au>
Subject: Local Planning Scheme No 5 - Amendment No 4 - DFES Response

Our Ref: D22564
Your Ref: Scheme Amendment 4
Attention: Robert Hicks

Dear Sir/Madam,

RE: SHIRE OF COOLGARDIE LOCAL PLANNING SCHEME NO 5 – AMENDMENT NO 4

I refer to your email dated 29 November 2021 regarding the advertising of Scheme Amendment No. 4.

Given the proposal seeks to rezone land from 'Public Purposes' to 'Commercial' as per your correspondence, which may not be considered an intensification of land use, the application of *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) may not be required, in this instance.

Please note that the application of SPP 3.7 is ultimately at the discretion of the decision maker.

Thank you for providing us with the opportunity to make a submission, DFES has no further comments.

Should you require clarification of any of the matters raised please do not hesitate to contact me on the number below.

Kind regards,

Richard Trinh
Senior Land Use Planning Officer | Land Use Planning

Department of Fire and Emergency Services
Emergency Services Complex | 20 Stockton Bend, Cockburn Central WA 6164
T: 08 9395 9709 | **E:** advice@dfes.wa.gov.au | **W:** dfes.wa.gov.au

FOR A SAFER STATE



Acknowledgement of Country: DFES acknowledges the Traditional Owners of Country throughout Australia, and their connections to land, sea and community. We pay our respects to Elders past and present.

Western Australian Planning Commission

Form 3A
Submission form

Regulation 24(1) (a), 26(6)(a), 40(1)(a) and 49(1)(a)

Version: 2.0 (February 2021)

Planning and Development Act 2005

To: The Chief Executive Officer of the Shire of Coolgardie

☒ SUBMISSION ON LOCAL PLANNING SCHEME 5 - AMENDMENT No4
LOT 971 No 2 Marianthus Road, Kambalda West
From: Public Purpose to Commercial

Name: Paul Wilcox

Organisation / Company: (if applicable)

Address: 43 New Clayton Street, Kambalda East WA 6442

Phone: 0478 663 983

State how your interests are affected, where as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Private citizen with an interest in ensuring correct processes have been followed.

ADDRESS OF PROPERTY AFFECTED (is applicable)

(Include lot number and nearest street intersection)

SUBMISSION

(Provide your comments in full and any arguments to support them (attach additional pages if necessary)

☐ Support ☐ Objection ☒ Other

The proposal document made available has numerous administrative errors that make it impossible to determine whether the matter has been properly considered by the council. Specifically, the document is dated August 2021 on the first page, with Form 2A (page 2) being signed by the CEO on 8/10/2021. Page 16 then refers to the adoption of the resolution taking place at the Ordinary Meeting of the Council on 26/5/2019. According to the council website, an ordinary meeting was not conducted on this day. I understand that this is likely just an error, but I believe council should amend the document to reflect the correct dates and re-advertise the proposal for public comment so that interested parties are able to check that the matter was in fact discussed and supported by council.

Date: 29/12/2021 Signature: Paul Wilcox

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

Brodie Titchener
37 Grevillea Crescent
Kambalda West, 6442
Ph: 0437 600 999
btm@outlook.com.au

James Trail
Chief Executive Officer Shire of Coolgardie

EXPRESSION OF INTEREST: To develop LOT 971 No 2 Marianthus Road, Kambalda West

Dear Mr James Trail,

I am writing to express interest in developing LOT 971 No2 Marianthus Road, Kambalda West once passed the rezoning amendment for commercial use. I have resided in Kambalda for 28 years as have my parents and grandparents when mining began in 1966. We have many positive ties and a great presence within the community. As a true Kambalda local I believe in the importance of supporting the growth and sustainability of the town and I would love nothing more than to see people come to Kambalda so it can thrive. In doing so, my vision is to develop a service station that competes with BP prices that includes electric charging stations, drive through coffee and a car wash.

The hopes of developing another service station will likely cause BP to lower prices to compete as well as benefit many local and company cars in West. The addition of electric charging stations will not only attract tourists to stop by Kambalda but encourage locals to invest in electric vehicles to better the environment and charge up on their way to Perth. The input of electric charging stations aligns with the strategy to provide modern and efficient services to the Kambalda people. The two vehicle access points are desirable for the convenience of drive through coffee and car wash. The car wash will be similar to the Mad Wax in Kalgoorlie. Since I can remember, the town has always expressed their want for a car wash which will attract those from East, West, companies, tourists, and those who are a part of the local car club.

The service station will provide multiple job opportunities for locals including baristas, kitchen hands and customer services roles.

We have newly established company BTM Hire, supplying mining companies and locals with a vast range of hire equipment. I believe the fuel station and car wash will gain the same positive attraction from those of Kambalda, knowing a local is investing in the prosperity and growth of the town.

Thank you for your consideration of the expression of interest and I look forward to the possibility of discussing it further with you.

Kind Regards,

Brodie Titchener

Western Australian Planning Commission

Form 3A
Submission form

Regulation 24(1) (a), 26(6)(a), 40(1)(a) and 49(1)(a)

Version: 2.0 (February 2021)

Received 3.20 pm 14/2/22

Planning and Development Act 2005

To: The Chief Executive Officer of the Shire of Coolgardie

☐ SUBMISSION ON LOCAL PLANNING SCHEME 5 - AMENDMENT No4
LOT 971 No 2 Marianthus Road, Kambalda West
From: Public Purpose to Commercial

Name: KAMBALDA CULTURAL AND ARTS GROUP INC.

Organisation / Company: (if applicable) AS ABOVE

Address: KAMBALDA ARTS CENTRE, No. 2 MARIANTHUS RD KAMBALDA WEST

Phone: 9027 3089

State how your interests are affected, where as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

OCCUPIER OF THE PROPERTY

ADDRESS OF PROPERTY AFFECTED (is applicable)
(Include lot number and nearest street intersection)

LOT 971, No. 2 MARIANTHUS ROAD, KAMBALDA WEST

SUBMISSION
(Provide your comments in full and any arguments to support them (attach additional pages if necessary)

☐ Support ☒ Objection ☐ Other

Please see attached pages (4)

Date: Signature: J. McLeod JAN McLEOD

CHAIRPERSON / KAMBALDA CULTURAL AND ARTS GROUP INC

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

KAMBALDA
Cultural & Arts Group

5th February 2022

Mr James Trail
Chief Executive Officer
Shire of Coolgardie
PO Box 138
KAMBALDA WA 6442

Dear Mr Trail,

RE: Planning and Development Act 2005 – SUBMISSION ON LOCAL PLANNING SCHEME 5 – AMENDMENT NO4

The Committee of the Kambalda Cultural and Arts Group Inc. OBJECT to the rezoning of Lot 971, No. 2 Marianthus Road from Public Purpose to Commercial.

The Kambalda Arts Centre caters to tourists and locals by:

- its location; easy visibility from the highway,
- providing maps and brochures,
- providing information both local and historical; also of surrounding areas,
- the public opening hours are manned by local volunteers, with a vast knowledge of local history, heritage and arts,
- galleries; art, craft, historic photos of the original town Red Hill, the woodlines, early mines, the development of Australia's first nickel town by WMC, local identities, aerial photos and maps,
- shop selling artwork and craft by local artists and artisans,
- extensive herbarium of local flora, now digitised,
- craft area which has a vista of the bush and the highway, hence psychologically beneficial,
- double workshop area used for mosaic, smashed glass and other art sessions,
- wet area for acrylic pours, painting, pottery and various other artistic mediums,
- adjoining room, housing 2 kilns and storage for pottery,
- 3 main storage areas, and 2 kitchen areas.

2 Marianthus Road, Kambalda West WA 6442 | Phone : 08 9027 0089
Email : kamcultart@kcaag.com.au

KAMBALDA
Cultural & Arts Group

Additionally, photography workshops utilise the gallery, outdoor displays, natural surroundings, and have visited nearby mine sites, with permission from the mining companies, to develop techniques.

These displays, working and storage areas cannot be replicated anywhere else in town and so the Group fiercely defends the zoning of PUBLIC PURPOSE. As the Group (comprising entirely of volunteers) caters for the needs of locals and tourists by acting as a community centre, easily accessible with plenty of parking and visible from the highway.

We also have the SILVER LAKE (the area's first nickel mine) Sheave Wheels on display, plus a jumbo (underground drilling machine) and an electric underground loco on display out the front of the Kambalda Arts Centre. Inside the Arts Centre we also have the Tamrock technical manual with schematics for the jumbo which is of particular interest to tourists. This outdoor display, the parking and picnic area, together with improved signage would draw people in. Hence the zoning needs to remain PUBLIC PURPOSE.

This rezoning makes us nervous with regard to our lease agreement with the Shire, our location and our future, as our concerns have not to this date been satisfactorily addressed by Shire officers.

The town centre is NOT located within walking distance, but actually within driving distance from this site. New businesses have opened in the town centre and when the other empty shops are occupied, the town centre will be seen as a vibrant retail space.

Also, the site has NOT been cleared of native vegetation and the view from the craft area, floor-to-ceiling windows, is enhanced by the retention of the trees and bush which was integral to the development of Kambalda by WMC.

Additionally, when BP sold the site to WMC there was a caveat on the sale which prevented the site from being used as a fuel outlet in the future. This document is in our historical records.

Since the site is NOT part of the town centre and has been used for community arts for the past 20 years (since 2002) and includes history and heritage information including digital displays, an impressive herbarium, gallery spaces throughout the complex, workshop/craft areas, pottery area with kilns, and a tourist information centre with outdoor displays, the zoning should REMAIN PUBLIC PURPOSE.

KAMBALDA
Cultural & Arts Group

This submission has been written and approved by the management committee of the Kambalda Cultural and Arts Group Inc. as representing our 87 current financial members (as per our constitution).

Yours faithfully,

Jan McLeod, Chairperson

Anne Argus, Vice Chairperson

Treasurer, John Scott

Secretary, Claire Bateman

Committee Member/Craft Coordinator, Halina Scott

Committee Member, Margaret Cheney

Committee Member, Erin Argus

Committee Member, Dave Smith

pg. 3

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many, a country Hopes said was a big fan of Australian music.

"We need to get over there and show them who we are and what we do," Hopes said.

"I think New Detention is going to be easier for us to open doors with. It's definitely picking up for us over there."

Grinspoon has been relentlessly touring the US and Hopes said the band could pack out a gig in places like Las Vegas.

The band has received airplay on college radio stations and Hopes was quick to defend claims the group had gone soft with the release of its mellow single Chemical Heart.

"It's good to get airplay but that wasn't what we were trying to do when we wrote the song," Hopes said.

He said anyone who came to see a Grinspoon gig would see first hand what the band was about.

The band will be re-releasing New Detention with a special EP in time for Christmas, with a cover version of INXS' Don't Change as the single. Hopes said the song was played at a series of recent concerts, including Livid, and was a hit with the crowds.

He said the band's musical style was maturing in what seemed like a natural progression.

"I think it shows on all the tracks on the new album," Hopes said.

Megan Sadlor





Kambalda Cultural and Arts Group members (from left) Lyn Piggott, John Scott, Margaret Cheney, Halina Scott and Debbie McCloy watch youngest member Emily Clavell paint in their new clubrooms.

Kambalda arts future bright

THE future is looking brighter for the arts scene in Kambalda. Arts projects continued to develop in the town through an extensive program of visual arts workshops this year and a busy year is planned for 2003.

Kambalda Cultural and Arts Group secretary John Scott said premises at the back of the old tourist bureau in Kambalda had been trialled in recent months, with the old BP roadhouse residence now being used for art workshops.

"Given time, these premises will provide a hive of arts activities and training within what will be utilised and labelled as Kambalda Arts Centre," Mr Scott said.

Eventually, it is hoped the Telecentre and Tourist Information Centre, museum and display area, community meeting room and arts centre are brought together as one at the Kambalda Resource Centre.

"This will be another positive step forward for the Kambalda community and art should play an important role," Mr Scott said.

He said the group had to be patient and resilient as funding was sought to make that dream a reality.

Now approaching its third birthday, the Kambalda Cultural and Arts Group has been successful in gaining funds from Country Arts WA. Together with a recent sponsorship from WMC KNS Community Participation Team, the group has secured its viability for the coming year.

"With the establishment of the arts centre looming, a bright future is expected for budding artists in Kambalda," Mr Scott said.

A mosaic project is poised to begin as a flow-on from the Country Arts WA-funded Kambalda Creative Arts Re-establishment Project, which saw a pottery revival in the town in 2001. Several ceramics and mosaic workshops are planned in the revitalised pottery centre at the Kambalda West Community Centre.

Mr Scott said the mosaic would be applied to the wall outside the pottery centre.

"The brick wall has been painted white and incorporates a partly-completed school mural project," Mr Scott said.

"The existing mural will be retained but transformed into a mosaic."

The Kambalda Cultural and Arts group also plans to expand its horizons and diversify into performing arts using the Country Arts 'shows on the go' program next year.

This should see new forms of entertainment in Kambalda through theatre, music and dance.

Some members of the group will provide entertainment at the Kambalda Country Club on December 6.

Mr Scott said Kambalda artists and students were also busy preparing for an exhibition of their work at the Goldfields Arts Centre mid next year.

The group welcomes new members. To find out more, call Mr Scott on 9027 3089.

Xan Ashbury

Spotlight

Bush theme art competition

ICR39238

Western Australian Planning Commission

Form 3A
Submission form

Regulation 24(1) (a), 26(6)(a), 40(1)(a) and 49(1)(a)

Version: 2.0 (February 2021)

Planning and Development Act 2005

To: The Chief Executive Officer of the Shire of Coolgardie

☐ SUBMISSION ON LOCAL PLANNING SCHEME 5 - AMENDMENT No4
LOT 971 No 2 Marianthus Road, Kambalda West
From: Public Purpose to Commercial

Name: John Scott

Organisation / Company: (if applicable)

Address: 43 Sturt Pea Cres, Kambalda West WA 6442

Phone: 90273089

State how your interests are affected, where as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
I submit this form in the capacity of a long- term resident of Kambalda, a constituant of the Shire of Coolgardie, deeply involved in the Arts and Cultural sector for over 44 years. Also a founding member of the Kambalda Cultural and Arts Group and Golden Mile Art Exhibition Group.

ADDRESS OF PROPERTY AFFECTED (is applicable)

(Include lot number and nearest street intersection)

Lot 971, 2 Marianthus Road, Kambalda West, Cnr Goldfields Hwy. Kambalda Arts Centre

SUBMISSION

(Provide your comments in full and any arguments to support them (attach additional pages if necessary)

☐ Support ☒ Objection ☐ Other

I object to the way that the advertised amendment was made public on the Shire of Coolgardie's website on the 7th December and the Kalgoorlie Miner on 10th December, as depositing a copy of documents explaining the scheme amendment to be available on the website. When checking to obtain the on line scheme amendment, the link did not lead me to it. Consequently, after not finding it and querying so, the document was posted on the 21st December, showing that date. The dates for lodging the submissions should allow 42 days as specified for submission at item 47(3). (a) of the Regulations. Then refer to item 76. (3) (a), then (5) (a).
(Cont'd with attachments.)

Date: 21ST FEBRUARY 2022 Signature: J Scott

Received at the Kambalda Administration Office, Monday 21 February 2022, 12.25pm.

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

Form 3A, submission form continued, page 2 of 6.

Also, the period as advertised for submissions was from first published date of 7th December 2021, to be lodged "In or before Tuesday 11th January".

That is a period of 35 days, not 42 as stipulated in the regulations. Also, the wording does not indicate the closing time and "in or" confuses.

As this is a breech of the Regulations, then the Standard Amendment needed to be readvertised. So, when it was, the extended date was changed to 22/2, but initially hidden behind the public notices, not replaced. Also taken off notice boards or not amended.

Under the PD Regulations 2015, item 47 (3) (b), "for a longer period approved by the Commissioner".

Also, the document has fundamental errors such as the wrong date of Council Adoption of 26th Day of May 2019?

Consideration of Standard Amendment:

At 2.1 Site—The Shire has identified as suitably located *"At part of the Shires Strategic objectives to encourage and support growth and sustainability of the **town centre** of Kambalda West"*. It is not urban or in the town centre.

At 2.4 you state that the Arts Facility previously forms **part** of the service station use on the site. The facility actually takes up the whole of the old service station, with art shed addition, built by the Shire.

Nowhere in the document have you made mention of the upgrades made and the investment by local government to facilitate and support a much needed service facility for the community, an Arts Centre that continues to plan and provide additional uses, such a historical displays, a herbarium, gallery and visitors information. Neither does it mention the tourism aspect with mining machinery on display and tourist information signage that the Shire has neglected., nor any allowance for expanding the public facility in the future.

At 2.3 there is a location map, figure 3, showing the lot in relation to the **"Town Centre".**

At 2.5 the site was previously used as a "services station".

There is no mention of other uses such as a Tourist Bureau with a museum and Telecentre.

The site **was identified** for a range of uses including commercial activities. The only uses identified are those that it is currently used or above. Please be specific, or maybe examine a new use? At this point there are no better uses, other than have the existing and its potential.

Form 3A, submission form continued, page 3 of 6.

As the Local Planning Strategy has been in effect since adoption in 2017, with this site being a part of that area being examined as for potentially Mixed Commercial, please specify the additional uses identified, especially those not already considered as unsuitable such as a trucking business (Industrial) and a service station that is now ruled out?

Other than a "*range of intensive activities with the potential for an icon development*", what is there to indicate that that could not happen as it exists, if there was more local government support?

Consistency with endorsed local Planning Strategy.

5 Local Planning Framework.

"*The site forms part of the Kambalda West town centre and is located **200** metres from the heart of the town".* The distance is more than that, so the document misleads.

At 5.2—"Various strategies identify the site as part of the town centre"? **What strategies?**

If you refer to 14.5 Business and Commercial, in the Town Planning Strategy document, this conflicts with your assessment as *"These businesses and commercial areas should be designed as cohesive centres in urban centres in urban areas (i.e. town sites). A consolidated centre provides an environment where all business and shopping can be completed in one stop and where there is an opportunity to share resources with community and other public purposes". The relevance to strategy indicates no additional land anticipated.*

The site is not that close to be included in the town centre. It is neutral to West and East.

There has been constant use of the facility or parts of since 1993 as a community facility and for the past 20 years used by the Arts Group.

Therefore it is inconsistent an should be a "Complex Amendment" as at item 34 a) of the regulations. Refer copy attached.

History of the site.

The irony of this amendment is that the KCAAG planned the development of the Arts Centre back in 2002 and moved into the unutilised caretaker's residence. That stemmed from research and consultation.

Form 3A, submission form continued, page 4 of 6.

In 2005 the group approached the Shire to have the complex upgraded, but this was considered not a good option, spending $250,000 on an old building. (The Shire was consulting with us regarding anticipated community upgrades).

Later, the best option was considered to be, build an Arts Shed in the Town Centre, in close proximity to the KCRF, the hub, that was when consulting with the Shire regarding facility upgrades in 2005-8. We would not fit into the Recreation Centre.

So a location by the old Senior's Centre was chosen. This was to also include an undercover area between the Arts Shed and the Men's Shed. Men's Shed money was not available.

So plans were drawn up by the Shire in consultation with the Art Group and quotations received at the cost of $305,000 to build it.

The group was approached to fill an application to co-fund, obtain funding from the Department of Culture and the Arts and on the second attempt succeeded. ($100,000 in 2007-8).

The documents in place to be signed failed as the Shire was in financial difficulty. Our funds forfeited.

In 2007 the group had to evacuate the original West Hall due to the new Rec Centre plan, were consulted and offers made for a temporary home. The one chosen was the BP Service Station Caretakers Residence., an obvious choice as we had already moved in and trial tested it. Some of our equipment was stored at the town yard.

So they had a backlog project and where approached by the Shire to submit a plan and cost to be considered by council. We chose the existing BP Service Station, because that was the best option, out on the highway., with an Arts Shed too. This was utilising RFR Local Government funding. A lot of the ground work was done by the Art Group, drawing up plans, obtaining quotations, project planning, preparing budgets and consulting with the Shire.

Conclusion—the Arts Centre is not a part of the Town Centre, or hub. Nor the lot 971.

Our strategy from 2002 worked and now we are well situated to assist the Shire's Tourism Strategy that excludes us.

But, the art group would not be in that position without tremendous support and direction from the Shire of Coolgardie who have also chosen to zone the site as "Public Purpose".

An excellent direction for an "Essential physical and community infrastructure", that just requires more of the support so as to assist local government itself to achieve its goals as outlined in Strategies.

Form 3A, submission form continued, page 5 of 6.

This is a Shire of Coolgardie project and should have measurable outcomes.

So, when considering the conclusion as stated at item 7:

Capable of creating a LANDMARK BUILDING that creates visibility and identity at the primary entrance to Kambalda West.

There is already a landmark building there, it is titled "Kambalda Arts Centre".

The Art Group have planned mural art on the building, dating back as far as 2009 when a design was presented to the council and viewed at a pre council meeting and it had support.

Also, as part of the group's plan to create the site as an exhibition space, including signage, machinery and public art.

A new plan was drawn up by the Group in 2014 including murals.

So far all that has been achieved in internal displays that continue to grow.

Local government need to consult with the Art Group and consider its plans in this area.

Copies of the plans were sent to the Shire during 2021, including information for interpretive signage.

Nothing will ever happen if the Shire just ignores the community group, prepares Strategic Plans without proper consultation with them.

It looks to me as if council people drive past the Arts Centre, look at the front and consider it unattractive, assume that the Art Group does nothing towards aesthetics, then initiates changing zones to fit Planning Schemes, not the community group needs and asperations.

Conclusion:

A phone call from CEO James Trail on Monday 25/5/20 about the briefing documentation that was to follow by email advising of the Shire's intention to rezone lot 971 to commercial surprised me.

At that point this late phone advice came before the tabling of the document to commence the process at Tuesday night's meeting and I did mention this. My thought was logical, the process had already commenced and I pointed this out.

The email assured that no decision has been made for the area if any, with an apology for not sending a copy earlier. Also that all this does is initiate the potential for additional uses for the whole lot.

Form 3A, submission form continued, page 6 of 6.

The public picked up on the plan from minutes and meetings and started asking questions.

That was unbeknowance to me.

Now that I have taken some time to look at the document, it led me to the Town Planning Strategy, where I can pin point that the site and an area surrounding was being examined then, in 2016/17 or prior.

If the Shire had simply consulted on this matter between then and May 2020, this project plan would have considered our group's plans for the area , maybe not caused community concerns and our guidance actually assisted the Shire with it's "examination".

As a result, the document really highlights the lack of local research, with vague outcomes and a neglect for consideration of the existing occupants of the land, the Art Group.

With the focus on commercialisation, the Shire has lost touch with reality, trying to bridge the gap between the site and the Town Centre to aid rezoning.

My concerns regarding the poor quality of the document and its wording were disregarded and this has also filtered into the final Amendment document, with disregard for my helpful advice.

Shire of Coolgardie should abandon the rezoning of the site and consult regarding projects and the possibility of some funding assistance to be able to move forward.

With the vision of utilising the Arts Centre and its location, surrounds, with enhancements, promoting Art and Heritage to express our communities identity as an entry statement could well be the lift that Kambalda needs, generating interest as a tourist attraction.

Properly planned and executed, would most likely have long term benefits during down times.

I have attached a page from the March 2011 Red Rambler, that was just an attempt to "Initiate a mural project". NB A lot has happened since then, but the principles remain. A backlog project that needs to be revisited and remains in plans.

Maybe work with the group to bring it to fruition, revive it?

modification to the amendment to the local planning scheme as directed by the Minister or authorised person.

Division 3 — Process for standard amendments to local planning scheme

47. Advertisement of standard amendment

(1) Subject to sections 81 and 82 of the Act, if a local government resolves under regulation 35(1) to prepare a standard amendment to a local planning scheme or to adopt a standard amendment to a local planning scheme proposed by the owner of land in the scheme area, the local government must, as soon as is reasonably practicable, prepare a notice in a form approved by the Commission giving details of —

(a) the purpose of the amendment; and

(b) how the amendment is to be made available to the public in accordance with regulation 76A; and

(c) the manner and form in which submissions may be made; and

(d) the period under subregulation (3) for making submissions and the last day of that period.

(2) On completion of the preparation of the notice, the local government must advertise the standard amendment to a local planning scheme as follows —

(a) publish in accordance with regulation 76A —

(i) the notice; and

(ii) the amendment;

[(b) deleted]

(c) give a copy of the notice to each public authority that the local government considers is likely to be affected by the amendment;

[(d) deleted]

(e) advertise the amendment as directed by the Commission and in any other way the local government considers appropriate.

(3) The period for making submissions on a standard amendment to a local planning scheme is —

(a) the period of 42 days after the day on which the notice is first published under subregulation (2)(a)(i); or

(b) a longer period approved by the Commission.

[(4) deleted]

[Regulation 47 amended: SL 2020/252 r. 20.]

48. Land owner may be required to pay costs of publication

The local government may require a person to pay the cost of the publication of a notice under regulation 47(2) if —

(a) the notice relates to an amendment to a local planning scheme in respect of land owned by the person; and

(b) the person proposed the amendment to the local planning scheme.

49. Submissions on standard amendment

(1) A submission on a standard amendment to a local planning scheme must —

(a) be made in writing to the relevant local government in a form approved by the Commission; and

(b) state the name and address of the person making the submission; and

(c) include a statement about the capacity in which the person makes the submission.

(2) A local government must acknowledge in writing the receipt of each submission received by it.

that could not have been granted under the local planning scheme prior to the amendment coming into force.

(6) A local government must not seek to recover review expenses from a land owner unless the local government has kept separate records setting out details of —

(a) the review expenses incurred and recovered; and

(b) the affected land; and

(c) any agreements of the type referred to in subregulation (5).

75. Compensation

An application for compensation under Part 11 of the Act arising from the making or amendment to a local planning scheme must be made to the local government in a form approved by the Commission.

76. Transitional arrangements for replacement local planning schemes

A local planning scheme that replaces one or more local planning schemes may provide that an application, instrument or policy that was made under, or applied in respect of, a local planning scheme that is being replaced is to be taken to be an application, instrument or policy for the purposes of the new scheme.

76A. Requirements for making documents available to public

(1) This regulation applies if under a provision of these regulations (other than Schedule 1 or 2) a local government is required to publish in accordance with this regulation a notice, scheme, amendment or other document (the ***document***).

(2) The local government must make the document available in accordance with the applicable requirements of subregulations (3) to (5).

Note for this subregulation:

Under regulation 76B, the Commission may approve varied requirements that apply if it is not practicable for a local government to publish documents in accordance with subregulations (3) to (5).

(3) For all documents, the local government must —

(a) publish on the website of the local government —

(i) the document; or

(ii) a hyperlink to a webpage on which the document is published;

and

(b) if it is reasonably practicable to do so — make a copy of the document available for public inspection at a place in the district of the local government during normal business hours.

(4) If the document is a notice and the local government considers that it is appropriate in the circumstances for the notice to be published in a newspaper, the local government must also ensure that the notice is published in a newspaper circulating in the relevant locality in the local government's district.

(5) The local government must ensure that the document remains published under subregulation (3)(a) and (if applicable) available for public inspection under subregulation (3)(b) —

(a) if the document is published in compliance with a requirement that is expressed to be an ongoing publication requirement — at all times that the document is in effect; or

(b) if the document is published in compliance with a requirement to advertise for submissions or recommendations under these regulations — during the

whole of the period within which submissions or recommendations may be made; or

(c) if paragraphs (a) and (b) do not apply — during a period that the local government considers is reasonable.

[Regulation 76A inserted: SL 2020/252 r. 26.]

76B. Commission may approve varied requirements for publication of documents

(1) In this regulation —

document has the meaning given in regulation 76A(1);

publication requirements means the requirements of regulation 76A(3) to (5) in relation to making documents available to the public.

(2) If the Commission considers that it is not practicable for a local government to comply with any of the publication requirements in relation to documents that it is or may become required to publish, the Commission may give the local government a written notice approving varied requirements that apply in relation to the local government making documents available to the public.

(3) If a notice under subregulation (2) is in effect in relation to a local government, the local government is taken to comply with the applicable publication requirements in relation to a document if the local government complies with those requirements as varied by the notice.

(4) A notice under subregulation (2) —

(a) must state whether it has effect indefinitely or for a period specified in the notice; and

(b) takes effect when it is given to the local government; and

2.3 Context – Local

The site is located on the intersection on Goldfields Highway and Marianthus Road, as identified on the Figure 3. The site is the only development site on the Goldfield Highway that identifies the entrance to the Kambalda West Townsite. The is surrounded by crown land with is vested for drainage, recreation of unallocated.

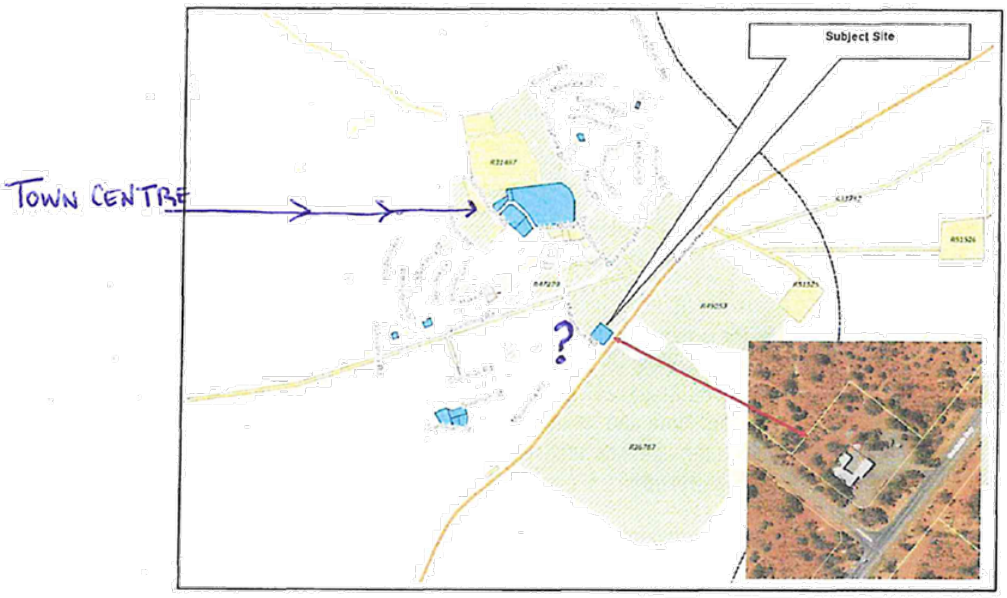


Figure 3 - Location Map

2.4 Current and Surrounding Land uses

The existing facilities on the site comprise an existing building currently used as a Community Arts Facility, previously forming part of the services station use on the site. Vehicle access to the site is by Marianthus Road and Goldfields Highway.

The site is surrounded by crown land for drainage and recreation purposes vested in the Shire of Coolgardie with land to the west, unallocated crown land. The immediate land uses to the north and east is drainage purposes -Crown Reserve R47093. There is a pocket of light industrial land to the west along Marianthus Road and Melaleuca Road respectively. The Kambalda Gold Course and club rooms on Lot 57 are located on Goldfields Highway to the south of the site. The closed residential buildings are buildings are approximately 300meters to the north of the site.

14.4 SERVICE AND LIGHT INDUSTRY

Service industries play an essential role in the mining industry and provide a wide range of employment opportunities. Many of these service industries are an integral part of the mining operation, dedicated solely to a specific mine and are located at mine sites. These activities may include drilling services, hydraulic engineers, mechanics, tyre providers and the like.

Many of these mining support industries also provide services to the general population as well. These activities must be located away from mine sites so they can be accessible by non-mining clients. In order to attract new service and light industries to the region the supply and variety of service and light industrial lots must be available for development.

The location of these service and light industrial areas must consider proximity to residential areas, room for expansion, and the availability of essential services.

Industrial land in Coolgardie townsite is currently located on the eastern side of the townsite. This land needs to be reassessed in view of the prospectivity levels and existing main road areas.

The existing industrial area in the southern part of Kambalda West needs to be expanded to cater for increased demands for light industrial activities. The existing area has the capacity to provide for additional lots that can use much of the existing infrastructure. Kambalda (East) industrial area (on the north side of the townsite) is very small and needs to be expanded to provide for those heavier more impacting industries. The location is well clear of the existing residential areas of the town and there is no land shortage. Land tenure issues will need to resolved prior to any future subdivision proposals.

Relevance to Strategy

A range of industrial activities must be adequately provided for in the settlements of Coolgardie, Kambalda West and Kambalda East. The Strategy should indicate directions or locations of future industrial and business areas.

14.5 BUSINESS AND COMMERCIAL

Business and commercial land must also be made available in a variety of forms. Generally these areas need to be located in an urban environment or centre. Businesses come in all types and sizes and should be provided for where possible. The provision of land must be provided for by the Local Government, whereas the built environment is usually a function of the private sector.

These business and commercial areas should be designed as cohesive centres in urban areas (ie townsites). A consolidated centre provides an environment where all business and shopping can be completed in one stop and where there is the opportunity to share resources with community and other public purposes. Dispersing these activities can create dysfunctional and scattered uses that may not be compatible with the adjoining uses and are unable to benefit from synergies with other similar activities (and markets).

The difficulty in planning for future commercial and business activities is forecasting the ultimate population size of an area. If too much land is set aside for an optimistic high population, and this does not occur for many years, there will be too much vacant land in an area that should look and feel busy. In some instances the use of temporary, or transient, activities can be useful in occupying the land on a short-term basis. Such a situation exists or is developing in the three major towns of the shire.

Bayley Street in Coolgardie (Great Eastern Highway) has been retained as the main commercial strip. This area has most of the existing outlets and is best placed to capitalise

on passing trade. The road width is 40 metres allowing for any streetscape improvements the Council may decide on.

Relevance to Strategy
The areas currently set aside (and zoned) in Coolgardie townsite for business and commercial activities are considered adequate. Commercial areas in Kambalda East and Kambalda West are to remain unchanged. No additional demand for more commercial land is anticipated in the foreseeable future.

15. TRANSPORT AND INFRASTRUCTURE

15.1 TRANSPORT FACILITIES

Air
The major airlines (Qantas and Virgin) operate from the Boulder airport with services throughout the country. Several minor charter services also service Boulder airport as well as Kambalda airstrip. Kambalda airstrip is a gravel runway but can be accessed by larger aircraft mainly providing fly in/fly out services (for example Cobham Airlines).

Rail
The Prospector and Indian Pacific operate a rail service through Kalgoorlie.

School Bus
School buses are provided by the Eastern Goldfields Transport Board;

- between Coolgardie and Kalgoorlie for students attending Eastern Goldfields Senior High School, and
- between Kambalda and Kalgoorlie for students attending Eastern Goldfields Senior High School.

Bus Service
Goldrush Tours Express operates a bus service from Perth to Kalgoorlie and return. Greyhound McCafferty's operate a bus service from Perth to Adelaide travelling through Coolgardie, Kambalda, Norseman and across the Eyre Highway. Goldenlines bus service provides the residents of Kambalda with yet another avenue of transport, for people wishing to make the trip to Kalgoorlie and return.

PortLink Project
The Federal Government has contributed $2 million for a study to link the State's major resource regions with the State's export ports. The project is partly funded through the Royalties for Regions program and is set to improve transport infrastructure linking Fremantle and the Eastern States with the mining regions of Goldfields-Esperance, Yilgarn, mid-west and Pilbara.

PortLink initially centres on an Intermodal Freight Terminal in Kalgoorlie and associated freight logistics arrangements; new road and railway alignments around the Kalgoorlie-Boulder city centre; and the development of new road and railway corridors, connecting the resource rich Yilgarn area and the Mid-West and Pilbara regions to export ports in Esperance, Geraldton/Oakajee, Port Hedland and Fremantle.

These linkages will have substantial benefits for local businesses and more broadly for local communities.

if the amendment will have minimal effect on the scheme or landowners in the scheme area;

complex amendment means any of the following amendments to a local planning scheme —

(a) an amendment that is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

(b) an amendment that is not addressed by any local planning strategy;

(c) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality;

(d) an amendment made to comply with an order made by the Minister under section 76 or 77A of the Act;

(e) an amendment to identify or amend a development contribution area or to prepare or amend a development contribution plan;

standard amendment means any of the following amendments to a local planning scheme —

(a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;

(b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

(c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;

(d) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently

KAMBALDA CULTURAL AND ARTS GROUP

March 2011

Red Hill Rambler

"Arty News"

"Our apologies to craft kids"

- Due to the refurbishments currently in progress at the Arts Centre, we are not able to deliver programs, including kid's craft.
- Sorry, but once the upgrades to the craft areas are complete, then we will need to set it all up, shift gear around, make more room.
- Craft supplies are stashed away in boxes and hard to find too.
- A clean up of work areas are also required.

"Arts Centre Murals" Proposed Community Arts Project

This idea has been passed around our community for some time and seems to have quite a lot of support, even from outsiders.

With consideration for the upgrades currently in progress, wouldn't it be nice to have some new Public Art in Kambalda, especially in such an appropriate situation as at the entry point into West Kambalda.

That is, something appropriate to the surrounds and in keeping with our cultural heritage.

The former BP West Service Station and Roadhouse has always been a landmark, either for its original purpose, Tourist Bureau, Telecentre and now an Arts Centre.

As the complex still is aesthetically a service station, we would like to use art as a tool to take it back to a fuel station by painting fuel bowsers along the yet to be erected front fence enclosing the toilets.

Also in keeping with the surrounds, including a Tamrock Jumbo, Silver Lake sheave wheel and the rail bogger, we would like to see an air leg miner mural in the front middle window of the old roadhouse.

Where the workshop used to be, we could paint a mural depicting a Tamrock dump truck or another piece of underground machinery, appearing to be inside the workshop being serviced in the "Kambalda Mining Art Workshop". A sign beside the workshop on he wall "Heavy Underground Vehicle Maintenance Workshop".

Possibly a banner along the front, then we would have a very good start point to build on, many art projects will follow all around the complex.

This project will need to pass through the usual approval processes first.

Quite a lot of the art can be applied by members of our community and more difficult part by local regional Artists.

Proposed Mining Art Roadhouse



Received.
21/02/22

Western Australian Planning Commission

Form 3A
Submission form

Regulation 24(1) (a), 26(6)(a), 40(1)(a) and 49(1)(a)

Version: 2.0 (February 2021)

Planning and Development Act 2005

To: The Chief Executive Officer of the Shire of Coolgardie

☐ SUBMISSION ON LOCAL PLANNING SCHEME 5 - AMENDMENT No4
LOT 971 No 2 Marianthus Road, Kambalda West
From: Public Purpose to Commercial

Name: JOHN WILLIAM HEAD & CINDY MICHELLE DUKE

Organisation / Company: (if applicable)

Address: 5 SANTALUM ST KAMBALDA WEST 6442.

Phone: 0407 444 591

State how your interests are affected, where as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

ADDRESS OF PROPERTY AFFECTED (is applicable)
(Include lot number and nearest street intersection)

LOT 971 N°2 MARIANTHUS RD KAMBALDA

SUBMISSION
(Provide your comments in full and any arguments to support them (attach additional pages if necessary)

☐ Support ☒ Objection ☐ Other

PLEASE FIND ATTACHED LETTER OF OBJECTION TO THE LOCAL PLANNING SCHEME 5 - AMENDMENT N°4 LOT 971 N°2 MARIANTHUS RD KAMBALDA WEST 6442. (3 PAGES).

Date: 17.02.2022 Signature: JOHN HEAD CINDY DUKE

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

John Head and Cindy Duke

5 Santalum St

Kambalda West 6442

The CEO

Mr James Trail

Shire of Coolgardie

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND TO LOCAL PLANNING SCHEME

SHIRE OF COOLGARDIE LOCAL PLANNING SCHEME NO 5

AMENDMENT NO 4

Dear Sir

We are writing to object to the rezoning of lot 971 No 2 Marianthus Rd, Kambalda West 6442, from public purpose to commercial zoning.

As private citizens who value the services and provisions currently located at No 2 Marianthus through the Kambalda Cultural and Arts Group Incorporate, the Shire of Coolgardie – Scheme Amendment 4 points out in the introduction that the amendment considers the context of the shires strategic vision and sustainability. However, there is no transparency of the strategic vision and sustainability. The document is meticulous and lengthy, including lousy grammar and spelling issues. The Shire of Coolgardie Scheme Amendment 4 does not clearly illustrate the intentions to rezone the area to commercial.

In reflection to the introduction, states to have Lot 971 No2 Marianthus Road Kambalda rezoned from special to commercial, which contradicts the opening page 1. Rezoning lot 971 No 2 Mariathus Rd Kambalda from Public Purpose to commercial. A Special Zoned Area protects infrastructure from development, and Public Purpose Zoned Areas are land or area for a public facility, which makes it confusing what the Shire is requesting.

Considering the context of "standard amendment" as outlined in Regulation 34, it also states (f) an amendment that does not result in significant environmental, social, economic or governance impacts on land in the scheme area. Therefore, the rezoning will change the permissible uses of the land, which will influence higher rates and constraints on the Kambalda Cultural and Arts Group. The impact and repercussions to the environmental, social and economical from the rezoning, my questions to you are:

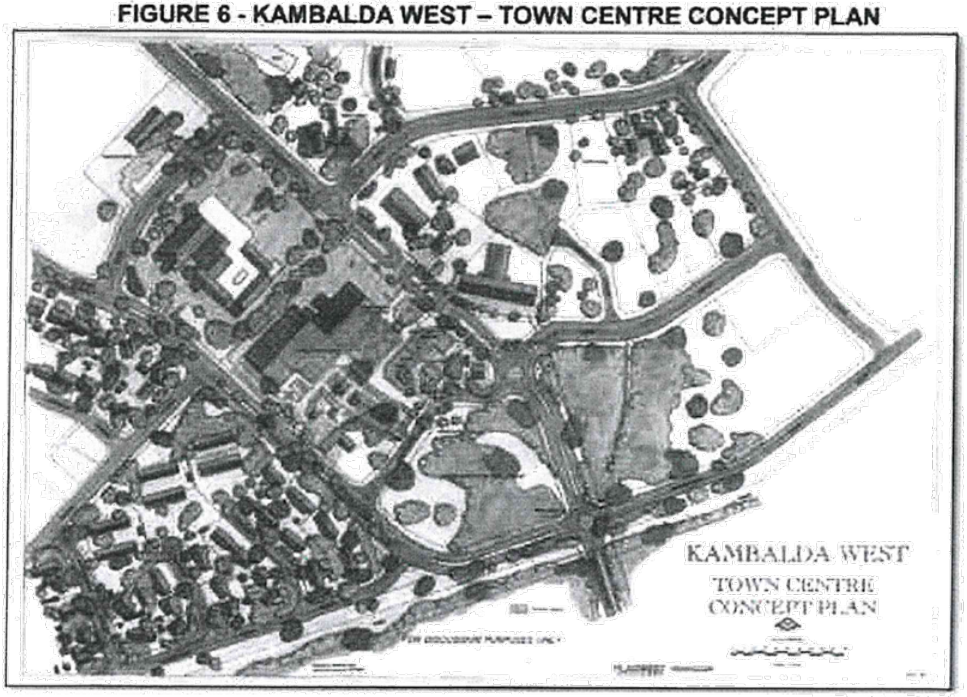
1. What are your intentions with the provisions and services the Kambalda Cultural and Arts Group provide to the community?

2. What will the Shire do with the current buildings, infrastructures, and historic displays on the premises?

Consequently, how will the rezoning affect the sustainability of the Kambalda West Town Site? There are numerous mentions throughout the scheme, although it does not have any clarity or justification as to how the Shire intend to promote or implement such frameworks. Where is the clarity, visibility and transparency of the Shire's intentions or proposal for the land?

Additionally, the context surrounding the background (2), there is false information regarding figure 1. It is pretty clear in the photo (figure 1) that the land is not cleared. There is also reference to strategic objectives to encourage & support the growth and sustainability of the town centre. Lot 971, maybe 200mtr from the first house on Melaleuca Road. However, as to the Figure 6 - Kambalda West – Town Centre Concept Plan (pictured below from the Shire of Coolgardie Local Plan Strategy 2016), Melaleuca Road has no visibility of Lot 971 No2 Marianthus Rd. The assumption would be that Lot 971 would be, further, approximately 700mtrs to the newsagents.

FIGURE 6 - KAMBALDA WEST – TOWN CENTRE CONCEPT PLAN



The background also states that the building has been in use for ten years, although it has been ten years plus for the Kambalda Cultural & Arts Centre. Furthermore, the scheme only refers to the Kambalda Cultural & Arts Group as to community art centre, equally as important the Kambalda Cultural & Arts Group also provides and maintains the following:

- Tourist information
- Kambalda history, including the woodlands
- Herbarium – preservations of plant species

- Art and historical photos of Kambalda and a joining regions
- Various Workshops

Nevertheless, section 3 Proposed Amendment states that the scheme amendments expand the range of suitable uses for the site and mention the facilities to increase site identification and visibility. How does the Kambalda Cultural and Arts Group not provide such vision and identity with all the history and memorabilia of Kambanda's past? Whilst also providing the community with various events, workshops, and provisions.

Section 4 – Planning Framework considers the broad strategy for sustained growth and prosperity. Again, there is no backup information, evidence, and justification for how the Shire intends to promote or implement such frameworks. There needs to be transparency to ratepayers to consider the Shire's actions. Especially when considering the use of the terms provided in the Urban Growth and Settlement paragraph, which discusses either vacant or under-utilised land and buildings. Considering the value of local culture and heritage as adopted in the Community Strategic Plan and how it will be achieved reflects the Kambalda Cultural & Arts Group. The Kambalda Cultural & Arts Group provides preservation of heritage information and encourages cultural and historical community projects and activities while supporting and encouraging local and regional tourism. Therefore, it would be considered that Lot 971 No 2 Marianthus Road is not, in fact, either an existing urban area that is vacant or under-utilised.

Expressively, the Shire of Coolgardie Local Planning Scheme No 5 Amendment No 4 - rezoning of lot 971 No 2 Marianthus Rd, Kambalda West 6442 from public purpose to commercial zoning, should not be approved. Considering the lack of transparency and accountability (which are other goals adopted by the Shire) is unacceptable from the community's council perspective.

Concluding that John William Head and Cindy Michelle Duke ***object*** to the Planning and Development Act 2005, Local PlanningScheme 5 – Amendment No 4 Lot 971 No 2 Maianthus Road Kambalda West WA from Public Purpose to Commercial.

Kind Regards

John William Head

17.02.2022

Cindy Michelle Duke

17.02.2022

Received
21/02/22.

COVER PAGE

Western Australian Planning Commission

Form 3A
Submission form

Regulation 24(1) (a), 26(6)(a), 40(1)(a) and 49(1)(a)

Version: 2.0 (February 2021)

Planning and Development Act 2005

To: The Chief Executive Officer of the Shire of Coolgardie

☑ SUBMISSION ON LOCAL PLANNING SCHEME 5 - AMENDMENT No4
LOT 971 No 2 Marianthus Road, Kambalda West
From: Public Purpose to Commercial

Name: JAN McLEOD

Organisation / Company: (if applicable) N/A

Address: 83 KINGSWOOD ST, WIDGIEMOOLTHA WA 6443

Phone: 0427 208023

State how your interests are affected, where as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

- attended photography, mosaic and smashed glass workshops at the Arts Centre located on this site
- used the historic information in a presentation to EGHS
- donated aerial maps
- want outdoor mining display extended

ADDRESS OF PROPERTY AFFECTED (if applicable)
(Include lot number and nearest street intersection)

LOT 971, 2 Marianthus Rd and Goldfields Hwy Kambalda West

SUBMISSION
(Provide your comments in full and any arguments to support them (attach additional pages if necessary)

☐ Support ☒ Objection ☐ Other

see the attached 6 pages.

Date: 21-2-2022 Signature: J. McLeod

The information and plans provided with this application may be made available by the WAPC for public viewing in connection with the application.

(1)

MRS J. McLEOD
WIDGIEMOOLTHA via
NORSEMAN WA 6443
21-02-2022

THE CEO
SHIRE OF COOLGARDIE
MR. JAMES TRAIL

RE : LOCAL PLANNING SCHEME No. 5
AMENDMENT No. 4

Dear Sir,

I am writing to OBJECT to the rezoning of No. 2 Marianthus Road, Kambalda West from PUBLIC PURPOSE to Commercial.

I object as a private citizen who values and uses the services that the Kambalda Arts Centre provides and the zoning should stay as PUBLIC PURPOSE as the Centre provides for the public; locals and tourists:-

- local information, maps and brochures
- history of Kambalda / Red Hill and the Woodlines
- herbarium, unique, local flora now digitised
- extensive gallery of art, craft and historical photos
- continuous screening of photos from the early days of mining, gold and nickel and the establishment of the towns
- historical records
- areas for dry and wet workshops; mosaic, acrylic pours, painting, pottery (2 kilns), smashed glass, photography
- craft area + storage
- outdoor mining display ; jumbo, Silver Lake's sheave wheels (Kambalda's 1st. mine, from top of headframe, electric ~~loco~~ underground loco

(2)

I object as in the documentation it states that the site is cleared – stated in 2.5 p.6, 6.4 p.11 NOTE: trees Fig 1 p.4 This is a factual error and misleading. The Arts Centre is surrounded by trees and native vegetation which makes the view from the craft area extremely relaxing and pleasant.

I object as in the documentation it states that the site is part of the town centre.
– stated in 2.1 p.4, 4.1.3 p.7, 5 p.8, 5.2 p.10, 7 p.12
This is erroneous as can be seen in Fig. 3 - Location Map p. 5. The commercial town centre is shaded light blue and not within walking distance as the other retail shops are. Even though new businesses have opened, there are still empty shops available and once these are occupied, the town will look busier and more vibrant. Empty shops send the wrong message – the town is in decline. Hence another commercial area is not required as the 3 existing commercial areas are not fully tenanted.

p. 6 2.5 Site History : The Arts Centre has been there for over 20 yrs, not over 10 yrs, as stated.

p. 10 5.3 Heritage : Although the building is not heritage listed, it houses an extensive historical collection; written material, photographs, maps and a panorama of Red Hill – Butterfly leases; Kambalda gazetted 1897 and then the Kambalda built by WMC (Western Mining Corporation) over the original townsite. Also history and photographs of the Woodlines which extend throughout the Shire.

The herbarium is a valued collection from WMC. KAMBALDA is Australia's First Nickel Town and this should be promoted. It is promoted in the ARTS CENTRE with commemorative books on display, J. Greshams book "KAMBALDA" on sale, many photos, displays and information. The Arts Centre has requested better signage promoting the town and its history and has proposed projects to emphasise this. These include mosaic plaques, streetsigns and to extend the outdoor mining display, all of which need funding.

p.12 6.5 Development Opportunities : As far as I am aware, there has only been one development opportunity forthcoming ; as a service station. When BP sold it to WMC, there was a condition on the sale, that the site was never to be used as a service station again! The Arts Centre has the document – historical record.

p.12 Conclusion

I dispute the statement : "Shire is experiencing a significant challenge in addressing the availability of suitable land that supports business, tourism and employment."

EXISTING MINING COMPANIES, associated local businesses have been advertising for workers – the OPPORTUNITIES are there. Residential housing needs to be expanded to attract families who then provide local workers, children who will increase numbers at the schools, sporting and social activities and volunteers in the community.

④

The zoning PUBLIC PURPOSE, supports the role and needs of the community. The Arts Centre, being in a prominent position on the Goldfields Highway, also acts as a visible community information centre as it provides maps and information on Saturdays (10 → 2p.m) when the Rec. Centre is closed.

The Arts Centre DOES provide "lifestyle, social, and environmental benefits and sustainability to the community" p. 12 (site not totally cleared as stated).

This single use as PUBLIC PURPOSE is <u>not</u> a negative impact as stated in your report p. 12. The Arts Centre is a positive benefit to the community especially as it is visible to the community and located between the townships of Kambalda and Kambalda West with <u>plenty of parking available</u>.

Any outdoor historical display needs main road frontage as seen by Ben Prior Park located on Bayley St, Coolgardie, which is the main thoroughfare to Perth.

Having the Cultural and Arts Centre located in its present location does "enhance the growth and sustainability of the townsites" p. 12 by being visibly accessible.

Also KAMBALDA and KAMBALDA WEST were especially designed to limit the disturbance to the natural bushland.

* see attached p. 170 from "BRODIE" Memoirs of Sir Lawrence Brodie-Hall, L. Brodie-Hall, 1994 ACCESS PRESS

Hence residential areas were built either side of the land set aside for schools, ovals, nursing posts, commercial precincts and public purpose green buffer zones. Workers accommodation, heavy and light industrial ~~was~~ were and are located well away from residential areas with natural bushland as buffer zones. This makes our town unique and by having a commercial area out on the highway goes against the ethos of the original planning of the towns.

Therefore I do NOT believe that the WAPC should support this amendment to Local Planning Scheme No. 5 to rezone the site Commercial to reflect its town-centre location (not located in town centre see my page 2). The zoning should remain PUBLIC PURPOSE to support its current use as an Arts Centre, providing activities, workshops, local information; its location being ideal for its 87 members some of whom live in Kalgoorlie (55 km away), Widgiemooltha (40 km), Coolgardie (87 km) and Kambalda (6km away).

Thank you for the opportunity to provide a public viewpoint.

Yours faithfully,

J. McLeod

Mrs. J. McLeod

21-02-2022

(6)

Included in a brochure compiled by Gilbert Ralph in 1992, titled "A Pictorial History of Kambalda", are the following remarks,

"From the very outset great care was taken to preserve the natural bushland. The company adopted a policy recommended by its consultant landscape architect, Jean Verschuer, that the town and operations be established within the existing indigenous landscape. This policy set the framework for the development and John Oliver quickly established a fearsome record by dismissing anyone who removed trees unnecessarily."

"He was certainly encouraged by Laurence Brodie-Hall and received the full support of the directors. Jean Verschuer had a special interest in arid lands and in addition to the valuable advice she gave to the company she provided practical guidance to local residents on the ways and means of maintaining native gardens."

As housing lots were surveyed, all trees and shrubs taller than one metre were identified and care was taken to locate houses and other structures so that trees and shrubs were not removed unnecessarily. Kambalda became a model of good practice, so much so that Dr John Beard, a former Director of Kings Park wrote of it in an article in 1970 under the heading of "Kambalda, An experiment of Gracious Living". He wrote,

"Kambalda gives the impression not of a raw mining camp but of a dignified township established much longer than its four years, set in trees and with flourishing gardens. Above all it gives the feeling of a pleasant place in which to live."

Another article in the *National Development Quarterly* of December 1971 titled "Kambalda, Pioneer Australian Nickel Town" stated

"It is possible that in the future Kambalda will be remembered just as much for its pioneering efforts in conservation related to township planning as it will be for its having been Australia's first exporter of nickel."

Kambalda nickel operations have gone from strength to strength but I think that in no other period of its now twenty-seven year life was there ever as much excitement as in those first few years.

from "BRODIE"
Memoirs of Sir Laurence Brodie-Hall
L. Brodie-Hall, 1994, Access Press

170

From: MCALINDEN Ainslee (CSM/A) <ainslee.mcalinden@mainroads.wa.gov.au>
Sent: Monday, 6 December 2021 11:09 AM
To: Lucy Karafilis <admin@coolgardie.wa.gov.au>
Cc: Francesca Lefante <Planning@coolgardie.wa.gov.au>; Francesca Lefante <Planning@coolgardie.wa.gov.au>; PERCASKY Murray (NOM) <murray.percasky@mainroads.wa.gov.au>
Subject: FW: Planning Scheme No 5 - Amendment No 4

Good morning Lucy

Thank you for your email. It has been received by the Goldfields Esperance Region and forwarded to the appropriate officer for response.

We shall be in touch shortly.

Kind regards

Ainslee McAlinden
A/Customer Service Manager
Goldfields Esperance Region
p: +61 8 9080 1474
m: 0419 960 955
w: www.mainroads.wa.gov.au

mainroads WESTERN AUSTRALIA

METRO TRAFFIC REGIONAL TRAFFIC

---------- Original Message ----------
From: Lucy Karafilis <admin@coolgardie.wa.gov.au>;
Received: Mon Nov 29 2021 09:04:13 GMT+0800 (Australian Western Standard Time)
To: CIC Enquiries <enquiries@mainroads.wa.gov.au>; Enquiries CallCentre <enquiries@mainroads.wa.gov.au>; CIC <enquiries@mainroads.wa.gov.au>;
Cc: Francesca Lesante <planning@coolgardie.wa.gov.au>; Planning@coolgardie.wa.gov.au;
Subject: Planning Scheme No 5 - Amendment No 4

Good Morning,

Please see attached our letter and attachments referring to the Local Planning Scheme Amendment.

Kind regards,

Lucy Karafilis
Administration

P (08) 9080 2111

Irish Mulga Drive, Kambalda WA 6442
Sylvester Street, Coolgardie WA 6429
PO Box 138, Kambalda WA 6442

Shire of Coolgardie
Mother of the Goldfields

13.2.5 ANIMAL WELFARE PLAN - LOCAL EMERGENCY MANAGEMENT ARRANGMENTS

Location: **Coolgardie**

Applicant: **Shire of Coolgardie**

Disclosure of Interest: **Nil**

Date: **15 March 2022**

Author: **Francesca LeFante, Town Planning Consultant**

SUMMARY

For Council to consider and endorse the Animal Welfare Plan that supports and guides the Shires response in the event of a range of potential emergency situations that may impact directly on the Shire, its community and infrastructure.

BACKGROUND

In August 2021 LEMC endorsed the Animal Welfare Plan as part of progressing various operational plans that support the Shire Emergency Management arrangements.

These documents are undertaken in discussion with various agencies and include:-

- Investigation and research on industry response and reports
- Review State agencies emergency response plans
- Reviewed the legislation.

In August 2021, the LEMC resolved

LEMC Receives and notes the Status Report on the Animal Welfare Plan

COMMENT

The Animal Welfare Plan supports the Local Emergency Management Arrangements and provides clear guidance to Shire Staff, Hazard Management Agencies and Supporting Agencies to assist the community with the care and management of domestic and native animals during an emergency event within the Shire of Coolgardie.

The key elements to the plan are:-

- to provide the principles of Animal Welfare and the structure for management in an Emergency.
- Provide specific information on the Shire actions as it relates to Animal Welfare.
- Specific aspects that relate to Coolgardie.
- Clarify and consistency on the messaging for the community and staff in an emergency.

The plan was developed following extensive background research which included:

- research on the framework. In reviewing many other local government documents, the majority were a strategic document on the principles of an animal welfare plan, aims and purpose, establishing roles and a framework on preparing the document.

- Analysis of the research identified some significant weakness in the structure, as was not considered to provided practical and specific clarity that addressed the Shire of Coolgardie
- preliminary officer discussions have occurred on the framework identified the following risks
    - dual role of staff in an emergency
    - the resources available included staff, equipment, and vehicles
    - the isolation of the major town settlements, and the location of staff resources
    - limitations on establishing multiple animal welfare sites
    - the need to ensure clarity and consistency on the messaging for the community and staff in an emergency.

There are no agencies that provide animal welfare or vet care are currently located within the Kambalda or Coolgardie townsites, the principles in the framework, cover establishing various teams to co-ordinate the management of animals. Accordingly, the document reflects that this limitation.

The experience of the Shire in past emergencies, in particular fire, has been that the location and size of the shire town sites means that much of the co-ordination and community is via the Shire. Accordingly, the Animal Welfare Plan focuses on the unique aspects and challenges faces within the Shire, and how best to manage both Animals and their owners in an emergency.

CONSULTATION

LEMC – Local Emergency Management Committee

STATUTORY ENVIRONMENT

Emergency Management Act 2005

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Emergency Management costs are included in the budget

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Ensuring a well-informed Council makes good decisions for the community

ATTACHMENTS

1. Coolgardie Animal Welfare Plan

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council APPROVE the Shire of Coolgardie Animal Welfare Plan (attached) as part of the Local Emergency Management Arrangements (LEMA).

RESOLUTION #51/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

That Council APPROVE the Shire of Coolgardie Animal Welfare Plan (attached) as part of the Local Emergency Management Arrangements (LEMA).

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

Shire of Coolgardie
Mother of the Goldfields

LOCAL EMERGENCY OPERATIONAL PLAN ANIMAL WELFARE

Contact Shire of Coolgardie

Street Address	**Irish Mulga Drive Kambalda, WA, 6442** **Bayley Street, Coolgardie, WA, 6429**
Postal Address	**Po Box 138, Kambalda, WA, 6442**
Phone	**(08) 9080 2111**
Email	**mail@coolgardie.wa.gov.au**
Office Hours	**Monday to Friday 8.30am to 4.30pm**

Hold Control and click picture to visit our Facebook



Document Control			
Document ID		Version	1
LEMC Endorsement date		Last Review	New
Current Review	24/04/2020	Next Review Date	
Prepared by	Sheree Forward		
Documents maintained by	**Executive Officer to LEMC**		

AMENDMENT HISTORY

AMMENDMENT		DETAILS OF AMENDMENT	AMENDED BY
NUMBER	DATE		NAME
1	24/04/2020	Draft	Sheree Forward
2			

Suggestions and Comments from the Community and Stakeholders can help improve these arrangements and subsequent amendments.

To forward feedback, please copy the relevant section, mark the proposed changes and forward to;

The Chairperson

Local Emergency Management Committee Shire of Coolgardie

Shire of Coolgardie
Po Box 138
Kambalda WA 6442

Or email to: emadmin@coolgardie.wa.gov.au

The Chairperson will refer any correspondence to the LEMC for consideration and/or approval. Amendments promulgated are to be certified in this document when updated.

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Introduction

The welfare of animals is often a deciding factor for people in making quick decisions in emergencies, including evacuating a threatened property or seeking emergency shelter.

Just as we need to prepare our family and property in times of emergencies and natural disasters, we also need to prepare for the safety of our animals. As pets are reliant on owners for their safety in an emergency, it is essential you plan ahead and prepare for the safety and welfare of your pets, livestock or other farm animals well before a potential natural disaster affects your home or property.

Purpose

The purpose of the Animal Welfare Plan is to provide guidance to Shire Staff, Hazard Management Agencies and Supporting Agencies to assist the community with the care and management of domestic and native animals during an emergency event within the Shire of Coolgardie.

Animals are an integral part of our community life within the Shire.

Ultimately, responsibility for the care of pets and livestock rests with the animal owners/carers at all times, including planning for and welfare during emergencies.

When natural disasters occur, such as fires or floods, animal owners are often reluctant to leave their properties as they have not adequately prepared for their animals.

Emergency planning increases owner awareness of responsibilities and assists them to be self-sufficient. Owners that must evacuate and/or cannot put in place a plan to look after their animals, may need assistance from the community to temporarily hold their animals, rescue their animals or reunite straying animals with their owners.

Scope

Animals play a significant role in both the lives and livelihoods of all members of the community. This plan is to be used in conjunction with the Shire of Coolgardie Local Emergency Management Arrangements. This plan should be considered during an emergency, but also recovery.

This plan aims to;

- Provide clarity on the responsibility for the care of pets and livestock during emergencies.
- Provide support and assistance to the Local Emergency Management Arrangements;
- Provide guidance in relation to responsibilities and tasks;
- Coordinate the function and outline the management structure of animal welfare arrangements;
- Enhance public safety and community resilience through effective planning and management of animals during an emergency event;
- Ensure better consideration of animals and protect them from suffering both during and immediately following an emergency event;

- Assist with reuniting owners and animals both during and after an emergency event;
- Ensure the safety of both animals, the community, road users and emergency services personnel, by impounding stray or wandering animals; and
- Assist to increase community confidence in, and awareness of, animal welfare arrangements and considerations during an emergency.

To achieve this, the Plan focusses on the efficient and effective management of animals, and coordination of animal welfare support services before, during and after an emergency event and describes:
1. The planning arrangements for animal welfare support services in emergency preparedness,
2. The response, relief and recovery;
3. The roles and responsibilities of agencies, organisations, owners and carers in planning for and
4. Providing emergency animal welfare support services; and
5. Operating arrangements during an emergency for animal welfare agencies and organisations, emergency service agencies and animal owners and carers.

The Shire's Rangers will work in close cooperation with the other stakeholders on animal welfare matters arising out of the evacuation emergency and shall agree on the distribution of duties, depending on resources available in each instance

Location

The geographical area covered by these arrangements is the Shire of Coolgardie municipality, inclusive of Coolgardie, Kambalda, Widgiemooltha and Kurrawang.



Limitations of this Plan

In implementing this Plan, the follow principles and limitations may apply:

1. Protection and preservation of human life is paramount;

2. The responsibility for the welfare of animals at all times remains with the person in charge of an animal;

3. Integrating consideration of animals and their welfare into emergency planning, at all levels, will improve animal welfare outcomes and have a positive impact on human safety and resilience.

4. Recognition that the bonds people have with their animals impact on their decision making and behaviour in an emergency.

5. This plan encompasses all hazards as emergencies of all types can impact on animals or require animal management processes to be implemented.

6. While arrangements described in this Plan are typical, it is recognised that a Control Agency may recommend additional or alternative actions at the incident, regional or state level to meet the needs of the particular emergency

Responsibilities of Animal Owners, Managers and Carers

Individuals responsible for the care and management of animals should seek information to make informed decisions on how to prepare for emergencies, and help meet their relief and recovery needs wherever possible. Following an emergency, individuals and households need to be as self-sufficient as possible, because, in the first instance, agencies will offer emergency support to the most vulnerable community members.

In the event of an emergency, animal welfare may be compromised if management arrangements are not effectively in place. While this plan identifies the role of government agencies and animal welfare support organisations in addressing animal welfare impacts during an emergency, this does not negate an individual or company's legal obligations to provide for the welfare of animals they own, manage or control.

Western Australia experiences a wide range of emergency threats including fire, extreme weather, floods, and others, many of which may endanger the welfare of companion animals, livestock, horses and wildlife. The Shire of Coolgardie works closely with the State Emergency Management Committee, other government agencies to provides resources, equipment to the emergency. Given the large area to be cover, and Shires resources are limited and as such owners have a significant role for there own personal safety and that of their animals.

Personal Animal Plans and Emergency Response

Owners or Carers of an animal are responsible for the wellbeing of that animal and should include consideration of its welfare in preparedness for, response to and recovery from an emergency

The connection between people and their animals can be strong and diverse. Emergency events that impact on animals can affect the Shire of Coolgardie and its community.

In responding to an emergency, the primary aim is to protect the safety of people. In order to fulfil this aim, the following factors regarding animals must be taken into account:

- research proves that the bonds people have with animals will influence their decision-making and behaviour during an emergency (for example, failing to relocate to a safer place if they cannot take their pets with them).

- people will often put themselves at risk for animals in emergencies even if those animals are not their own. This risk-taking can lead to dangerous or fatal consequences.

Research has indicated that the human-animal bond can be extremely influential in a person complying with emergency response directions, such as evacuating, and in participating in preparedness activities.

Owner & Carer General Planning Considerations

As animals have an owner or carer, their wellbeing is at the expense of the owner or carer through private services, such as veterinary clinics, shelters, food suppliers, as there are no government funded animal welfare services for day to day delivery. This poses significant challenges in an emergency where there is no obligation for a private service to scale up for an emergency response or provide services at no charge

The Shire of Coolgardie suggests owners or carers should consider:

- If it is likely the animal will be evacuated or remain onsite;
- If transportation is adequate and available to relocate the animal, under potential logistical constraints (i.e. road closures, window of safe evacuation);
- If suitable areas and adequate provisions are available for animals left on a property to minimise the risk of harm (i.e. area at lowest risk of hazard impact, sufficient food and water access for prolonged absence);
- If animals, and their owner or carer, can be identified (i.e. companion animal / horse microchipping, National Livestock Identification System); and
- If they are prepared for self-sufficient recovery and for how long

Shire of Coolgardie support

The Shire of Coolgardie primary role is to protect human life in an emergency, its ability to provide expanded support to animal welfare is limited to its resources, capabilities and capacity.

The Shire identifies risks and this plan aims to mitigate them through identifying:_

- Various animal categories are within the Shire – such as companion animals (dogs and cats which should be registered with the Shire in accordance with the legislation
- boundaries
- Isolated animal categories, which may be located some distance from the owners – such as horses
- Owner / carer communities that may require additional support – such as aged care facilities

Support Agencies

The size and distance between the townsites within the Shire of Coolgardie increases the challenge of managing animals in an emergency. the majority of animal support agencies are located in Kalgoorlie or are centralised in other regional locations,

The Shire of Coolgardie consider other community preparedness, resilience and education is a vital component in owners or carers managing their responsibility for their animals in emergencies. The Shire Communication plan includes animal welfare consideration

Support and Collaboration Arrangement – Neighbouring Shires

The Shire of Coolgardie establishes Memorandum of Understanding (MOU) with neighbouring Local Governments to collaborate and assist in providing community members with support, and where possible options to assist owners in caring of animals in an emergency.

Plan Activation

The Activation of this Shire plan will be determined by the Incident Controller (IC)of the relevant Hazard Management Agency (HMA), or the Local Emergency Coordinator (LEC), in charge of the incident.

To activate this, plan the IC or LEC will contact the Shire of Coolgardie (SoC) through the Team Leader of Ranger Services and advise of the need to commence the plan's activation. The Team Leader Ranger Services will also take on the role of Animal Welfare Coordinator (AWC) and prepare to implement the plan.

Triggers for plan activation may include such circumstances as:

- Major emergencies such as fire, flood, drought, animal disease outbreak.
- Opening of a Welfare Centre; and/or
- Large scale carcass disposal requirements

Given the limited resources of the Shire of Coolgardie and that many staff may have other roles during an emergency the Animal Welfare Team (AWT) should consist of designated persons to assist with

1. Clarify persons in the team and the enactment of the Shire of Coolgardie Animal Welfare Plan (SoC AWP).
2. Recognition of the staff limitation and dule roles;
3. Co-ordination with the Welfare Centres Team and Communication Team in actions and community notifications & messages
4. Assisting in the appointment/allocation of roles within the AWT shall be identified and recorded in the appropriate format for reference as required:

Roles and Responsibilities

Western Australia experiences a wide range of emergency threats including fire, extreme weather, floods, and others, many of which may endanger the welfare of livestock, horses, companion animals and wildlife.

Animal Welfare Team (AWT) & Coordinator (AWC)

The Team will primarily be composed of Shires Rangers, but may also include other local, government Rangers, RSPCA Officers, veterinarians, State Emergency Service and any other person/ interest group accepted by the Manager overseeing the Animal Welfare Management Team to assist in the emergency.

Overall management of this team will be the responsibility of the Shire of Coolgardie Ranger Coordinator during an emergency.

The Animal Welfare Team will work from a suitable location to receive calls and coordinate responses in the field. The first preference for this centre will be the Shire Emergency Evacuation Centre.

The Animal Welfare Coordinator will work in close liaison with the Welfare Centre Coordinator as in the event of an evacuation people may arrive with their animals

The key actions are to

- Record and register all requests for assistance that are received;
- Log all personnel and resources in the field
- Maintain a register of rescued animals
- Liaise with Welfare Centre Coordinator and Communication team to ensure consistent communication
- Provide response on Animal Shelters

Animal Welfare Team Equipment and Resources

The City's Rangers have only a limited number of vehicles (2) , suitable for transporting dogs, cats and small livestock. The Ranger vehicles are equipped with radios. The Shire DOES NOT have any trailers suitable for carrying large livestock. The City's Rangers have equipment to capture and hold small animals.

- Coordinate incoming offers of assistance from any organisations suitably qualified in animal care;
- Requesting assistance from any person or organisation with the skills in animal care to form the Animal Welfare Team (AWT);
- Requesting assistance from other SoC departments to assist in the rescue, transport or relocation of animals as required.
- In a large emergency the AWC will notify the RSPCA and WARA and then the AEG will be activated. The AEG will provide further assistance in the form of;
    - Vehicles/Trailers
    - Coordination of transporting animals
    - Vet Services of Euthanasia assistance for injured animals.

Domestic Animal Welfare Centres

The SoC's Community Ranger Services team is made up of 2 Shire Ranger. These officers work closely with the Emergency Services Coordinator and are whilst there are primary officers responsible for undertaking the duties of the SoC CAWP, it is important to note that these officers also fulfil other logistical roles during emergencies, so their service availability may be limited.

As the Shire has limited resources and depending on the type and circumstances of the emergency the Shire of Coolgardie 's Animal welfare centre will require determination base on the emergency and may be Shire Pound or the Emergency Evacuation Centre or within a neighbouring Shire.

When the need arise and resources are available, as emergency shelter may be set up to temporarily house domestic animals brought in. The Shire has limited capacity for the care of temporary care of displaced animal's, the Shire Pounds have capacity of

- Kambalda - 10 dogs, 10 cats No livestock yard .
  The Dog Pound Kambalda, located at the SoC Works Depot on Santalum St Kambalda West,
- Coolagrdie – 10 dogs, 10 cats No livestock yard
  The Dog Pound Coolgardie, located at the SoC Works Depot on Lady Loch Rd.

In an emergency event, priority of rescue, shelter and care will be given to the following:

- Assistance Dogs; Guide Dogs; Hearing Dogs –PERMITTED IN EVACUATION CENTRES; and
- Service Dogs; Rescue Dogs; Police Dogs –PERMITTED IN EVACUATION CENTRES; and Companion Pets for the elderly, disabled, or high risk children or adults.

NOTE: Human life will always take precedent over animal welfare.

Animal Owners

Animal owners are ultimately responsible for the welfare of their pets and livestock at all times, including during emergency/disaster situations.

State Agencies and Support Groups

Given the varying nature and size of emergency events it may be necessary to request the assistance of other State Agencies or Support Groups to carry out effective animal welfare operations. These may include

- ***Department of Biosecurity, Conservation & Attraction (DBCA)***
  The DBCA has a Wildcare Helpline (9474 9055) which is a 24 hour-a-day, seven-day-a-week telephone referral service which enables members of the public who come across a sick/injured/orphaned native wildlife animal to obtain advice as to how to find care for the animal.

- ***Department of Primary Industries & Regional Development (DPIRD***
  The DPIRD are the recognised HMA for emergency management of any significant.
  - Animal pest or disease; and
  - Plant pest or disease which could result in an outbreak that potentially could cause significant damage to property, the environment and/or harm humans and/or industry.
  -

  The DPIRD may be able to assist with:
  - Working with stakeholders to identify and manage biosecurity risks;
  - Conduct inspections related to biosecurity risks;
  - Provide quarantine services as required.

Alternative Animal Shelters

Large Animal ae a risk to themselves as much as to emergency responders during an emergency event if left uncontained/unrestrained.

- ***Livestock***
  Depending on the resources and priorities, the AWC may identify the nearest appropriate property or paddock in which to temporarily hold/detain the livestock.

  The Shire however does not have the facilities to transport or impound the large animals and livestock

- ***Horses***
  Whilst there are facilities are available at the Kambalda and Coolgardie Horse Stables & Pony Club, however, residents are encouraged to evacuate their animals to friends/family in an area well outside of the emergency zone.

  Depending on the resources and priorities, the AWC may identify an appropriate location which may at a racetrack, trotting track, horse and pony club, which may be within or outside the shire boundary.

  The Shire however does not have the facilities or skills to transport or impound the horses

Temporary Sheltering Facility

With the exception of assistance/service dogs, animals are not permitted in Evacuation/Welfare Centres.

In the interests of assisting with the wellbeing of both the animals and their owners (as both may become greatly distressed if separated during an emergency event), the AWC will allocate a suitable area near the Evacuation/Welfare Centre where a Temporary Sheltering Facility may be established. This may be a SoC reserve, oval or other suitable shaded area nearby.

Note: Should a Temporary Sheltering Facility be established, it may require temporary fencing, shade tents, food and waste equipment, and watering equipment.

Rescue of Animals and Injured Animals

The rescue of animals shall be coordinated by the Shires Emergency Management Coordinator/ Recovery Coordinator in conjunction with IMT or ISG where appropriate. Tasking will then be delegated to the Shire's Rangers for actioning.

If an animal is rescued and requires veterinary treatment, measures should be taken to provide the necessary treatment as soon as possible.

Where a Shire Rangers deems that movement or prolonging the life of an injured animal will cause unreasonable stress or suffering, the Shire of Coolgardie Ranger shall authorise the humane destruction of the animal. Destruction shall be undertaken by Police, Veterinarians or authorised Ranger

- **Entering a Fireground**
  Members of the Animal Welfare Team will not enter a Fireground, unless;
  a) The area has been deemed save by the Controlling Agency; or
  b) The personal have been training in basic Firefighting, specialising in bushfire, have correct Level 1 Personal Protective Equipment, access to an appropriate and authorised radio and approval has been given by the Incident Controller.

- **Animal welfare check**

After activation of this Plan and prior to opening an area to the wider community, it will be the responsibility of the Animal Welfare Team to ensure any deceased animals are removed for public sight. All non-native animals will be appropriately tagged and all reasonable measures will be taken to contact the owner prior to disposal.

- **Treatment**
  In the instances where veterinary treatment is required for an animal, every effort will be made to contact the animal owner/carer. It will then be recommended that the owner/carer seeks advice from a private veterinarian.

  Should the emergency become a large-scale event, private vet clinics may be operating beyond capacity resulting in the need to establish temporary additional triage sites for the purpose of assessing an animals and providing treatment, immediate euthanasia, or salvage slaughter. Additional support for local vet practices in the form of voluntary veterinarians, vet nurses or supplies, may be sought via the RSPCA, WAPS, WARA or another suitable agency.

Data Management

The AWC shall be responsible for effective and controlled data management when this plan is activated. All relevant forms shall be completed, copied, registered into Synergy and the originals secured for future reference as and when required.

Financial Management

The Local Government Act, Section 6.8(1)(c) grants the Shire President the authority to authorise unbudgeted expenses in an emergency. Subject to approval by the Shire President, the AWC shall be responsible for authorising expenditure in relation to;

- Animal supplies;
- Veterinary expenses;
- Any other items deemed necessary for the function of the LAS or PAS.

These expenses shall be recorded in the Animal Emergency Expenditure Form (Annexure 10). Financial management is inclusive of all acquisition, distribution, and accounting for funds. Done correctly it should ensure;

- Streamlining of financial processes;
- Cooperation between both public and private sectors;
- Appropriate levels of financial response.

Debriefing/Final Reporting

At the end of any activation of this plan, the AWC is required to facilitate a debriefing session for all workers and volunteers who assisted during the event. The AWC is also responsible for preparing a full report on the event, inclusive of a debriefing report to be provided to both the LEMC and Shire CEO.

13.2.6 PROPOSED FOOD VAN CAFE - NO 67 BAYLEY STREET, COOLGARDIE

Location: Lot 528 No 67 Bayley Street, Coolgardie

Applicant: Deborah Ovens

Disclosure of Interest: Nil

Date: 16 March 2022

Author: Francesca LeFante, Town Planning Consultant

SUMMARY

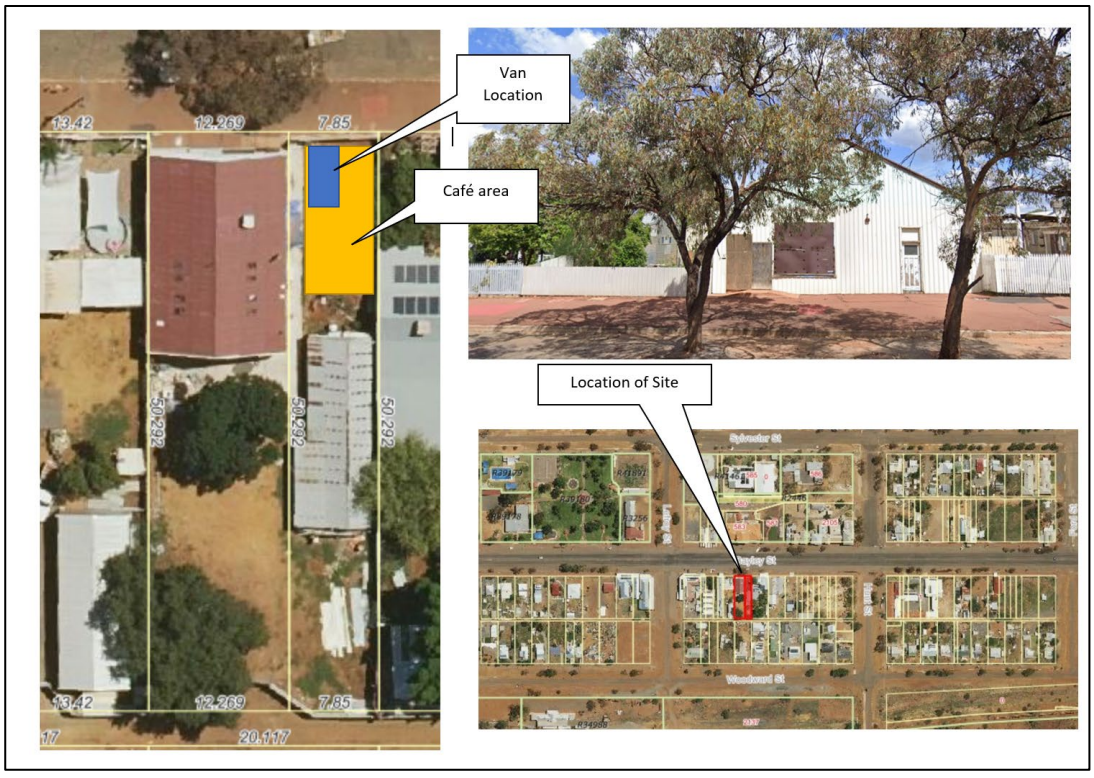
To consider an application for a Food Van to operate as a Café at 67 Bayley Street, Coolgardie.

In support of the request the applicant has advised that: -

- Utilise the front of the lot 528 as a small café /coffee van open to general public
- Level and landscape
- Engage relevant contractors to install applicable utilities
- Proposed opening – March 2022

BACKGROUND

The site is Lot 528, No 67 Bayley Street, Coolgardie. A portion of the site contains a large shed on the street boundary. The proposed café food van is to be located on the undeveloped portion of the site fronting Bayley Street, making use of on-street parking . The subject site is shown on the plan below.



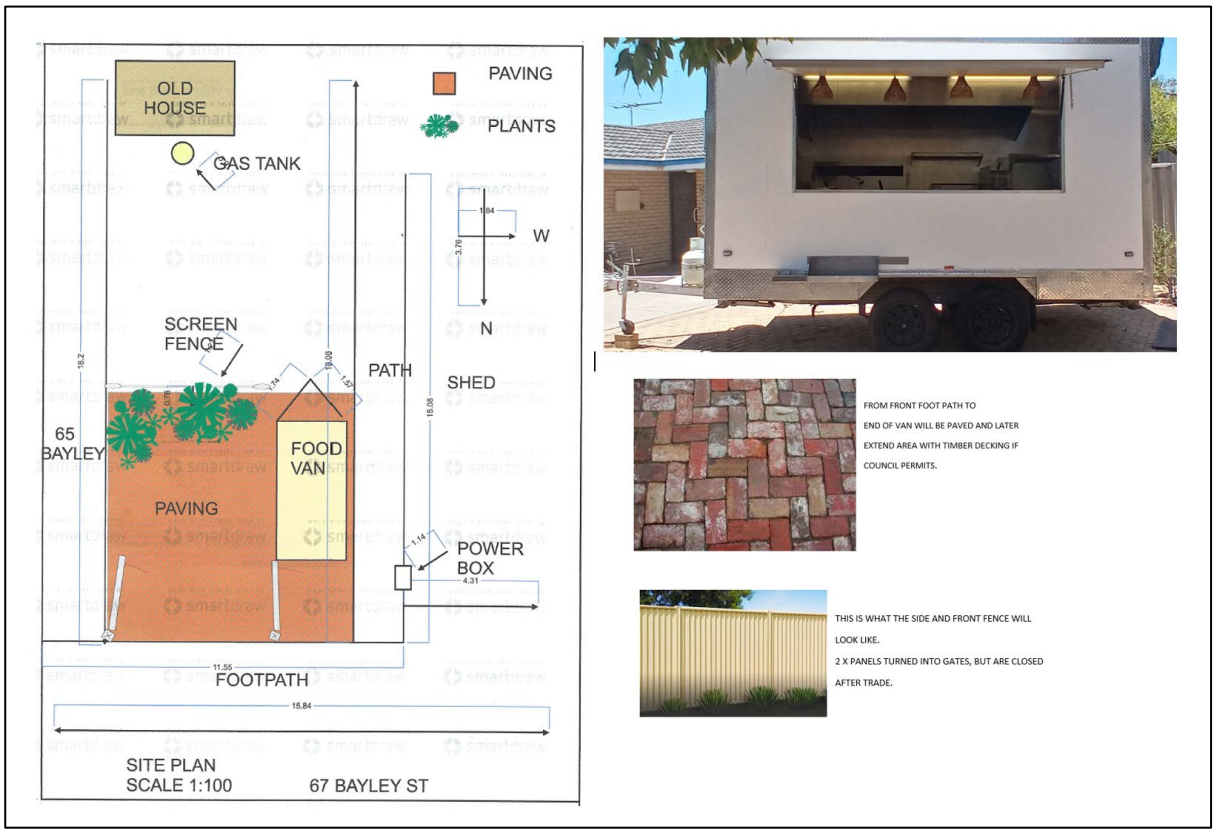
Food Van previous approvals

In June 2019 the Shire has supported a Takeaway Food Van (Crib Hut) on Bayley Street, Coolgardie for 12 month period. The facility operation occurred predominately on the weekends, and was considered to enhance the food offering within the townsite. In 2020 the Shire supported the provision of seating within the adjoining building as an extension of the food van activities.

In March 2021 the Council refused a proposal for a take way food van in Kambalda. The information including the van parking in the open carparking area at the front of the site. Due consideration was given to the overall elements on the proposal and on balance the Shire formed the view that location of a food van was not appropriate.

COMMENT

The proposal is to permanently locate the Food Van on the subject site and include the provisions of a dedicated onsite seating area. The proposal intends to activate an underuser portion of the site to offer a further eating establishment in the Coolgardie Townsite.



Under the Shire Local Planning Scheme, the following is relevant:-

- A café is classified as 'P" use in a commercial zone is defined as:

  Means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licenced under the Liquor Control Act 1988.

- A Fast Food is classified as an A use in a commercial zone which requires advertising

  means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten –

(a) without further preparation; and
(b) primarily off the premises.

The Shires Local Planning Scheme the scheme aims, zone objectives and the provisions of the Deemed Provisions of Clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015.*

The objectives of the Commercial zone are:-

- To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality

This proposed café operations comprising an onsite food Van and dedicated seating area is considered to be:-

- Similar to other Food Vans supported in the Coolgardie Townsite
- Compatible with the scheme and zone objectives and provision.
- Activate areas where there is no activity.

Given the unusual nature of the proposal, it is considered appropriate to limit the approval period to two years to enable the reconsideration of the activity to ensure continued compliance with the Shires Scheme provisions.

The Council has the discretion to determine the proposal is café or more aligned to a fast-food outlet, which would require public advertising. The following options are:-

Options

Council has the following options

- Option 1 – Approve the proposal – with various conditions.
- Option 2 – Refuse the proposal.
- Option 3 – Deferred if the Council does not support the café classification.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Planning Scheme.
Planning and Development Act and Regulations.
Deemed Provisions.
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging the development of local business education and support

Supporting local businesses in the Shire

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

ATTACHMENTS

1. **Plans**
2. **Site & Services**
3. **Applicant Report**
4. **Van Details**
5. **Title**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council APPROVES the proposed CAFÉ – FOOD VAN operating on Lot 528, No 67 Bayley Street, Coolgardie in accordance with the application dated 24 January 2022 as shown the attached plans, subject to the following:-

1. Approval is granted for a limited timeframe of two years for date of the approval. Further formal planning approval is required to operate beyond this timeframe.
2. The premises and open seating area to be kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the Shire of Coolgardie
3. Compliance and licensing of the Food Van under the Health and Food legislative provisions.
4. The on-site café seating area to be paved and drained in suitable materials
5. The loading and/or unloading of vehicles is to occur on-site or in designated loading areas and in a manner that does not interfere with the parking of vehicles on Bayley Street
6. All areas of outdoor storage must be screened from public view
7. Landscaping areas to be installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the Shire of Coolgardie.
8. Connection of the facility to site services in compliance with legislative provisions
9. The provision of toilets and other amenities as required under Health and Building legislation.

Council did not consider the Officer Recommendation because the Alternate Recommendation was superior in addressing the issues, and substantially included most of the former recommendations.

OFFICER RECOMMENDATION

That Council ACCEPTS the alternate recommendation for consideration

RESOLUTION #52/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

That council ACCEPTS the Alternate Officer Recommendation for consideration.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

RESOLUTION #53/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Kathie Lindup

That Council RESOLVE to accept the alternate Officer Recommendation.

That Council APPROVES the proposed CAFÉ – FOOD VAN operating on Lot 528, No 67 Bayley Street, Coolgardie for a temporary period of 12 months in accordance with the application dated 24 January 2022 as shown the attached plans, subject to the following:-

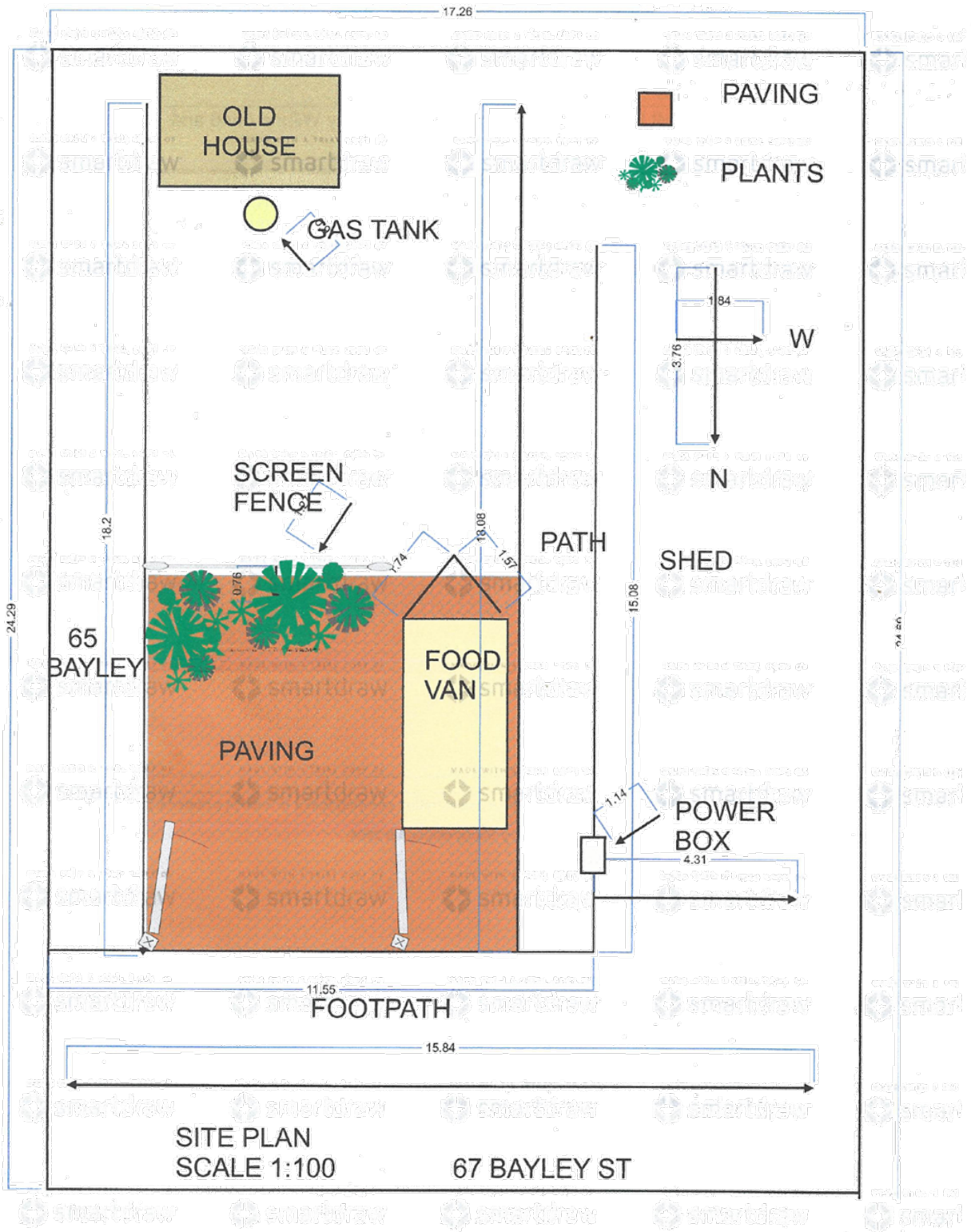
1. **1.Approval is granted for a temporary timeframe of 12 months from the date of the approval.**
2. **At the expiration of the 12 month timeframe, the operations are to cease and a further planning application is to be submitted for continuation of the activities beyond this period.**
3. **The premises and open seating area to be kept in a neat/tidy condition at all times by the owner/occupier to the satisfaction of the Shire of Coolgardie**
4. **Compliance and licensing of the Food Van under the Health and Food legislative provisions.**
5. **The on-site café seating area to be paved and drained in suitable materials**
6. **The loading and/or unloading of vehicles is to occur on-site or in designated loading areas and in a manner that does not interfere with the parking of vehicles on Bayley Street**

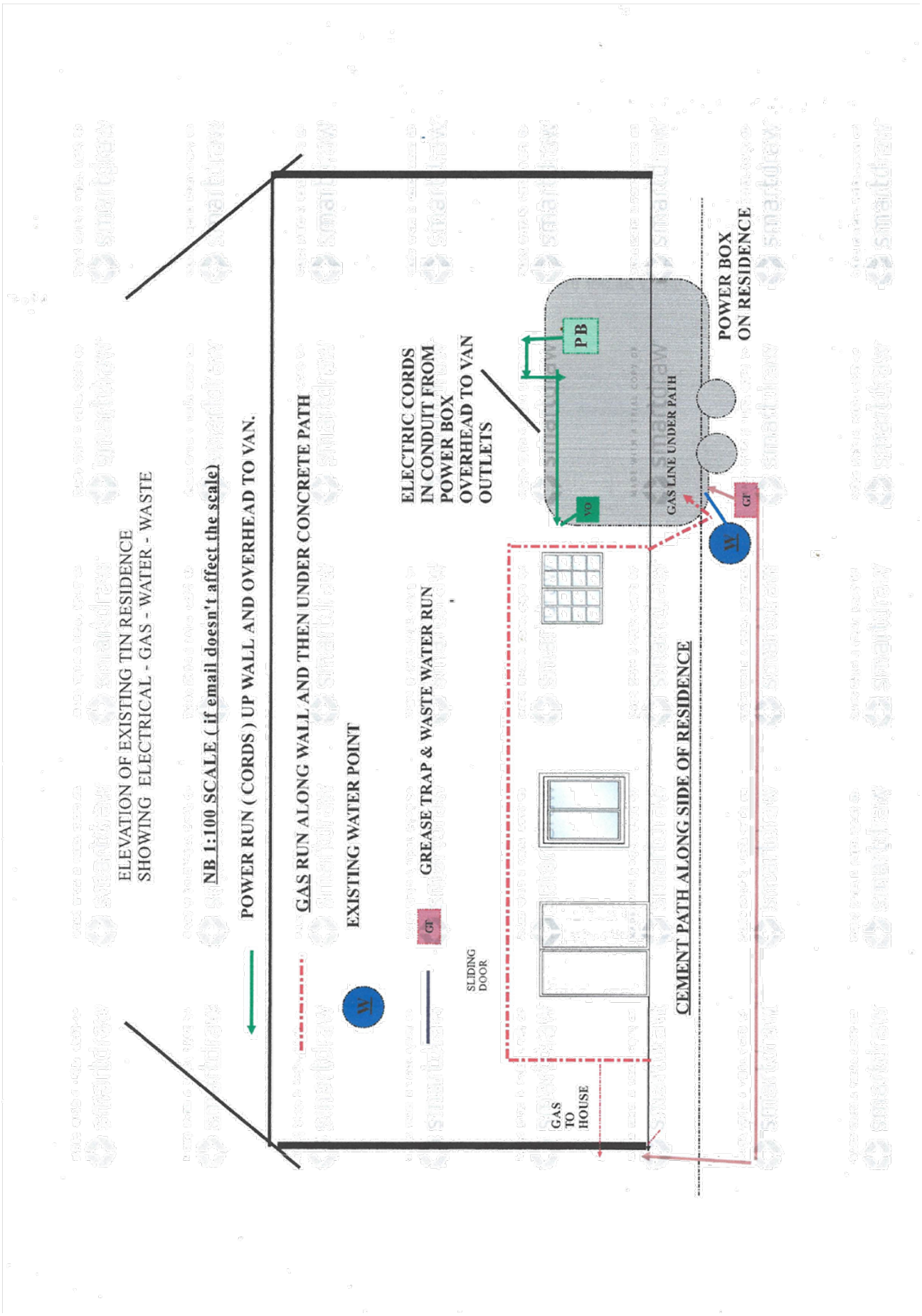
7. **All areas of outdoor storage must be screened from public view**
8. **Landscaping areas to be installed prior to occupying the proposed development and maintained thereafter by the owner/occupier to the satisfaction of the Shire of Coolgardie.**
9. **Connection of the facility to site services, including power, water and sewer in compliance with legislative provisions.**
10. **The installation of a grease trap within 12 months of operation in accordance with Health legislation to the satisfaction of the Shire of Coolgardie Health Officer.**
11. **The provision of toilets and other amenities within 12 months as required under Health and Building legislation to the satisfaction of the Shires Health Officer.**

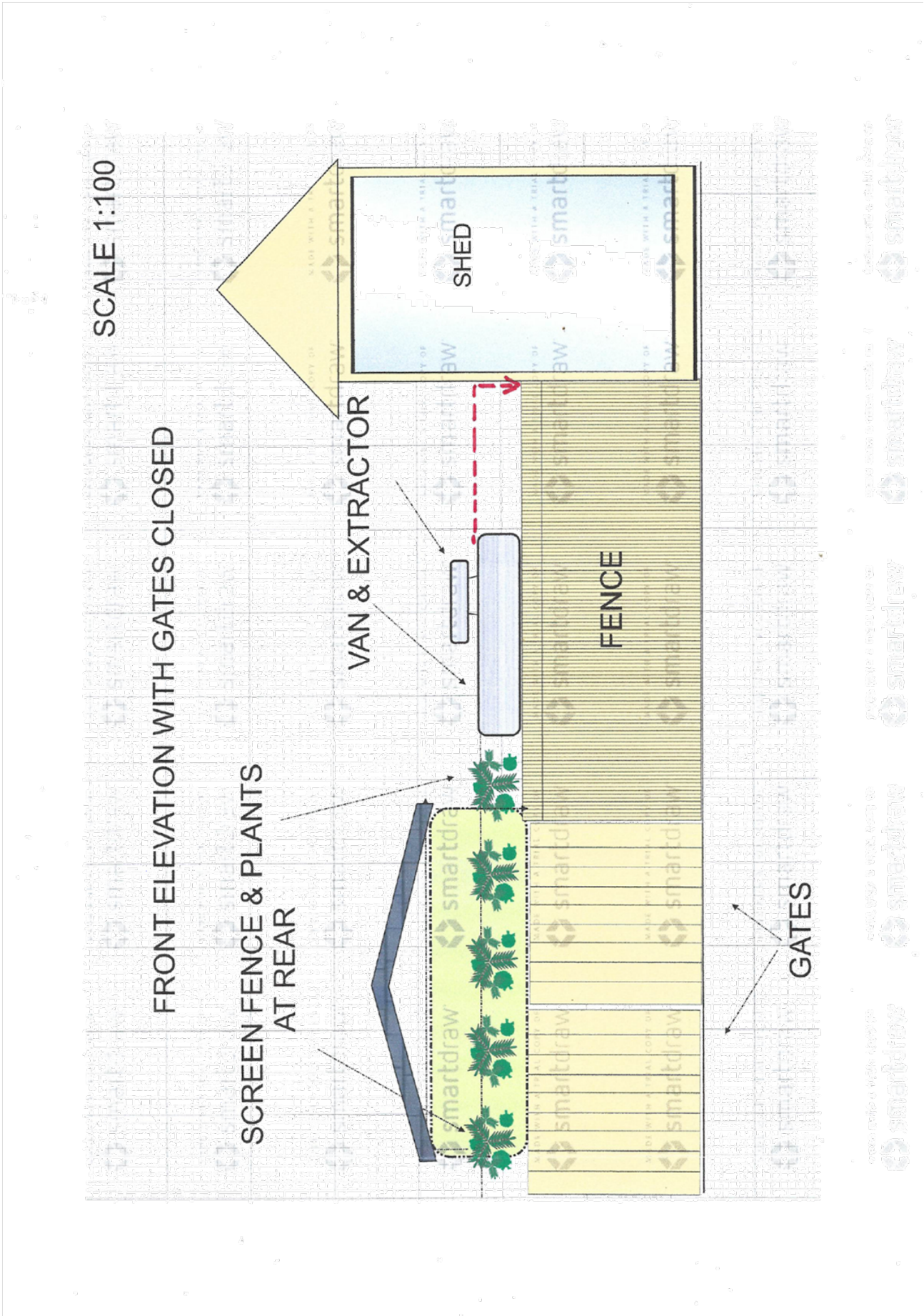
In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

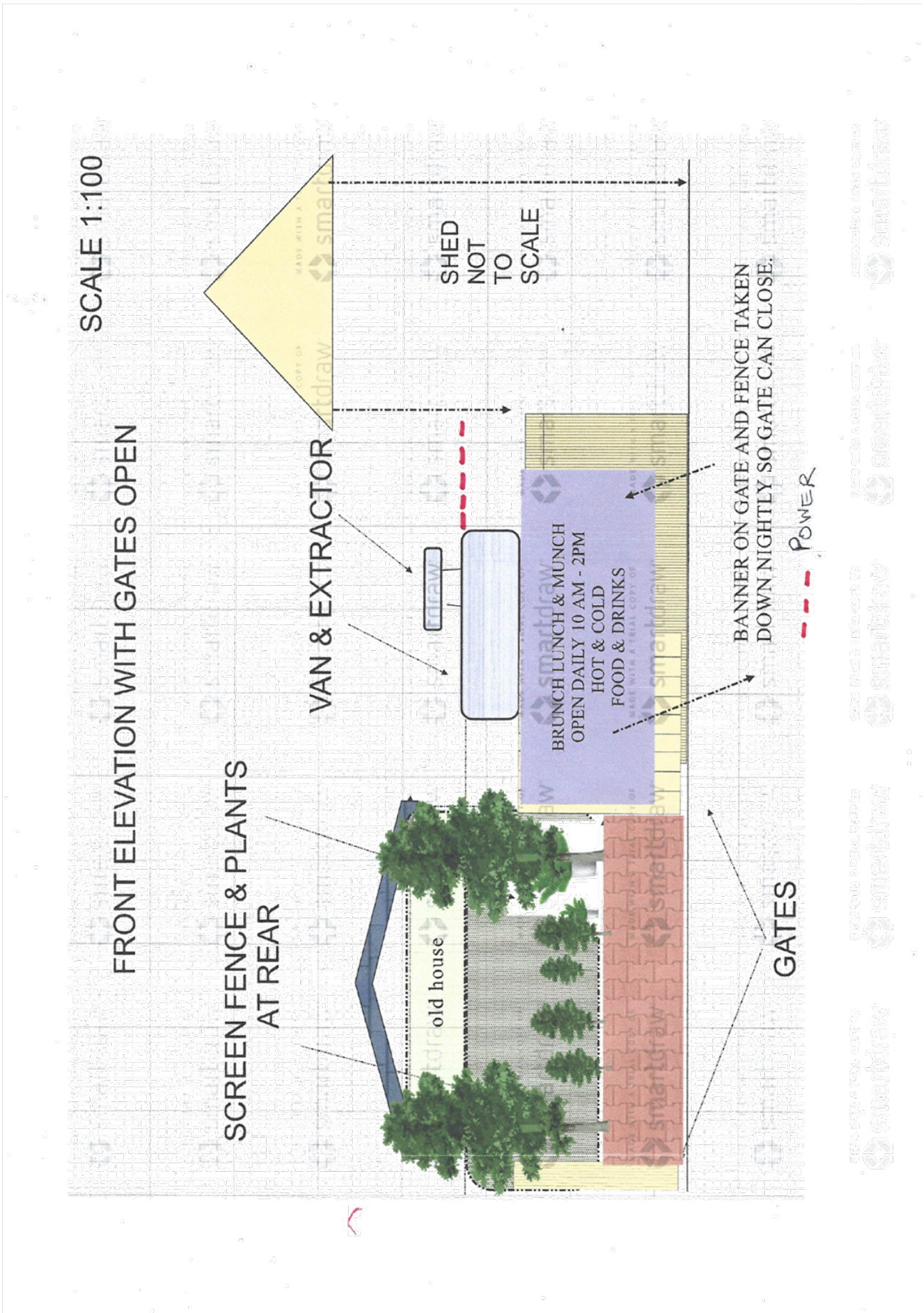
Against: **Nil**

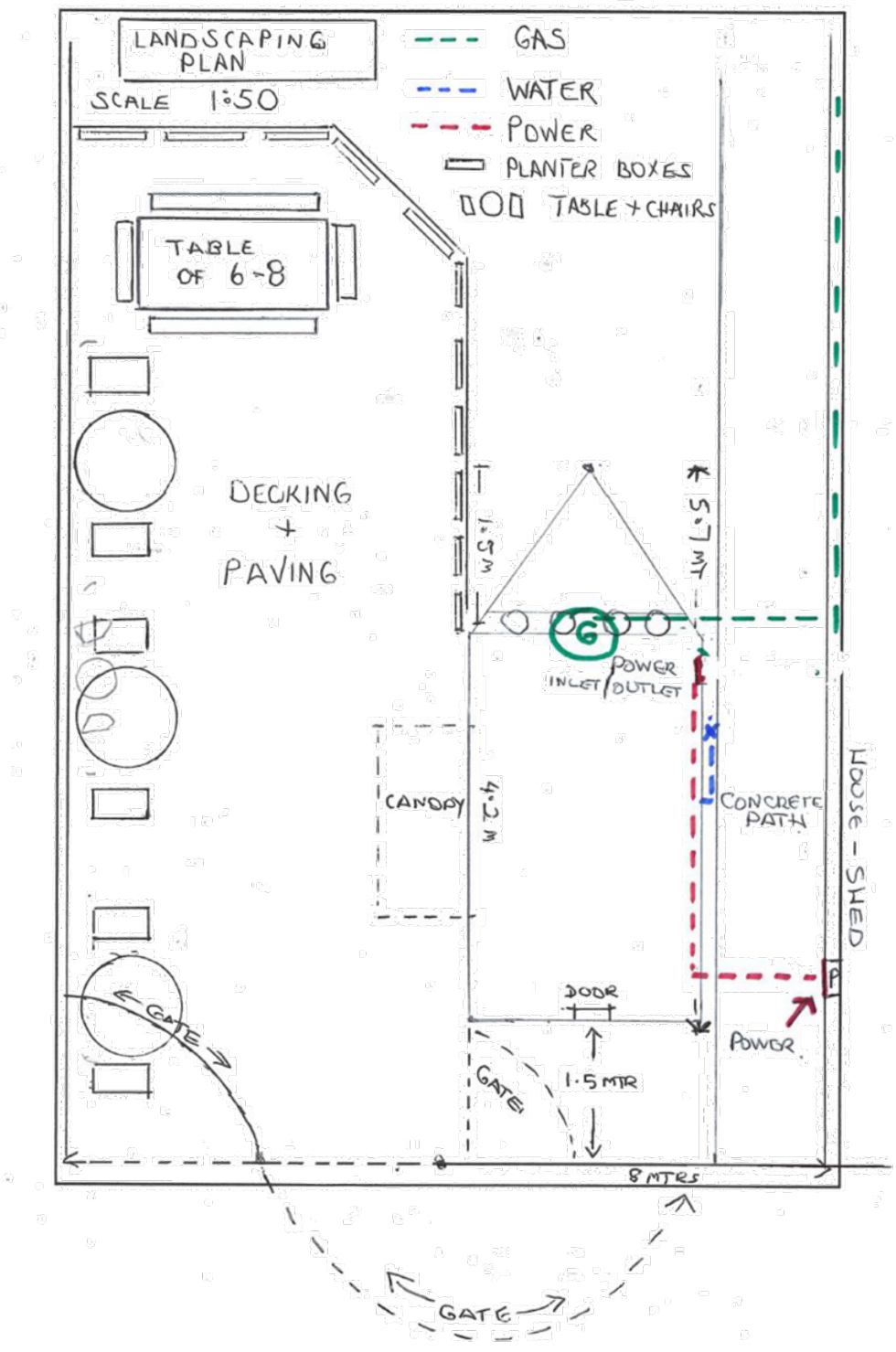
CARRIED 6/0

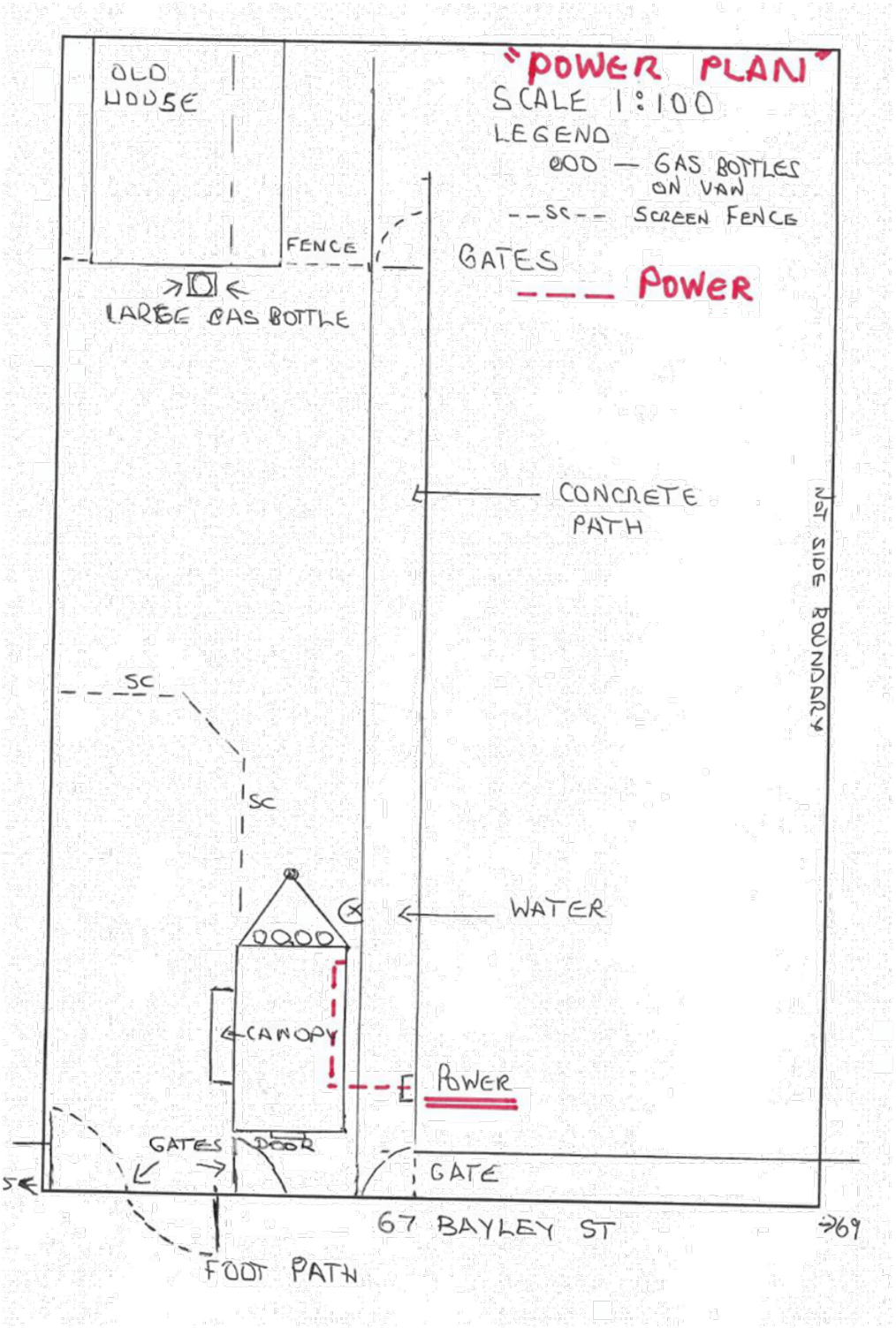

17.26
OLD HOUSE
PAVING
PLANTS
GAS TANK
1.84
W
3.76
N
SCREEN FENCE
18.2
18.08
1.74
1.57
PATH
SHED
0.76
15.08
24.29
65 BAYLEY
FOOD VAN
PAVING
1.14
POWER BOX
4.31
11.55
FOOTPATH
15.84
SITE PLAN
SCALE 1:100
67 BAYLEY ST

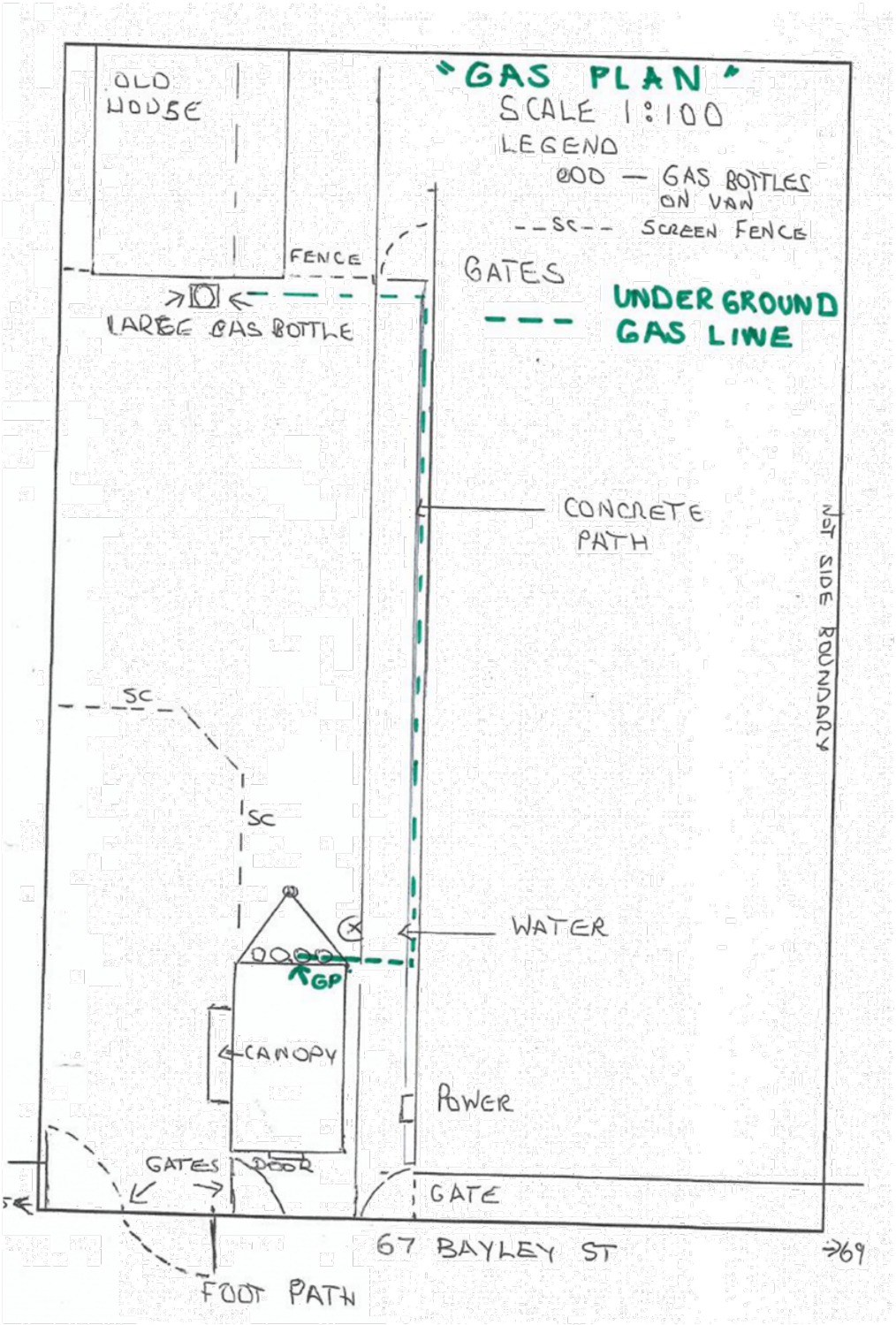

ELEVATION OF EXISTING TIN RESIDENCE
SHOWING ELECTRICAL - GAS - WATER - WASTE
NB 1:100 SCALE (if email doesn't affect the scale)
POWER RUN (CORDS) UP WALL AND OVERHEAD TO VAN.
GAS RUN ALONG WALL AND THEN UNDER CONCRETE PATH
EXISTING WATER POINT
GREASE TRAP & WASTE WATER RUN
GT
W
SLIDING DOOR
GAS TO HOUSE
ELECTRIC CORDS IN CONDUIT FROM POWER BOX OVERHEAD TO VAN OUTLETS
PB
VO
GAS LINE UNDER PATH
POWER BOX ON RESIDENCE
CEMENT PATH ALONG SIDE OF RESIDENCE

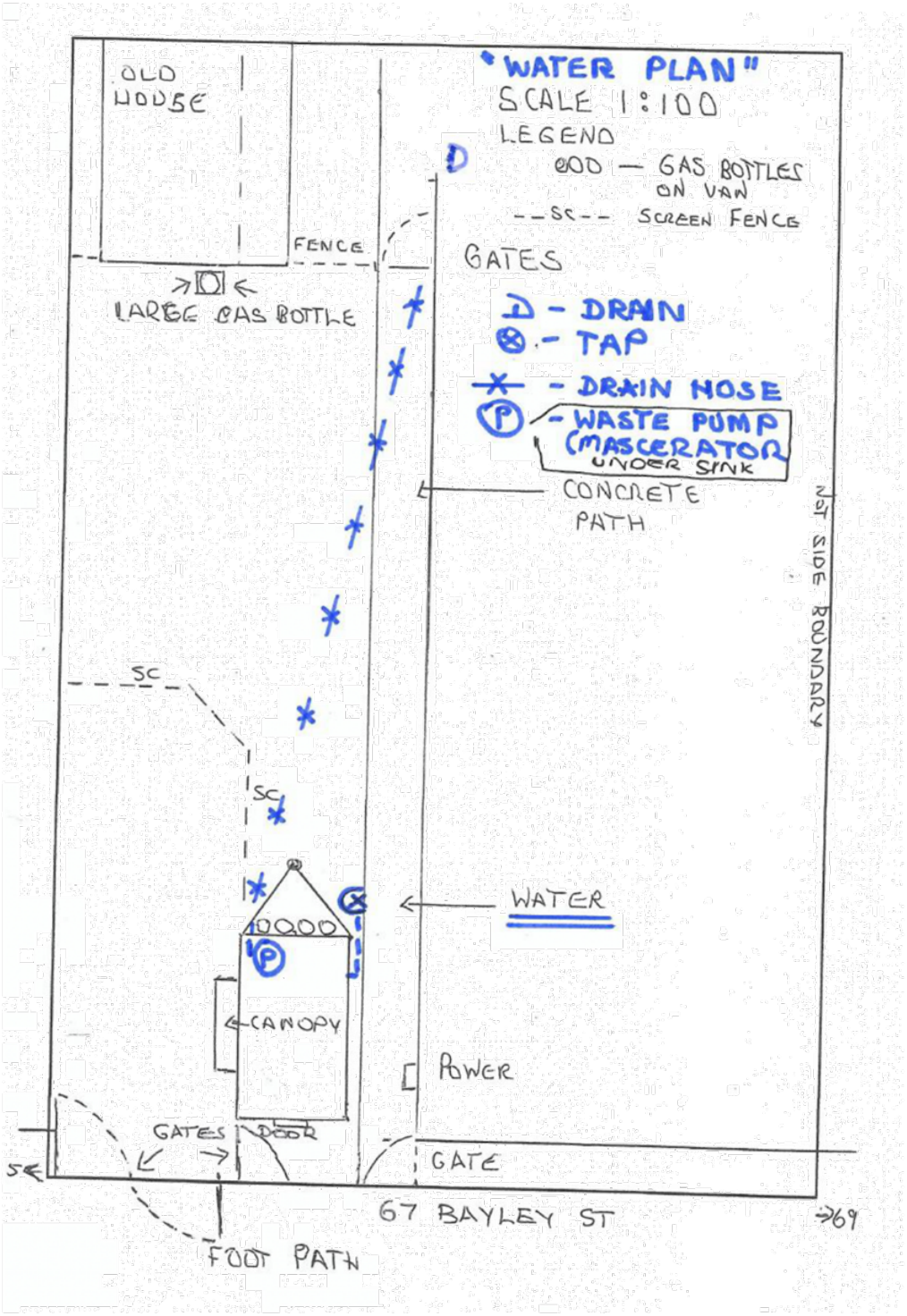

SCALE 1:100
FRONT ELEVATION WITH GATES CLOSED
SHED
VAN & EXTRACTOR
FENCE
SCREEN FENCE & PLANTS AT REAR
GATES


SCALE 1:100
FRONT ELEVATION WITH GATES OPEN
SCREEN FENCE & PLANTS AT REAR
VAN & EXTRACTOR
SHED NOT TO SCALE
BRUNCH LUNCH & MUNCH
OPEN DAILY 10 AM - 2PM
HOT & COLD
FOOD & DRINKS
BANNER ON GATE AND FENCE TAKEN DOWN NIGHTLY SO GATE CAN CLOSE.
POWER
old house
GATES


LANDSCAPING PLAN
SCALE 1:50
GAS
WATER
POWER
PLANTER BOXES
TABLE + CHAIRS
TABLE OF 6-8
DECKING + PAVING
1.5 M
5.7 M
G
POWER INLET
POWER OUTLET
CANOPY
4.2 M
CONCRETE PATH
HOUSE - SHED
DOOR
GATE
1.5 MTR
POWER
8 MTRS
GATE


POWER PLAN
SCALE 1:100
LEGEND
000 — GAS BOTTLES ON VAN
--SC-- SCREEN FENCE
GATES
Power
OLD HOUSE
FENCE
LARGE GAS BOTTLE
CONCRETE PATH
1ST SIDE BOUNDARY
SC
SC
WATER
CANOPY
POWER
GATES
DOOR
GATE
67 BAYLEY ST
69
FOOT PATH


"GAS PLAN"
SCALE 1:100
LEGEND
000 — GAS BOTTLES ON VAN
--SC-- SCREEN FENCE
GATES
UNDER GROUND GAS LINE
OLD HOUSE
FENCE
LARGE GAS BOTTLE
CONCRETE PATH
NST SIDE BOUNDARY
SC
SC
WATER
GP
CANOPY
POWER
GATES
DOOR
GATE
67 BAYLEY ST
#69
FOOT PATH


"WATER PLAN"
SCALE 1:100
LEGEND
GAS BOTTLES ON VAN
SCREEN FENCE
GATES
D - DRAIN
TAP
DRAIN HOSE
WASTE PUMP (MASCERATOR) UNDER SINK
CONCRETE PATH
OLD HOUSE
FENCE
LARGE GAS BOTTLE
SC
WATER
CANOPY
POWER
GATES
DOOR
GATE
67 BAYLEY ST
69
FOOT PATH
NST SIDE BOUNDARY

Ms Fran Lefante

Town Planner for Coolgardie

Irish Mulga Drive, Kambalda WA 6442
PO Box 138,
Kambalda WA 6442

Debby Ovens
67 Bayley St.,
Coolgardie WA 6429

Mob 0407988337
denverchotel@gmail.com
ABN 34 840 012 929

22nd Feb 2022

Brunch Lunch & Munch Take Away Food Van

Hi Fran & Councillors,

Thankyou Fran for your assistance in this matter and after our conversation I have decided to initially operate the Van without seating area and would like the option to extend the area to include seating for approx. 10 people later this year.

So, these drawings have been amended from the original email on the 7th Feb, due to confirmation from contractors regarding utilities and conversation with the Town Planner.

Please find attached formal drawings and Materials used for the above Proposal.

Drawing 1 – FRONT ELEVATION WITH GATES CLOSED

When not trading, the gates will be closed and no Advertising will be Visible from the street.
Top of Van and Extractors would be visible and if necessary,

- I could increase the Van's setback to front fence, from 1.5m to 2.5 meters and plant some high bushes to hide Van and Extractors. Etc

Drawing 2 - FRONT ELEVATION WITH GATES OPEN

2/3rd of the front Cream Colourbond fence will be turned into gates and will swing back into property and secured.

- When looking from the road, the visual aesthetics will include paving with Original Coolgardie Bricks.
- In front of and to hide the rear screen fence, will be Trees & Bushes in pots and planter boxes along with Items for sale from Local Artisans.
- 1 gate will swing back in and be secured against front of van to prevent public access to Van and private area.
- 2.5 meter Banner with, Name, Trading hours and food info along fence, removed daily.
- I couldn't add to drawings, but also would like to add 3 Ribbon Flags across front removed daily.

Once inside the area, customers will be greeted with a Coolgardie Brick paved area with interesting Local Artisan Items with Plants and bushes along fences.

Existing Shed residence. –

- I will enhance the front of the adjacent Colourbond Cream residence by replacing and painting the marine board over the sliding door.
- The panels over the large window will be replaced or repaired and then used as a permanent business information space with graphics from Mr Signs, Kalgoorlie.

Electrical -

I have been in contact with Western Power and they have informed me that I can run the Power Leads "Overhead" as long as the Extension Power Cords are supplied by a Licenced Electrician and the Run is in conduit and secured. The power cords will run up the Shed wall and across at a height of 2.5 meters (8.2 feet) and then along the top of the Van to the Inlet points on the draw bar end of Van. Safe & Secure away from general public.

Gas / Water Plumber –

- Has looked at site and sees no problem with extending the existing Gas line, from the side of residence to the Van and hook up.
- WASTE WATER - I have an Inline Grease Trap which, if Council requests, will be cleaned out daily. This will INHIBIT ANY fatty substances from entering the mains sewer system and can be placed in a drum for disposal.
- There is an existing tap in place that Plumber can use to bypass Water Tanks underneath the van and connect directly to Van plumbing system.

I have contacted the Water Authority regarding a Grease Trap and at the end of this letter is a copy of their email, saying that they don't require a grease trap but to check with Council?

I don't require the Street Gutter to be changed to a driveway, as Van will be placed inside fenced/gated area permanently with a bob cat and ramps.

In summary,

- I have used a 2.5meter set back for Van from front boundary. (Allowing for original 0.00 setback of previous buildings.)
- Have positioned the Van on site as per plan, to reduce external noise, visual negatives and retain good relations with Art Gallery neighbour so as to not encroach on their front garden Sunshine.
- Providing sustenance to locals and tourists alike, as no other suitable food outlet for Hot drinks and Snacks located in centre of town and providing an aesthetically pleasing environment.
- Related with Utilities Companies & contractors as per legal & safe requirements re connections, water etc.
- Am providing formal drawings (not hand drawn – sorry about the water mark on plans)
- Will neaten front of existing residence to enhance Street appeal.

Yours Sincerely
Debby Ovens

Dear
Deborah
Ovens

Application to Discharge Trade Waste - Brunch Lunch & Munch
67 Bayley St COOLGARDIE WA 6429

Thank you for completing an Application to Discharge Trade Waste.

Your Application to Discharge Trade Waste has been assessed from the information supplied by you.

It has been determined that your business does not require a Trade Waste Permit at this time.
Your business is located in an unsewered area and therefore no Application to Discharge Trade Waste is required. However, you may require approval from your Local Government Authority or the Department of Environment. We recommend you seek their advice prior to any wastewater being discharged.

Please note that you may need to apply for a permit in the future if requirements change.

To find out more about trade waste, visit www.watercorporation.com.au/home/business/trade-waste

Yours sincerely,

Narelle Foot
Senior Officer - Field Investigations
Commercial and Industrial Services
Water Corporation

MATERIALS BEING USED FOR AESTHETIC PURPOSES



THIS IS WHAT THE SIDE AND FRONT FENCE WILL LOOK LIKE.

2 X PANELS TURNED INTO GATES, BUT ARE CLOSED AFTER TRADE.



FROM FRONT FOOT PATH TO END OF VAN WILL BE PAVED AND LATER EXTEND AREA WITH TIMBER DECKING IF COUNCIL PERMITS.



TEMPORY FENCING/LATTICE FROM SIDE OF ART GALLERY AROUND TO FOOD VAN

WITH

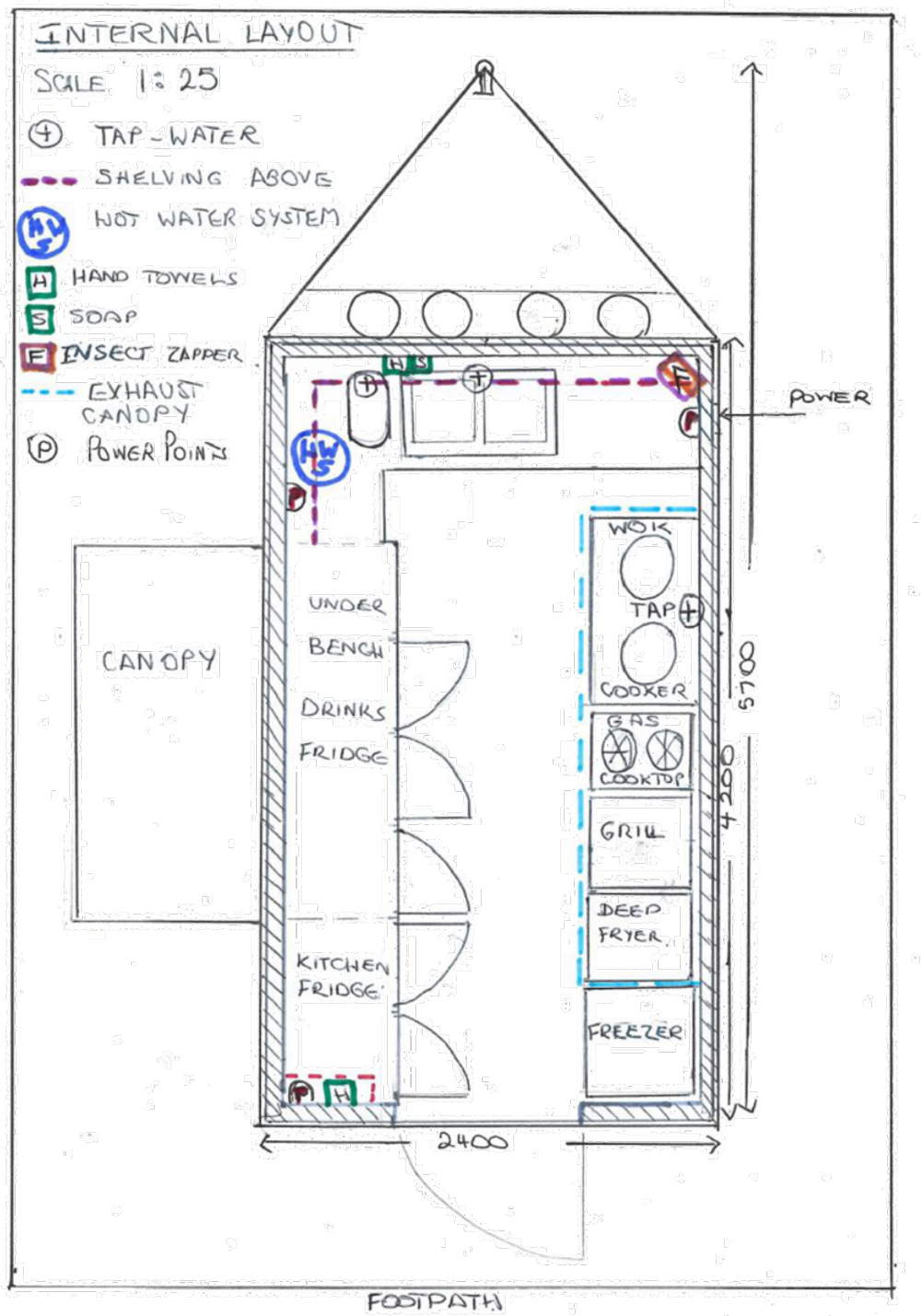
PLANTER BOXES AND TREES IN FRONT OF FENCE FOR COLOUR.

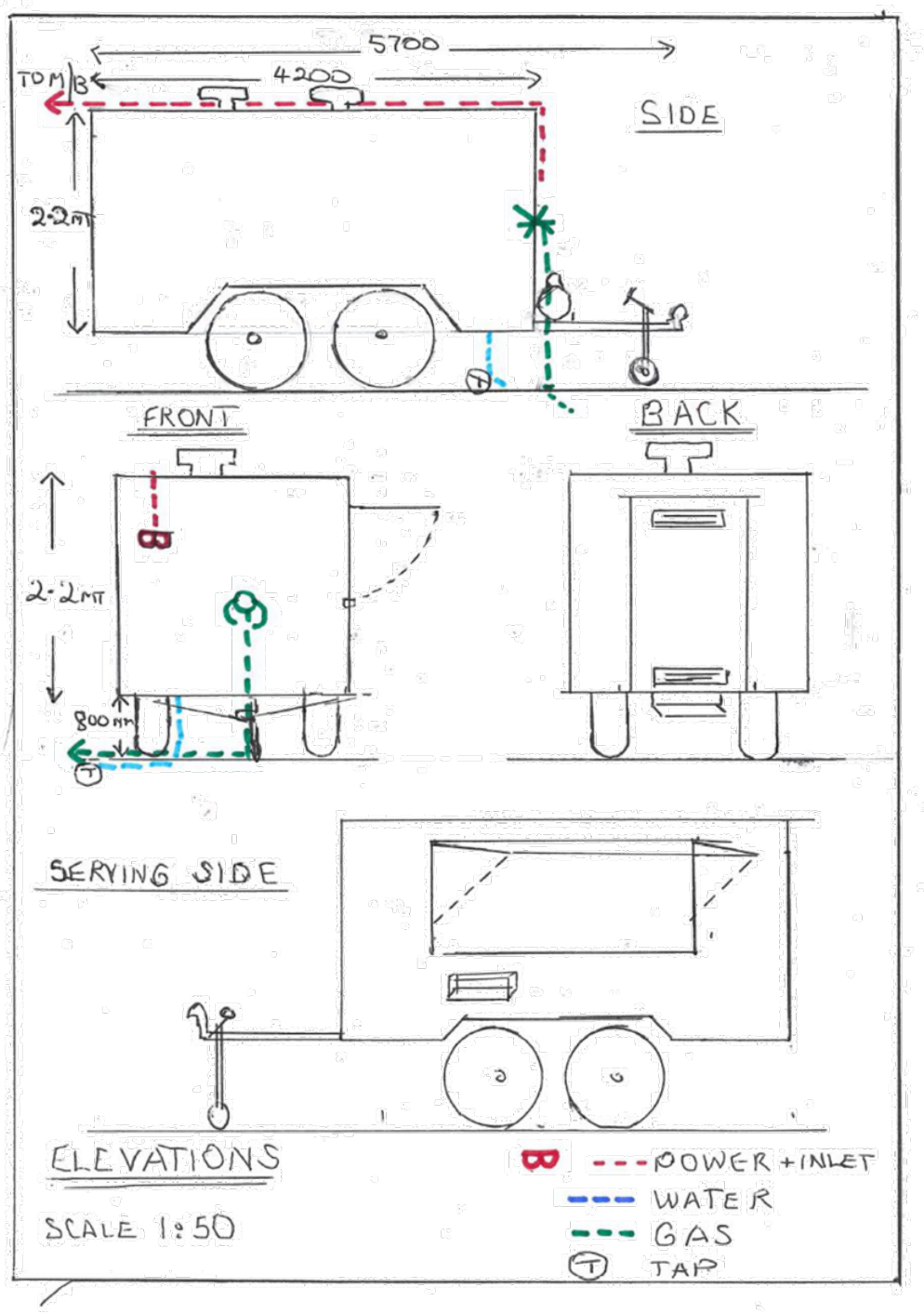






SELECTION OF POTABLE PLANTS FOR LANDSCAPING PLACEMENT


INTERNAL LAYOUT
SCALE 1:25
TAP - WATER
SHELVING ABOVE
HOT WATER SYSTEM
HAND TOWELS
SOAP
INSECT ZAPPER
EXHAUST CANOPY
POWER POINTS
POWER
WOK
TAP
COOKER
GAS COOKTOP
GRILL
DEEP FRYER
FREEZER
UNDER BENCH
DRINKS FRIDGE
KITCHEN FRIDGE
CANOPY
5700
4200
2400
FOOTPATH


5700
4200
TO MAIN
SIDE
2·2MT
FRONT
BACK
2·2MT
800MM
SERVING SIDE
ELEVATIONS
SCALE 1:50
POWER + INLET
WATER
GAS
TAP

WESTERN AUSTRALIA

REGISTER NUMBER	
528/DP300818	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
2	15/10/2019

VOLUME 1635 FOLIO 832

RECORD OF CERTIFICATE OF TITLE

UNDER THE TRANSFER OF LAND ACT 1893

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 528 ON DEPOSITED PLAN 300818

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

DEBORAH ANNE OVENS OF 73 BAYLEY STREET COOLGARDIE WA 6429

(T O146848) REGISTERED 8/5/2019

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

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:	1635-832 (528/DP300818)
PREVIOUS TITLE:	1041-438
PROPERTY STREET ADDRESS:	67 BAYLEY ST, COOLGARDIE.
LOCAL GOVERNMENT AUTHORITY:	SHIRE OF COOLGARDIE

NOTE 1: L373161 DEPOSITED PLAN 300818 HAS YET TO BE PRODUCED.
NOTE 2: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUESTED BY DEALING O146848

LANDGATE COPY OF ORIGINAL NOT TO SCALE 23/01/2022 04:14 PM Request number: 63096071

Landgate
www.landgate.wa.gov.au

13.2.7 CROWN LEASE - CONVERSION OF PORTION OF RESERVE R47229

Location: Salmon Gum Road & Trigona Place Kambalda West

Applicant: NA

Disclosure of Interest: Nil

Date: 16 March 2022

Author: Francesca LeFante, Town Planning Consultant

SUMMARY

To request the Minister for Lands to consider an excision of 22,500 sqm from Reserve 47229 which will then be leased back to the Shire for "Workers Accommodation" to address the current demands.

BACKGROUND

The Site is Reserve 47229 which comprises Lot 562 Salmon Gum Road, Kambalda West. Reserve 47229 is set aside for the purpose of "Recreation and Aged Accommodation" with a Management Order in favour of the Shire.

In July 2021 the Shire supported the proposal to change the management order of Reserve 47229 vested in the Shire of Coolgardie for the purpose of Recreation and Aged Accommodation. DPLH have advised the proposed development is better suited to being on a Crown Lease.

COMMENT

The management order for the Reserve already provides for the development of aged accommodation and has power to lease. The change from Reserve status to Crown Lease will provide the flexibility for development on the site that cannot be currently undertaken due to the limitations of the Reserves current purpose. The conversion to Crown lease will achieve the same outcome for the Shire including the retains leasing authority over the site.



Fig 1: Reserve R47229 shown in red



Fig 2: Subject area conversion to Crown Lease

The site is idealy located to create much needed and accommodation within the centre of the town for people working in the region, as it is within walking distance of commerical uses, pub, leisure and recreation uses (public pool, ovals, recreation centre).

The site is undeveloped and creates an opportunity for additional types of residential uses that are consistent with the Shires strategic objectives for a sustainable townsite. The Shire's Local Planning Strategy encourages workers accommodation within close proximity of the townsites rather than located remotely, as it recognises the potential benefit to the community and sustainability of the townsites.

The Shire will retain vesting of over the remainder of the Reserve 47229 for the purpose of "Recreation and Aged Accommodation" with a Management Order in favour of the Shire and power to lease.

Options

The Shire has the following options in relation to this matter.

Option 1: Support the proposal to request the Minister for Lands to consider converting a portion of the reserve to Crown Lease in favour of the Shire (22,500 sqm). If Option 1 is approved, then the Council also agrees to request the Minister for Lands to relinquish the Management Order over that portion of Reserve 47229 that is being excised for the Crown lease and redescribe Reserve 47229 to consist of approximately 24,000 sqm (subject to survey).

Option 2: Refuse the proposal to request the Minister for Lands to consider converting a portion of the reserve to a Crown lease.

CONSULTATION

Department of Planning, Lands and Heritage Officers

James Trail

STATUTORY ENVIRONMENT

Local Government Act 3.54 Reserves under control of a Local Government

Land Administration Act 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Supporting local businesses in the Shire

Effective management of infrastructure, heritage, and environment

Supporting the development of diverse housing and land options

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

1. SUPPORTS the request to convert a portion of Reserve 47229 being Lots (No 24) Salmon Gum Road, Kambalda West to Crown Lease to facilitate development on the site including Workers Accommodation

2. AGREES to request the Minister for Lands to relinquish the Management Order over that portion of Reserve 47229 that is being excised for the Crown lease and redescribe Reserve 47229 to consist of approximately 22,500 sqm (subject to survey).

3. RESOLVES to retain vesting and management orders over the remaining portion of Reserve 47229 will be approximately 24,000 sqm

RESOLUTION #54/2022

Moved: Cr Sherryl Botting
Seconded: Cr Tammee Keast

That Council

1. **SUPPORTS the request to convert a portion of Reserve 47229 being Lots (No 24) Salmon Gum Road, Kambalda West to Crown Lease to facilitate development on the site including Workers Accommodation**

2. **AGREES to request the Minister for Lands to relinquish the Management Order over that portion of Reserve 47229 that is being excised for the Crown lease and redescribe Reserve 47229 to consist of approximately 22,500 sqm (subject to survey).**

3. **RESOLVES to retain vesting and management orders over the remaining portion of Reserve 47229 will be approximately 24,000 sqm**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

13.3 Economic Development

Nil

13.4 Commercial Services

13.4.1 BUSH FIRE CONTROL

Location: **Coolgardie**

Applicant: **Shire of Coolgardie**

Disclosure of Interest: **Nil**

Date: **14 March 2022**

Author: **Robert Hicks, Director of Operations**

SUMMARY

Bush Fire Control is the responsibility of local government including administering certain functions of the Bush Fires Act 1954. Part of those local government obligations include the appointment of a range of officers, under the Bush Fires Act 1954.

BACKGROUND

There is a need for the Shire to understand the legal obligations surrounding bush fire control and to oversee processes to manage risk into the future.

At the Ordinary Council meeting held 28th September 2021, Council resolved the following;

RESOLUTION #167/2021
Moved: Cr Kathie Lindup
Seconded: Cr Tracey Rathbone
That Council note that the CEO has made the following appointments under delegated authority (s48 Bush Fires Act 1954):

1. In accordance with the Bush Fires Act 1954 Section 38 (1),

- **Chief Bush Fire Control Officer (CBFCO) – Rodney Franklin**
- **Deputy Chief Bush Fire Control Officer (DCBFCO) – Michael Parks**
- **Fire Control Officer (FCO) – Kevin Caldwell**
- **Fire Control Officer (FCO) – Steve Brown**
- **Council should also note that consequently:**
- **That the 000 Service Agreement with DFES be amended to as follows**
- **Chief Bush Fire Control Officer (CBFCO) – Rodney Franklin**
- **Deputy Chief Bush Fire Control Officer (DCBFCO) – Michael Parks**
- **Chief Executive Officer (CEO) – James Trail**
- **DFES Goldfields Midlands Region – DFES Regional Duty Co-Ordinator**

2. In accordance with the Bush Fires Act 1954 Section 38 (2A) advertise the appointments in the local paper

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast and Kathie Lindup
Against: Nil

CARRIED 5/0

Comment

The CEO has delegated authority to appoint Bush Fire Control Officers (and Fire Weather Officers) under Delegation 3.8 and pursuant to s38 of the Bush Fires Act 1954.

At Appointment 12.2, in exercising that delegation the CEO appointed the Commercial Manager as the Chief Bush Fire Control Officer. Due to staff and position changes within the Shire the CEO has determined additional appointments in accordance with his delegated authority (s48).

Council should note that the CEO has made the following appointments under delegated authority:

1. In accordance with the Bush Fires Act 1954 Section 38 (1),
   Chief Bush Fire Control Officer (CBFCO) – Rodney Franklin
   Deputy Chief Bush Fire Control Officer (DCBFCO) – Alistair Murray
   Fire Control Officer (FCO) – Michael Parks
   Fire Control Officer (FCO) – Kevin Caldwell
   Fire Control Officer (FCO) – Steve Brown

Council should also note that consequently:

2. The 000 Service Agreement with DFES be amended to as follows
    1. Deputy Chief Bush Fire Control Officer (DBFCO) – Alistair Murray
    2. Fire Control Officer – Michael Parks
    3. Chief Executive Officer (CEO) – James Trail
    4. DFES Goldfields Midlands Region – DFES Regional Duty Co-Ordinator

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council note that the CEO has made the following appointments under delegated authority (s48 Bush Fires Act 1954):

1. In accordance with the Bush Fires Act 1954 Section 38 (1),
    - Chief Bush Fire Control Officer (CBFCO) – Rodney Franklin
    - Deputy Chief Bush Fire Control Officer (DCBFCO) – Alistair Murray
    - Fire Control Officer (FCO) – Michael Parks
    - Fire Control Officer (FCO) – Kevin Caldwell
    - Fire Control Officer (FCO) – Steve Brown
    - Council should also note that consequently:
    - That the 000 Service Agreement with DFES be amended to as follows
    - Deputy Chief Bush Fire Control Officer (DCBFCO) – Alistair Murray
    - Fire Control Officer – Michael Parks
    - Chief Executive Officer (CEO) – James Trail
    - DFES Goldfields Midlands Region – DFES Regional Duty Co-Ordinator

2. In accordance with the Bush Fires Act 1954 Section 38 (2A) advertise the appointments in the local paper.

RESOLUTION #55/2022

Moved: Cr Kathie Lindup
Seconded: Cr Sherryl Botting

That Council note that the CEO has made the following appointments under delegated authority (s48 Bush Fires Act 1954):

1. **In accordance with the Bush Fires Act 1954 Section 38 (1),**
    - **Chief Bush Fire Control Officer (CBFCO) – Rodney Franklin**
    - **Deputy Chief Bush Fire Control Officer (DCBFCO) – Alistair Murray**
    - **Fire Control Officer (FCO) – Michael Parks**
    - **Fire Control Officer (FCO) – Kevin Caldwell**
    - **Fire Control Officer (FCO) – Steve Brown**
    - **Council should also note that consequently:**
    - **That the 000 Service Agreement with DFES be amended to as follows**
    - **Deputy Chief Bush Fire Control Officer (DCBFCO) – Alistair Murray**
    - **Fire Control Officer – Michael Parks**
    - **Chief Executive Officer (CEO) – James Trail**
    - **DFES Goldfields Midlands Region – DFES Regional Duty Co-Ordinator**

2. In accordance with the Bush Fires Act 1954 Section 38 (2A) advertise the appointments in the local paper

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

14 ITEMS FOR INFORMATION ONLY

Nil

15 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

16.1 Elected Members

16.2 Council Officers

GVROC RECORDS FACILITY

RESOLUTION #56/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

Chief Executive Officer, James Trail requested a late item to be considered behind closed doors

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

17 MATTERS BEHIND CLOSED DOORS

OFFICER RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

17.1 Loan Funding ANZ

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

17.2 CEO Performance Review

This matter is considered to be confidential under Section 5.23(2) - a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

17.3 Property Sale - A3685 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.4 Property Sale - A986 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.5 Property Sale - A1700 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.6 Property Sale - A1698 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.7 Property Sale - A455 Non Payment of Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.8 GVROC Records Facility

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

RESOLUTION #57/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

17.1 Loan Funding ANZ

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

17.2 CEO Performance Review

This matter is considered to be confidential under Section 5.23(2) - a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

17.3 Property Sale - A3685 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.4 Property Sale - A986 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.5 Property Sale - A1700 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.6 Property Sale - A1698 Non Payment Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.7 Property Sale - A455 Non Payment of Rates

This matter is considered to be confidential under Section 5.23(2) - b) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the personal affairs of any person.

17.8 GVROC Records Facility

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

Meeting was closed to the public at 6.52pm

17.1 LOAN FUNDING ANZ

OFFICER RECOMMENDATION

That Council;

1. Endorse variation letter for $2,000,000 Loan Funding Facility from ANZ Bank as amended contingent on approval from Western Australian Treasury Corporation
2. Endorse the Floating Rate Loan Notice as amended and attached from ANZ Bank contingent on approval from Western Australian Treasury Corporation
3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation contingent on approval from Western Australian Treasury Corporation

RESOLUTION #58/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Sherryl Botting

That Council;

1. **Endorse variation letter for $2,000,000 Loan Funding Facility from ANZ Bank as amended contingent on approval from Western Australian Treasury Corporation**
2. **Endorse the Floating Rate Loan Notice as amended and attached from ANZ Bank contingent on approval from Western Australian Treasury Corporation**
3. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation contingent on approval from Western Australian Treasury Corporation**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

The Chief Executive Officer, James Trail left the meeting at 6.58 pm

17.2 CEO PERFORMANCE REVIEW

OFFICER RECOMMENDATION

That Council:

1. Receive the--
   a. CEO's 2021/22 End-of-year Performance Review self-assessment and presentation; and
   b. CEO's 2021/22 End-of-year Performance Report;
2. Commend the CEO on his performance and successes over the last twelve months;
3. Extend the CEO employment with a further four-year contract commencing 1st March 2023 subject to the schedule of terms detailed in Attachment F noting the proposed isolation allowance will be adjusted from the next pay period; and
4. Approve the CEO's 2022/23 KPIs (See Attachment D).

RESOLUTION #59/2022

Moved: Cr Tammee Keast
Seconded: Cr Rose Mitchell

That Council:

1. **Receive the--**
   a. **CEO's 2021/22 End-of-year Performance Review self-assessment and presentation; and**
   b. **CEO's 2021/22 End-of-year Performance Report;**
2. **Commend the CEO improved performance and success over the last 12 months and acknowledges the CEO's ability to handle the challenges the year has presented;**
3. **Extend the CEO employment with a further four-year contract commencing 1st March 2023 subject to the schedule of terms detailed in Attachment F noting the proposed isolation allowance will be adjusted from the next pay period; and**
4. **Approve the CEO's 2022/23 KPIs (See Attachment D) as an indicative noting further work will be done to fine tune the KPI's for consideration at the April Ordinary Council Meeting.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

Chief Executive Officer, James Trail returned to the meeting at 7.06pm

17.3 PROPERTY SALE - A3685 NON PAYMENT RATES

OFFICER RECOMMENDATION

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. APPROVE the disposal of property, Assessment A3685 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.

2. APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.

3. APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

RESOLUTION #60/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. APPROVE the disposal of property, Assessment A3685 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.

2. APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.

3. APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

17.4 PROPERTY SALE - A986 NON PAYMENT RATES

OFFICER RECOMMENDATION

That Council In accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. APPROVE the disposal of property, Assessment A986 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years

2. APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.

3. APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

RESOLUTION #61/2022

Moved: Cr Kathie Lindup
Seconded: Cr Tammee Keast

That Council In accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. **APPROVE the disposal of property, Assessment A986 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years**
2. **APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.**
3. **APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

17.5 PROPERTY SALE - A1700 NON PAYMENT RATES

OFFICER RECOMMENDATION

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. APPROVE the disposal of property, Assessment A1700 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years
2. APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.
3. APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

RESOLUTION #62/2022

Moved: Cr Sherryl Botting
Seconded: Cr Tammee Keast

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. **APPROVE the disposal of property, Assessment A1700 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years**
2. **APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.**
3. **APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

At 7:17 pm, Cr Kathie Lindup left the meeting.

At 7:18 pm, Cr Kathie Lindup returned to the meeting.

17.6 PROPERTY SALE - A1698 NON PAYMENT RATES

OFFICER RECOMMENDATION

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. APPROVE the disposal of property, Assessment A1698 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.
2. APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.
3. APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

RESOLUTION #63/2022

Moved: Cr Tracey Rathbone
Seconded: Cr Tammee Keast

That Council in accordance with section 6.68(2)(b) of the Local Government Act 1995, having made reasonable efforts to locate the owner of the property and having been unable to do so.

1. **APPROVE the disposal of property, Assessment A1698 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.**
2. **APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.**
3. **APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

17.7 PROPERTY SALE - A455 NON PAYMENT OF RATES

OFFICER RECOMMENDATION

That Council In accordance with section 6.68(2)(b) of the Local Government Act 1995, having made more than reasonable efforts to locate the owner of the property and having been unable to do so

- APPROVE the disposal of property, Assessment A455 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.
- APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.
- APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.

RESOLUTION #64/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That Council In accordance with section 6.68(2)(b) of the Local Government Act 1995, having made more than reasonable efforts to locate the owner of the property and having been unable to do so

- **APPROVE the disposal of property, Assessment A455 in accordance with the provisions of Section 6.64(1)(b) of the Local Government Act 1995 to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years.**
- **APPROVE the compliance with Form 5 legislative and Landgate requirements with proof of authority on the Title to enable the property to proceed to Auction.**
- **APPROVE the Auction advertising processes in accordance with legislative requirements which must include local community public advertising formats.**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

17.8 GVROC RECORDS FACILITY

OFFICER RECOMMENDATION

That Council

1. Endorse the Draft Deed of Assignment and Assumption (Multi-party) Goldfields Records Storage Joint Venture
2. Authorise the payment of $150,000 in accordance with clause 9(f) of the Draft Deed of Assignment and Assumption (Multi-party) Goldfields Records Storage Joint Venture
3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.
4. Authorise the transfer of $50,000 from the Infrastructure Renewal Reserve 750000
5. Authorise account 040387 Job Number C13086 to increase by $50,000 to $100,000

RESOLUTION #65/2022

Moved: Cr Tammee Keast
Seconded: Cr Tracey Rathbone

That Council

1. **Endorse the Draft Deed of Assignment and Assumption (Multi-party) Goldfields Records Storage Joint Venture**
2. **Authorise the payment of $150,000 in accordance with clause 9(f) of the Draft Deed of Assignment and Assumption (Multi-party) Goldfields Records Storage Joint Venture**
3. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.**
4. **Authorise the transfer of $50,000 from the Infrastructure Renewal Reserve 750000**
5. **Authorise account 040387 Job Number C13086 to increase by $50,000 to $100,000**

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED BY ABSOLUTE MAJORITY 6/0

OFFICER RECOMMENDATION

That Council moves out of Closed Council into Open Council.

RESOLUTION #66/2022

Moved: Cr Kathie Lindup
Seconded: Cr Rose Mitchell

That Council moves out of Closed Council into Open Council.

In Favour: **Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell**

Against: **Nil**

CARRIED 6/0

The meeting was re-opened to the public at 7.28 pm

18 CLOSURE OF MEETING

The Shire President, Malcolm Cullen declared the meeting closed at 7:31 pm.