



Shire of Northam  
*Heritage, Commerce and Lifestyle*

# **Shire of Northam**

## **Minutes**

### **Ordinary Council Meeting**

**28 May 2025**



## DISCLAIMER

In certain circumstances members of the public are not entitled to inspect material, which in the opinion of the Chief Executive Officer is confidential, and relates to a meeting or a part of a meeting that is likely to be closed to members of the public.

No responsibility whatsoever is implied or accepted by the Shire of Northam for any act, omission, statement or intimation occurring during Council or Committee meetings.

The Shire of Northam disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement of intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or Officer of the Shire of Northam during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Northam.

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## 1 DECLARATION OF OPENING

The Shire President, C R Antonio, declared the meeting open at 5:30 pm.

## 2 OPENING PROCEDURES

### 2.1 ACKNOWLEDGEMENT OF COUNTRY

The Shire President, C R Antonio, invited Cr H J Appleton to present the Acknowledgment to Country.

Cr H J Appleton acknowledged the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and paid our respects to Elders, past present and emerging.

### 2.2 RECORDING OF COUNCIL MEETINGS

Members of Council and members of the gallery are advised that this meeting will be livestreamed and audio-recorded and made available on the Shire of Northam's YouTube channel. If members of the public want to access the recording of this meeting, they can do so via the Shire of Northam website.

## 3 ATTENDANCE

### 3.1 ATTENDEES

#### Council:

Shire President

Deputy Shire President

Councillors

C R Antonio

A J Mencshelyi

J E G Williams

M P Ryan

M I Girak

L C Biglin

D A Hughes

C M Poulton

H J Appleton

#### Staff:

Chief Executive Officer

Executive Manager Engineering Services

Executive Manager Development &  
Community Services

Executive Manager Corporate Services

Manager Governance & Risk

Governance Officer

D Terelinck

P Devcic

C B Hunt

C J Young

A C McCall

T P Van Beek

**Gallery:**

Public Gallery

S Hart

**3.2 APOLOGIES**

Nil.

**3.3 APPROVED LEAVE OF ABSENCE**

Nil.

**3.4 ABSENT**

Nil.

#### 4 DISCLOSURE OF INTERESTS

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

As defined in section 5.60A of the Local Government Act 1995, a **financial interest** occurs where a Councillor / Committee Member, or a person with whom the Councillor / Committee Member is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

As defined in section 5.61 of the Local Government Act 1995, an **indirect financial interest** includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

As defined in section 5.60B of the Local Government Act 1995, a person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

As defined in clause 22 of the Local Government (Model Code of Conduct) Regulations 2021, an **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Community Grants Assessment Committee held 6 May 2025	12.1	Cr D A Hughes	Impartiality	Some members of the Wundowie community group are known to Cr D A Hughes.
		Cr J E G Williams	Impartiality	Members of the Bakers Hill RSL, recipients of a grant are known to Cr J E G Williams.
		Cr H J Appleton	Impartiality	Members of community groups mentioned in the minutes are known to Cr H J Appleton.
		Cr C M Poulton	Impartiality	Members of the Bakers Hill and Wundowie Progress Associations

				are known to Cr C M Poulton.
		Cr A J Mencshelyi	Impartiality	Some members of community organisations are known to Cr A J Mencshelyi.
		Cr M I Girak	Impartiality	Members of community organisations mentioned in the report are known to Cr M I Girak.
		Cr L C Biglin	Impartiality	Cr L C Biglin knows members of both Wundowie Golf Club & Bakers Hill RSL.
		Cr L C Biglin	Proximity	Cr L C Biglin owns a property adjacent to the RSL leased property.
Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995	13.1.2	President C R Antonio	Impartiality	Many members of the BFAC are known to President C R Antonio.
		Cr A J Mencshelyi	Impartiality	Cr A J Mencshelyi was a Council representative on this committee and knows a number of members.
		Cr M I Girak	Impartiality	Cr M I Girak is a Council representative of the Bush Fire Advisory Committee and members of the Committee are known to Cr M I Girak.
Community Progress Association Annual Budget Requests 2025/2026	13.3.1	Cr D A Hughes	Impartiality	Some members of the Progress Associations are known to Cr D A Hughes.
		Cr A J Mencshelyi	Impartiality	Some members of community associations are known to Cr A J Mencshelyi.
		Cr J E G Williams	Impartiality	Cr J E G Williams is an Executive Member of the Bakers Hill Progress Association and has been involved in the budget applications. Members of the Progress Associations are known to Cr J E G Williams.

		Cr H J Appleton	Impartiality	Members of community groups are known to Cr H J Appleton.
		Cr C M Poulton	Impartiality	Members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.
		President C R Antonio	Impartiality	President C R Antonio is a member of the GVPA and members of other progress associations are known to President C R Antonio.
		Cr L C Biglin	Impartiality	Cr L C Biglin is Secretary/Treasurer of the Wundowie Progress Association and they are mentioned in the report. Other progress association members are known to Cr L C Biglin.
		Cr M I Girak	Impartiality	Members of the progress associations that have applied for funding are known to Cr M I Girak.
		Cr M P Ryan	Impartiality	Members of some of the progress associations are known to Cr M P Ryan.
Display of Artworks	14.1	Cr D A Hughes	Impartiality	The artist is known to Cr D A Hughes.
		President C R Antonio	Impartiality	Person of the artwork is known to President C R Antonio.
Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie	15.1	Cr J E G Williams	Impartiality	Cr J E G Williams was mover of the original motion, she has been in discussions with several local residents about this matter. One of the adjoining landowners is known to Cr J E G Williams.
		President C R Antonio	Impartiality	Owners of the property(s) mentioned in the report are known to President C R Antonio.

		Cr A J Mencshelyi	Impartiality	Owners of a property near the PAW are known to Cr A J Mencshelyi.
		Cr L C Biglin	Impartiality	Owners of adjacent lots are known to Cr L C Biglin.
		Cr M P Ryan	Impartiality	One of the land owners who lives near the accessway is known to Cr M P Ryan.

## 5 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

<b><u>Visitations and Consultations</u></b>	
25/04/2025	ANZAC Day Dawn Service - Northam
25/04/2025	ANZAC Day Service – Grass Valley
25/04/2025	ANZAC Day March and Service - Northam
25/04/2025	ANZAC Day Touch Rugby Match - Northam
26/04/2025	Northam Motorsport Festival – Mt Ommaney Hill Climb
27/04/2025	Northam Motorsport Festival – Flying 50's – Round the Towns
27/04/2025	Northam Motorsport Festival – Official Launch
28/04/2025	Triple M Fortnightly Radio Interview - Online
29/04/2025	Northam Primary School ANZAC Day Service – Cr Mencshelyi Attending
30/04/2025	Northam Senior High School ANZAC Day Ceremony
30/04/2025	Meet the Bullwinkel Candidates event - Kalamunda
02/05/2025	Wheatbelt Futures Forum - Northam
02/05/2025	Avonvale School ANZAC Day Ceremony
02/05/2025	Northam Swimming Club end of season presentation night
03/05/2025	Lions Community Markets - Northam
04/05/2025	Pipe Organ Fundraising Recital – St John's Anglican Church - Northam
08/05/2025	Ronald McDonald Ride for a cure fundraiser event - Northam
09/05/2025	Citizenship Ceremony - Northam
10/05/2025	International Firefighters Day Memorial Ceremony - Northam
12/05/2025	AROC Governance Group Meeting - Toodyay
15/05/2025	Quarterly Catchup with WACHS Wheatbelt Management - Northam
16/05/2025	Killick Arts Awards Opening Night and Official Opening
19/05/2025	Triple M Fortnightly Radio Interview - Online
19/05/2025	Voice of the Avon Radio Interview - Online
21/05/2025	Down Syndrome Networking Lunch - Northam
23/05/2025	Mayors and President's Forum - Perth
<b><u>Upcoming Events</u></b>	
31/05/2025	Welcome to Skywhales in Northam
01/06/2025	Elevate Festival - Northam
01/06/2025	Elevate Festival, VIP and other events - Northam
07/06/2025	Lions Community Markets - Northam
08/06/2025	Philippine Independence Day Celebration - Northam
09/06/2025	Triple M Fortnightly Radio Interview

12/06/2025	Renewable Energy Transition Forum - Perth
12/06/2025	Meeting with Northam Chamber of Commerce - Northam
16/06/2025	Voice of the Avon Radio Interview - Online
20/06/2025	Avon-Midland Country Zone Meeting - York
23/06/2025	Triple M Fortnightly Radio Interview
24/06/2025	Australian Local Government Association Conference Canberra

### **Operational Matters:**

The inaugural meeting of the Shire of Northam Walk of Fame Selection Committee has now met. With an excellent selection of nominees, the committee has made its recommendations to Council.

### **Events Calendar:**

Following the recent successful and memorable events, exemplified by the Northam Motorsport Festival and ANZAC Day ceremonies right across the Shire, the community is looking forward to some major upcoming events.

The Sky Whale tour starts the long weekend on the 31<sup>st</sup> of May, starting early that day. The Elevate Festival on the June long weekend has many events planned. This includes the headline act – the Baby Animals, a Balloon Glow (weather permitting) and a range of family activities, family and more adult activities, along with market and food stalls. The full lineup of entertainment has now been announced, with details available on the Shire of Northam Website and on Social Media pages.

### **Strategic Matters:**

The Shire of Northam has some projects and good news stories that were recently announced. These include:

The new lease of Life for the Northam Café. With a fresh 5-year lease being signed. The new “Terra Mare” café is set to open in the 2<sup>nd</sup> half of this year and is being operated by the Northam Entertainment Group. Quoting from Terra Mare “signature brand of flavour-packed, family-friendly Italian, with traditional pizza, rich pastas, and share plates made for digging in with the people you love.”



## 6 PUBLIC QUESTIONS

**Name:** S Hart

**Item Name (If applicable):** Nil.

**Summary of Question 1:** Can you please provide some details regarding this weeks ballooning activities, including what time the Skywhales are expected to take off?

**Summary of Response 1:** The Chief Executive Officer advised that there are 3 main parts of the long weekend of Ballooning:

1. Light Balloon Fiesta - this is being run by Northam Ballooning Events and will take place from 30 May 2025 to 02 June 2025. This will include a number of light balloons, including hoppers and home-made balloons, taking part in a fiesta. The Shire are currently trying to secure a site that is more central for them to be able to take off from on one of the days where the weather may be suitable.
2. Saturday 31 May 2025 - Patricia Piccinini's Skywhale and Skywhalepapa - the event will start between 5.30 - 6.00 am to watch the balloons be inflated and to listen to the official soundtrack that goes with the Skywhales and we are anticipating that if the whales are able to take off, they will do so at sunrise (approx. 7.00 am). This is weather dependent, we are hoping that, at the very least, they can be tethered if they are not able to fly.
3. Sunday 01 June 2025 - Northam Elevate Festival - the event will be held from 2.00 pm to 10.00 pm. This will include a Balloon Glow, carnival rides, food trucks, and will have a main stage that will have a rolling series of acts as well as the band The Baby Animals coming on about 9:00 pm in the evening. There will also be fireworks, weather permitting.

## 7 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

<b>Name:</b>	G Bradbury
<b>Meeting:</b>	Council Forum Meeting held on 16 April 2025
<b>Agenda Item:</b>	13.3.1 Proposed Scheme Amendment No.20 – 185 Wellington St, Northam
<b>Summary of Question:</b>	Several residents in the area have received no contact on the proposal, which residents were consulted?
<b>Response:</b>	The advertising radius for the Scheme amendment was 100m with 27 surrounding residents being notified.

<b>Name:</b>	E Grogan
<b>Meeting:</b>	Ordinary Council Meeting held on 23 April 2025
<b>Agenda Item:</b>	6 Public Questions
<b>Summary of Question:</b>	Is there a deadline for the further information being provided by the applicant?
<b>Response:</b>	<p>The applicants for the proposed quarry at Clydesdale Road, Grass Valley were advised on 26 March 2025 that additional information is required prior to the application being further considered.</p> <p>Due to the nature of the required information, no definitive date for the submission of further information was stipulated.</p>

## 8 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

### 8.1 PETITIONS

Nil.

### 8.2 PRESENTATIONS

Nil.

### 8.3 DEPUTATIONS

Nil.

### 9 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

### 10 CONFIRMATION OF MINUTES

#### 10.1 CONFIRMATION OF MINUTES FROM THE ORDINARY COUNCIL MEETING HELD 23 APRIL 2025

##### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5306

Moved: Cr C M Poulton

Seconded: Cr A J Mencshelyi

That the minutes of the Ordinary Council meeting held on Wednesday, 23 April 2025 be CONFIRMED as a true and correct record of that meeting.

CARRIED 9/0

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

#### 10.2 CONFIRMATION OF MINUTES FROM THE SPECIAL COUNCIL MEETING HELD 30 APRIL 2025

##### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5307

Moved: Cr D A Hughes

Seconded: Cr C M Poulton

That the minutes of the Special Council meeting held on Wednesday, 30 April 2025 be CONFIRMED as a true and correct record of that meeting.

CARRIED 9/0

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

### 10.3 NOTES FROM THE COUNCIL FORUM MEETING HELD 21 MAY 2025

#### RECOMMENDATION / COUNCIL DECISION

**Minute No:** C.5308

**Moved:** Cr D A Hughes

**Seconded:** Cr A J Mencshelyi

**That Council RECEIVES the notes from the Council Forum meeting held on Wednesday, 21 May 2025.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil



## Shire of Northam

### Notes

### Council Forum Meeting

21 May 2025

Council Forum Meeting Notes  
21 May 2025



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**Council Forum Meeting Notes  
21 May 2025**



**Preface**

When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes."

At the next Ordinary Meeting of Council the Notes will be received, subject to any amendments made by the Council. The "Received" Notes are then signed off by the Presiding Person.

Please refer to the Ordinary Council meeting agenda and minutes for further information and details in relation to the matters and items discussed at the Forum meeting.

**Unconfirmed Notes**

These notes were approved for distribution on 23 May 2025.

**DEBBIE TERELINCK  
CHIEF EXECUTIVE OFFICER**

**Received Notes**

These notes were received at an Ordinary Meeting of Council held on 28 May 2025.

Signed: .....

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*

Council Forum Meeting Notes  
21 May 2025



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21 May 2025



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Council Forum Meeting Notes  
21 May 2025



## 1 DECLARATION OF OPENING

The Shire President, C R Antonio declared the meeting open at 5:30pm.

## 2 OPENING PROCEDURES

### 2.1 ACKNOWLEDGEMENT OF COUNTRY

President C R Antonio invited Cr H J Appleton to present the Acknowledgement to Country.

The Shire of Northam would like to acknowledge the Traditional Owners of the land on which we meet, the Ballardong and Whadjuk people of the Nyoongar nation and pay our respects to Elders, past present and emerging.

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Shire President  
Deputy Shire President  
Councillors

C R Antonio  
A J Mencshelyi  
J E G Williams  
M P Ryan  
M I Girak  
L C Biglin  
D A Hughes  
C M Poulton  
H J Appleton

**Staff:**

Chief Executive Officer  
Executive Manager Engineering Services  
Executive Manager Development and  
Community Services  
Executive Manager Corporate Services  
Manager Governance and Risk

D J Terelinck  
P D Devcic  
C B Hunt  
C J Young  
A C McCall

Council Forum Meeting Notes  
21 May 2025



Gallery:  
Public

J Bain

### 3.2 APOLOGIES

Governance Officer

T P Van Beek

### 3.3 APPROVED LEAVE OF ABSENCE

Nil.

### 3.4 ABSENT

Nil.

## 4 DISCLOSURE OF INTEREST

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Council Forum Meeting Notes  
21 May 2025

Item Name	Item No.	Name	Type of Interest	Nature of Interest
Community Grants Assessment Committee held 6 May 2025	12.1	Cr D A Hughes	Impartiality	Some members of the Wundowie community group are known to Cr D A Hughes.
		Cr J E G Williams	Impartiality	Members of the Bakers Hill RSL, recipients of a grant are known to Cr J E G Williams.
		Cr H J Appleton	Impartiality	Members of community groups mentioned in the minutes are known to Cr H J Appleton.
		Cr C M Poulton	Impartiality	Members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.
		Cr A J Mencshelyi	Impartiality	Some members of community organisations are known to Cr A J Mencshelyi.
		Cr L C Biglin	Impartiality	Cr L C Biglin knows members of both Wundowie Golf Club and Bakers Hill RSL.
		Cr M I Girak	Impartiality	Members of community organisations mentioned in the report are known to Cr M I Girak.
Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995	13.1.2	President C R Antonio	Impartiality	Many members of the BFAC are known to President C R Antonio.
		Cr A J Mencshelyi	Impartiality	Cr A J Mencshelyi was a Council representative on this committee and knows a number of members.
		Cr M I Girak	Impartiality	Cr M I Girak is a Council representative of the Bush Fire Advisory Committee and members of the Committee are known to Cr M I Girak.
Community Progress Association Annual Budget Requests 2025/2026	13.3.1	Cr D A Hughes	Impartiality	Some members of the Progress Associations are known to Cr D A Hughes.

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		Cr A J Mencshelyi	Impartiality	Some members of community associations are known to Cr A J Mencshelyi.
		Cr J E G Williams	Impartiality	Cr J E G Williams is an Executive Member of the Bakers Hill Progress Association and has been involved in the budget applications. Members of the Progress Associations are known to Cr J E G Williams.
		Cr H J Appleton	Impartiality	Members of community groups are known to Cr H J Appleton.
		Cr C M Poulton	Impartiality	Members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.
		President C R Antonio	Impartiality	President C R Antonio is a member of the GVPA and members of other progress associations are known to President C R Antonio.
		Cr L C Biglin	Impartiality	Cr L C Biglin is Secretary/Treasurer of the Wundowie Progress Association and they are mentioned in the report. Other progress association members are known to Cr L C Biglin.
		Cr M I Girak	Impartiality	Members of the progress associations that have applied for funding are known to Cr M I Girak.
		Cr M P Ryan	Impartiality	Members of some of the progress associations are known to Cr M P Ryan.
Display of Artworks	14.1	Cr D A Hughes	Impartiality	The artist is known to Cr D A Hughes.
		President C R Antonio	Impartiality	Person of the artwork is known to President C R Antonio.



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Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie	15.1	Cr J E G Williams	Impartiality	Cr J E G Williams was mover of the original motion, she has been in discussions with several local residents about this matter. One of the adjoining landowners is known to Cr J E G Williams.
		President C R Antonio	Impartiality	Owners of the property(s) mentioned in the report are known to President C R Antonio.
		Cr A J Mencshelyi	Impartiality	Owners of a property near the PAW are known to Cr A J Mencshelyi.
		Cr L C Biglin	Impartiality	Owners of adjacent lots are known to Cr L C Biglin.
		Cr M P Ryan	Impartiality	One of the land owners who lives near the accessway is known to Cr M P Ryan.

**5 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

**6 PUBLIC QUESTIONS**

Nil.

**7 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil.

**8 RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS.**

**8.1 PETITIONS**

Nil.

**8.2 PRESENTATIONS**

Nil.

**8.3 DEPUTATIONS**

Nil.

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**9 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**10 CONFIRMATION OF MINUTES**

**10.1 CONFIRMATION OF MINUTES FROM THE ORDINARY COUNCIL MEETING  
HELD 23 APRIL 2025**

No queries were raised in relation to this item.

**10.2 CONFIRMATION OF MINUTES FROM THE SPECIAL COUNCIL MEETING HELD  
30 APRIL 2025**

No queries were raised in relation to this item.

**10.3 NOTES FROM THE COUNCIL FORUM MEETING HELD 21 MAY 2025**

No queries were raised in relation to this item.

**11 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE  
PUBLIC GALLERY**

Nil.

**12 REPORTS OF COMMITTEE MEETINGS**

*Cr D A Hughes declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as some members of the Wundowie community group are known to Cr D A Hughes.*

*Cr J E G Williams declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of the Bakers Hill RSL, recipients of a grant are known to Cr J E G Williams.*

*Cr H J Appleton declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of community groups mentioned in the minutes are known to Cr H J Appleton.*

*Cr C M Poulton declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as some members of community organisations are known to Cr A J Mencshelyi.*

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Cr L C Biglin declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as Cr L C Biglin knows members of both Wundowie Golf Club & Bakers Hill RSL..

Cr M I Girak declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of community organisations mentioned in the report are known to Cr M I Girak.

**12.1 COMMUNITY GRANTS ASSESSMENT COMMITTEE HELD 6 MAY 2025**

Nil.

**13 OFFICERS REPORTS**

**13.1 CEO'S OFFICE**

**13.1.1 Establishment of the Audit, Risk and Improvement Committee and Appointment of the Presiding Member and Deputy Presiding Member**

Clarification Sought:

- Whether the same members currently appointed to the committee would continue, as committee appointments typically run from one election to the next.

*The Chief Executive Officer advised that as the Terms of Reference for the Committee have been changed, it is being recommended that Council Members be reappointed, however it is ultimately a matter for Council to determine at the Ordinary Council Meeting. The Manager Governance and Risk noted that the proposal includes reducing the number of Council Members from five to four, with the addition of two new independent members.*

- Whether the intention is for the independent members to be appointed through to October 2027.

*The Chief Executive Officer confirmed this is the intended term, however reappointment will be required following the October 2025 local government elections.*

- Whether the Deputy Presiding Member must be an independent member.

*The Chief Executive Officer confirmed this is correct and gave an example where the Deputy Presiding Member may need to chair a meeting, such as in situations involving a financial interest held*



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*by the Presiding Member. If there is not an independent Presiding Member, the meeting cannot continue.*

- Whether the Deputy President is intended to be a member of the committee, and if so, whether this position should be specified in the Terms of Reference.

*The Manager Governance and Risk confirmed that the Terms of Reference will be updated to include the Deputy President.*

- Whether Council could choose to maintain the current composition of the committee.

*The Chief Executive Officer confirmed that Council does have the discretion to retain the existing membership structure.*

*President C R Antonio declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as many members of the BFAC are known to President C R Antonio.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as Cr A J Mencshelyi was a Council representative on this committee and knows a number of members.*

*Cr M I Girak declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as Cr M I Girak is a Council representative of the Bush Fire Advisory Committee and members of the Committee are known to Cr M I Girak.*

**13.1.2 Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995**

No queries were raised in relation to this item.

**13.1.3 Appointment of Presiding Member and Deputy Presiding Member to Committees of Council**

No queries were raised in relation to this item.

**13.1.4 Delegated Authority Register Review 2025/26**

Clarification Sought:

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- A question was raised regarding whether the red text with tracked changes indicates additions or modifications. The Manager Governance and Risk clarified that the red markings reflect where amendments have been made. If an entire delegation appears in red, it highlights that it is a new delegation. The Chief Executive Officer further noted that a summary of new delegations and the specific changes is provided in the Officer's report.

### 13.1.5 Change of Council Meeting Date - June 2025

No queries were raised in relation to this item.

### 13.2 ENGINEERING SERVICES

Nil.

### 13.3 DEVELOPMENT SERVICES

*Cr D A Hughes declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as some members of the Progress Associations are known to Cr D A Hughes.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as some members of community associations are known to Cr A J Mencshelyi.*

*Cr J E G Williams declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as Cr J E G Williams is an Executive Member of the Bakers Hill Progress Association and has been involved in the budget applications. Members of the Progress Associations are known to Cr J E G Williams.*

*Cr H J Appleton declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of community groups are known to Cr H J Appleton.*

*Cr C M Poulton declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.*

*President C R Antonio declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as President C R Antonio is member of the GVPA and members of other progress associations are known to President C R Antonio.*

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Cr L C Biglin declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as Cr L C Biglin is Secretary/Treasurer of the Wundowie Progress Association and they are mentioned in the report. Other progress association members are known to Cr L C Biglin.

Cr M I Girak declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of the progress associations that have applied for funding are known to Cr M I Girak.

Cr M P Ryan declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of some of the progress associations are known to Cr M P Ryan.

**13.3.1 Community Progress Association Annual Budget Requests 2025/2026**

Clarification Sought:

- Whether changes to the allocations process for the Progress Associations is still proposed.

*The Chief Executive Officer confirmed a review of the relevant policy has been undertaken and will be presented for discussion at the Policy Workshop scheduled for 28 May 2025.*

- The expected timeframe for the revised policy coming to Council for adoption?

*The Chief Executive Officer advised that the timeline will depend on the extent of any required amendments. It is anticipated that the policy will be presented to either the June or July Ordinary Council Meeting for consideration.*

- How the implementation of the new policy will impact the 2025/26 budget.

*The Chief Executive Officer advised that the 2025/26 budget and associated allocations to the Progress Associations will be based on the current report. Any applications received after this point will be assessed under the new policy framework, which is expected to apply to the 2026/27 annual allocations.*

- Concerns were raised regarding the selection of plant species at Clackline Hall and the potential risk of attracting the Polyphagous Shot-Hole Borer. It was queried whether the Shire will have control over the plant species.

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*The Shire President advised that it is understood native species will be recommended and that the group will be informed of the associated risks.*

- Whether works at Quellington Hall should be included in the Shire's maintenance budget.

*The Executive Manager Development and Community Services advised that the fencing is external to the building and therefore does not fall under building maintenance. An additional item discussed was the installation of a guard for the internal fireplace.*

- Whether works at Irishtown Hall should be considered part of the Shire's maintenance responsibilities.

*The Executive Manager Development and Community Services advised that the property is privately owned by the applicant and is therefore outside the scope of the Shire's building maintenance.*

- Whether the Shire will be involved in the proposed bus shelter works near the Clackline postal agency.

*The Chief Executive Officer confirmed that, as outlined in the report, the group undertaking the works is required to coordinate with Shire Officers.*

- Whether items classified as maintenance would typically be excluded from the grants process.

*The Executive Manager Engineering Services confirmed that this is correct. Routine maintenance works on Shire facilities are not usually funded through grants.*

## 13.4 CORPORATE SERVICES

### 13.4.1 Accounts & Statements of Accounts – April 2025

Clarification Sought:

- EFT53919 – BMX Track: A query was raised regarding the nature of the works associated with this payment.

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The Executive Manager of Engineering Services advised that it is understood the works related to lighting; however, the matter was taken on notice for confirmation.

Additional Comment:

Following the removal of the undercover shelter, the existing light fixtures required reconfiguration of the power supply and reinstatement of a power point. These works were not included in the original BMX track tender scope.

#### 13.4.2 Financial Statements for the period ending 30 April 2025

No queries were raised in relation to this item.

#### 13.4.3 Corporate Service Policies

Clarification Sought:

- Would there be any situation where the disposal of Shire land would not come to Council?

*The Manager Governance & Risk advised that any disposal of land not made under delegated authority would be brought to Council. Where the disposal does not meet the criteria set out in the register for delegated authority, the matter must be considered by Council.*

- Regarding the CCTV monitoring equipment device management policy, is it correct that the cameras and server are owned by the Shire, but the server is stored at the Northam Police Station?

*The Executive Manager Corporate Services confirmed this is correct. The cameras and server are Shire-owned, but the server is housed at the Northam Police Station.*

- If WA Police want to access the CCTV data, what is the process they must follow?

*The Executive Manager Corporate Services advised that WA Police can directly access the data. There is currently no formal process in place for this access. If a member of the public requests access, the request must be made through the Shire, which then refers it to WA Police. The Shire does not provide footage directly to the public. WA Police have continuous (24/7) access via monitors at the police station.*

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- Have we essentially supplied WA Police with surveillance equipment that they can use at their discretion, or do we retain control over the data stored on our server located at the Police Station?

*The Executive Manager Corporate Services confirmed that the equipment and data belong to the Shire and the entire network is considered a Shire asset. However, there is currently no Memorandum of Understanding (MOU) in place to formally define access and usage standards. A MOU was considered previously but was not pursued further.*

- Why was the proposed MOU with WA Police never implemented?

*The Executive Manager Corporate Services took this question on notice and will follow up.*

- Why does the Shire rely heavily on advertising asset disposals in the West Australian newspaper, and could other mediums be used more extensively?

*The Manager Governance & Risk explained that publication in the West Australian newspaper is a legislative requirement under the Act. However, the Shire has also recently utilised other platforms, including Facebook, the Shire's website, local newspapers, and email distribution lists to advertise public tenders and asset disposals.*

- Since the Shire owns the CCTV equipment, but WA Police manage community access, what happens if WA Police refuse to provide footage to a member of the public? What role does the Shire play in this situation?

*The Executive Manager Corporate Services stated that the Shire trusts WA Police to manage public data access responsibly, in accordance with legal procedures. For footage involving Shire buildings, requests from the public would be referred to WA Police. The Police, having greater expertise, would then manage the request.*

- Concerns were raised about the lack of clear information in the current CCTV policy. What mechanisms can be put in place to ensure accountability when Police access the data?

*The Executive Manager Corporate Services stated that the Shire will revisit the previously proposed MOU to address concerns around oversight and access standards.*

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- What specific provisions could be included in a future MOU to ensure oversight?

*The Chief Executive Officer suggested that the MOU could include requirements for WA Police to inform the Shire whenever they receive a direct request from a member of the public and to report the outcome of that request, including any reasons for refusal of access.*

- Has the Shire ever required WA Police to provide statistics on their use of the CCTV system?

*The Executive Manager Corporate Services confirmed that no such data has ever been received from WA Police.*

- Could such reporting be included in a future MOU?

*The Chief Executive Officer agreed that this would be a valuable inclusion in the MOU.*

- Given the concerns raised, what is the proposed next step regarding the CCTV policy?

*It was indicated that the current draft CCTV policy will be removed from the upcoming Ordinary Council Meeting agenda to allow further development and consultation. The policy will be presented to Council at a later date.*

#### 14 MATTERS BEHIND CLOSED DOORS

##### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5504

Moved: Cr H J Appleton

Seconded: Cr A J Mencshelyi

**That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and Section 5.23 (2) (b) of the Local Government Act 1995, meet behind closed doors to consider agenda item:**

- 14.1 - Display of Artworks

**CARRIED 9/0**



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**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr M P Ryan, C M Poulton and Cr J E G Williams

**Against:** Nil.

The Public Gallery left the meeting at 6:20 pm.

*Cr D A Hughes declared an "Impartiality" interest in item 14.1 – Display of Artworks as the artist is known to Cr D A Hughes.*

*President C R Antonio declared an "Impartiality" interest in item 14.1 – Display of Artworks as the person of the artwork is known to President C R Antonio.*

**14.1 DISPLAY OF ARTWORKS**

Refer to the confidential addendum.

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5505**

**Moved: Cr H J Appleton**

**Seconded: Cr A J Mencshelyi**

**That Council move out from behind closed doors.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr M P Ryan, C M Poulton and Cr J E G Williams

**Against:** Nil.

The Public Gallery returned to the meeting at 6:29 pm.

**15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

*Cr J E G Williams declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as Cr J E G Williams was mover of the original motion, she has been in discussions with several local residents about this matter. One of the adjoining landowners is known to Cr J E G Williams.*

*President C R Antonio declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to*



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16 Brown Road and 51 Olive Road, Wundowie as owners of the property(s) mentioned in the report are known to President C R Antonio.

Cr A J Mencshelyi declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as owners of a property near the PAW are known to Cr A J Mencshelyi.

Cr L C Biglin declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as owners of adjacent lots are known to Cr L C Biglin.

Cr M P Ryan declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as one of the land owners who lives near the accessway is known to Cr M P Ryan.

**15.1 MOTION TO CHANGE COUNCIL DECISION C.3222 - PEDESTRIAN ACCESS WAY – ADJACENT TO 16 BROWN ROAD AND 51 OLIVE ROAD, WUNDOWIE**

- Whether the Shire has received any complaints relating to the use of the Pedestrian Access Way (PAW).

*The Executive Manager Development and Community Services advised that one complaint had been received earlier in the week.*

Additional Comment:

*The Shire has recently received two separate communications — one raising concerns that the access way may be gated and locked, and another expressing concern about the PAW being used by off-road motorcycles and similar vehicles.*

- Whether any consultation had been undertaken in relation to this matter.

*The Executive Manager Development and Community Services advised that consultation was carried out in 2017, and this information can be provided to Council. The Chief Executive Officer confirmed that no consultation has been undertaken for the current proposal.*

Additional Comment:

*The 2017 Council report noted that while no formal consultation was undertaken at that time, staff had contacted four of the five*

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*landowners in the immediate vicinity of the PAW, and three had expressed a preference for it to remain open for emergency vehicle access.*

**16 URGENT BUSINESS APPROVED BY DECISION**

Nil.

**17 DECLARATION OF CLOSURE**

There being no further business, the Shire President, C R Antonio, declared the meeting closed at 6:32 pm.

## 11 ITEMS BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE PUBLIC GALLERY

Nil.

## 12 REPORTS OF COMMITTEE MEETINGS

### 12.1 COMMUNITY GRANTS ASSESSMENT COMMITTEE HELD 6 MAY 2025

*Cr D A Hughes declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as some members of the Wundowie community group are known to Cr D A Hughes.*

*Cr J E G Williams declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of the Bakers Hill RSL, recipients of a grant are known to Cr J E G Williams.*

*Cr H J Appleton declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of community groups mentioned in the minutes are known to Cr H J Appleton.*

*Cr C M Poulton declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as some members of community organisations are known to Cr A J Mencshelyi.*

*Cr L C Biglin declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as Cr L C Biglin knows members of both Wundowie Golf Club and Bakers Hill RSL.*

*Cr M I Girak declared an "Impartiality" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as members of community organisations mentioned in the report are known to Cr M I Girak.*

*Cr L C Biglin declared an "Proximity" interest in item 12.1 – Community Grants Assessment Committee held 6 May 2025 as Cr L C Biglin owns property adjacent to the RSL leased property.*

The minutes for the Community Grants Assessment Committee Meeting were provided to Council separately. The minutes can be found on the Council's website: [www.northam.wa.gov.au](http://www.northam.wa.gov.au).

**Receipt of Minutes:**

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5309**

**Moved: Cr M P Ryan**

**Seconded: Cr M I Girak**

**That Council RECEIVES the minutes from the Community Grants Assessment Committee held on 6 May 2025.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

**Adoption of Recommendations:**

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5310**

**Moved: Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin and Cr D A Hughes**

**Seconded: Cr M P Ryan**

**That Council BY ABSOLUTE MAJORITY CHANGES Motion CGAC.69 and C.5198 2(a):**

**2. APPROVES 2024 Community Development Grants for:**

- a. Application C20: Wundowie Golf Club up to \$14,500 (excluding GST) for the purchase of a new tractor from a dealership operating outside of the Shire of Northam.**

**CARRIED 9/0  
BY ABSOLUTE MAJORITY**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

*Cr L C Biglin left the meeting at 5.47pm, due to a "Proximity" interest regarding the matter discussed in recommendation 3 of this item.*

## **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5311**

**Moved: Cr A J Mencshelyi**

**Seconded: Cr M P Ryan**

**That Council:**

- 1. NOTES that the minutes of the Community Grants Assessment Committee Meeting held on 13 November 2024 were confirmed as a true and correct record of that meeting.**
- 2. APPROVES the amended Community Grant Application C26 to the Bakers Hill RSL Sub-Branch of \$19,020 (excluding GST) for the purpose of purchasing fencing material for the Bakers Hill RSL Hub located at Reserve 10844.**
- 3. NOTES that no further funding is to be provided by Council for the purpose of infrastructure at the Bakers Hill RSL Hub, located at Reserve 10844.**

**CARRIED 8/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

*Cr L C Biglin returned to the meeting at 5:47 pm.*

## **13 OFFICER REPORTS**

### **13.1 CEO'S OFFICE**

#### **13.1.1 Establishment of the Audit, Risk and Improvement Committee and Appointment of the Presiding Member and Deputy Presiding Member**

<b>File Reference:</b>	2.1.3.5
<b>Reporting Officer:</b>	Alysha McCall (Manager Governance and Risk)
<b>Responsible Officer:</b>	Debbie Terelinck (Chief Executive Officer)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Absolute Majority
<b>Communication Required:</b>	No

## BRIEF

This report recommends that Council establishes the Audit, Risk and Improvement Committee (ARIC) in accordance with the *Local Government Amendment Act 2024* and appoint an independent presiding member and deputy presiding member as required.

## ATTACHMENTS

1. CS-TR-01 Audit Risk Improvement Committee Terms of Reference 2023-2025 DRAFT [**13.1.1.1** - 8 pages]
2. CONFIDENTIAL REDACTED - Applicant 1 [**13.1.1.2** - 2 pages]
3. CONFIDENTIAL REDACTED - Applicant 2 [**13.1.1.3** - 5 pages]
4. CONFIDENTIAL REDACTED - Applicant 3 [**13.1.1.4** - 4 pages]
5. CONFIDENTIAL REDACTED - Applicant 4 [**13.1.1.5** - 4 pages]
6. CONFIDENTIAL REDACTED - Applicant 5 [**13.1.1.6** - 14 pages]
7. CONFIDENTIAL REDACTED - Applicant 6 [**13.1.1.7** - 6 pages]
8. CONFIDENTIAL REDACTED - Applicant 7 [**13.1.1.8** - 6 pages]

## A. BACKGROUND / DETAILS

Amendments to section 5.12 of the *Local Government Act 1995* require Councils to appoint new committee presiding members and deputy presiding members by 1 July 2025. These appointments must be made by an absolute majority decision of the Council from this point forward. This change was introduced to assist the Local Government sector in removing the need for the conduct of a secret preferential ballot at a committee meeting, and to give Councils the role of deciding the leadership of Council committees.

In addition, once section 87 of the *Local Government Amendment Act 2024* commences, Local Governments will be required to appoint an independent person to the roles of Presiding Member of the Audit, Risk and Improvement Committee (ARIC). A Local Government will also need to appoint another independent person to serve as the presiding member, when the substantive presiding member is absent.

There is currently no requirement for an independent presiding member to be appointed to an existing Audit Committee by 1 July 2025. Officers are however recommending the appointment of an independent presiding member and deputy presiding member in anticipation of the changes.

In relation to an ARIC, these provisions will operate, once in effect:

- A local government must appoint an independent person as a member of the ARIC, who will be the Presiding Member (sections 5.12(1) and 7.1A(3)).
- A local government must appoint an independent person as a Deputy Member to the Presiding Member who will attend the meetings, in the absence of the Presiding Member (sections 5.11A and 7.1B(1)-(2)).
- A local government may appoint a person as the Deputy Presiding Member; if appointed, that Deputy Presiding Member must be an independent person (sections 5.12(2) and 7.1A(4)).
- A local government may appoint a person as a Deputy Member to the Deputy Presiding Member who will attend the meetings in the absence of the Deputy Presiding Member; if appointed, that person must be an independent person (sections 5.11A and 7.1B(4)).

The ARIC will provide oversight of key governance areas, including risk management, financial reporting, internal controls, and continuous improvement processes.

To comply with the legislative requirements, it is proposed that Council:

1. Establishes the Audit, Risk and Improvement Committee as a formal committee of Council, replacing the previous Audit and Risk Management Committee.
2. Adopts the Terms of Reference (Attachment 13.1.1.1) that set out the ARIC's purpose, membership, roles and responsibilities.
3. Appoints Applicant 5 referenced in Attachment 13.1.1.6 as the independent presiding member of the ARIC.
4. Appoints Applicant 4 referenced in Attachment 13.1.1.5 as the independent deputy presiding member.

The candidates were identified through a public advertising process, with 7 applications received. Applications have been reviewed by Officers, ensuring the candidates for the independent presiding and deputy presiding members have relevant expertise in governance, risk, audit and financial management.

## **B. CONSIDERATIONS**

### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: Performance.

Outcome 13: A well informed and engaged community.

Objective 13.2: Engage the community about Shire projects, activities and decisions in a timely, open and effective manner.

Priority Action: Nil.

### **B.2 Financial / Resource Implications**



The Independent Presiding and Deputy Presiding Members will be entitled to the maximum meeting attendance fee for a Band 2 local government, as determined by the Salaries and Allowances Tribunal (currently \$317 per meeting). Committee members may also apply for reimbursement of travel expenses.

An allocation has been included in the 2025/26 budget considerations to cover meeting fees for two independent ARIC members.

### **B.3 Legislative Compliance**

*Local Government Act 1995:*

- Section 5.8 — Establishment of committees
- Section 5.9 — Committees, types of
- Section 5.10 — Appointment of committee members

*Local Government Amendment Act 2024:*

- Mandatory establishment of an Audit, Risk and Improvement Committee
- Independent presiding member and deputy requirements

An absolute majority decision of Council is required for the establishment of committees and appointment of the presiding and deputy presiding member.

### **B.4 Policy Implications**

The ARIC will support Council's governance framework and align with relevant Council policies, including risk management, financial management, and audit-related policies.

### **B.5 Stakeholder Engagement / Consultation**

Officers advertised for independent committee members twice during 2024 and received no applications. Further advertising was undertaken in April 2025, with 7 applications received. The applications are provided in Attachments 13.1.1.2 to 13.1.1.8.

There has been discussion in the Local Government sector about whether it would be more efficient and logical to conduct these appointments after the October local government elections, so it does not have to be done twice within a short period of time. The Department of Local Government, Sport and Cultural Industries has subsequently advised that whilst ideally they would look to realign all of these matters, the legislation has been passed by State Parliament, meaning the requirements effectively cannot be changed.

### **B.6 Risk Implications**

Refer to Risk Matrix [here](#).



Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.		
Health & Safety	Nil.		
Reputation	Nil.		
Service Interruption	Nil.		
Compliance	Non-compliance with the <i>Local Government Act 1995</i> and <i>Local Government Amendment Act 2024</i> .	Medium (3) x Almost Certain (5) = High (15)	Establish the ARIC and appoint and independent presiding member and deputy presiding member.
Property	Nil.		
Environment	Nil.		

#### B.7 Natural Environment Considerations

Nil.

#### C. OFFICER'S COMMENT

In summary, Local Governments must formally appoint the presiding member and deputy presiding member of the Audit Committee by 1 July 2025, however the requirement for independent Presiding and Deputy Presiding Members does not come into effect until after the October 2025 elections.

It is proposed however that for the Shire of Northam given that there has previously been agreement to appoint at least one independent member, the appointment of the independent Presiding and Deputy Presiding Member be in place by 1 July 2025. Following the Local Government elections in October 2025, it is proposed to recommend to Council that these appointments continue for the period until the next election in October 2027.

#### RECOMMENDATION

**That Council BY ABSOLUTE MAJORITY:**

- 1. ESTABLISHES the Audit, Risk and Improvement Committee in accordance with Section 5.8 of the *Local Government Act 1995*, replacing the previous Audit and Risk Management Committee established on 25 October 2023.**
- 2. ADOPTS the Terms of Reference for the Audit, Risk and Improvement Committee provided in Attachment 13.1.1.1.**

3. **APPOINTS** Applicant 5 referenced in Attachment 13.1.1.6 as the Presiding Member of the Audit, Risk and Improvement Committee.
4. **APPOINTS** Applicant 4 referenced in Attachment 13.1.1.5 as the Deputy Presiding Member of the Audit, Risk and Improvement Committee.
5. **APPOINTS** the following Council Members to the Audit, Risk and Improvement Committee:
  - a. Shire President
  - b. Deputy Shire President
  - c. \_\_\_\_\_
  - d. \_\_\_\_\_

**ABSOLUTE MAJORITY OF SIX (6) REQUIRED**

#### **MOTION / COUNCIL DECISION**

**Minute No: C.5312**

**Moved: Cr M I Girak**

**Seconded: Cr M P Ryan**

**That Council BY ABSOLUTE MAJORITY:**

1. **ESTABLISHES** the Audit, Risk and Improvement Committee in accordance with Section 5.8 of the *Local Government Act 1995*, replacing the previous Audit and Risk Management Committee established on 25 October 2023.
2. **ADOPTS** the Terms of Reference for the Audit, Risk and Improvement Committee provided in Attachment 13.1.1.1.
3. **APPOINTS** Applicant 5 referenced in Attachment 13.1.1.6 as the Presiding Member of the Audit, Risk and Improvement Committee.
4. **APPOINTS** Applicant 4 referenced in Attachment 13.1.1.5 as the Deputy Presiding Member of the Audit, Risk and Improvement Committee.
5. **APPOINTS** the following Council Members to the Audit, Risk and Improvement Committee:
  - a. Shire President
  - b. Deputy Shire President
  - c. Cr H J Appleton
  - d. Cr M I Girak
  - e. Cr M P Ryan

**CARRIED 9/0  
BY ABSOLUTE MAJORITY**

#### Reason for Change to Recommendation:

Council formed the view that increasing the number of Council Members on the Audit, Risk and Improvement Committee would be beneficial:

- a. Due to the complexity of the matters the Audit, Risk and Improvement Committee is dealing with justifies more Councillors to

- be involved on the Committee. More members will ensure appropriate scrutiny at all times, including in case of absentees.
- b. In future there will be limited number of Council Committees available for membership, and this is providing an opportunity for one more Councillor to be involved on a Council Committee.

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

Terms of Reference | Audit, Risk and Improvement Committee



## Terms of Reference | Audit, Risk and Improvement Committee

### 1. Establishment

In accordance with section 7.1A. of the *Local Government Act 1995* (the Act) the Council of the Shire of Northam (the Shire) has established an Audit, Risk and Improvement Committee (the Committee).

The Committee will operate in accordance with all relevant provisions of the Act, the *Local Government (Audit) Regulations 1996* and the *Local Government (Administration) Regulations 1996*.

### 2. Authority

As prescribed in Regulation 16 of the *Local Government (Audit) Regulations 1996*, the Committee is to provide guidance and assistance to Council on matters relevant to its terms of reference. This role is designed to facilitate informed decision-making by Council in relation to its legislative functions and duties that have not been delegated to the Chief Executive Officer (CEO).

The Committee is a formally appointed Committee of the Council and is responsible to the Council.

The Committee does not have executive powers or authority to implement actions in areas over which the CEO has legislated responsibility and it does not have any delegated financial responsibility. The Committee does not have management functions and cannot involve itself in management processes or procedures.

### 3. Membership

#### 3.1 Composition

The Committee will consist of six members.

- a) An Independent Presiding Member;
- b) An Independent Deputy Presiding Member; and
- c) Shire President
- d) Deputy President
- e) Two (2) Council Members.

The Council can appoint one or more deputies for the Council Members (Members) of the Audit, Risk and Improvement Committee at any time.

An induction session will be conducted for Members who are appointed to the Committee at the first meeting following the appointment to equip the Members to fulfil their duties on the committee.

Committee members must declare conflicts of interest in accordance with Regulation 22 of the *Local Government (Model Code of Conduct) Regulations 2021*, in a written notice given to the CEO before the meeting or at the meeting immediately before the matter is discussed.

Terms of Reference | Audit, Risk and Improvement Committee



All members of the Committee are bound by the Code of Conduct for Elected Members, Committee Members and Candidates. Any instance where a Committee member has a commercial interest or is closely associated with an organisation that has an interest in the business of the Shire which represents a conflict of interest or pecuniary interest, or there is a risk or perception of conflict of interest, must be declared to the CEO before or at the Committee meeting.

### 3.2 Presiding and Deputy Presiding Member

Appointment of an independent Presiding and Deputy Presiding Member will be made following a public advertisement. The evaluation of potential members will be reviewed by the CEO for recommendation to Council.

Appointments will be approved through absolute majority of Council based on the potential member's experience and qualifications in any or all the following:

- a) Internal audit;
- b) Risk management;
- c) Financial management/reporting;
- d) Information and Systems Technology;
- e) Audit Committee practices; and
- f) Understanding of complexities associated with the Shire.

Members of the Committee are expected to:

- a) understand the legal and regulatory obligations of the accountable authority for governing the Shire;
- b) understand the Shire's governance arrangements that support achievement of the Shire's strategies and objectives;
- c) understand subject matter expert reporting; and
- d) adhere to the Shire's code of conduct.

A presiding or deputy presiding member cannot:

- a) Be a council member of the Shire or a council member of any other local government;
- b) Be an employee of the Shire or someone who is nominated by, or is to be appointed to represent, any employee of the Shire;
- c) Have any operating responsibilities with the Shire; or
- d) Provide paid services to the Shire either directly or indirectly in any other role.

Per section 7.1B (3) of the Act, if the office of Presiding Member is vacant; or the Presiding Member is not available or is not able or unwilling to perform the functions of Presiding Member, then the Committee Members present at the meeting must choose the deputy of the Presiding Member, if present, to preside at the meeting.

### 3.3 Tenure

The tenure of all members' appointment to the Committee must be compliant with Section 5.11 of the Act, being up to two years, terminating on the day of the

Terms of Reference | Audit, Risk and Improvement Committee



Ordinary Council elections, at which time all members will be eligible for appointment.

Council may terminate the appointment of any member prior to the expiry of their term, if:

- a) The Committee's Presiding Member considers that the member is not making a positive contribution to the Committee.
- b) The member is found to be in breach of the Council's Code of Conduct for Elected Members, Committee Members and Candidates or a serious contravention of the Act.
- c) A member's conduct, action or comments bring the Shire into disrepute.

### 3.4 Entitlements

The Independent Presiding and Deputy Presiding Members will be entitled to the maximum meeting attendance fee for a Band 2 local government, as determined by the Salaries and Allowances Tribunal.

Committee members may also apply for reimbursement of travel expenses.

### 4. Shire Staff

The following will be issued with a standing invitation to attend Committee meetings, to provide advice and guidance to the Committee:

- a) CEO;
- b) Executive Management Team;
- c) Manager Governance and Risk;
- d) Business Solutions Coordinator;
- e) Representatives of the Shire's Auditor and Office of the Auditor General;
- f) Other staff may be invited to attend meetings to discuss specific issues or reviews as and when required.

These attendees may take part in the discussions and business of the meetings but have no voting rights.

The Governance Officer is to assist the Committee as follows:

- a) Arranging meetings, preparing agendas, and preparing minutes;
- b) Taking action to implement Committee decisions as guided by the Shire's Governance section in relation to:
  - i. Obtaining information for the next or future meetings;
  - ii. Preparing a paper for the next or future meetings;
  - iii. Coordinating relevant staff of the Shire to provide advice at the next or at a future meeting;
  - iv. Promulgating decisions e.g. reporting, providing or seeking advice on significant correspondence of all kinds.
- c) Preparing background notes;

Terms of Reference | Audit, Risk and Improvement Committee



- d) Providing advice to the Presiding Member, Committee Members and Committee users on Committee policy and process matters; and
- e) Maintaining appropriate Committee records in an accessible form.

## 5. Objectives

The role of the Committee is to support Council in fulfilling its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, audit functions and ethical accountability.

The Committee is to guide and assist the Council to fulfil its oversight responsibilities relating to:

- a) External and Internal Audit activities;
- b) Financial Management processes and controls;
- c) Risk Management activities;
- d) Internal control effectiveness; and
- e) Compliance and Integrity.

### Improvement opportunities

In addition to specific audit reports, reports issued by, but not restricted to, the Corruption and Crime Commission, the Office of the Auditor General and Local Government Insurance Services (LGIS) provide valuable information on standards, expectations and benchmarks. These reports generally originate from work conducted by the various bodies other entities that may on occasion, include Shire operations.

All these reports present an opportunity to compare Shire practices with other approaches, developing standards and changing expectations. These are improvement opportunities and are captured by the Shire's governance systems and processes being monitored to completion, on behalf of Council, by the Committee.

## 6. Functions

The Committee will operate in accordance with all relevant provisions of the Act, the *Local Government (Audit) Regulations 1996* and the *Local Government (Administration) Regulations 1996*.

As prescribed in Regulation 16 of the *Local Government (Audit) Regulations 1996*, the Committee is to provide guidance and assistance to Council on matters relevant to its terms of reference. This role is designed to facilitate informed decision-making by Council in relation to its legislative functions and duties that have not been delegated to the CEO.

The Committee's responsibilities include, but are not limited to:

### 6.1 External Audit

## Terms of Reference | Audit, Risk and Improvement Committee



The Committee is responsible for communicating and liaising with the Office of the Auditor General (OAG). This includes understanding the results of financial and performance audits conducted within the Shire and overseeing whether recommendations are implemented by management. The Committee will:

- a) meet with the OAG to discuss the audit plan (audit entrance meeting) and the results of the financial audit (audit exit meeting);
- b) review external audit reports and assess whether matters are being managed and rectified in an appropriate and timely manner;
- c) discuss with the OAG any significant resolved or unresolved disagreements with management;
- d) review reports from the OAG including auditor's reports, closing reports, management letters and management response to OAG findings;
- e) review all representation letters signed by management to assess whether the information appears complete and appropriate; and
- f) meet with the OAG at least once per year. At this meeting, the Committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses.

### 6.2 Internal Audit

The Committee is responsible for guiding and overseeing the activities, resources and structure of the internal audit function. The Committee will:

- a) review and approve the internal audit plan and monitor its implementation;
- b) review internal and external (non-financial) audit reports and assess whether matters are being managed and rectified in an appropriate and timely manner; and
- c) review performance audits conducted at the Shire and ensuring that agreed recommendations are implemented.

### 6.3 Financial Management

The Committee oversees the integrity of financial and performance reporting processes within the Shire. The Committee will:

- a) review performance audits conducted at the Shire and ensuring that agreed recommendations are implemented (Financial);
- b) review significant financial and reporting issues, including related party transactions, complex or unusual transactions and significant accounting and financial reporting issues;
- c) consider the appropriateness of the accounting controls, principles and policies adopted and the methods of applying those principles and policies;
- d) review the Shire's insurances on the adequacy of cover having regard to the Shire's financial position and the risks that the Shire has already assumed;



Terms of Reference | Audit, Risk and Improvement Committee



- e) review the CEO's report into the appropriateness and effectiveness of the Shire's financial management systems and procedures under Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996* and:
  - i. report to the Council the results of that review; and
  - ii. give the Council a copy of the CEO's report;
- f) review the outstanding rates debt and sundry debt and the adequacy of recovery actions; and
- g) other matters for noting or reporting to Council.

#### 6.4 Risk Management

The Committee oversees the Shire's system of risk management. The Committee will:

- a) determine whether the Shire has in place an effective and appropriate risk management framework, under which all material risks are identified, analysed, managed and reported;
- b) recommend to Council the acceptance of the levels of risk escalation and reporting within the risk management framework;
- c) recommend to Council the acceptance of the risk appetite statements developed by the Shire's Executive Management;
- d) review the CEO's report into the appropriateness and effectiveness of the Shire's systems and procedures in relation to risk management, internal control and legislative compliance, presented to it by the CEO under Regulation 17 of the *Local Government (Audit) Regulations 1996* and:
  - i. report to the Council the results of that review; and
  - ii. give the Council a copy of the CEO's report;
- e) review whether appropriate business continuity planning arrangements are in place; and
- f) review results of relevant OAG audit reports and better practice publications for guidance on good practices, including any self-assessment by management.

#### 6.5 Internal Controls

The Committee oversees the Shire's system of internal controls. The Committee will monitor and review the effectiveness of the Shire's systems for internal control, as well as its systems for compliance with laws, standards, legislation and policy, and other requirements.

#### 6.6 Compliance and Integrity

The Committee oversees the Shire's processes to ensure compliance with relevant laws and regulations and for promoting a strong governance culture within the Shire. The Committee will:

- a) review whether appropriate fraud control arrangements, processes and systems are in place to detect, capture and effectively respond to fraud-related information;

Terms of Reference | Audit, Risk and Improvement Committee



- b) understand the Shire's compliance framework including its obligations, the officers responsible for compliance activities and management oversight and review of these processes;
- c) review management's investigation of non-compliance matters and obtaining assurance from management that appropriate follow-up action was taken; and
- d) inquire with management, internal audit and the OAG on their assessment of the compliance culture, the risk of non-compliance, or whether they have any knowledge of any actual, suspected or alleged non-compliance affecting the entity.

## 7. Meeting Operation

### 7.1 Quorum

As prescribed in section 5.19 of the Act, the quorum shall be at least 50% of the number of members of the Committee, including at least one of the Presiding Member or Deputy Presiding Member, which equates to three (3) members.

### 7.2 Meeting Frequency

The Committee will meet as frequently as required, usually four times a year and be held on the first Thursday of February, May, August and November at 5:00pm.

A schedule of meetings will be developed and agreed by the members annually. Additional meetings may be convened as required.

### 7.3 Agenda

An agenda will be distributed at least 72 hours prior to the meeting, along with the minutes of the previous meeting, reports and other attachments or information to be addressed.

### 7.4 Meeting Location and Time

Meetings of the Committee will be held in person, usually at the Council Chambers, but may be convened at another suitable location if required.

### 7.5 Public Attendance at Meetings

In accordance with Section 5.23 of the Act, the meetings of the Committee will be open to members of the public. However, because of the inherent nature of the meeting dealing with several aspects as defined by Section 5.23, (2), (4)(a)(b)(e)(f) of the Act the Committee will consider closing the meeting to the public at the commencement of the meeting.

### 7.6 Voting

Despite section 5.20 of the Act, a decision of the Audit, Risk and Improvement committee is to be made by a simple majority.

### 7.7 Agenda and Minutes

Terms of Reference | Audit, Risk and Improvement Committee



Unconfirmed minutes of the meeting will be made available to all Council Members and the Independent Member(s) within seven days. A public agenda and an abridged set of minutes will be published on the Shire's website.

#### 7.8 Reporting

There are two types of reports presented to the Committee:

- a) Reports for information purposes and noting; and
- b) Reports requiring approval.

These reports are then presented to Council for final endorsement upon the Committee's recommendation. The Committee may at any time report to Council on any matters it deems to be sufficiently important. The Committee will, as often as necessary, and at least once a year, report to Council on its operations and activities during the year and confirm that all functions outlined in this terms of reference have been satisfactorily addressed.

#### 7.9 Delegation

The Committee has delegated authority to meet with the Shire's Auditor at least once every year on behalf of the Council in accordance with Section 7.12A(2) of the Act.

The Committee may note reports and recommend reports for consideration by Council.

#### 7.10 Confidentiality

All Committee members will be required to adhere to the Shire's confidentiality requirements. In particular, no confidential information received or generated by the Committee will be disclosed to persons not authorised by the Committee to receive such information.

Document control

#### Document approvals:

Version #	Adoption
1.	Ordinary Council Meeting – 28 May 2025 – Adoption of Terms of Reference to align to Local Government Reform.

President C R Antonio declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as many members of the BFAC are known to President C R Antonio.

Cr A J Mencshelyi declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as Cr A J Mencshelyi was a Council representative on this committee and knows a number of members.

Cr M I Girak declared an "Impartiality" interest in item 13.1.2 - Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995 as Cr M I Girak is a Council representative of the Bush Fire Advisory Committee and members of the Committee are known to Cr M I Girak.

### **13.1.2 Disbandment of Bush Fire Advisory Committee as a Committee of Council under section 5.8 of the Local Government Act 1995**

<b>File Reference:</b>	5.1.3.1
<b>Reporting Officer:</b>	Alysha McCall (Manager Governance and Risk)
<b>Responsible Officer:</b>	Debbie Terelinck (Chief Executive Officer) Chadd Hunt (Executive Manager Development & Community Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Absolute Majority
<b>Communication Required:</b>	Yes

#### **BRIEF**

The objective of this report is for Council to consider disbanding the Bush Fire Advisory Committee as a formal Committee of Council, and convenes it as an advisory committee.

#### **ATTACHMENTS**

1. DS-TR-01 Bushfire Advisory Committee Terms of Reference DRAFT [13.1.2.1 - 4 pages]

#### **A. BACKGROUND / DETAILS**

The State Government is reforming the *Local Government Act 1995* (the Act) in what are the most significant changes in 25 years. These reforms aim to ensure that local governments better serve their residents and ratepayers. The reforms introduce modifications intended to enhance transparency and clarify the operation of council committees. A key amendment involves the appointment process for the presiding member and deputy presiding member, which will now be made by the Council rather than through a secret ballot by the committee.

The *Bush Fires Act 1954* (Section 67) provides the opportunity to establish a Bush Fire Advisory Committee. The Bush Fire Advisory Committee (BFAC) is currently established as a formal committee of Council under the *Local Government Act 1995*. This means that, in its present form, the presiding member and deputy presiding member must be appointed by Council. Local governments have the option to create working or advisory groups that are not classified as committees. These groups can engage with the community, develop ongoing networks and provide advice to Council.

Officers propose changing the BFAC from a formal committee of Council to a Committee established under the *Bush Fires Act 1954*. This change would eliminate the need for Council to appoint the presiding and deputy presiding members and not require compliance with the meeting procedures outlined in the *Standing Orders Amendment Local Law 2018*. It is believed that this change would provide the BFAC with greater flexibility regarding its meeting procedures.

Other “non-formal” committees of Council include the Community Safety and Crime Prevention Committee, the Local Emergency Management Committee and the Noongar Cultural Advisory Group.

The Terms of Reference for the proposed Committee have been updated to reflect how the Committee will operate (Attachment 13.1.2.1), with references of the *Local Government Act 1995* being removed. Matters from BFAC meetings that require a Council decision will be presented as a separate report. A number of other local governments, including the City of Wanneroo, City of Busselton, and City of Greater Geraldton have their BFAC's operating under this type of arrangement and they continue to have the ability to present recommendations for Council consideration.

## **B. CONSIDERATIONS**

### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: Performance.

Outcome 13: A well informed and engaged community.

Objective 13.2: Engage the community about Shire projects, activities and decisions in a timely, open and effective manner.

Priority Action: Nil.

## B.2 Financial / Resource Implications

Nil.

## B.3 Legislative Compliance

*Bush Fires Act 1954:*

- Section 67 - Advisory committees

*Local Government Act 1995:*

- Section 5.8 — Establishment of committees
- Section 5.9 — Committees, types of
- Section 5.10 — Appointment of committee members

## B.4 Policy Implications

Nil.

## B.5 Stakeholder Engagement / Consultation

The current BFAC members were consulted on the proposed change at the meeting held on 18 March 2025. No objections to the change were received at the meeting.

## B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.		
Health & Safety	Restrictions on discussions through the Shire of Northam Standing Orders results in the inability to have meaningful discussions.	Insignificant (1) x Likely (4) = Low (4)	Establishment of an informal Bush Fire Advisory Committee.
Reputation	Formal agendas resulting in low attendance at meetings and hindering the committee's ability to work towards a safer community.	Insignificant (1) x Likely (4) = Low (4)	Establishment of an informal Bush Fire Advisory Committee.
Service Interruption	Nil.		

Compliance	Non-compliance with Shire of Northam Standing Orders.	Medium (3) x Almost Certain (5) = High (15)	Establishment of an informal Bush Fire Advisory Committee.
Property	Nil.		
Environment	Nil.		

#### **B.7 Natural Environment Considerations**

Nil.

### **C. OFFICER'S COMMENT**

The Bush Fire Advisory Committee is an important committee for the community and provides opportunity for delegates from the Shire of Northam Volunteer Bush Fire Brigades to contribute to discussions that aim to enhance community safety.

If Council resolves to disband the Bush Fire Advisory Committee, Council will be required to confirm the final Minutes of the Bush Fire Advisory Committee as a formal Committee of Council because the Committee is no longer able to do so. The WA Local Government Association has previously advised that adoption of Minutes is a record-keeping obligation and that there is not a statutory requirement for attendees of the previous meeting of the Bush Fire Advisory Committee to be present when the Minutes are adopted.

Given that it is intended that the change from a Committee of Council to an advisory committee will enable BFAC to have greater flexibility in their ability to appoint a presiding and deputy presiding member and conduct their meetings in a less formal manner, and there was no objection to this change from the current BFAC members, it is recommended that Council support the proposed change in committee type.

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5313**

**Moved: Cr A J Mencshelyi**

**Seconded: Cr M I Girak**

**That Council, BY ABSOLUTE MAJORITY:**

- 1. DISBANDS the Bush Fire Advisory Committee as a formal Committee of Council under section 5.8 of the *Local Government Act 1995*.**
- 2. CONFIRMS the minutes of the Bush Fire Advisory Committee Meeting held on 18 March 2025 as a true and correct record of that meeting.**
- 3. CONVENES the Bush Fire Advisory Committee as an advisory committee to Council as per the Terms of Reference provided in Attachment 13.1.2.1.**

**CARRIED 9/0  
BY ABSOLUTE MAJORITY**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil



Terms of Reference | Bush Fire Advisory Committee



## Terms of Reference | Bush Fire Advisory Committee

### 1. Objectives of the Bush Fire Advisory Committee

The Bush Fire Advisory Committee is established pursuant to Section 67 of the Bush Fires Act 1954 within the local government boundaries of the Shire of Northam. The Committee's objective is to provide efficient and responsive fire service and as a Committee to advise the Council on matters relating to bush fire, make recommendations and advise Council on all matters relating to bush fire planning, control, management and rehabilitation.

To liaise with other emergency organisations and relevant bodies with regard to Fire and Emergency Management within the Shire of Northam.

Reports from the Committee will assist Council in discharging its legislative responsibilities of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources.

### 2. Authority of the Bush Fire Advisory Committee

The Committee is an advisory group, appointed to support Council and Shire Officers through the provision of specialist advice and local knowledge in matters pertaining to its duties and responsibilities.

#### Bushfires Act 1954, Section 67, Advisory Committees

A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.

### 3. Membership

#### 3.1 Full voting members

- Chief Bush Fire Control Officer;
- Two (2) Deputy Chief Bush Fire Control Officers;
- Two (2) Shire of Northam Elected Members;
- One (1) delegate or proxy representative from each of the registered Shire of Northam Volunteer Bush Fire Brigades listed below:
  - Bakers Hill Bush Fire Brigade;
  - Clackline/Muresk Bush Fire Brigade;

Terms of Reference | Bush Fire Advisory Committee



- Grass Valley Bush Fire Brigade;
- Inkpen Bush Fire Brigade;
- Irishtown Bush Fire Brigade;
- Jennapullin Bush Fire Brigade;
- Southern Brook Bush Fire Brigade;
- Northam Central Bush Fire Brigade; and
- Wundowie Bush Fire Brigade.
- One (1) delegate or proxy Department of Fire and Emergency Service  
Northam District Officer

### 3.2 Non-voting

- Shire of Northam Community Emergency Services Manager
- One representative from Northam Volunteer Fire and Rescue Service; and
- One representative from Wundowie Volunteer Fire and Rescue Service and;
- Department of Biodiversity, Conservation and Attractions representative.

### 4. Meetings

The committee shall meet at least three times annually.

Additional meetings shall be convened at the discretion of the chairperson.

### 5. Reporting

Reports and recommendations of each Committee meeting shall be presented to the next ordinary meeting of the Council via an Officers report.

### 6. Duties and Responsibilities

The Committee is to facilitate:

- Preventing, controlling and extinguishing of bush fires;
- The planning of the layout of fire-breaks in the district;
- Prosecutions for breaches of the Bush Fire Act 1954;
- The formation of bush fire brigades;
- The ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities;
- Any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified;
- Provide guidance and advise to Council to the carrying out the functions of the local government in relation to bush fires; and

Terms of Reference | Bush Fire Advisory Committee



- Develop and recommend to Council appropriate processes for bush fires.

## 7. Committee

### 7.1 Chairperson

The Committee shall elect one of their members to be Chairperson and Deputy Chairperson.

### 7.2 Secretary

A Shire of Northam employee will fulfil the role of non-voting minute taker.

### 7.3 Quorum

The quorum at any meeting shall be at least 50% of the number of members of the committee. Where a quorum is not present an informal meeting to discuss the agenda shall take place; however, voting on recommendations cannot occur.

### 7.4 Voting

A motion is required to be moved and seconded prior to a recommendation being put to a vote of the Committee. Each voting member present shall have one vote by way of show of hands. In the event of a tied vote, the Chairperson shall have a casting vote. Where the resolution is a recommendation to Council, Council staff shall convey the recommendation to Council by inclusion in the next ordinary meeting of Council. The final decision on the recommendation lays with Council and voting does not mean that the recommendation will be endorsed and implemented by Council.

### 7.5 Agendas/Minutes

The Secretary is responsible for preparing agendas and minutes of all business transacted at each meeting. An agenda will be provided to members prior to the meeting. If members wish to raise an item to be included in the meeting, they must provide the information to the Secretary at least two weeks prior to the day of the meeting.

Meeting minutes will be forwarded to Committee members at least two weeks after the meeting. Committee members will have two weeks to advise of any corrections that may be required to the minutes.

Copies of the finalised meeting minutes will be made available to Council by way of information at least one month after the Committee meeting.

### 7.6 Who Acts if No Chairperson

If the Chairperson and the Deputy Chairperson are unavailable, then the committee members present at the meeting shall choose one of themselves to preside at the meeting.

Terms of Reference | Bush Fire Advisory Committee



7.7 Meetings

Meetings shall not be generally open to the public. Other persons with relevant expertise and skills may be invited to attend the meetings to make a presentation or provide advice and assistance where necessary. These invited guests shall not have voting rights.

7.8 Members Interests to be Disclosed

All Members of the Committee will be given the opportunity to declare any conflicts of interest pertaining to any items on the agenda.

7.9 Brigade Reports

Each member brigade may provide a brigade report to the meeting.

7.10 Working Groups

A working group can be established to carry out specific tasks. A working group will undertake only those duties specified by the committee.

7.11 Code of Conduct

Members of the Committee are bound by Council's Code of Conduct.

Document control

Document approvals:

Version #	Adoption
1.	Ordinary Council Meeting – 28 May 2025 – Adoption of Terms of Reference.

### 13.1.3 Appointment of Presiding Member and Deputy Presiding Member to Committees of Council

<b>File Reference:</b>	1.1.1.1, 8.2.5.26
<b>Reporting Officer:</b>	Alysha McCall (Manager Governance and Risk)
<b>Responsible Officer:</b>	Debbie Terelinck (Chief Executive Officer)
<b>Officer Declaration of Interest:</b>	Nil.
<b>Voting Requirement:</b>	Absolute Majority
<b>Communication Required:</b>	No

#### BRIEF

To appoint a Presiding Member and Deputy Presiding Member to the Community Grants Assessment Committee and the Chief Executive Officer Review and Selection Committee in accordance with the requirements of the *Local Government Act 1995*.

#### ATTACHMENTS

Nil

#### A. BACKGROUND / DETAILS

Amendments to section 5.12 of the *Local Government Act 1995* require Councils to appoint committee presiding members and deputy presiding members by 1 July 2025. These appointments must be made by an absolute majority decision of the Council from this point forward. This change was introduced to assist the Local Government sector in removing the need for the conduct of a secret preferential ballot at a committee meeting, and to give Councils the role of deciding the leadership of Council committees.

The Committees that meet the required definition are the Community Grants Assessment Committee and the Chief Executive Officer Review and Selection Committee, that currently comprise of the following Council Members:

- Community Grants Assessment Committee
  - Shire President C R Antonio
  - Deputy President A J Mencshelyi
  - Cr D A Hughes
  - Cr L C Biglin
  - Cr H J Appleton
- Chief Executive Officer Review and Selection Committee

- Shire President C R Antonio
- Deputy President A J Mencshelyi
- Cr M P Ryan
- Cr L C Biglin
- Cr J E G Williams

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance.

Outcome 13: A well informed and engaged community.

Objective 13.2: Engage the community about Shire projects, activities and decisions in a timely, open and effective manner.

Priority Action: Nil.

### B.2 Financial / Resource Implications

Council Members receive meeting fees which is budgeted annually.

### B.3 Legislative Compliance

Local Government Act 1995:

- Section 5.8 — Establishment of committees
- Section 5.9 — Committees, types of
- Section 5.10 — Appointment of committee members

### B.4 Policy Implications

CP.3 Code of Conduct for Councillors, Committee Members and Candidates.

### B.5 Stakeholder Engagement / Consultation

Nil.

### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.		
Health & Safety	Nil.		
Reputation	Nil.		
Service Interruption	Nil.		
Compliance	Non-compliance with the <i>Local Government Act 1995</i> .	Rare (1) x Minor (2) = Low (2)	Adopt the Officer's recommendation.

Property	Nil.		
Environment	Nil.		

#### **B.7 Natural Environment Considerations**

Nil.

#### **C. OFFICER'S COMMENT**

As the President and Deputy President are members of both Committees, Officers recommend that the President be appointed as the Presiding Member and the Deputy President as the Deputy Presiding Member for the Community Grants Assessment Committee and the Chief Executive Officer Review and Selection Committee. As is practice, these Committees will be disbanded as part of the October 2025 election process and considered by Council again post the elections.

#### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5314**

**Moved: Cr J E G Williams**

**Seconded: Cr D A Hughes**

**That Council BY ABSOLUTE MAJORITY:**

- 1. APPOINTS President C R Antonio as the Presiding Member of the Community Grants Assessment Committee and Chief Executive Officer Review and Selection Committee.**
- 2. APPOINTS Deputy President A J Mencshelyi as the Deputy Presiding Member of the Community Grants Assessment Committee and Chief Executive Officer Review and Selection Committee.**

**CARRIED 9/0  
BY ABSOLUTE MAJORITY**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

### 13.1.4 Delegated Authority Register Review 2025/26

<b>File Reference:</b>	2.3.1.6
<b>Reporting Officer:</b>	Alysha McCall (Manager Governance and Risk)
<b>Responsible Officer:</b>	Debbie Terelinck (Chief Executive Officer)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Absolute Majority
<b>Communication Required:</b>	No

#### BRIEF

The Shire of Northam Delegated Authority Register underwent a significant review in July 2024. In accordance with Section 5.46 of the *Local Government Act 1995 (the Act)*, Council is required to keep and review its Delegated Authority Register at least once every financial year with the next review being due.

#### ATTACHMENTS

1. Delegated Authority Register 2025-26 DRAFT [**13.1.4.1** - 205 pages]

#### A. BACKGROUND / DETAILS

In accordance with the *Local Government Act 1995*, a local government may delegate to the Chief Executive Officer (CEO) any of its powers or the discharge of any of its duties under the Act, other than those prescribed under s.5.43 (Limits on delegations to CEO).

The Delegated Authority Register supports effective governance and efficient decision-making by ensuring appropriate authorisations are in place. The review has been undertaken to ensure compliance with legislative requirements, reflect current organisational needs, and promote good governance practices.

All delegations made by Council must be by an Absolute Majority as prescribed by s.5.42 which legislates Council's ability to delegate functions to the CEO and s.5.44 also allows the CEO to delegate to any employee the exercise of any of the CEO's powers or discharge of duties.

The review process included:

- An assessment of existing delegations against legislative provisions.
- Consultation with the executive and relevant officers.



- Review of operational requirements and identification of improvements.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

*Local Government Act 1995*

s.5.16 - Delegation of some powers and duties to certain committees

s.5.42 - Delegation of some powers and duties to CEO

s.5.43 - Limits on delegations to CEO

s.5.44 - CEO may delegate powers and duties to other employees

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

s.5.16 - Delegation of functions to Committees.

*Local Government (Administration) Regulations 1996*

r.18G - Delegations to CEOs, limits on (Act s. 5.43)

r.19 - Delegates to keep certain records (Act s. 5.46(3))

### B.4 Policy Implications

The Delegated Authority Register aligns with Council's governance and operational policies.

### B.5 Stakeholder Engagement / Consultation

Internal consultation has been undertaken as appropriate, however no external has been undertaken in relation to this matter.

### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.		
Health & Safety	Nil.		

Reputation	Lack of appropriate Delegated Authority means the CEO or sub delegates are unable to make decisions in a timely manner.	Possible (3) x Medium (3) = Moderate (9)	Council considers adopting the Officer's Recommendation.
Service Interruption	The CEO and sub-delegates are unable to carry out operational duties due to lack of delegated authority.	Possible (3) x Medium (3) = Moderate (9)	Council considers adopting the Officer's Recommendation.
Compliance	The Delegated Authority Register remains unchanged, meaning many delegations are not included, or unnecessary.	Possible (3) x Medium (3) = Moderate (9)	Council considers adopting the Officer's Recommendation.
Property	Nil.		
Environment	Nil.		

#### B.7 Natural Environment Considerations

Nil.

#### C. OFFICER'S COMMENT

The aim of delegated authority is to assist with improving Council decision-making efficiency within the constraints allowed by relevant legislation. Without delegated authority, there would be a significant increase in items presented to Council for decision at its ordinary meetings. Having appropriate delegations in place allow day to day decisions to be made by the Chief Executive Officer, who in turn can sub-delegate these to other staff if appropriate.

It is noted that Council has the ability to recommend to change or revoke any delegations as listed below, either now or at any point in the future, with the exception of delegations by the State Government to local government.

Major adjustments made to the delegated authority register are summarised below:

Delegation No.	Delegation Name	Comment
1.2.23	Disposing of Property (Tender, Auction, Private Treaty, Lease or Licence)	Increased rental amount to \$30,000 (previously \$20,000) and lease area size to 3,000m <sup>2</sup> (previously 2,000m <sup>2</sup> ) to reduce the amount of lease reports being presented to Council.
1.2.26	Defer, Grant Discounts, Waive or Write Off Debts	Removed reference to Rates Hardship Policy as this has no provision for the write off of rates and service charges. Updated reference to CP.34 Defer, Grant Discounts, Waive or Write Off Debts Policy.
1.2.35	Affixing of Common Seal & Signing Documents	Increased contract amount to \$500,000 to align with Procurement delegations.
1.2.37	Control of Reserves and Certain Unvested Facilities	New delegation to determine the method for the control and management of land under the Shire's control. This delegation is included in the WALGA Template Delegated Authority Register however was not included within the Shire's Delegated Authority Register.
3.1.12	Powers, Duties and Functions of a Local Government	New delegation to ensure all functions are captured under the <i>Bush Fire Act 1954</i> where there is no existing delegation.
4.1.8	Local Government Functions	New delegation to ensure all functions are captured under the <i>Cat Act 2011</i> where there is no existing delegation.
5.1.13	Local Government Functions	New delegation to ensure all functions are captured under the <i>Dog Act 1976</i> where there is no existing delegation.
8.1.1	Appointment and Authorisation of Deputy	New delegation to enable Officers to perform the functions under the Health (Miscellaneous Provisions) Act 1911.
9.1.2	Determination of Single House Applications, and	Removed as this is not a delegated function. The CEO is

	Associated Developments	required to authorise Officers under r.84D of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> , for the purposes of performing prescribed development approval functions [LPS.r.84A] of the Local Government in relation to prescribed single house development, as prescribed in Regulation 84B the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
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Minor adjustments that were performed relate to adjusting Officer titles, grammar or policy references.

A marked-up copy of the Delegated Authority Register showing proposed changes is provided in Attachment 13.1.4.1.

#### RECOMMENDATION / COUNCIL DECISION

**Minute No: C.5315**

**Moved: Cr A J Mencshelyi**

**Seconded: Cr H J Appleton**

**That Council:**

1. **NOTES** the completion of the statutory review of the Delegated Authority Register in accordance with section 5.46(2) of the *Local Government Act 1995*.
2. **BY ABSOLUTE MAJORITY ENDORSES** the Delegated Authority Register 2025/26 as provided in Attachment 13.1.4.1.

**CARRIED 9/0  
BY ABSOLUTE MAJORITY**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil



Shire of Northam  
*Heritage, Commerce and Lifestyle*

Shire of Northam  
**2024/252025/26**

# Delegated Authority Register

**Delegation Register**  
Shire of Northam



## Version Control

Amendments File Reference 2.3.1.6			
Meeting/Review Date	Resolution No	Delegation No	Revision No
20/10/2010	C.1313	Complete	4.0
20/07/2011	C.1543	Complete/Minor	4.1
21/12/2011	C.1665	Complete	4.2
19/04/2012	CEO	Minor	4.3
25/07/2012	CEO	Minor	4.4
08/08/2012	C.1754	Minor	4.5
18/01/2013	CEO	Minor	4.6
19/06/2013	C.2069	Complete	4.7
16/07/2014	C.2242	Complete	4.8
17/06/2015	C.2458	Minor	4.9
15/06/2016	C.2724	Complete	5.0
21/06/2017	C.3059	Complete	5.1
20/06/2018	C.3383	Complete	5.2
19/06/2019	C.3687	Complete	5.3
30/03/2020	C.3912	F05 – Minor	5.4
15/04/2020	C.3923	P03 (minor) P14 (new) C01 (new)	5.5
17/06/2020	C.3955	Complete	5.6
20/05/2020	C.3936	F07 (new)	5.6a
16/09/2020	C.4034	F07 (revoked)	5.7
16/06/2021	C.4233	Complete	5.8
17/11/2021	C.4336	A06 Added	5.9
15/06/2022	C.4487	Minor review O06 (new)	6.0
21/06/2023	C.4767	Complete	6.1
19 June 2024	C.5050	Complete	6.2
17 July 2024	C.5073	Adoption of the Model Template	6.3
21 August 2024	C.5101	Modification to 3.1.11	6.4
N/A – CEO sub-delegations	N/A – CEO sub-delegations	Added Officers to 1.2.25 & 4.1.1, sub-delegation by CEO	6.5
27/11/2024	C.5192 & CEO sub-delegations	Added 1.1.1	6.6
27/11/2024	N/A CEO sub-delegations	Various for Mgr Operations	6.7

**Delegation Register**  
Shire of Northam



26/02/2025	C.5240	Added 5.1.12, Corrected staff position titles, Added Mgr Operations	6.8
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Shire of Northam

## DELEGATION REGISTER

Current as at ~~26 February~~28 May 2025

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## Delegation Register

Shire of Northam



## EXPLANATION NOTES

### General

Section 5.42 of the *Local Government Act 1995* allows a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act.

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows the Chief Executive Officer to place conditions on any delegations if desired. The powers cannot, however, be further sub delegated.

Other legislation details the possibility of Council delegating to the CEO, other employees, or other persons, pursuant to the:

- Building ~~A~~ct 2011
- Bush fires ~~A~~ct 1954
- Dog ~~a~~Act 1974
- Cat act 2011
- Food ~~A~~ct 2008
- Graffiti ~~V~~vandalism ~~A~~ct 2016
- Public ~~h~~Health ~~A~~ct 2015
- Planning and ~~d~~Development ~~a~~Act 2005

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer. The document also indicates delegations which the Chief Executive Officer intends to delegate to other staff, however this is for information/indication purposes only and may change from time to time at the discretion of the Chief Executive Officer. The register details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council.

### Transfer of Authority Due to Absence

Where an Officer has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of Council authorisation.

### Register of, and Records Relevant to, Delegations - Section 5.46

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

## Delegation Register

Shire of Northam



- 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.

## Delegation Register

Shire of Northam



### 1. Local Government Act 1995 Delegations

## 1 Local Government Act 1995 Delegations

### 1.1 Council to Committees of Council

#### 1.1.1 Audit and Risk Management Committee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
<b>Delegate:</b>	<b>Audit and Risk and Improvement Management Committee</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Nil. Sub-delegation is prohibited by s.7.1B.
<b>Compliance Links:</b>	Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No. 09 – The appointment, function and responsibilities of Audit Committees</a> <a href="#">Audit and Risk Management Committee - Terms of Reference</a>
<b>Record Keeping:</b>	The Audit and Risk Management Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

#### Version Control:

1	First adopted 27 November 2024.
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2 Council to CEO

##### 1.2.1 Authorise a Persons to Perform Specified Functions under the Local Government Act 1995

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.24 Authorising persons under this Subdivision s.3.31(2) General Procedure for entering property s.3.39(1) Power to remove and impound s.3.40A(1) Abandoned vehicle wreck may be taken s.9.24(1)(c) and (2)(b) Prosecutions, commencing  Local Government (Miscellaneous Provisions) Act 1960 s.449 Pounds, establishing; poundkeepers and rangers, appointing
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to authorise persons for the purposes of <i>Part 3, Division 3, Subdivision 2 – Certain provisions about land</i> - to exercise the Local Government's powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be one by owner or occupier of land [s.3.24]</li> <li>2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]</li> <li>3. Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)].</li> <li>4. Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)].</li> <li>5. Authority to appoint fit and proper persons as poundkeepers or rangers [Misc.Prov.s.449].</li> <li>6. Authority to authorise persons to commence prosecutions for offences under the Local Government Act 1995 and any Local Laws made under the Local Government Act 1995 [s.9.24(1)(c) and (2)(b)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. A register of Authorisations is to be maintained as a Local Government Record.</li> </ol>



## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p>b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions.</p> <p>c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</p>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Sub Delegates are limited to items 1-5 of the listed functions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	<p>The appointment &amp; record keeping of authorisations are to be facilitated through Governance and kept in the "Appointment of Authorised Persons Register".</p> <p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

#### Version Control:

1	Adoption of Model Delegation Register
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.2 Performing Functions Outside the District

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.20(1) Performing functions outside district
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the district and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
<b>Council Conditions on this Delegation:</b>	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.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.3 Compensation - Damage Incurred when Performing Executive Functions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.22(1) Compensation s.3.23 Arbitration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation is limited to settlements which do not exceed a material value of \$5,000.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.4 Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>b. When exercising authority to authorise persons under s.3.31 (2): <ul style="list-style-type: none"> <li>• A register of Authorisations is to be maintained as a Local Government Record.</li> <li>• Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>• Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> </ul> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Executive Manager Engineering Services Senior Ranger
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	Manager Regulatory Services Manager Planning & Environment Development Services Technical Officer Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995:</a> Authorise person – refer s.3.31 (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
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.5 Declare Vehicle ~~is to be an~~ Abandoned Vehicle Wreck

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.40A(2),(4) and (5) Abandoned vehicle wreck may be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(2), (4) and (5)].
<b>Council Conditions on this Delegation:</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.5 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.  b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.6 Confiscated or Uncollected Goods

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.42 Impounded non-perishable goods s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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]</li> <li>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].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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. Pre-auction estimates and tenders for amounts considered to exceed \$20,000 shall be referred to Council for consideration prior to sale.</li> <li>b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated - refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	1. Any recovery of costs through legal action under s3.48 is only delegated to the Chief Executive Officer.
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> :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:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.7 Disposal of Sick or Injured Animals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.8 Close Thoroughfares to Vehicles

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>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]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is partially or wholly closed without giving local public notice (including for repairs and maintenance), local public notice is to be given as soon as practicable after the thoroughfare is closed and Council Members should be made aware via the Council Member Portal [s.3.50(8)].</li> <li>b. Permanent closure of thoroughfares should be referred to Council for determination.</li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
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<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Engineering Services Executive Manager Development and Community Services Community Emergency Services Manager Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. The following listed sub-delegates are limited to determining road closures in an emergency, where it is determined that there is reasonable and imminent risk to public safety or property and subject to the road closure being given effect through sufficient and compliant traffic management:  Community Emergency Services Manager

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.9 Obstruction of Footpaths and Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>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)].</li> <li>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)].</li> <li>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].</li> <li>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].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local</a></li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p><a href="#">Government (Uniform Local Provisions) Regulations 1996.</a></p> <p>b. Permission may only be granted where, the proponent has:</p> <ul style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>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.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Executive Manager Engineering Services Manager Building and Health Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

*Local Government Act 1995*

### 1. Local Government Act 1995 Delegations

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.10 Gates Across Public Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Uniform Local Provisions) Regulations 1996: r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Engineering Services Manager Operations
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures.  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a> .
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.  Each approval must be recorded in the Shire's statutory Register of Gates.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.11 Public Thoroughfare – Dangerous Excavations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11 (6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11 (8)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> </ol> </li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Engineering Services Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

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.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures.  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.12 Crossing – Construction, Repair and Removal

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>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)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Any decision made regarding Crossovers should be in conjunction with the <del>Shire of Northam Policy W 5.2C Crossovers</del>. Council Policy CP.36 Crossovers.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Engineering Services Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p> <p>Refer also Delegation 1.4.1 under the <i>Template Activities in Thoroughfares and Public Places and Trading Local Law</i></p> <p>Council Policy - <a href="#">W 5.2 Crossovers</a> <a href="#">CP.36 Crossovers</a></p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.13 Private Works on, over or under Public Places

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: r.17 Private works on, over, or under public places – Sch.9.1 cl.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Executive Manager Engineering Services
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	Manager Operations
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>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</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Uniform Local Provisions) 1996: r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give notice to a landowner / 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)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.15 Expressions of Interest for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures Council Policy <a href="#">F.4.2 Procurement Policy</a> <a href="#">CP.24 Procurement</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.



## Delegation Register

*Local Government Act 1995*

### 1. Local Government Act 1995 Delegations

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.16 Tenders for Goods and Services – Call Tenders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so, to enter a contract of a prescribed kind under which another person or business is to supply goods or services [F&amp;G r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>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&amp;G r.14(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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 : <ol style="list-style-type: none"> <li>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</li> <li>ii. a current supply contract expiry is imminent; and</li> <li>iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> </ol> </li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Development and Community Services Executive Manager Engineering Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	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. <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures Council Policy <a href="#">F.4.2 Procurement Policy</a> CP.24 Procurement
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine: <ol style="list-style-type: none"> <li>i. The extent to which each tender satisfies the criteria for deciding which tender to accept; and</li> <li>ii. To accept the tender that is most advantageous.</li> </ol> </li> <li>4. Authority to decline to accept any tender [F&amp;G r.18(5)].</li> <li>5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&amp;G r.18(6) &amp; (7)].</li> <li>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 <u>before</u> entering into a contract. The variation should not materially alter the specification or structure provided for by the initial tender. [F&amp;G r.20(1) and (3)].</li> <li>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 <u>OR</u> the minor variation cannot be</li> </ol>

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	<p>agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&amp;G r.20(2)].</p> <p>8. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the scope of the original contract or increase the contract value beyond 10% [F&amp;G r.21A(a)].</p> <p>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).</p>
<b>Council Conditions on this Delegation:</b>	<p>a. Exercise of authority under F&amp;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.</p> <p>b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <ol style="list-style-type: none"> <li>The total consideration under the resulting contract is \$500,000 or less;</li> <li>The expense is included in the adopted Annual Budget; and</li> <li>The tenderer has complied with requirements under F&amp;G r.18(2) and (4).</li> </ol> <p>c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&amp;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.</p> <p>d. A decision to vary a tendered contract <u>after</u> entry into the contract [F&amp;G r.21A(a)] must include evidence that the variation is necessary, does not change the scope of the contract and does not exceed available budget allocations.</p> <p>e. 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) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p>

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	f. Where any delegate or sub-delegate has a conflict of interest, they must preclude themselves from the tendering process.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Development and Community Services Executive Manager Engineering Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Each sub-delegate may only use the sub-delegation regarding contracts that are within the scope of the incumbent's position role and responsibilities.  b. Executive Manager Development and Community Services and Executive Manager Engineering Services are limited to items 1, 2, 3 and 4 of the functions listed, subject to item a of sub delegates conditions.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  Council Policy <a href="#">F.4.2 Procurement Policy</a> CP.24 Procurement
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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#### 1.2.18 Tenders for Goods and Services - Exempt Procurement

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government									
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO									
<b>Express Power or Duty Delegated:</b>	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)									
<b>Delegate:</b>	<b>Chief Executive Officer</b>									
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<div>1. Authority to undertake tender exempt procurement, in accordance with the Procurement Policy requirements where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&amp;G.r.11(2)].</div> <div>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&amp;G r.11(2)(f)].</div>									
<b>Council Conditions on this Delegation:</b>	<div>a. Tender exempt procurement under F&amp;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:</div> <table><tr><th>Category</th><th>Maximum Value for individual contracts</th></tr><tr><td>WALGA Preferred Supplier Program [F&amp;G.r.11(2)(b)]</td><td>\$500,000</td></tr><tr><td>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&amp;G.r.11(2)(e)]</td><td>\$500,000</td></tr><tr><td>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</td><td>\$500,000</td></tr></table>		Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation	\$500,000
Category	Maximum Value for individual contracts									
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000									
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000									
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation	\$500,000									

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	condition (b.) specified below [F&G.r.(2)(f)]	
	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000
	Goods or services supplied by a person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that the contract represents value for money. [F&G.r.11(2)(h)]	<\$250,000* *as specified in F&G.r.11(2)(h)(ii)
	Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$500,000
<p>b. Tender exempt procurement under F&amp;G r.11(2)(f) may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification;</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; and</li> <li>v. The expense is included in the adopted Annual Budget.</li> </ul> <p>c. Where the total consideration of a Tender Exempt procurement contract exceeds the \$ value delegated above, the decision is to be referred to Council.</p>		
<b>Express Power to Sub-Delegate:</b>		Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> Appointed by CEO	Executive Manager Corporate Services
<b>CEO Conditions on this Sub-Delegation:</b> Conditions on the delegation also apply to sub-delegation.	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.



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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  Council Policy <a href="#">F.4.2 Procurement Policy</a> <a href="#">CP.24 Procurement</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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#### 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Functions and General) Regulation 1996: r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&amp;G r.24AC(1)(b)].</li> <li>2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&amp;G r.24AD(3)].</li> <li>3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&amp;G r.24AD(6)].</li> <li>4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&amp;G r.24AH(2)].</li> <li>5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&amp;G r.24AH(3)].</li> <li>6. Authority to request clarification of information provided in a submission by an applicant [F&amp;G r.24AH(4)].</li> <li>7. Authority to decline to accept any application [F&amp;G r.24AH(5)].</li> </ol>

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	8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
<b>Council Conditions on this Delegation:</b>	<p>a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget.</p> <p>b. Council Policy <del>F.4.2CP.24</del> Procurement <del>Policy</del> must be consulted in the establishment of a pre-qualified panel.</p>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Development and Community Services Executive Manager Engineering Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Each sub-delegate may only use the sub-delegation regarding contracts that are within the scope of the incumbent's position role and responsibilities.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures.</p> <p>Council Policy <del>F.4.2 Procurement Policy</del> <a href="#">CP.24 Procurement</a></p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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#### 1.2.20 Application of Regional Price Preference Policy

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

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Council Policy <a href="#">F.4.2 Procurement Policy</a> CP.24 Procurement- Regional Price Preference
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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#### 1.2.21 Renewal or Extension of Contracts during a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	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: <ul style="list-style-type: none"> <li>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</li> <li>contracts formed through a public tender.</li> </ul>
<b>Council Conditions on this Delegation:</b>	<p>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:</p> <ol style="list-style-type: none"> <li>It is exercised at the sole discretion of the Local Government;</li> <li>It is in the best interests of the Local Government;</li> <li>It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration;</li> <li>It has potential to promote local and/or regional economic benefits.</li> </ol> <p>b. This authority may only be exercised where the total consideration for the renewal or extension is \$500,000 or less.</p> <p>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</p>

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	<p>Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</p> <p>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Procurement Policy.</p> <p>e. This authority may only be exercised where the total consideration under the resulting contract is \$500,000 or less.</p> <p>f. The CEO cannot sub-delegate this authority.</p>
<b>Express Power to Sub-Delegate:</b>	Not applicable

Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> Council Policy <a href="#">F.4.2 Procurement Policy</a> CP.24 Procurement
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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#### 1.2.22 Procurement of Goods or Services required to address a State of Emergency

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> <li>1. Determine that particular goods or services with a purchasing value &gt;\$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&amp;G r11(3)(b)]; and</li> <li>2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&amp;G r.11(2)(aa)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>b. Compliance with the Procurement 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 Procurement Policy must be evidenced in accordance with the Record Keeping Plan.</li> <li>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 President (i.e. before the expense is incurred) in accordance with LGA s.6.8.</li> </ol>

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	<p>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 through the Council portal.</p> <p>e. The CEO cannot sub-delegate this authority.</p>
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Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> Council Policy <a href="#">F.4.2 Procurement Policy</a> CP.24 Procurement
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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#### 1.2.23 Disposing of Property (Tender, Auction, Private Treaty, Lease or Licence)

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.58(2) & (3) Disposing of Property Local Government (Functions and General) Regulations 1996: R.30 Dispositions of property excluded from Act s.3.58
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>a. the highest bidder at public auction [s.3.58(2)(a)].</li> <li>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)]</li> </ol> </li> <li>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)].</li> <li>3. Authority to dispose of property, that is prescribed as exempt from the provisions of s.3.58: <ol style="list-style-type: none"> <li>a. disposal of land to an adjoining owner, where the market value is less than \$5000 and the delegate has determined that the land would not be of benefit to anyone other than the adjoining owner. [F&amp;G.r.30(2)(a)]</li> <li>b. disposal of land, by lease, to an employee of the local government for use as the employee's residence [F&amp;G.r.30(2)(d)].</li> <li>c. disposal of land, by lease, for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land. [F&amp;G.r.30(2)(e)]</li> <li>d. disposal of land, by lease, of a residential property to a person for residential purposes [F&amp;G.r.30(2)(f)].</li> <li>e. disposal of property (other than land / buildings), where the property is disposed within 6 months after it has been unsuccessfully put out to auction, public tender or private treaty via Statewide public notice [F&amp;G r.(2A)]</li> </ol> </li> </ol>

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	<ul style="list-style-type: none"> <li>f. disposal of property, other than land / buildings, where the market value is determined as less than \$20,000. [F&amp;G r.30(3)(a)]</li> <li>g. disposal of property, other than land / buildings, where the entire consideration received for the disposal is used to purchase other property AND the total value of the other property is not more, or worth more, than \$75,000. [F&amp;G.r.30(3)(b)]</li> </ul> <p>4. The Chief Executive Officer and Shire President are delegated authority to execute leases and licences on behalf of the Shire of Northam, for freehold land owned by the Shire, or Crown land managed/leased by the Shire, subject to compliance with:</p> <ul style="list-style-type: none"> <li>a. s.3.58 of the Act &amp; exclusion set out in F&amp;G r.30.</li> <li>b. <del>A-8.5CP.58</del> Property Management (Leases and Licences) Policy &amp; related procedures.</li> </ul>
<b>Council Conditions on this Delegation:</b>	<ul style="list-style-type: none"> <li>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.</li> <li>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 value of less than \$500,000.</li> <li>c. When determining the method of disposal: <ul style="list-style-type: none"> <li>i. Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>o Reserve price has been set by independent valuation.</li> <li>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.</li> </ul> </li> <li>ii. 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.</li> <li>iii. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>o Negotiate the sale of the property up to a -10% variance on the valuation; and</li> </ul> </li> </ul> </li> </ul>

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Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> <li>o Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> <li>iv. A disposal under Functions and General Regulations 30(2)(a),(f), (2A) or (3)(a),(b), the disposal method selected must obtain a best value outcome for the Local Government.</li> <li>v. A disposal under Functions and General Regulations 30(2)(d), must be assessed as equitable in context of disposals to other employees of the Local Government.</li> <li>vi. Disposal methodology must consider and where practicable demonstrate environmentally responsible outcomes.</li> <li>d. Disposal by lease or licence: <ul style="list-style-type: none"> <li>vii. The lease or licence being in accordance with the Shire's Leasing &amp; Licencing Policy (as then applicable);</li> <li>viii. The term of the lease being no greater than 12 years for Northam Airport Hangar Sites (lease only) and 5 years for all other property (lease or licence);</li> <li>ix. The granting of a lease or licence is permitted under the Shire's management order or lease;</li> <li>x. The rental fee payable being no greater than \$230,000 (plus GST) per annum during the initial year of the lease term; and</li> <li>xi. The area leased being no greater than 12,000m2.</li> </ul> </li> <li>e. Variation, extension, assignment, sub-letting of existing lease or licence: <ul style="list-style-type: none"> <li>xii. The variation being minor in nature and be in accordance with the Shire's Leasing &amp; Licensing Policy (as then applicable). Elected Members to be notified 14 days prior to the exercise of this delegation for any proposal to vary the terms of a lease. This will provide Elected Members with the opportunity to request further information or request for the item to be tabled at Council.</li> <li>xiii. The extension being in accordance with the option provisions of the original lease.</li> <li>xiv. Lease variation, extension, assignment or sub-letting must be for the same or similar purpose as the existing lease.</li> <li>xv. Compliance with s.3.58 of the Act, including advertising and seeking submissions if required.</li> </ul> </li> </ul>
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	xvi. In the event an objecting submission is received this delegation does not apply and the proposal is presented to Council for consideration.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager of Engineering Services Executive Manager of Corporate Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Sub delegated authority is limited to 3(f) of the functions under this delegation.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property <a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58 Council Policy <a href="#">A.8.5 Property Management (Leases and Licences) CP.58 Property Management (Leases and Licences)</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

1	Adoption of Model Delegation Register
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.24 Acquisition of Interest in Land by Lease or other Short Term Instrument

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.3.59 Commercial enterprises by local governments Local Government (Functions and General) Regulations 1996: r.8A Amount prescribed for major land transactions; exempt land transactions prescribed r.8 Exempt land transactions prescribed
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to acquire an interest in land (includes buildings), by lease or other short term instrument ONLY, where the total value of the consideration and anything done by the Shire is less than the threshold amount for a major land transaction [s.3.59(1), r.8A(1)].</li> <li>2. Authority to acquire an interest in land by lease or other short term instrument ONLY through an exempt land transaction [s.3.59(1), r.8(1)]: <ol style="list-style-type: none"> <li>a. without intending to produce a profit to the Local Government; and</li> <li>b. without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Delegation excludes authority to purchase in fee simple land or buildings and is therefore limited to leases, rental or other short term acquisition instruments that do not commit the Local Government for a period greater than 3 months.</li> <li>b. Delegation is limited to acquisitions that are necessary to achieve an objective determined by Council resolution, including objectives identified in the adopted Plan for the Future, a Policy or Strategy and for which an associated budget allocation has been included, and is available, in the Annual Budget.</li> </ol> <p>NOTE - <u>Examples</u> of acquisitions necessary to achieve an approved objective may include hiring a venue for a community event or short term lease of storage space for equipment while a refurbishment is completed.</p>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p>c. Where the acquisition total consideration value is greater than \$5,000, the value is to be verified by at least one written valuation obtained from a suitably licensed valuer not more than 3-months prior to the execution of the associated acquisition contract.</p> <p>d. In accordance with s.5.43, this delegation is limited to acquisitions that have a total consideration value of \$10,000 or less.</p> <p>e. Documents that give effect to an acquisition under this delegation, must be executed by a person duly authorised under s.9.49A.</p>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to subdelegations.</i>	Nil.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a></p> <p>s.3.59 Commercial enterprises by local Government s.9.49A Execution of documents s.6.2 Annual Budget Corporate Business Plan as adopted by Council</p> <p><a href="#">Local Government (Functions and General) Regulations 1995</a> – Regulations 8A and 8</p> <p><a href="#">Residential Tenancy Act 1987</a></p> <p><a href="#">Commercial Tenancy (Retail Shops) Agreements Act 1985</a></p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.25 Payments from the Municipal or Trust Funds

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government (Financial Management) Regulations 1996: r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [FM.r.12(1)(a)].
<b>Council Conditions on this Delegation:</b>	a. Authority to make payments is subject to annual budget limitations.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Development and Community Services Executive Manager Engineering Services Manager of Finance Community Emergency Services Manager Manager Engagement and Communication
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<ol style="list-style-type: none"> <li>Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>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.</li> <li>Community Emergency Services Manager and Manager Engagement and Communication is restricted to the use of the credit card in accordance with the <del>Credit Card Use</del> <u>Credit, Fuel &amp; Transaction Cards</u> Policy.</li> </ol>

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p> <p>Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a></p> <p>Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a></p> <p><a href="#">CP.14 Credit, Fuel &amp; Transaction Cards</a></p>
Record Keeping:	Use of this delegation is reported to Council in a separate register and maintained by the Executive Manager Corporate Services.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.26 Defer, Grant Discounts, Waive or Write Off Debts.

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Write-off a rates or service charge debt up to \$5,000 in accordance with the <a href="#">F 4.8 Rates Hardship Policy CP. 34 Write Off / Waive Fees or Debts Policy</a> [s.6.12(1)(c) &amp; (2)].</li> <li>b. A debt or concession may only be waived/granted in accordance with <a href="#">F 4.8 Rates Hardship Policy &amp; CP. 3.4 Write Off / Waive Fees or Debts Policy</a>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Collection of Rates Debts – refer Delegations: Council Policy <a href="#">F 4.8 Rates Hardship PCP.29 Rates Hardship policy</a> Council Policy <a href="#">C-3-P 34 Write Off / Waive Fees or Debts</a>
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.27 Power to Invest and Manage Investments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.14 Power to invest Local Government (Financial Management) Regulations 1996: r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy <del>4.3CP.25 Investment Policy</del>.</li> <li>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.</li> <li>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.</li> <li>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]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Manager of Finance
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<ol style="list-style-type: none"> <li>1. A decision to invest must be jointly confirmed by two Delegates.</li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	2. Investment decisions are limited to a maximum of \$2M per transaction on the short-term money market.
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Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) Council Policy <a href="#">CP.25 Investment</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.28 Rate Record Amendment

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

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – 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
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.29 Agreement as to Payment of Rates and Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.49 Agreement as to payment of rates and service charges
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy <a href="#">F-4.8CP.29 Rates Hardship</a> . b. Agreements must be in writing and, subject to the Council Policy <a href="#">F-4.8CP.29 Rates Hardship</a> , must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy <a href="#">F-4.8CP.29 Rates Hardship Policy</a>
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

1	Adoption of Model Delegation Register
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.30 Determine Due Date for Rates or Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.50(2) Rates or service charges due and payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the date on which rates or service charges become due and payable to the Shire [s.6.50].
<b>Council Conditions on this Delegation:</b>	a. Excludes determining the due date and instalment due dates applicable to levying rates as part of the adoption of the annual budget.  <u>NOTE</u> - Financial Management Reg.64 specifies that instalment due dates are to be determined when adopting the annual budget.  b. Decisions under this delegation are limited to determining due date and instalment due dates applicable to interim rating only.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.31 Recovery of Rates or Service Charges

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy <a href="#">F-4.8CP.29</a> Rates Hardship.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Sub delegation is limited to item 2 of the functions that may be carried out.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Use of this delegation is reported to Council in a separate register and maintained by the Executive Manager Corporate Services.

#### Version Control:

1	Adoption of Model Delegation Register
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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.32 Recovery of Rates Debts – Require Lessee to Pay Rent

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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 [s.6.60(2)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy Council Policy <del>F-4.8CP.29</del> Rates Hardship.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.</p> <p>Council Policy <del>F-4.8CP.29</del> Rates Hardship <del>Policy</del></p>
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

#### Version Control:

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.33 Recovery of Rates Debts - Actions to Take Possession of Unoccupied Land

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the Shire [s.6.71].</li> </ol> </li> </ol> </li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy <del>F-4.8</del><u>CP.29</u> Rates Hardship.</li> <li>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</li> </ol>

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</p> <p>d. This delegation does not extend to occupied dwellings. Any dwellings that are occupied must be presented to Council for consideration. .</p>
<b>Express Power to Sub-Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Council Policy <a href="#">F 4.8CP.29 Rates Hardship</a></p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.34 Rate Record – Objections

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.76 Grounds of objection
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>b. An extension is not to be granted for a period exceeding 6 weeks.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	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
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.35 Affixing of Common Seal & Signing Documents

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.6.76 Grounds of objection
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<b>Common Seal</b>  1. Affix the common seal of the Shire of Northam to any document which has been authorised by Council either specifically or generally.  2. Sign documents on behalf of the local government.  <b>Authorisation to sign</b>  3. Sign documents on behalf of the local government.
<b>Council Conditions on this Delegation:</b>	The specific authorities established are limited by the following conditions:  a. The signing of any contract must be supported by a formal resolution of Council, or the works subject of the contract being incorporated into the current Annual Budget and being less than \$ <del>250</del> 500,000; or  b. The signing of any contract must be supported by a specific action in the current Plan for the Future.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Corporate Services Executive Manager Development and Community Services Executive Manager Engineering Services
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	a. Sub Delegates are excluded from signing documents under the Common Seal on behalf of the Shire.  b. Sub Delegates may only execute documents relevant to matters within the scope of the activity of their Directorate. Documents relevant to the activities of multiple Directorates may only be executed by the Chief Executive Officer.

## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

	<p>c. The documents identified for the purpose of this authorisation are listed as follows:</p> <ul style="list-style-type: none"> <li>• State or Commonwealth Government Funding Agreements</li> <li>• Memorandum of Understanding</li> <li>• Contracts and legal instruments, including contract variations, related to: <ul style="list-style-type: none"> <li>○ Procurement Contracts</li> <li>○ Service Agreements (incoming or outgoing services)</li> </ul> </li> </ul>
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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Note – Decisions under this delegation may be referred for review by the State Administration Tribunal</p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.36 Extend Time for Lodging an Objection

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	Local Government Act 1995: s.9.5 Objection may be lodged
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to extend the time for a person to make an objection regarding a relevant prescribed decision of the Local Government [s.9.5(2)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

<b>Compliance Links:</b>	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
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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## Delegation Register

Local Government Act 1995

### 1. Local Government Act 1995 Delegations

#### 1.2.37 Control of Reserves and Certain Unvested Facilities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<a href="#">Local Government</a>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<a href="#">Local Government Act 1995:</a> <a href="#">s.5.42 Delegation of some powers or duties to the CEO</a> <a href="#">s.5.43 Limitations on delegations to the CEO</a>
<b>Express Power or Duty Delegated:</b>	<a href="#">Local Government Act 1995:</a> <a href="#">s.3.53(3) Control of certain unvested facilities</a> <a href="#">s.3.54(1) Reserves under control of local government</a>
<b>Delegate:</b>	<a href="#">Chief Executive Officer</a>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<a href="#">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)].</a> <a href="#">Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire of Northam that the Shire of Northam could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)]</a>
<b>Council Conditions on this Delegation:</b>	<a href="#">Nil.</a>
<b>Express Power to Sub-Delegate:</b>	<a href="#">Local Government Act 1995:</a> <a href="#">s.5.44 CEO may delegate some powers and duties to other employees</a>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<a href="#">Executive Manager Development and Community Services</a> <a href="#">Executive Manager Engineering Services</a>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<a href="#">Nil.</a>

<b>Compliance Links:</b>	<a href="#">Parks and Reserves Act 1895</a> <a href="#">Land Administration Act 1997</a> <a href="#">Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</a>
<b>Record Keeping:</b>	<a href="#">Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 &amp; s.5.46 the State Records Act 2000, Record Keeping Policy &amp; relevant processes.</a>

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## Delegation Register

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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

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

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### 1. Local Government Act 1995 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate/s:</b>	<b>Executive Manager Engineering Services</b> <b>Manager Operations</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to 1.4.1 this delegation.</i>	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)].
<b>CEO Conditions on this Delegation:</b>	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 <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	This delegated authority is effective only in alignment with Delegated Authority 1.2.9 Obstructions of Footpaths and Thoroughfares.
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## Delegation Register

Shire of Northam



### 1. Local Government Act 1995 Delegations

	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.</p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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## Delegation Register

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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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate/s:</b>	<b>Executive Manager Engineering Services</b> <b>Manager Operations</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.11:  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.
<b>CEO Conditions on this Delegation:</b>	a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations.  b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express Power to Sub-Delegate:</b>	Nil.

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

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### 1. Local Government Act 1995 Delegations

	<p>This delegated authority is effective only in alignment with Delegated Authority 1.2.11 Public Thoroughfares – Dangerous Excavations.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i></p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate/s:</b>	<b>Executive Manager Engineering Services</b> <b>Manager Operations</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	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 1.2.13 Private Works on, over or under Public Places
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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## Delegation Register

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### 1. Local Government Act 1995 Delegations

#### 1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	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)
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b> <del>Governance Coordinator</del> <b>Manager Governance &amp; Risk</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>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)].</li> <li>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.4.32(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>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)].</li> <li>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)].</li> <li>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].</li> <li>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</li> </ol>

## Delegation Register

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### 1. Local Government Act 1995 Delegations

	<p>[s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</p> <p>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</p> <p>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].</p>
<b>CEO Conditions on this Delegation:</b>	<p>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).</p>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a></p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46, <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes &amp; be entered into the Enrolment Eligibility Register.</p>

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## Delegation Register

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### 1. Local Government Act 1995 Delegations

#### 1.3.6 Destruction of Electoral Papers

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

<b>Compliance Links:</b>	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: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46, <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes, and with the Local Government (Elections) Regulations 1997 r.82.

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## Delegation Register

Shire of Northam



### 1. Local Government Act 1995 Delegations

#### 1.3.7 Information to be Available to the Public

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Administration) Regulations 1996: r.29B Copies of certain information not to be provided (Act s.5.96) Local Government Act 1995: s.5.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b> <del>Governance Coordinator</del> <b>Manager Governance &amp; Risk</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>2. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.5.95(1)(b)].</li> <li>3. 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)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	a. The <del>Governance Coordinator</del> <b>Manager Governance &amp; Risk</b> may only exercise item 1 and may only be exercised when it is in relation to the owners and occupiers register and electoral rolls.
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 1. Local Government Act 1995 Delegations

#### 1.3.8 Financial Management Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Financial Management) Regulations 1996: r.5 CEO's Duties as to financial management r.11 Payments, procedures for making etc
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services Manager of Finance</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> <li>i. Collection of money owed to the Shire;</li> <li>ii. Safe custody and security of money collected or held by the Shire;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating purchase orders, cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained, and petty cash [r.11];</li> <li>vi. Making of payments in accordance with Delegated Authority 1.2.25;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit</li> </ol>

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	and Risk Committee at least once within each 3 financial years. [Audit r.17]
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a></p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a></p> <p><a href="#">Local Government (Audit) Regulations 1996</a></p> <p>Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a></p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 1. Local Government Act 1995 Delegations

#### 1.3.9 Audit – CEO Review of Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	Local Government (Audit) Regulations 1996: r.17 CEO to review certain systems and procedures
<b>Delegate/s:</b>	<b>Executive Manager Corporate Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to conduct the review of the appropriateness and effectiveness of the Shire's systems and procedures in relation to i. risk management; and ii. internal controls; and iii. legislative compliance [r.17(1)].
<b>CEO Conditions on this Delegation:</b>	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.
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government (Audit) Regulations 1996</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 1. Local Government Act 1995 Delegations

#### 1.3.10 Infringement Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate/s:</b>	<b>Executive Manager Development and Community Services</b> <b>Senior Ranger</b> <b>Ranger</b> <b>Manager Regulatory Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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].</li> <li>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].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>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.</li> <li>b. Delegation for Dog Act, Cat Act, Parking Local Law, Infringement Notices is limited to the following listed positions ONLY: <ol style="list-style-type: none"> <li>(i) Executive Manager Development and Community Services</li> <li>(ii) Senior Ranger</li> <li>(iii) Ranger</li> </ol> </li> <li>c. The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved</li> </ol>

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### 1. Local Government Act 1995 Delegations

	<p>Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices:</p> <p>(i) Executive Manager Development and Community Services</p> <p>(ii) Manager Regulatory Services</p> <p><b>NOTE:</b> <i>Delegates must also be appointed as an "Approved Officer" – appointment to be determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</i></p>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 1. Local Government Act 1995 Delegations

#### 1.4 Local Law Delegations to the CEO

##### 1.4.1 Shire of Northam Local Law Administration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<p>All the powers, duties, functions roles and responsibilities of the local government under the following local laws:</p> <p>Activities In Thoroughfares Amendment Local Law 2018 Cat Local Law 2019 Cemeteries Amendment Local Law 2017 Dogs Amendment Local Law 2018 Establishment, Maintenance and Equipment of Bush Fire Brigades Extractive Industry Amendment Local Law 2018 Fencing Local Law 2019 Health Amendment Local Law 2018 and JSC Undertaking Local Government Property Local Law 2008 Operation of Waste Disposal Facilities Local Law 2008 - Reviewed 2017 Parking Local Law 2019 Pest Plant Local law 2019 Repeal Local Law 2008 Standing Orders Amendment Local Law 2018 Waste Local Law 2020</p>
<b>Delegate/s:</b>	<p>Executive Manager Development and Community Services Executive Manager Engineering Services Manager Planning and Environment Environmental Health Officer Waste Management Officer Manager <del>Building and Health</del>Regulatory Services Development Services Technical Officer Senior Ranger Ranger Manager Operations</p>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. The Chief Executive Officer is delegated authority to administer the Shire's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the Shire's Local Laws.
<b>CEO Conditions on this Delegation:</b>	<p>a. Determinations and decisions under the Shire of Northam's Local Laws having regard to the relevant Council policies in force at the time.</p> <p>b. The administration of the <i>Extractive Industries Local Law 2016</i>, including any enforcement action and</p>



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### 1. Local Government Act 1995 Delegations

	<p>collection of the annual licence fee be delegated to the CEO, but that the exercise of the following powers be reserved to the Council:</p> <ul style="list-style-type: none"> <li>(i) Issue or refusal of a licence under clause 3.1 (2)</li> <li>(ii) Determination of a licence period under clause 3.1 (3) (a)</li> <li>(iii) Transfer, cancel or refusal to renew a licence under clauses 4.1 (2), 4.2 and 4.3(4) determination of any security under clause 5.1 (1).</li> </ul> <p>c. Exclusions – Renewal of a licence where it is proposed to vary the conditions of the licence; or where the licensee has not complied with the conditions of the licence.</p>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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**2. Building Act 2011 Delegations**

**2 Building Act 2011 Delegations**

**2.1 Council to CEO**

**2.1.1 Grant or Refuse a Building Permit**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> <li>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)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>

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### 2. Building Act 2011 Delegations

	6. Authority to refuse building permits due to errors in information or documentation submitted, subject to the provisions of <i>Building Act 2011</i> [s.22].
<b>Council Conditions on this Delegation:</b>	a. An officer to whom this authority is delegated cannot, in accordance with the provisions of the <i>Building Act 2011</i> , approve plans in which they have an interest. b. An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011</i> : s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services <del>Manager Building and Health</del> <b>Manager Regulatory Services</b> Planning & Building Technician
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	1. Planning & Building Technician is limited to class 1 & 10 buildings.

Compliance Links:	<a href="#">Building Act 2011</a> 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  <a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT  <a href="#">Building Services (Registration) Act 2011</a> – Section 7 <a href="#">Home Building Contracts Act 1991</a> – Part 3A, Division 2, Part 7, Division 2 <a href="#">Building and Construction Industry Training Levy Act 1990</a> <a href="#">Heritage Act 2018</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.2 Grant or Refuse Demolition Permits

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> <li>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)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> <li>6. Authority to refuse demolition permits due to errors in information or documentation submitted, subject to the provisions of <i>Building Act 2011</i> [s.22].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. An officer to whom this authority is delegated cannot, in accordance with the provisions of the <i>Building Act 2011</i> , approve plans in which they have an interest.

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### 2. Building Act 2011 Delegations

	<p>b. An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.</p> <p>c. Any buildings or structure on the Shire of Northam Municipal Inventory or Heritage List are to be referred to Council for decision.</p>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Regulatory Services Planning and Building Technician
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	1. Planning & Building Technician is limited to class 1 & 10 buildings.

Compliance Links:	<p><a href="#">Building Act 2011</a></p> <p>s.119 Building and demolition permits – application for review by SAT</p> <p>s.23 Time for deciding application for building or demolition permit</p> <p><a href="#">Building Services (Complaint Resolution and Administration) Act 2011 -- Part 7, Division 2</a></p> <p><a href="#">Building and Construction Industry Training Levy Act 1990</a></p> <p><a href="#">Heritage Act 2018</a></p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.3 Grant Occupancy Permits or Building Approval Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. An officer to whom this authority is delegated cannot, in accordance with the provisions of the <i>Building Act 2011</i>, approve plans in which they have an interest.</li> <li>b. An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Regulatory Services Planning & Building Technician
<b>CEO Conditions on this Sub-Delegation:</b>	<ol style="list-style-type: none"> <li>1. Planning &amp; Building Technician is limited to class 1 &amp; 10 buildings.</li> </ol>

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### 2. Building Act 2011 Delegations

Conditions on the delegation also apply to sub-delegation.	
Compliance Links:	<a href="#">Building Act 2011</a> 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 <a href="#">Building Services (Complaint Resolution and Administration) Act 2011 -- Part 7, Division 2</a> <a href="#">Building and Construction Industry Training Levy Act 1990</a> <a href="#">Heritage Act 2018</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.4 Designate Employees as Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegated authority must be consistent with r.5 of the <i>Building Regulations 2012</i>.</li> <li>b. NOTE: An <i>authorised person</i> for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

<b>Compliance Links:</b>	<a href="#"><i>Building Act 2011:</i></a> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.5 Designate Contractors as Authorised Persons (Inspectors)

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) Authorised persons s.99(3) Limitation on powers of authorised person <i>Building Regulations 2012:</i> r.4A Authorised persons
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate a person contracted, or employed by an entity contracted, by the Shire as an authorised person [s.96(3) &amp; r.4A(2)] for the purposes of monitoring whether Part 8 provisions are being complied with.</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Designation of authorised persons under this delegation is limited to performing Authorised Person functions under s.93(2)(d).
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	<u><a href="#">Building Act 2011:</a></u> s.97 each designated authorised person must have an identity card. r.4B Identity cards
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.6 Building Orders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.114 Service of 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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>Building work</li> <li>Demolition work</li> <li>An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>Authority to revoke a building order [s.117].</li> <li>If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>take any action specified in the order ; or</li> <li>commence or complete any work specified in the order; or</li> <li>if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>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)].</li> <li>Serve a building order in accordance with Section 114 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>An Officer to whom this authority is delegated cannot, in accordance with the provisions of the <i>Building Act 2011</i>, approve plans in which they have an interest.</li> </ol>

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### 2. Building Act 2011 Delegations

	b. An Officer must have the prescribed qualifications to be delegated authority to approve or refuse plans of buildings or unauthorised building works.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	<u><a href="#">Building Act 2011:</a></u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.7 Inspection and Copies of Building Records

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

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Building and Health Planning and Building Technician Development Services Support Officers
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

<b>Compliance Links:</b>	<a href="#">Building Act 2011</a> - s.146 Confidentiality
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.8 Authorise persons to commence proceedings

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to authorise a person to commence a prosecution for an offence against the <i>Building Act 2011</i> [s.133(1)(b)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	<a href="#">Building Act 2011</a> - s.146 Confidentiality
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.9 Referrals and Issuing Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. An Officer must have the prescribed qualifications to be delegated authority in accordance with Building Regulation 5.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.10 Private Pool Barrier – Alternative and Performance Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)]</li> <li>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)]</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must be consistent with modifications to AS 1926.1-2012 prescribed in Building Regulation 15B.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Regulatory Services Development Services Technical Officer
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

<b>Compliance Links:</b>	Nil.
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### 2. Building Act 2011 Delegations

Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.
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### 2. Building Act 2011 Delegations

#### 2.1.11 Smoke Alarms – Alternative Solutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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].</li> <li>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].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 2. Building Act 2011 Delegations

#### 2.1.12 Appoint approved officers and authorised officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).</p> <p><i>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".</i></p> <p>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).</p> <p><i>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).</i></p>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<del>Nil.</del> <u>This delegation is not to be sub-delegated.</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<del>Nil.</del> <u>N/A</u>

<b>Compliance Links:</b>	<a href="#">Building Regulations 2012</a> r.70(3) each authorised officer must be issued a certificate of appointment.
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### 2. Building Act 2011 Delegations

Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.
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### 3. Bush Fires Act 1954 Delegations

## 3 Bush Fires Act 1954 Delegations

### 3.1 Council to CEO, Mayor and Bush Fire Control Officer

#### 3.1.1 Make Request to FES Commissioner – Control of Fire

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.2 Prohibited Burning Times - Vary

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	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))
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>President and Chief Bush Fire Control Officer (jointly)</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
<b>Council Conditions on this Delegation:</b>	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).
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.3 Prohibited Burning Times – Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<p>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</p> <p>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</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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].</li> <li>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)].</li> <li>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)].</li> <li>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)].</li> <li>6. Authority to recover the cost of measures taken by the Shire 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</li> </ol>

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### 3. Bush Fires Act 1954 Delegations

	[s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.4 Restricted Burning Times – Vary and Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<p>Bush Fires Act 1954:</p> <ul style="list-style-type: none"> <li>s.18(5), (11) Restricted burning times may be declared by FES Commissioner</li> <li>s.22(6) and (7) Burning on exempt land and land adjoining exempt land</li> <li>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</li> <li>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</li> </ul> <p>Bush Fire Regulations 1954:</p> <ul style="list-style-type: none"> <li>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</li> <li>r.15C Local Government may prohibit burning on certain days</li> <li>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</li> <li>r.39B Crop dusters etc., use of in restricted or prohibited burning times</li> </ul>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>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)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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)].</li> </ol>



## Delegation Register

Shire of Northam



### 3. Bush Fires Act 1954 Delegations

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.5 Control of Operations Likely to Create Bush Fire Danger

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>a person using explosives [r.39D(2)].</li> <li>a person using fireworks [r.39E(3)]</li> </ol> </li> <li>Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.6 Burning Garden Refuse / Open Air Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<p>Bush Fires Act 1954:</p> <ul style="list-style-type: none"> <li>s.24F Burning garden refuse during limited burning times</li> <li>s.24G Minister or local government may further restrict burning of garden refuse</li> <li>s.25 No fire to be lit in open air unless certain precautions taken</li> <li>s.25A Power of Minister to exempt from provisions of section 25</li> </ul> <p>Bush Fires Regulations 1954: r.27(3) Permit, issue of</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> <li>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)].</li> <li>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].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>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)].</li> </ol>

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### 3. Bush Fires Act 1954 Delegations

	5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.7 Firebreaks

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Bush Fires Act 1954: s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>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</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> <li>d. determine that these matters have been acted upon to the satisfaction of the Shire.</li> </ol> </li> <li>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)]. <ol style="list-style-type: none"> <li>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)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Bush Fires Act 1954: s.38 Local Government may appoint bush fire control officer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint employees to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and <ol style="list-style-type: none"> <li>a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>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. [s.38(5A)]</li> <li>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)]. <ol style="list-style-type: none"> <li>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)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.9 Control and Extinguishment of Bush Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Bush Fires Act 1954: s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. <ol style="list-style-type: none"> <li>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)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.11 Prosecution of Offences

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Bush Fires Act 1954: s.59(3) Prosecution of offences
<b>Express Power or Duty Delegated:</b>	Bush Fires Act 1954: s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Executive Manager Development and Community Services</b> <b>Senior Ranger</b> <b>Ranger/s</b> <b>Community Emergency Services Manager</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to 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)].
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	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:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 3. Bush Fires Act 1954 Delegations

#### 3.1.12 Powers, Duties and Functions of a Local Government

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Local Government</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<u>Bush Fires Act 1954:</u> <u>s.48 Delegation by local government</u>
<b>Express Power or Duty Delegated:</b>	<u>Bush Fires Act 1954</u> <u>Bush Fire Regulations 1954</u>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<u>Authority to perform all of the powers, duties and functions of the local government under the Bush Fires Act 1954 and Bush Fires Regulations 1954.</u>
<b>Council Conditions on this Delegation:</b>	<u>Excludes powers and duties that;</u> <u>are subject to separate delegated authority within this Register;</u> <u>are prescribed in the Act with a requirement for a resolution of the local government; and</u> <u>are prescribed by the Act for performance by appointed officers.</u>
<b>Express Power to Sub-Delegate:</b>	<u>NIL – Sub-delegation is prohibited by s.48(3)</u>

<b>Compliance Links:</b>	<u>Bush Fires Act 1954</u> <u>Bush Fire Regulations 1954</u>
<b>Record Keeping:</b>	<u>Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 &amp; s.5.46 the State Records Act 2000, Record Keeping Policy &amp; relevant processes.</u>

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**4. Cat Act 2011 Delegations**

**4 Cat Act 2011 Delegations**

**4.1 Council to CEO**

**4.1.1 Cat Registrations**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1 (4) Fees Payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to make a determination on a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Request an applicant to provide, within no more than 21 days, any document or information required to determine the application and may require the information to be verified by statutory declaration.</li> <li>4. Authority to cancel a cat registration [s.10].</li> <li>5. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>6. 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's District [Regs. Sch. 3 cl.1 (4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

## Delegation Register

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### 4. Cat Act 2011 Delegations

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Customer Service Coordinator Customer Service Officer Procurement Coordinator Development Services Support Officer Finance Officer
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	<p>Cat Regulations 2012</p> <ul style="list-style-type: none"> <li>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</li> <li>r.12 Period of registration (s.9(7))</li> <li>r.11 Changes in registration</li> <li>r.14 Registration certificate (s.11(1)(b))</li> <li>r.15 Registration tags (s.76(2))</li> </ul> <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.2 Cat Control Notices

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

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

Compliance Links:	<a href="#">Cat Regulations 2012</a> r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.3 Approval to Breed Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. A local government to which an application is made may require the applicant to give the local government, within a specified time of not more than 21 days, any document or information that it requires to determine the application and may require the applicant to verify the information by statutory declaration.</li> <li>4. Authority to cancel an approval to breed cats [s.38].</li> <li>5. 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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

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

Compliance Links:	<a href="#">Cat Regulations 2012</a>
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### 4. Cat Act 2011 Delegations

	<p>r.21 Application for approval to breed cats (s.36(2))</p> <p>r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f))</p> <p>r.23 Person who not be refused approval to breed cats (s.37(5))</p> <p>r.24 Duration of approval to breed cats (s.37(6))</p> <p>r.25 Certificate given to approved cat breeder (s.39(1))</p>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.4 Recovery of Costs – Destruction of Cats

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

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

<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.5 Authorise a person to perform Specified functions under the Cat Act 2011

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.73 Prosecutions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to authorise a person to commence a prosecution for an offence against the <i>Cat Act 2011</i> and the <i>Cat Local Law 2019</i> [s.73(1)(b) & (2)(b)]
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.6 Applications to Keep Additional Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>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)].</li> <li>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].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013.
<b>Express Power to Sub-Delegate:</b>	Cat Act 2011: s.45 Delegation by CEO of local government

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

<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 4. Cat Act 2011 Delegations

#### 4.1.7 Reduce or Waiver Registration Fee

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

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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**4. Cat Act 2011 Delegations**

**4.1.8 Local Government Functions**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Local Government</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<u>Cat Act 2011:</u> <u>s.44 Delegation by local government</u>
<b>Express Power or Duty Delegated:</b>	<u>Cat Act 2011</u> <u>Cat Regulations 2012</u> <u>Cat (Uniform Local Provisions) Regulations 2013</u>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<u>Notices of decisions must include advice as to objection and review rights in accordance with Part 4, Division 5 of the Cat Act 2011 and r.11 of the Cat (Uniform Local Provisions) Regulations 2013 as applicable.</u>
<b>Council Conditions on this Delegation:</b>	<u>Notices of decisions must include advice as to objection and review rights in accordance with Part 4, Division 5 of the Cat Act 2011 and r.11 of the Cat (Uniform Local Provisions) Regulations 2013 as applicable.</u>
<b>Express Power to Sub-Delegate:</b>	<u>Cat Act 2011:</u> <u>s.45 Delegation by CEO of local government</u>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<u>Executive Manager Development and Community Services</u> <u>Senior Ranger</u> <u>Ranger</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<u>Excludes powers and duties that:</u> <u>are subject to separate delegated authority within this Register;</u> <u>are prescribed in the Act with a requirement for a resolution of the local government; and</u> <u>are prescribed by the Act for performance by appointed officers.</u>

<b>Compliance Links:</b>	<u>Nil.</u>
<b>Record Keeping:</b>	<u>Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 &amp; s.5.46 the State Records Act 2000, Record Keeping Policy &amp; relevant processes.</u>

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**4. Cat Act 2011 Delegations**

**4.2 Cat Act Delegations - CEO to Employees**

**4.2.1 Infringement Notices – Extensions and Withdrawals**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Cat Act 2011: s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	Cat Act 2011: s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	<b>Executive Manager Development and Community Services</b> <b>Senior Ranger</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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].</li> <li>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].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>The delegate who issued the initial infringement must not authorise the withdrawal of said infringement.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Cat Regulations 2012: r.28 Withdrawal of infringement notice (s.65(1))
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

## 5 Dog Act 1974 Delegations

### 5.1 Dog Act Delegations Council to CEO

#### 5.1.1 Appoint Registration Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.3 Terms Used ( <i>Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act</i> )
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the Dog Act 1976 [s.3].
<b>Council Conditions on this Delegation:</b>	<ul style="list-style-type: none"> <li>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. A register of Authorisations is to be maintained as a Local Government Record.</li> <li>c. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>d. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	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)

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

Compliance Links:	Nil.
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### 5. Dog Act 1976 Delegations

Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.
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### 5. Dog Act 1976 Delegations

#### 5.1.2 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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 \$200.00 [s.10A(1)(a) and (3)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	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)

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

<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.3 Refuse or Cancel Registration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>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</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>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</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>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's District [s15(4A)].</li> <li>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)]. <ol style="list-style-type: none"> <li>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</li> </ol> </li> </ol>

## Delegation Register

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### 5. Dog Act 1976 Delegations

	contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	<a href="#">Dog Act 1976</a> 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:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.4 Grant Exemption as to Number of Dogs Kept at Premises

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.26(3) Limitation as to numbers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to approve, and determine conditions that apply to, an exemption as to the limit to the number of dogs that can be kept at a premises [s.26(3)].
<b>Council Conditions on this Delegation:</b>	<p>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</p> <p>b. Decisions under this delegation must comply with the relevant provisions of the <i>Dog Act 1976</i>, the <i>Dogs Amendment Local Law 2018</i> and <del>R 9.1</del> <u>CP.60</u> Multiple Dog Policy including:</p> <ul style="list-style-type: none"> <li>Consider and be satisfied that for any particular premises the provisions of the <i>Dog Act 1976</i> relating to kennel establishments need not be applied in the circumstances [s.26(3)].</li> <li>Apply the provisions of s.26(4).</li> </ul> <p>c. Conditions that must be applied to an approved exemption, include those listed in R 9.1 Multiple Dog Policy.</p>
<b>Express Power to Sub-Delegate:</b>	<u>Dog Act 1976</u> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal <del>Council</del> <u>Council</u> Policy – <del>R 9.1</del> <u>CP.60</u> Multiple Dog Policy
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### 5. Dog Act 1976 Delegations

Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.
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### 5. Dog Act 1976 Delegations

#### 5.1.5 Kennel Establishments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.27 Licensing of approved kennel establishments
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Council Conditions on this Delegation:</b>	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 <i>Dogs Amendment Local Law 2018</i> .
<b>Express Power to Sub-Delegate:</b>	<u>Dog Act 1976</u> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.6 Recovery of Moneys Due Under this Act

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

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

Compliance Links:	Includes recovery of expenses relevant to: <a href="#">Dog Act 1976</a> 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 <a href="#">Dog Regulations 2013</a> r.31 Local government expenses as to dangerous dogs (declared)
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.7 Dispose of or Sell Dogs Liable to be Destroyed

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

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.8 Declare Dangerous Dog

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33E(1) Individual dog may be declared to be dangerous dog (declared) s.40 Destruction of dogs etc.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].</li> <li>2. Authority to carry out an order of the State Administrative Tribunal in relation to a dangerous dog [s.40]</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	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)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>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)] <ol style="list-style-type: none"> <li>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)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. This delegation should not be delegated to the same person / position who initially declared the dog dangerous.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	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)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil.
<b>CEO Conditions on this Sub-Delegation:</b>	Nil.

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### 5. Dog Act 1976 Delegations

Conditions on the delegation also apply to sub-delegation.	
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – See s.33H(5) of the Dog Act 1976
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.10 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33H(5) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to 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.
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)]. b. This delegation should not be delegated to the same person / position who initially declared the dog dangerous.
<b>Express Power to Sub-Delegate:</b>	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)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.11 Determine Recoverable Expenses for Dangerous Dog Declaration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976: s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976: s.33M(1)(a) Local Government expenses to be recoverable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine 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)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	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)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.12 Dog enforcement functions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Dog Act 1976 s. 10AA - Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	Dog Act 1976 s. 44 Enforcement proceedings
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authorise an employee to take proceedings under the Act, whether civil or penal [Act, s. 44(2)(b)]
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	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)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services.
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	The Chief Executive Officer must be informed prior to proceedings being taken.

<b>Compliance Links:</b>	Criminal Procedure Act 2004  s. 3(1) Terms used - public authority for the purposes of the Act s. 20(1)(b) Who can commence prosecution  NOTE: Decisions under this Delegation may be referred for review by the State Administrative Tribunal (SAT) [s. 16A, s. 17(4) and (6)].
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 5. Dog Act 1976 Delegations

#### 5.1.13 Local Government Functions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	<u>Local Government</u>
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<u>Dog Act 1976</u> <u>s. 10AA - Delegation of local government powers and duties</u>
<b>Express Power or Duty Delegated:</b>	<u>Dog Act 1976</u> <u>Dog Regulations 2013</u>
<b>Delegate:</b>	<u>Chief Executive Officer</u>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<u>All the powers and duties of the local government under the Dog Act 1976 and Dog Regulations 2013.</u>
<b>Council Conditions on this Delegation:</b>	<u>a. The Chief Executive Officer is permitted to sub-delegate to employees [s.10AA(3)].</u>
<b>Express Power to Sub-Delegate:</b>	<u>Dog Act 1976:</u> <u>s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)</u>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<u>Executive Manager Development and Community Services</u> <u>Senior Ranger</u> <u>Ranger</u>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<u>Excludes powers and duties that;</u> <u>are subject to separate delegated authority within this Register;</u> <u>are prescribed in the Act with a requirement for a resolution of the local government; and</u> <u>are prescribed by the Act for performance by Authorised Officers which is to be facilitated through Governance.</u>

<b>Compliance Links:</b>	<u>Dog Act 1976</u> <u>Dog Regulations 2013</u> <u>Dogs Amendment Local Law 2018</u>
<b>Record Keeping:</b>	<u>Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 &amp; s.5.46 the State Records Act 2000, Record Keeping Policy &amp; relevant processes.</u>

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**6. Food Act 2008 Delegations**

**6 Food Act 2008 Delegations**

**6.1 Council to CEO**

**6.1.1 Determine Compensation**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer Executive Manager Development and Community Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine 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)].
<b>Council Conditions on this Delegation:</b>	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 \$5,000. Compensation requests above this value are to be reported to Council.
<b>Express Power to Sub-Delegate:</b>	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
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### 6. Food Act 2008 Delegations

Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.
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### 6. Food Act 2008 Delegations

#### 6.1.2 Prohibition Orders and Certificates of Clearance

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	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
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Executive Manager Development and Community Services</b> <b>Manager Regulatory Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	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>Express Power to Sub-Delegate:</b>	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:	Details pertaining to this delegation should be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 6. Food Act 2008 Delegations

#### 6.1.3 Food Business Registrations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Executive Manager Development and Community Services</b> <b>Manager Regulatory Services</b> <b>Environmental Health Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to 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].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>WA Priority Classification System</li> <li>Verification of Food Safety Program Guideline</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – <i>Food Regulations 2009</i> 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:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 6. Food Act 2008 Delegations

#### 6.1.4 Appoint Authorised Officers and Designated Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	Food Act 2008: s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>• Appointment of Authorised Officers as Meat Inspectors</li> <li>• Appointment of Authorised Officers</li> <li>• Appointment of Authorised Officers – Designated Officers only</li> <li>• Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</li> </ul> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

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### 6. Food Act 2008 Delegations

Compliance Links:	<a href="#">Public Health Act 2016</a> 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:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 6. Food Act 2008 Delegations

#### 6.1.5 Debt Recovery and Prosecutions

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Delegate:</b>	<b>Chief Executive Officer Executive Manager Development Service Manager Regulatory Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover 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].
<b>Council Conditions on this Delegation:</b>	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. Item 2 is limited delegation to the CEO.
<b>Express Power to Sub-Delegate:</b>	NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 6. Food Act 2008 Delegations

#### 6.1.6 Abattoir Inspections and Fees

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	Food Regulations 2009: r.43 Local government may require security r.45 Withdrawal of inspection services
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Executive Manager Development and Community Services</b> <b>Manager Regulatory Services</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, relevant to the payment of abattoir meat inspection fees under Food Regulation 41, to: i. require a person to provide security, ii. determine the form that security is to be provided, and iii. discharge a security held by the Shire [r.43]. 2. Authority to give written notice and withdraw abattoir meat inspection services, pending payment of any fees due and payable [r.45].
<b>Council Conditions on this Delegation:</b>	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>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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### 6. Food Act 2008 Delegations

#### 6.1.7 Food Businesses List – Public Access

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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**7. Graffiti Vandalism Act 2016 Delegations**

**7 Graffiti Vandalism Act 2016 Delegations**

**7.1 Council to CEO**

**7.1.1 Give Notice Requiring Obliteration of Graffiti**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Graffiti Vandalism Act 2016: s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Graffiti Vandalism Act 2016: s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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)].</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government

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

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 7. Graffiti Vandalism Act 2016 Delegations

#### 7.1.2 Notices – Deal with Objections and Give Effect to Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Graffiti Vandalism Act 2016: s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Graffiti Vandalism Act 2016: s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>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</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government

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

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 7. Graffiti Vandalism Act 2016 Delegations

#### 7.1.3 Obliterate Graffiti on Private Property

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

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

<b>Compliance Links:</b>	Nil.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 7. Graffiti Vandalism Act 2016 Delegations

#### 7.1.4 Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Graffiti Vandalism Act 2016: s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Graffiti Vandalism Act 2016: s.28 Notice of entry s.29 Entry under warrant
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government

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

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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**8. Health (Miscellaneous Provisions) Act 1911**

**8 Health (Miscellaneous Provisions) Act 1911**

**8.1.1 Appointment and Authorisation of Deputy**

<b><u>Delegator:</u></b> <i>Power / Duty assigned in legislation to:</i>	<u>Local Government</u>
<b><u>Express Power to Delegate:</u></b> <i>Power that enables a delegation to be made</i>	<u>Health (Miscellaneous Provisions) Act 1911</u> <u>Section 26 Powers of local government</u>
<b><u>Express Power or Duty Delegated:</u></b>	<u>Health (Miscellaneous Provisions) Act 1911</u> <u>Section 26 Powers of local government</u>
<b><u>Positions Appointed</u></b>	<b><u>Chief Executive Officer</u></b> <b><u>Executive Manager Development and Community Services</u></b> <b><u>Manager Regulatory Services</u></b> <b><u>Environmental Health Officer</u></b>
<b><u>Function:</u></b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<u>Appoints and authorises any person to be its Health (Miscellaneous Provisions) Act 1911 deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe. Such appointment shall not affect the exercise or discharge by the local government itself of any power or function.</u>
<b><u>Council Conditions on this Delegation:</u></b>	<u>The power to prosecute is only to be exercised on recommendation from the Manager Regulatory Services and with the written approval of the Executive Manager Development and Community Services in consultation with the Chief Executive Officer.</u>
<b><u>Express Power to Sub-Delegate:</u></b>	<u>N/A</u>

<b><u>Compliance Links:</u></b>	<u>Health (Miscellaneous Provisions) Act 1911</u>
<b><u>Record Keeping:</u></b>	<u>Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 &amp; s.5.46 the State Records Act 2000, Record Keeping Policy &amp; relevant processes.</u>

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### 8. Public Health Act 2016 Delegations

## 8.1 Public Health Act 2016 Delegations

### 8.1.1 Council to CEO

#### 8.1.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

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

Compliance Links:	<a href="#">Criminal Procedure Act 2004</a> – Part 2
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 8. Public Health Act 2016 Delegations

#### 8.1.29.1.2 Enforcement Agency Reports to the Chief Health Officer

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Public Health Act 2016: s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	Public Health Act 2016 s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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 [s.22(1)]</li> <li>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)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	<a href="#">Public Health Act 2016</a> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 8. Public Health Act 2016 Delegations

#### 8.1.39.1.3 Designate Authorised Officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Public Health Act 2016: s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	Public Health Act 2016 s.24(1) and (3) Designation of authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> <li>i. The <i>Public Health Act 2016</i> or other specified Act</li> <li>ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act</li> <li>iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ul>
<b>Council Conditions on this Delegation:</b>	<ul style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21 (4)].

Compliance Links:	<a href="#">Public Health Act 2016</a> <ul style="list-style-type: none"> <li>s.20 Conditions on performance of functions by enforcement agencies.</li> <li>s.25 Certain authorised officers required to have qualifications and experience.</li> <li>s.26 Further provisions relating to designations</li> <li>s.27 Lists of authorised officers to be maintained</li> </ul>
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### 8. Public Health Act 2016 Delegations

	<p>s.28 When designation as authorised officer ceases</p> <p>s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers</p> <p>s.30 Certificates of authority</p> <p>s.31 Issuing and production of certificate of authority for purposes of other written laws</p> <p>s.32 Certificate of authority to be returned.</p> <p>s.136 Authorised officer to produce evidence of authority</p> <p><a href="#">Criminal Investigation Act 2006</a>, Parts 6 and 13 – refer s.245 of the <i>Public Health Act 2016</i></p> <p><i>The Criminal Code</i>, Chapter XXVI – refer s.252 of the <i>Public Health Act 2016</i></p>
Record Keeping:	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

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### 8. Public Health Act 2016 Delegations

#### 8.1.49.1.4 Dealing with Seized Items

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Public Health Act 2016: s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	Public Health Act 2016 s.260 Return of seized item s.262 Cost of destruction or disposal of forfeited items s.263 Return of forfeited items s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine if no contravention of the <i>Public Health Act 2016</i> has occurred and return seized items or forfeited items to the person from whom the items were seized or to any other person who is determined to be entitled to it [s.260 and 263].</li> <li>2. Authority to recover the cost of destruction or disposal of forfeited items [s.262].</li> <li>3. 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].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of \$500, with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21 (4)].

<b>Compliance Links:</b>	<a href="#">Public Health Act 2016</a> s.20 Conditions on performance of functions by enforcement agencies. Note – Decisions about compensation may be referred for review by the State Administration Tribunal [s.265]
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 8. Public Health Act 2016 Delegations

#### 8.1.59.1.5 Appoint Designated Officer – Information Sharing

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Public Health Act 2016: s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	Public Health Act 2016 s.299 Information Sharing
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, to appoint Designated Officer/s for the purposes of s.299 [s.299(1)].
<b>Council Conditions on this Delegation:</b>	a. Appointments must be consistent with requirements outlined in the <a href="#">Chief Health Officer's Information Sharing Guideline</a> , prepared in accordance with s.300.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	<a href="#">Public Health Act 2016</a>  s.300 Guidelines relating to information sharing.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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**9. Planning and Development Act 2005 Delegations**

**9.10 Planning and Development Act 2005 Delegations**

**9.1.10.1 Council to CEO**

**9.1.10.1.1 Illegal Development**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	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
<b>Express Power or Duty Delegated:</b>	Planning and Development Act 2005: s.214(2), (3) and (5)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>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;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>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.</li> <li>4. Instruct prosecution in respect of any breach, contravention or offence under <i>the Planning &amp; Development Act 2005</i>, gazetted Local Planning Schemes, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and all subsidiary legislation made under those acts.</li> </ol>

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### 9. Planning and Development Act 2005 Delegations

<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Planning & Environment
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	1. Sub delegation is limited to items 1 – 3 under the functions.

Compliance Links:	<a href="#">Planning and Development Act 2005</a> - Part 13 Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 & s.5.46 the <i>State Records Act 2000</i> , Record Keeping Policy & relevant processes.

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### 9. Planning and Development Act 2005 Delegations

#### 9.1.2 Determination of Single House Applications, and Associated Developments

<del>Delegator:</del>	<del>Local Government</del>
<del>Power / Duty assigned in legislation to:</del>	
<del>Express Power to Delegate:</del>	<del>Local Government Act 1995:</del>
<del>Power that enables a delegation to be made</del>	<del>s.5.42(b) Delegation of some powers or duties to the CEO</del>
	<del>s.5.43 Limitations on delegations to the CEO</del>
<del>Express Power or Duty Delegated:</del>	<del>Planning and Development Act 2005:</del>
	<del>s.257C Regulations dealing with performance of functions under local planning schemes in relation to single house development</del>
	<del>Planning and Development (Local Planning Schemes) Regulations 2005</del>
	<del>Schedule 2 1A. Heritage-protected places</del>
<del>Delegate:</del>	<del>Chief Executive Officer</del>
<del>Function:</del>	<del>1. In relation to a Single House Development or any development associated with a single house, such as additions, alterations, patios, carports, where not otherwise exempt:</del>
<del>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</del>	<del>a. Receive, administer or consider development applications.</del>
	<del>b. Grant or refuse approvals of development.</del>
	<del>c. Impose conditions on approvals of development.</del>
	<del>d. Receive, administer or consider applications for any of the following —</del>
	<del>i. An amendment to an approval of development.</del>
	<del>ii. An amendment to conditions imposed on an approval of development.</del>
	<del>iii. The cancellation of an approval of development.</del>
	<del>e. Amend approvals of development or conditions imposed on approvals of development.</del>
	<del>f. Cancel approvals of development</del>
<del>Council Conditions on this Delegation:</del>	<del>Nil.</del>
<del>Express Power to Sub-Delegate:</del>	<del>Local Government Act 1995:</del>
	<del>s.5.44 CEO may delegate some powers and duties to other employees</del>

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### 9. Planning and Development Act 2005 Delegations

<b>Sub-Delegate/s:</b> Appointed by CEO	<b>Executive Manager Development and Community Services</b> <b>Manager Planning &amp; Environment</b>
<b>CEO Conditions on this Sub-Delegation:</b> Conditions on the delegation also apply to sub-delegation.	1. This Delegation does not extend to any heritage protected place as defined under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2005.

<b>Compliance Links:</b>	Planning and Development Act 2005- Part 13 Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

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**10. Local Planning Scheme Delegations**

**10.1.1 Local Planning Scheme No. 6 Delegations**

**10.1.1.1 Council to CEO**

**10.1.1.1.1 Planning Determinations**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	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
<b>Express Power or Duty Delegated:</b>	Local Planning Scheme No. 6
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. The Chief Executive Officer, Pursuant to Clause 82, Part 10 of Schedule 2 of the Deemed Provisions for Local Planning Schemes, is delegated authority to determine applications for development approval, including amendments, made under Shire of Northam Local Planning Scheme No. 6 (the Scheme), with or without conditions subject to consistency with the Scheme, including giving due regard to relevant Local Planning Policies, and/or WAPC/State Planning Policies, and the exclusions/conditions set out below.</li> <li>2. Where applications for development approval have been advertised for consultation purposes, in accordance with the provisions of Clause 64 of the Deemed Provisions for Local Planning Schemes and/or Part 4 of the R-Codes, if:</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. No submissions were received, or only supportive submissions that do not request any change to the development were received; or</li> <li>b. Submissions that raise concerns with the proposed development were received and those concerns are, in the opinion of the delegated officer, clearly not material planning considerations;</li> <li>c. Submissions that raise concerns with the proposed development were received, and those concerns are material planning considerations, but; <ol style="list-style-type: none"> <li>i. Through liaison with the party or parties that lodged the submissions and/or amendments to the application and/or the application of conditions, the matters raised in the submissions can be resolved to the satisfaction of the delegated officer and the applicant, and/or</li> </ol> </li> </ol>



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**10. Local Planning Scheme Delegations**

	<p>the party or parties that lodged the submissions (the delegated officer must also ensure that the interests of fourth parties are protected and undertake further consultation if considered necessary), and</p> <p><b>Exclusions</b></p> <p><u>General Exclusions</u></p> <p>a. Applications for development approval for development exceeding \$7M in value and/or a net increase of in excess of 10 dwellings and/or uses listed as 'P', 'D' or 'A' or 'I' within the Scheme at variance with Scheme requirements and standards.</p> <p>b. Applications for single dwellings (refer to Delegation 9.1.2)</p> <p><u>Specific Exclusions and Exceptions for Minor Works etc.</u></p> <p>c. Subject to (h) below, with respect to applications for development approval for development other than advertising signage, domestic outbuildings, fencing and residential additions/alterations, any delegated decision must be consistent with, rather than giving due regard to, relevant Local Planning Policies.</p> <p>d. Subject to (h) below, applications for development approval for development of land within a Local Reserve may only be approved under delegated authority where it is consistent with the purpose of the Reserve.</p> <p>e. Subject to (h) below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that must be assessed under the provisions of Clauses 3.4.2 or 3.4.3 of the Scheme (uses not listed in the Zoning Table) may only be refused under delegated authority.</p> <p>f. Subject to (h) below, applications for development approval that must be assessed under the provisions of Part 3, Clauses 3.8 up to and including 3.12 of the Scheme (the 'non-conforming uses' provisions) may only be refused under delegated authority, except for minor modifications or extensions. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).</p> <p>g. Subject to (h) below, unless specifically provided for in a Local Planning Policy or Policies, applications for development approval that are assessed under the provisions of Clause 4.13.7 of the Scheme (the 'Cash Payment in Lieu of the Provision of Car Parking' provisions) may only be refused under delegated</p>
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## Delegation Register

Shire of Northam



### 10. Local Planning Scheme Delegations

	<p>authority. (Note: Should the delegated officer feel that the application may warrant approval, the application shall be reported to Council for consideration).</p> <p>h. Subject to (i) below, the provisions of 1 - 7 above do not apply to applications for an extension of time to commence a development approval, alterations and/or expansions where the amendments do not substantially change the approved development, and which are associated with existing, lawful land-uses, wherein the application may be refused or approved, with or without conditions, under delegated authority.</p> <p>i. Where an extension of time to commence a development approval is granted pursuant to 8 above, the term of any renewal shall not exceed 24 months, however, an unlimited number of renewals may be granted under delegated authority.</p> <p><b>An officer to who this authority is delegated cannot determine applications for plans in which they may have a conflict of interest.</b></p>
<b>Express Power to Sub-Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<p>Executive Manager Development and Community Services</p> <p>Manager Planning &amp; Environment</p>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	<p>Nil.</p>

<b>Compliance Links:</b>	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p>
<b>Record Keeping:</b>	<p>Details pertaining to this delegation must be recorded and maintained in accordance with the <i>Local Government Act 1995</i> s.5.18 &amp; s.5.46 the <i>State Records Act 2000</i>, Record Keeping Policy &amp; relevant processes.</p>

#### Version Control:

1	Adoption of Model Delegation Register
2	
3	

## Delegation Register

Shire of Northam



### 10. Local Planning Scheme Delegations

#### ~~10.1.2~~ 10.1.1.2 Waiver of Application Fees – Development Applications

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Planning and Development Regulations 2009 s.52 Local government may waive or refund fee Local Planning Scheme No. 6
<b>Express Power or Duty Delegated:</b>	Planning and Development Regulations 2009 Local Planning Scheme No. 6
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Waive or refund, defer in whole or part, payment of a fee for a planning service or development application.
<b>Council Conditions on this Delegation:</b>	a. A debt or concession may only be waived/granted in accordance with C 3.4 Write Off / Waive Fees or Debts Policy.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager Planning & Environment
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy <a href="#">C 3.4 Write Off / Waive Fees or Debts</a>
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

#### Version Control:

1	Adoption of Model Delegation Register
2	

## Delegation Register

Shire of Northam



### 10. Local Planning Scheme Delegations

#### ~~10.1.3~~ 11.1.3 Clearance of Conditions of Development Approval, or Conditions of Subdivision/Amalgamation or Strata Title Approval

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42(b) Delegation of some powers or duties to the CEO Local Planning Scheme No. 6
<b>Express Power or Duty Delegated:</b>	Local Planning Scheme No. 6
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. The Chief Executive Officer is delegated authority to advise the Western Australian Planning Commission with regards to clearance of conditions of development approval, clearance of conditions set pursuant to Part 10 (Subdivision and development control) of the Planning and Development Act 2005 and for which Council is nominated as a clearance agency, subject to consistency with the Scheme, and Local Planning Policies.
<b>Council Conditions on this Delegation:</b>	Nil.
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Development and Community Services Manager of Planning & Environment
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the delegation also apply to sub-delegation.</i>	Nil.

Compliance Links:	Nil.
Record Keeping:	Details pertaining to this delegation must be recorded and maintained in accordance with the Local Government Act 1995 s.5.18 & s.5.46 the State Records Act 2000, Record Keeping Policy & relevant processes.

#### Version Control:

1	Adoption of Model Delegation Register
2	
3	

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

## 11.1.12 Statutory Authorisations and Delegations to Local Government from State Government Entities

### 11.1.12.1 Environmental Protection Act 1986

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

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
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No. 47, 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

EV401

#### ENVIRONMENTAL PROTECTION ACT 1986

##### Section 20

Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 11.1.2 12.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

Published by:  
Environment

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

EV402

#### ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--
  - (i) Subregulation 18(13)(b) is not delegated.

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### [11.1.3](#) [12.1.3](#) Noise Management Plans – Construction Sites

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
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No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - 2Mb

EV405

#### ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.



## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 11.2.12.2 Planning and Development Act 2005

##### 11.2.12.2.1 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 2<sup>nd</sup> day of June 2016

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS



## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 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
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> <li>a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or</li> <li>the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the <i>Building Regulations 2012</i> (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.</li> </ul> <p>In respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brooking Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Cannington Shire of Capel Shire of Carnarvon Shire of Carnarvon Shire of Chapman Valley Shire of Chittaring Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorup Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cuse Shire of Cunderdin Shire of Dalwallinu Shire of Dandaragan Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Dongroybrook-Balingup Shire of Doregin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Goswells Shire of Halls Creek Shire of Harvey Shire of Inland Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Kalbarri 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 Mookatharra City of Murrumbidgee Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Moora Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

Shire of Temmin  
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 Wilkepin  
Shire of Williams  
Shire of Wiluna  
Shire of Wongan-Ballidu  
Shire of Woodanilling  
Shire of Wyalkatchem  
Shire of Wyndham-East Kimberley  
Shire of Yalgoo  
Shire of Yilgarn  
Shire of York

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

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

2<sup>nd</sup> day of June 2016

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

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

29 January 2021

GOVERNMENT GAZETTE, WA

449

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 Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 11.3.12.3 Main Roads Act 1930

##### 11.3.12.3.1 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](http://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*.

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## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

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)*

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## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 11.3.2 12.3.2 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](http://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.

## Delegation Register

Shire of Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

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 Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government

#### 11.412.4 Road Traffic (Vehicles) Act 2012

##### 11.4.112.4.1 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 Northam



### 11. Statutory Authorisations and Delegations to Local Government from State Government



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 5<sup>th</sup> day of September 2017

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

Extracted on line on 15 March 2021

## Delegation Register

Shire of Northam



### DELEGATIONS TO EMPLOYEES – QUICK REFERENCE GUIDE

EXECUTIVE MANAGER CORPORATE SERVICES	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.15	Expressions of Interest for Goods and Services
1.2.16	Tenders for Goods and Services – Call Tenders
1.2.17	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options
1.2.18	Tenders for Goods and Services - Exempt Procurement
1.2.19	Panels of Pre-Qualified Suppliers for Goods and Services
1.2.20	Application of Regional Price Preference Policy
1.2.25	Payments from the Municipal or Trust Funds
1.2.26	1.2.26 Defer, Grant Discounts, Waive or Write Off Debts.
1.2.27	Power to Invest and Manage Investments
1.2.28	Rate Record Amendment
1.2.29	Agreement as to Payment of Rates and Service Charges
1.2.30	Determine Due Date for Rates or Service Charges
1.2.31	Recovery of Rates or Service Charges
1.2.32	Recovery of Rates Debts – Require Lessee to Pay Rent
1.2.33	Recovery of Rates Debts - Actions to Take Possession of Unoccupied Land
1.2.34	Rate Record – Objections
1.2.35	Affixing of Common Seal & Signing Documents
1.3.5	Electoral Enrolment Eligibility Claims and Electoral Roll
1.3.6	Destruction of Electoral Papers
1.3.7	Information to be Available to the Public
1.3.8	Financial Management Systems and Procedures
1.3.9	Audit – CEO Review of Systems and Procedures

EXECUTIVE MANAGER DEVELOPMENT AND COMMUNITY SERVICES	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.1	Authorise a Persons to Perform Specified Functions under the Local Government Act 1995
1.2.4	Powers of Entry
1.2.5	Declare Vehicle is Abandoned Vehicle Wreck
1.2.6	Confiscated or Uncollected Goods
1.2.7	Disposal of Sick or Injured Animals
1.2.8	Close Thoroughfares to Vehicles
1.2.9	Obstruction of Footpaths and Thoroughfares
1.2.13	Private Works on, over or under Public Places
1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift
1.2.15	Expressions of Interest for Goods and Services
1.2.16	Tenders for Goods and Services – Call Tenders
1.2.17	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options

## Delegation Register

Shire of Northam



1.2.19	Panels of Pre-Qualified Suppliers for Goods and Services
1.2.20	Application of Regional Price Preference Policy
1.2.23	Disposing of Property (Tender, Auction, Private Treaty, Lease or Licence)
1.2.25	Payments from the Municipal or Trust Funds
1.2.35	Affixing of Common Seal & Signing Documents
<a href="#">1.2.37</a>	<a href="#">Control of Reserves and Certain Unvested Facilities</a>
1.3.1	Determine if an Emergency for Emergency Powers of Entry
1.3.10	Infringement Notices
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Building Act 2011 Delegations</i>	
2.1.1	Grant or Refuse a Building Permit
2.1.2	Grant or Refuse Demolition Permits
2.1.3	Grant Occupancy Permits or Building Approval Certificates
2.1.4	Designate Employees as Authorised Persons
2.1.5	Designate Contractors as Authorised Persons (Inspectors)
2.1.6	Building Orders
2.1.7	Inspection and Copies of Building Records
2.1.9	Referrals and Issuing Certificates
2.1.10	Private Pool Barrier – Alternative and Performance Solutions
2.1.11	Smoke Alarms – Alternative Solutions
<i>Bush Fires Act 1954</i>	
3.1.11	Prosecution of Offences
<i>Cat Act 2011</i>	
4.1.1	Cat Registrations
4.1.2	Cat Control Notices
4.1.3	Approval to Breed Cats
4.1.4	Recovery of Costs – Destruction of Cats
4.1.6	Applications to Keep Additional Cats
4.1.7	Reduce or Waiver Registration Fee
4.1.8	Local Government Functions
4.2.1	Infringement Notices – Extensions and Withdrawals
<i>Dog Act 1974</i>	
5.1.1	Appoint Registration Officer
5.1.2	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons
5.1.3	Refuse or Cancel Registration
5.1.4	Grant Exemption as to Number of Dogs Kept at Premises
5.1.5	Kennel Establishments
5.1.6	Recovery of Moneys Due Under this Act
5.1.7	Dispose of or Sell Dogs Liable to be Destroyed
5.1.8	Declare Dangerous Dog
5.1.10	Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice
5.1.11	Determine Recoverable Expenses for Dangerous Dog Declaration
5.1.12	Dog enforcement functions
<a href="#">5.1.13</a>	<a href="#">Local Government Functions</a>
<i>Food Act 2008</i>	
6.1.1	Determine Compensation
6.1.2	Prohibition Orders and Certificates of Clearance

## Delegation Register

Shire of Northam



6.1.3	Food Business Registrations
6.1.5	Debt Recovery and Prosecutions
6.1.6	Abattoir Inspections and Fees
6.1.7	Food Businesses List – Public Access
<i>Graffiti Vandalism Act 2016</i>	
7.1.1	Give Notice Requiring Obliteration of Graffiti
7.1.2	Notices – Deal with Objections and Give Effect to Notices
7.1.3	Obliterate Graffiti on Private Property
7.1.4	Powers of Entry
<i>Health (Miscellaneous Provisions) Act 1911</i>	
8.1.1	Appointment and Authorisation of Deputy
<i>Planning and Development Act 2005</i>	
<del>10</del> 9.1.1	Illegal Development
<del>9.1.2</del>	<del>Determination of Single House Applications, and Associated Developments</del>
<i>Local Planning Scheme No. 6</i>	
<del>1</del> 10.1.1	Planning Determinations
<del>1</del> 10.1.2	Waiver of Application Fees – Development Applications
<del>10</del> 1.1.3	Clearance of Conditions of Development Approval, or Conditions of Subdivision/ Amalgamation or Strata Title Approval

EXECUTIVE MANAGER ENGINEERING SERVICES	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry
1.2.8	Close Thoroughfares to Vehicles
1.2.9	Obstruction of Footpaths and Thoroughfares
1.2.10	Gates Across Public Thoroughfares
1.2.11	Public Thoroughfare – Dangerous Excavations
1.2.12	Crossing – Construction, Repair and Removal
1.2.13	Private Works on, over or under Public Places
1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift
1.2.15	Expressions of Interest for Goods and Services
1.2.16	Tenders for Goods and Services – Call Tenders
1.2.17	Tenders for Goods and Services – Accepting and Rejecting Tenders; Varying Contracts; Exercising Contract Extension Options
1.2.19	Panels of Pre-Qualified Suppliers for Goods and Services
1.2.20	Application of Regional Price Preference Policy
1.2.23	Disposing of Property (Tender, Auction, Private Treaty, Lease or Licence)
1.2.25	Payments from the Municipal or Trust Funds
1.2.35	Affixing of Common Seal & Signing Documents
1.2.37	Control of Reserves and Certain Unvested Facilities
1.3.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

## Delegation Register

Shire of Northam



1.3.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares
1.3.4	Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Graffiti Vandalism Act 2016</i>	
7.1.1	Give Notice Requiring Obliteration of Graffiti
7.1.2	Notices – Deal with Objections and Give Effect to Notices
7.1.3	Obliterate Graffiti on Private Property
7.1.4	Powers of Entry

MANAGER PLANNING & ENVIRONMENT	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Planning and Development Act 2005</i>	
<del>109</del> .1.1	Illegal Development
<del>9.1.2</del>	<del>Determination of Single House Applications, and Associated Developments</del>
<i>Local Planning Scheme No. 6</i>	
<del>101</del> .1.1	Planning Determinations
<del>110</del> .1.2	Waiver of Application Fees – Development Applications
<del>110</del> .1.3	Clearance of Conditions of Development Approval, or Conditions of Subdivision/ Amalgamation or Strata Title Approval

ENVIRONMENTAL HEALTH OFFICER	
Delegation No	Delegation Title
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Food Act 2008</i>	
6.1.3	Food Business Registrations
<i>Health (Miscellaneous Provisions) Act 1911</i>	
8.1.1	Appointment and Authorisation of Deputy

MANAGER REGULATORY SERVICES	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry

## Delegation Register

Shire of Northam



1.2.9	Obstruction of Footpaths and Thoroughfares
1.3.10	Infringement Notices
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration

<i>Building Act 2011</i>	
2.1.1	Grant or Refuse a Building Permit
2.1.2	Grant or Refuse Demolition Permits
2.1.3	Grant Occupancy Permits or Building Approval Certificates
2.1.7	Inspection and Copies of Building Records
2.1.9	Referrals and Issuing Certificates
2.1.10	Private Pool Barrier – Alternative and Performance Solutions
2.1.11	Smoke Alarms – Alternative Solutions
<i>Food Act 2008</i>	
6.1.2	Prohibition Orders and Certificates of Clearance
6.1.3	Food Business Registrations
6.1.5	Debt Recovery and Prosecutions
6.1.6	Abattoir Inspections and Fees
6.1.7	Food Businesses List – Public Access
<i>Health (Miscellaneous Provisions) Act 1911</i>	
8.1.1	Appointment and Authorisation of Deputy

DEVELOPMENT SERVICES TECHNICAL OFFICER	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Building Act 2011</i>	

SENIOR RANGER	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry
1.2.5	Declare Vehicle is Abandoned Vehicle Wreck
1.2.7	Disposal of Sick or Injured Animals
1.3.10	Infringement Notices
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Bush Fires Act 1954</i>	
3.1.11	Prosecution of Offences
<i>Cat Act 2011</i>	
4.1.2	Cat Control Notices
4.1.8	Local Government Functions
4.2.1	Infringement Notices – Extensions and Withdrawals
<i>Dog Act 1974</i>	

## Delegation Register

Shire of Northam



5.1.8	Declare Dangerous Dog
4.1.8	Local Government Functions

RANGER	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.5	Declare Vehicle is Abandoned Vehicle Wreck
1.3.10	Infringement Notices
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration
<i>Bush Fires Act 1954</i>	
3.1.11	Prosecution of Offences
<i>Cat Act 2011</i>	
4.1.2	Cat Control Notices
4.1.8	Local Government Functions

COMMUNITY EMERGENCY SERVICES MANAGER	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.8	Close Thoroughfares to Vehicles
1.2.25	Payments from the Municipal or Trust Funds  Conditions: Delegated authority is restricted to use of credit card in accordance with the Credit Card Use Policy.
1.3.1	Determine if an Emergency for Emergency Powers of Entry
<i>Bush Fires Act 1954</i>	
3.1.11	Prosecution of Offences

MANAGER OF FINANCE	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.25	Payments from the Municipal or Trust Funds
1.2.27	Power to Invest and Manage Investments
1.2.28	Rate Record Amendment
1.3.8	Financial Management Systems and Procedures

SHIRE PRESIDENT & CHIEF BUSH FIRE CONTROL OFFICER	
Delegation No	Delegation Title
<i>Bush Fires Act 1954</i>	
3.1.2	Prohibited Burning Times - Vary

MANAGER GOVERNANCE AND RISK	
Delegation No	Delegation Title

## Delegation Register

Shire of Northam



<i>Local Government Act 1995</i>	
1.3.5	Electoral Enrolment Eligibility Claims and Electoral Roll
1.3.6	Destruction of Electoral Papers
1.3.7	Information to be Available to the Public

WASTE MANAGEMENT OFFICER	
Delegation No	Delegation Title
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration

MANAGER ENGAGEMENT AND COMMUNICATION	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.25	Payments from the Municipal or Trust Funds
	Conditions: Delegated authority is restricted to use of credit card in accordance with the Credit Card Use Policy.

PLANNING & BUILDING TECHNICIAN	
Delegation No	Delegation Title
<i>Building Act 2011</i>	
2.1.1	Grant or Refuse a Building Permit
2.1.2	Grant or Refuse Demolition Permits
2.1.3	Grant Occupancy Permits or Building Approval Certificates
2.1.7	Inspection and Copies of Building Records

DEVELOPMENT SERVICES SUPPORT OFFICER	
Delegation No	Delegation Title
<i>Building Act 2011</i>	
2.1.7	Inspection and Copies of Building Records
4.1.1	Cat Registrations

CUSTOMER SERVICE COORDINATOR	
Delegation No	Delegation Title
<i>Cat Act 2011</i>	
4.1.1	Cat Registrations

CUSTOMER SERVICE OFFICER	
Delegation No	Delegation Title
<i>Cat Act 2011</i>	



## Delegation Register

Shire of Northam



4.1.1	Cat Registrations
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PROCUREMENT COORDINATOR	
Delegation No	Delegation Title
<i>Cat Act 2011</i>	
4.1.1	Cat Registrations

FINANCE OFFICER	
Delegation No	Delegation Title
<i>Cat Act 2011</i>	
4.1.1	Cat Registrations

MANAGER OPERATIONS	
Delegation No	Delegation Title
<i>Local Government Act 1995</i>	
1.2.4	Powers of Entry
1.2.8	Close Thoroughfares to Vehicles
1.2.9	Obstruction of Footpaths and Thoroughfares
1.2.10	Gates Across Public Thoroughfares
1.2.11	Public Thoroughfare – Dangerous Excavations
1.2.12	Crossing – Construction, Repair and Removal
1.2.13	Private Works on, over or under Public Places
1.2.14	Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift
1.3.2	Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare
1.3.3	Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares
1.3.4	Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places
<i>Local Law Delegations</i>	
1.4.1	Shire of Northam Local Law Administration

### 13.1.5 Change of Council Meeting Date - June 2025

<b>File Reference:</b>	2.1.3.1
<b>Reporting Officer:</b>	Alysha McCall (Manager Governance and Risk)
<b>Responsible Officer:</b>	Debbie Terelinck (Chief Executive Officer)
<b>Officer Declaration of Interest:</b>	Nil.
<b>Voting Requirement:</b>	Simple Majority
<b>Communication Required:</b>	Yes

#### BRIEF

The purpose of this report is to seek approval to change the date of the Council Forum and Ordinary Council Meeting currently scheduled on 18 and 25 June 2025, in accordance with the *Local Government Act 1995*.

#### ATTACHMENTS

Nil

#### A. BACKGROUND / DETAILS

In accordance with Section 5.3 of the *Local Government Act 1995*, a local government is to hold ordinary meetings of the council no more than three months apart and at such times and places as determined by the council.

The Council's adopted schedule of Ordinary Council Meetings for 2025 includes a Forum meeting to be held on 18 June 2025 and an Ordinary Meeting to be held on 25 June 2025. Due to the Shire President and Chief Executive Officer proposing to attend the Australian Local Government Association National General Assembly 2025 from 24 to 27 June 2025, it is recommended that Council consider rescheduling these meetings.

#### B. CONSIDERATIONS

##### B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance.

Outcome 13: A well informed and engaged community.

Objective 13.2: Engage the community about Shire projects, activities and decisions in a timely, open and effective manner.

Priority Action: Nil.

##### B.2 Financial / Resource Implications

There are no significant financial implications associated with this change.

### B.3 Legislative Compliance

#### Local Government Act 1995

- Section 5.3 — Ordinary and special council meetings
  - (1) A council is to hold ordinary meetings no more than 3 months apart.
- Section 5.25 — Regulations about council and committee meetings and committees
  - (1)(g) Giving public notice of the date and agenda for council meetings.

#### Local Government (Administration) Regulations 1996

- Regulation 12 — Public notice of council or committee meetings

The Act and Regulations require that any change to the meeting details for a meeting must be published on the local government's official website as soon as practicable after the change is made.

### B.4 Policy Implications

CP.2 Attendance at Events - Council Members and the Chief Executive Officer applies to the reason the change of meeting dates is proposed.

### B.5 Stakeholder Engagement / Consultation

Nil.

### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Nil.		
Health & Safety	Nil.		
Reputation	Nil.		
Service Interruption	Nil.		
Compliance	Failure to provide appropriate public notice of the meeting change may result in non-compliance with the Act and Regulations.	Rare (1) x Minor (2) = Low (2)	Adoption of the Officer recommendation will mitigate this risk.
Property	Nil.		
Environment	Nil.		

## B.7 Natural Environment Considerations

Nil.

## C. OFFICER'S COMMENT

The proposed change to the meeting date is as follows:

- Council Forum Meeting:
  - **Current Date:** 18 June 2025
  - **Proposed Date:** 11 June 2025
- Ordinary Council Meeting:
  - **Current Date:** 25 June 2025
  - **Proposed Date:** 18 June 2025

Changing the Forum and Ordinary Council meeting dates will ensure that all Council Members can attend. If Council resolves to change the date, this will be published on the Shire of Northam website in accordance with the *Local Government (Administration) Regulations 1996* and also on the Shire's social media platforms.

### RECOMMENDATION / COUNCIL DECISION

**Minute No:** C.5316

**Moved:** Cr D A Hughes

**Seconded:** Cr C M Poulton

**That Council:**

1. **APPROVES** the change of date for the Council Forum Meeting from 18 June 2025 to 11 June 2025.
2. **APPROVES** the change of date for the Ordinary Council Meeting from 25 June 2025 to 18 June 2025.
3. **REQUESTS** the Chief Executive Officer to publish the change of meeting dates on the Shire of Northam website in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996* and on the Shire's social media platforms.

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

## 13.2 ENGINEERING SERVICES

Nil.

## 13.3 DEVELOPMENT & COMMUNITY SERVICES

*Cr D A Hughes declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as some members of the Progress Associations are known to Cr D A Hughes.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as some members of community associations are known to Cr A J Mencshelyi.*

*Cr J E G Williams declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as Cr J E G Williams is an Executive Member of the Bakers Hill Progress Association and has been involved in the budget applications. Members of the Progress Associations are known to Cr J E G Williams.*

*Cr H J Appleton declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of community groups are known to Cr H J Appleton.*

*Cr C M Poulton declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of the Bakers Hill and Wundowie Progress Associations are known to Cr C M Poulton.*

*President C R Antonio declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as President C R Antonio is member of the GVPA and members of other progress associations are known to President C R Antonio.*

*Cr L C Biglin declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as Cr L C Biglin is Secretary/Treasurer of the Wundowie Progress Association and they are mentioned in the report. Other progress association members are known to Cr L C Biglin.*

*Cr M I Girak declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of the progress associations that have applied for funding are known to Cr M I Girak.*

Cr M P Ryan declared an "Impartiality" interest in item 13.3.1 - Community Progress Association Annual Budget Requests 2025/2026 as members of some of the progress associations are known to Cr M P Ryan.

### 13.3.1 Community Progress Association Annual Budget Requests 2025/2026

<b>File Reference:</b>	8.2.5.26
<b>Reporting Officer:</b>	Jaime Hawkins (Manager Community Development & Tourism)
<b>Responsible Officer:</b>	Chadd Hunt (Executive Manager Development & Community Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Communication required:</b>	No

#### BRIEF

The purpose of this report is to provide information to enable Council to consider the annual requests and budget allocation for the Shire of Northam Community Progress Associations for the 2025/26 financial year.

#### ATTACHMENTS

Nil

#### A. BACKGROUND / DETAILS

The Progress and Community Associations within the Shire of Northam are given the opportunity annually to submit their funding requests to deliver significant community events, projects or programs throughout the year. The purpose of the request process is to ensure Shire funds are being used strategically, for the greatest community need and improved community outcomes.

Progress and Community Associations will not receive any other annual allocations, except for the Wundowie Progress Association that receives a community event allocation for the Wundowie Iron Festival and the Bakers Hill Progress & Recreation Association that receives an allocation for the Community Christmas Fair.

All eligible Progress and Community Associations as listed in the Community

Support Policy C 3.1 were contacted via email in February to advise that funding requests for the 2025/26 financial year would be accepted until 28 March 2025.

The following requests were received:

- Bakers Hill Progress & Recreation Association, \$11,410
- Spencers Brook Progress Association, \$3,000
- Wundowie Progress Association, up to \$29,075
- Grass Valley Progress Association, \$750
- Quellington Progress & Sporting Association, \$4,920
- Irishtown Agricultural Hall Club, \$5,027
- Clackline Progress Association, \$30,250

The proposed community project/event costs totalled \$104,283, with \$84,433 of this requested through a Shire financial contribution.

It is noted that this is the first application made by the Irishtown Agricultural Hall Club and the Clackline Progress Association since allocations have been considered via an application process rather than a direct allocation.

## **B. CONSIDERATIONS**

### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: People.

Outcome 3: A happy, healthy, and connected community.

Objective 3.4: Grow community capacity by supporting community groups and volunteers.

Priority Action: Nil.

### **B.2 Financial / Resource Implications**

There is currently \$36,000 allocated to Progress and Association requests in the draft 2025/26 budget. This is based on previous years' allocations.

### **B.3 Legislative Compliance**

N/A

### **B.4 Policy Implications**

Policy C3.1 Community Grants Program, s. 1.1 guides the annual allocation process for Progress and Community Associations.

### **B.5 Stakeholder Engagement / Consultation**

An email was sent to all eligible Progress and Community Associations notifying them of the application timeline on 11 February 2025. Multiple reminder emails were also sent.

### **B.6 Risk Implications**



Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Additional costs associated with the requests received from the Associations.	Minor (2) x Possible (3) = Moderate (6)	The allocations approved align with the draft 2025/26 budget.
Health & Safety	Some of the requests have safety implications and if not funded could pose a risk to the community.	Minor (2) x Unlikely (2) = Low (4)	Projects that address a safety need are prioritised where possible, or Officers work with the Association to provide an alternative solution.
Reputation	Inequity and disagreement from community over dispersal of funds.	Minor (2) x Unlikely (2) = Low (4)	Allocation assessed against Policy C3.1 Community Grants Program, Section 1.1.
Service Interruption	N/A		
Compliance	N/A		
Property	Works completed by Associations to Shire owned facilities not compliant.	Minor (2) x Unlikely (2) = Low (4)	It is a condition that projects requiring permits or subject to compliance requirements that these be sought prior to allocation of funds.
Environment	N/A		

## B.7 Natural Environment Considerations

Nil.

## C. OFFICER'S COMMENT

The requests submitted by the Progress and Community Associations total



\$84,433. It is recommended that Council support projects totalling \$36,407.50 as part of the deliberations on the 2025/26 budget, that proposes an allocation of \$36,000 towards this item.

The table below outlines each request.

BAKERS HILL PROGRESS & RECREATION ASSOCIATION (BHPRA)				
PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOM-MENDED ALLOCA-TION (EX GST)
Australia Day Breakfast 2026	<p>An annual free event organised and run by the progress association. The traditional breakfast includes bacon, eggs, sausages, baked beans, mushrooms, tomatoes, tea &amp; coffee. Includes one free Mimosa or Bloody Mary for over 18's.</p> <p>Council funding is to be used for the purchase of food &amp; refreshments.</p> <p>Estimated attendance: 100 -130 people</p>	\$3,182.50	\$1,182.50	\$1,182.50
<b>OFFICER COMMENT</b> Recommend for approval on the condition that the Shire allocation cannot be used for the purchase of alcohol. This is based on the Shire's Public Health & Wellbeing Plan containing an action to "promote smoke and alcohol-free environments and events".				

Servery in Bakers Hill Recreation Centre	<p>Installation of servery in the external kitchen wall of Bakers Hill Recreation Centre.</p> <p>No plumbing or electrical alterations would be required given the preferred location.</p> <p>The centre has a commercial rated kitchen and having a servery would increase the usability and effectiveness of the kitchen, as food could be distributed straight from the kitchen without having to be taken through the rec centre.</p> <p>This would benefit all sporting and community groups that rely on food and/or drink sales to fundraise. It would also make the rec centre a more attractive venue for larger scale events and sporting fixtures.</p> <p>BHPRA have been advocating for the servery for a number of years, and the Shire has installed shade sails outside the proposed location in anticipation of the installation.</p> <p>Council funding for installation of servery</p>	\$9,978.00	\$5,728.00	\$5,728.00
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	window, fit frame & roller door.			
<p><b>OFFICER COMMENT</b></p> <p>No evidence of registration or ABN of builder who supplied the quote. Shire staff advice is given that this is a major project involving cutting a hole in an external wall and ensuring it is then secure and weatherproof, the preference would be that a registered builder conducts the works.</p> <p>Recommend for approval on the condition that all relevant permits and permissions are received, and that the builder undertaking the work is registered.</p>				
Bakers Hill Family Fun Fair 2026	<p>In early 2024 BHPRA were approached by SON to hold an event leading up to Northam Motorsport Festival. It was decided to hold a Colour Run &amp; Family Fair. Includes market stalls, food vans, animal farm, a band &amp; DJ.</p> <p>Following the success of the event another was held in 2025.</p>	\$9,500.00	\$4,500.00	Do not support

	Estimated attendance 200.			
	Funding request for cost of inflatables & entertainment.			

**OFFICER COMMENT**

The total cost of the 2025 colour run and fair was at least \$9,000, with \$4,500 allocated to the BHPRA and a similar cash contribution by the Shire as well as in-kind support.

It is not recommended for approval given the poor return on investment based on previous attendance, and greater longevity associated with the installation of a servery.

**SPENCERS BROOK PROGRESS ASSOCIATION (SBPA)**

PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Community Event Stations Masters House Community Consultation and Networking Event	<p>A requirement of the Shire of Northam for SPPA to complete a Management Plan for the Station Masters House requires community consultation to determine collective responses for potential uses for the building which will give maximum benefit to the community and sustainability for the future.</p> <p>Meeting held 11 April 2025.</p> <p>Estimated attendance 30 – 50 people.</p> <p>SBPA requesting funds for catering, room hire, presentation</p>	\$650.00	\$500.00	Do not support

	equipment, printing costs, door prize.			
<b>OFFICER COMMENT</b> This event has already occurred and therefore is not eligible.				
Community Event Community Christmas Celebration 2025	SBPA held a 2024 free Christmas Party. Santa will distribute donated and bought gifts for all children. The event attracted 9 new members and created a positive community event.  Attendance approx. 60 people.  SBPA requesting funds for room hire, decorations, children's gifts, catering, advertising, social media	\$1,550.00	\$800.00	\$800.00
<b>OFFICER COMMENT</b> Project meets eligibility criteria.				
Community Projects (To be decided)  • Christmas Tree Streetscape construction • Community Garden sympathetic to the Station Masters House era	The new committee are at the early planning stages of deciding what and how many events and projects.  SBPA funding request not specified.  Estimated attendance 200.	\$1,700.00	\$1,700.00	Do not support

<ul style="list-style-type: none"> <li>• Community Exercise Equipment</li> <li>• Community Petanque</li> </ul>				
<b>OFFICER COMMENT</b> Greater planning of the projects and events required prior to submission of the application. Can be considered in 2026/27 when more consideration has been given.				
<b>WUNDOWIE PROGRESS ASSOCIATION (WPA)</b>				
PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Australia Day 2026	<p>This is an annual Australia Day family friendly event in Wundowie that brings the community together. It takes place on the evening before Australia Day, it includes live music and food vans. Ice cream van – ice cream is free to public.</p> <p>WPA funding request for band, equipment – stage hire, Food /ice cream van.</p> <p>Estimated attendance: 500.</p>	\$6,000.00	\$5,000.00	\$5,000.00
<b>OFFICER COMMENT</b> Project meets eligibility criteria and is a regularly supported event.				
Speed Indicator Device	<p>Installation of a Speed Indicator Device (SID)</p> <p>This initiative is driven by ongoing community concern about excessive vehicle speeds, particularly in residential, main entry into the town,</p>	\$6,998.90	\$5,498.90	Do not support

	<p>including parks, and community facilities.</p> <p>These devices act as a visible reminder to slow down, especially for drivers who may be unaware of how fast they are travelling. SIDs have been shown to reduce average vehicle speeds, thereby lowering the risk and severity of accidents.</p> <p>Includes installation.</p>			
<p><b>OFFICER COMMENT</b> Further traffic analysis and research required. The Shire's Engineering Services team will be conducting a traffic count analysis in the area, which could be used to inform a decision for 2026/27 financial year.</p>				
Variable Message Sign	<p>A size Amber VMS Solar Powered trailer with sign.</p> <p>A VMS provides highly visible, real-time communication directly in the public space—ensuring critical and timely messages reach all residents, including:</p> <ul style="list-style-type: none"> <li>• Upcoming community events</li> <li>• Emergency notifications</li> <li>• Road closures or hazard warnings</li> <li>• Shire project updates</li> <li>• Public meetings and civic engagement opportunities</li> </ul> <p>Equity and Inclusion This initiative directly benefits those who may be digitally excluded, including:</p>	<p>\$20,37.80 Purchase</p> <p>or</p> <p>\$15,313.56 Lease 12 months</p>	<p>\$18,576.80 Purchase</p> <p>or</p> <p>\$13,513.56 Lease 12 months</p>	Do not support

	<ul style="list-style-type: none"> <li>• Elderly residents</li> <li>• People with limited internet access</li> <li>• Residents who rely on town visits or mailboxes for information</li> </ul> <p>WPA request for purchase of Variable Message Board or Lease of Variable Message Board.</p>			
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#### OFFICER COMMENT

Supportive of the community benefit of having a variable message board and not having to rely on the Shire's which is often unavailable due to internal requirements, however they are a large cost and budget is not available this year. The Shire will be working with the Progress and Community Association over the coming 6 months to consider signage requirements in local communities.

#### GRASS VALLEY PROGRESS ASSOCIATION (GVPA)

PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Anzac Day Service 2026	<p>Grass Valley hold an ANZAC Day service every year at Doug Christmas Memorial Grove.</p> <p>A breakfast is held after each service and this year will be held at Grass Valley Tavern.</p> <p>GVPA funding request for breakfast, coffee van &amp; refreshments (shared costs) &amp; new flagpole</p> <p>Estimated attendance: 100.</p>	\$1,250.00	\$750.00	\$750.00

#### OFFICER COMMENT

Project meets eligibility criteria and is regularly supported.

#### QUELLINGTON PROGRESS & SPORTING ASSOCIATION (QPSA)



PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Public Liability Insurance	Acquisition of public liability insurance is required by the Shire to cover the Association against injury to the public.	\$1,420.00	\$1,320.00	\$1,320.00
<b>OFFICER COMMENT</b> <p>Under the current Policy operational costs are allowed if they are direct costs for the Progress or Community Association. This is currently subject to review and unlikely to be supported next year.</p> <p>Recommend for approval for this year only to enable time for the Association to fundraise for future years.</p>				
4 x Social Events	<p>Throughout the year approximately three casual social gatherings and three themed festival or seasonal events (i.e. Christmas, Australia Day, Halloween) will be held.</p> <p>The events will be inclusive of all ages &amp; cultures.</p> <p>QPSA will use the funds to provide food &amp; non-alcoholic beverages.</p> <p>Estimated attendance – 50 people/event.</p>	\$2,000.00	\$1,400.00	\$1,400.00
Hall General Safety Upgrades	Busy Bee Winter 2025. Repair old fencing that separates the hall grounds from the creek behind to reduce risk of children entering area.	\$3,600.00	\$2,200.00	\$2,200.00

	Fire guard for interior fireplace. Traffic Warning Signs to place on road when event is on at the hall.			
<b>OFFICER COMMENT</b> Project meets eligibility criteria and addresses potential safety hazards.				
<b>IRISHTOWN AGRICULTURAL HALL CLUB INC</b>				
PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Irishtown Hall Replace Toilet Fittings	Replacement of 2 cisterns to the urinal in men's. Replacement 2 cisterns in ladies toilets. New taps in both toilets.	\$3,315.00	\$2,915.00	\$2,915.00
<b>OFFICER COMMENT</b> Project meets eligibility criteria. Thorough application with all quotes provided.				
Irishtown Hall Upgrade Electrical Circuits	Install 2 double power points on separate circuits. Install separate 15A power supply to kitchen area for future evaporative air conditioner. Replace globe at front of hall with LED lamp. Switchboard modifications. The current wiring is the original installation and is a safety risk due the heat generated by the high current.	\$2,512.00	\$2,112.00	\$2,112.00
<b>OFFICER COMMENT</b> Project meets eligibility criteria. Thorough application with all quotes provided.				
<b>CLACKLINE PROGRESS ASSOCIATION</b>				

PROJECT TITLE	PROJECT DESCRIPTION	TOTAL BUDGET (EX GST)	SON REQUEST (EX GST)	RECOMMENDED ALLOCATION (EX GST)
Bitumen seal to gravelled undercover area at Clackline Hall	Bitumen seal to gravelled undercover area at Clackline Hall. Project quote 12 months ago. Quote not provided with application.	\$7,500.00	\$7,500.00	Do not support
<b>OFFICER COMMENT</b> Application lacks detail and is difficult to interpret. Not recommending for approval this year, as recommending works outside postal agency to be supported instead.				
Garden Plants for Clackline Hall Frontage	6 tall potted feature trees. Suggestions, palms, cypress pines, claret ash, Japanese maple, ornamental peach, flowering plum.	\$850.00	\$850.00	Do not support
<b>OFFICER COMMENT</b> Not recommending for approval due to recommendation to support works outside the postal agency instead.				
School Bus Depot works outside Clackline Postal Agency	Various works including replacing drainage pipes, redo bitumen area, replace handrail, retaining wall.	\$13,000	\$13,000	\$13,000
<b>OFFICER COMMENT</b> Application lacks detail, however discussed with Shire staff and recommending for approval on the condition that the Clackline Progress Association work with the Shire's Manager Operations to refine the project design.				
Utilities Kitchen Upgrade	Fit LPG tanks & bayonet fitting. Replace electric stove with gas oven. Modify kitchen cupboards to suit new stove.	\$8,900.00	\$8,900.00	Do not support.

	Update electrical works to kitchen with 3 new power points. Inspection of electricals & update needed.			
<b>OFFICER COMMENT</b> No quotes provided and lack of evidence of hall usage to support the application.				

## RECOMMENDATION / COUNCIL DECISION

**Minute No: C.5317**

**Moved: Cr A J Mencshelyi**

**Seconded: Cr M P Ryan**

**That Council SUPPORTS the following funding requests from the various Shire of Northam Progress & Community Associations being considered as part of the 2025/26 budget:**

1. \$1,182.50 (excluding GST) to the Bakers Hill Progress & Recreation Association for the 2026 Australia Day Breakfast, on the condition that Shire funds are not used for the purchase of alcohol for the event.
2. \$5,728.00 (excluding GST) to the Bakers Hill Progress & Recreation Association for the installation of a servery at the Bakers Hill Recreation Centre, on the condition that any required permissions and approvals are obtained, and the works are undertaken by a registered builder.
3. \$800 (excluding GST) to the Spencers Brook Progress Association for the 2025 Community Christmas Celebration.
4. \$5,000 (excluding GST) to the Wundowie Progress Association for 2026 Australia Day Celebrations.
5. \$750 (excluding GST) to the Grass Valley Progress Association for the 2026 ANZAC Day Service.
6. \$1,320 (excluding GST) to the Quellington Progress & Sporting Association for Public Liability Insurance.
7. \$1,400 (excluding GST) to the Quellington Progress & Sporting Association for 4 x Social Events.
8. \$2,200 (excluding GST) to the Quellington Progress & Sporting Association for Hall General Safety Upgrades.
9. \$2,915 (excluding GST) to the Irishtown Agricultural Hall Club for Irishtown Hall Replacement Toilet Fittings.
10. \$2,112 (excluding GST) to the Irishtown Agricultural Hall Club for Irishtown Hall Upgrade to Electrical Circuits.
11. \$13,000 (excluding GST) to the Clackline Progress Association for School Bus Depot Works Outside Clackline Postal Agency.

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

**RECOMMENDATION / COUNCIL DECISION**

**Minute No:** C.5318

**Moved:** Cr H J Appleton

**Seconded:** Cr A J Mencshelyi

**That Council NOT SUPPORT the following funding requests from the various Shire of Northam Progress & Community Associations in 2025/26:**

1. \$4,500 (excluding GST) to the Bakers Hill Progress & Recreation Association for the 2026 Bakers Hill Family Fun Fair.
2. \$500 (excluding GST) to the Spencers Brook Progress Association for the Station Masters House Community Consultation and Networking Event.
3. \$1,700 (excluding GST) to the Spencers Brook Progress Association for Community Projects.
4. \$5,298.90 (excluding GST) to the Wundowie Progress Association for a Speed Indicator Device.
5. \$18,576.80 (excluding GST) to the Wundowie Progress Association for the purchase of a Variable Message Sign.
6. \$13,313.56 (excluding GST) to the Wundowie Progress Association for the 12 month lease of a Variable Message Sign.
7. \$7,500 (excluding GST) to the Clackline Progress Association for bitumen seal to undercover area at Clackline Hall.
8. \$850 (excluding GST) to the Clackline Progress Association for Garden Plants for Clackline Hall Frontage.
9. \$8,900 (excluding GST) to the Clackline Progress Association for Utilities Kitchen Upgrades.

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

## 13.4 CORPORATE SERVICES

### 13.4.1 Accounts & Statement of Accounts - April 2025

<b>File Reference:</b>	2.1.3.4
<b>Reporting Officer:</b>	Elijah Moorhead (Creditors Officer)
<b>Responsible Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Communication Required:</b>	No

#### BRIEF

For Council to receive the accounts for the period from 1 April to 30 April 2025.

#### ATTACHMENTS

1. Accounts & Statement of Accounts - April 2025 [**13.4.1.1** - 30 pages]
2. Declaration April 2025 [**13.4.1.2** - 7 pages]

#### A. BACKGROUND / DETAILS

The reporting of monthly financial information is a requirement under section 6.4 of the *Local Government Act 1995*, and Regulation 34 of the *Local Government (Financial Management) Regulations*.

Pursuant to Financial Management Regulation 13, a list of payments made from Municipal and Trust accounts is required to be presented to Council on a periodical basis. These details are included as Attachments 13.4.1.1 and 13.4.1.2. In accordance with Financial Management Regulation 12, the Chief Executive Officer has delegated authority to make these payments.

#### B. CONSIDERATIONS

##### **B.1 Strategic Community / Corporate Business Plan**

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

## B.2 Financial / Resource Implications

Payments of accounts are in accordance with the Shire's 2024/25 budget.

## B.3 Legislative Compliance

Section 6.4 & 6.26(2) (g) of the *Local Government Act 1995*.  
*Financial Management Regulations 2007*, Regulation 12 & 13.

## B.4 Policy Implications

Nil.

## B.5 Stakeholder Engagement / Consultation

Nil.

## B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	Figures not reflecting the true financial situation	Rare (1) x Medium (3) = Low (3)	There are processes in place to show compliance with relevant financial standards and legislation.
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	Report not being accepted by Council due to non-compliance	Rare (1) x Medium (3) = Low (3)	There are processes in place to ensure compliance with relevant Finance policy, standards and legislation.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

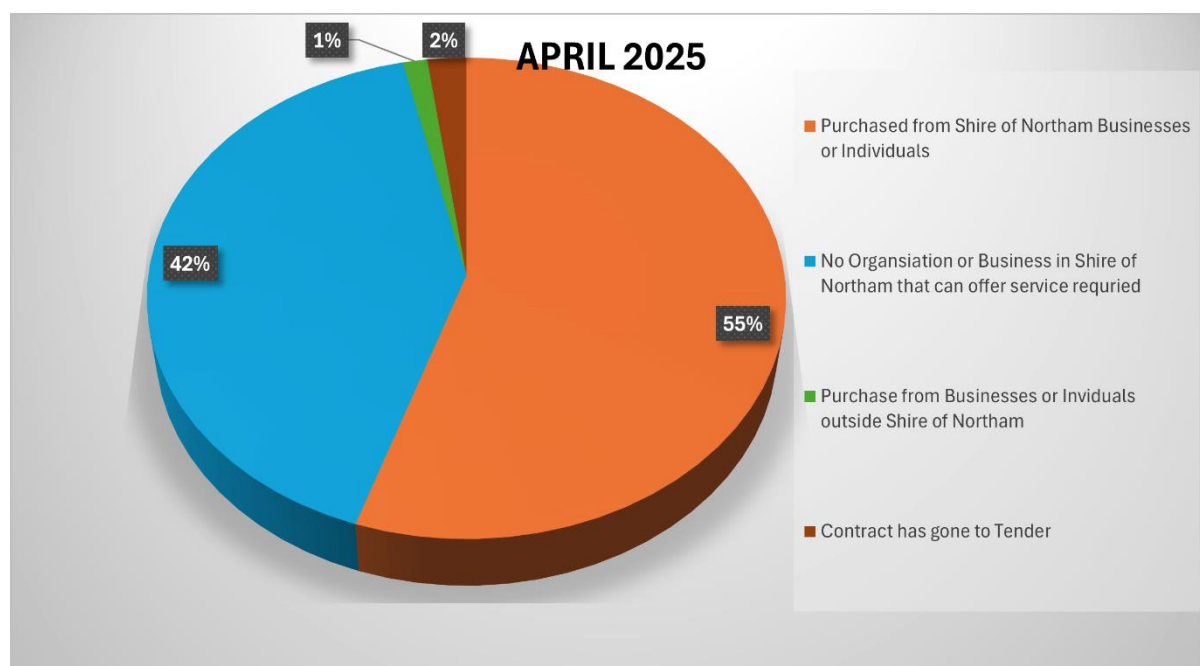
## B.7 Natural Environment Considerations

Nil.

## C. OFFICER'S COMMENT

The matter of the Shire supporting local businesses has been raised previously. To assist in providing a greater understanding of the purchasing patterns of the Shire of Northam, the following graph summarises the payments made locally for the month of April 2025:





#### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5319

Moved: Cr A J Mencshelyi

Seconded: Cr M I Girak

That Council **RECEIVES** the payments for the period 1 April to 30 April 2025, as listed below:

- Municipal Fund payment cheque numbers 40 - 42 = \$18,739.69
- Municipal Fund EFT53897 to EFT54095 = \$983,549.40
- Direct Debits = \$96,377.13
- Superannuation = \$106,533.73
- Payroll = \$586,905.55

**TOTAL: \$1,792,104.50**

that have been made in accordance with the delegated authority reference number (M/F/F/Regs LGA 1995 S5.42).

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil



**Ordinary Council Meeting Minutes  
28 May 2025**

**Attachment 13.4.1.1**

Date: 02/05/2025  
Time: 2:08:46PM

**Shire of Northam**

USER: Elijah Moorhead  
PAGE: 1

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
40	10/04/2025	WATER CORPORATION	9007909760 RECREATION PRECINCT - 15/01/2025 to 09/03/2025	1		17,218.69
INV 9007909711/03/2025		WATER CORPORATION	9007909760 RECREATION PRECINCT - 15/01/2025 to 09/03/2025		16,759.04	
INV 9007938901/04/2025		WATER CORPORATION	9007938967 STANDPIPE - BODEGUERO WAY WUNDOWIE - 03/02/2025 to 30/03/2025		459.65	
41	10/04/2025	WESTERN POWER	SOUTHERN BROOK HALL - MTCE	1		1,320.00
INV CORPB0714/03/2025		WESTERN POWER	SOUTHERN BROOK HALL - MTCE	1	1,320.00	
42	10/04/2025	PETTY CASH	ADMIN - PETTY CASH	1		200.00
INV CY 02/0402/04/2025		PETTY CASH	ADMIN - PETTY CASH	1	200.00	
EFT53897	04/04/2025	AMPAC DEBT RECOVERY (WA) P/L	DEBT COLLECTION - MAR 2025	1		368.50
INV 116961	31/03/2025	AMPAC DEBT RECOVERY (WA) P/L	DEBT COLLECTION - MAR 2025	1	368.50	
EFT53898	04/04/2025	ATTILA JOHN MENCSELYI	COUNCILLOR PAYMENTS FOR MARCH 2025	1		3,567.98
INV MARCH 31/03/2025		ATTILA JOHN MENCSELYI	COUNCILLOR PAYMENTS FOR MARCH 2025	1	3,567.98	
EFT53899	04/04/2025	AUSTRALIAN TAXATION OFFICE - PAYG	PAYG FOR PAY WEEK ENDING 25/03/2025	1		78,153.82
INV PAYG 2501/04/2025		AUSTRALIAN TAXATION OFFICE - PAYG	PAYG FOR PAY WEEK ENDING 25/03/2025	1	78,153.82	
EFT53900	04/04/2025	AVON VALLEY TOYOTA / ISUZU	PN2309 - VEHICLE MTCE	1		260.00
INV JC14021125/03/2025		AVON VALLEY TOYOTA / ISUZU	PN2309 - VEHICLE MTCE	1	260.00	
EFT53901	04/04/2025	AVON WASTE	C.2020-01 WASTE COLLECTION - 7/03/2025	1		43,676.37
INV 68474	07/03/2025	AVON WASTE	C.2020-01 WASTE COLLECTION - 7/03/2025	1	43,676.37	
EFT53902	04/04/2025	BANDIT TREE EQUIPMENT / TREE CARE MACHINERY	DEPOT - SUPPLIES	1		478.87
INV 3944W	25/03/2025	BANDIT TREE EQUIPMENT / TREE CARE MACHINERY	DEPOT - SUPPLIES	1	478.87	

# Ordinary Council Meeting Minutes 28 May 2025

## Attachment 13.4.1.1

Date: 02/05/2025  
Time: 2:08:46PM

Shire of Northam

USER: Elijah Moorhead  
PAGE: 2

Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT53903	04/04/2025	BRIGHTMARK GROUP PROPERTIES PTY LTD	C.202425-03 - SANITATION - MAR 2025	1		8,878.40
INV 0004714	31/03/2025	BRIGHTMARK GROUP PROPERTIES PTY LTD	C.202425-03 - SANITATION - MAR 2025	1	8,878.40	
EFT53904	04/04/2025	BROOKLANDS SUPER PTY LTD	COUNCILLOR PAYMENTS FOR MARCH 2025	1		500.00
INV MARCH	31/03/2025	BROOKLANDS SUPER PTY LTD	COUNCILLOR PAYMENTS FOR MARCH 2025	1	500.00	
EFT53905	04/04/2025	BUNNINGS BUILDING SUPPLIES P/L	KILLARA - SUPPLIES	1		625.22
INV 2182/002	10/03/2025	BUNNINGS BUILDING SUPPLIES P/L	KILLARA - SUPPLIES	1	25.62	
INV 2182/002	18/03/2025	BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	53.04	
INV 2182/003	11/03/2025	BUNNINGS BUILDING SUPPLIES P/L	KILLARA - SUPPLIES	1	278.01	
INV 2182/002	25/03/2025	BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	63.85	
INV 2182/002	26/03/2025	BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	16.58	
INV 2182/003	26/03/2025	BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	36.74	
INV 2182/002	28/03/2025	BUNNINGS BUILDING SUPPLIES P/L	BKB - SUPPLIES	1	151.38	
EFT53906	04/04/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1		1,392.00
INV 25-00002	18/03/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1	289.80	
INV 25-00002	18/03/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1	342.80	
INV 25-00002	18/03/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1	326.25	
INV 25-00002	18/03/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1	166.35	
INV 25-00002	18/03/2025	CADD'S FASHIONS	KILLARA - UNIFORMS	1	266.80	
EFT53907	04/04/2025	CHRISTOPHER ANTONIO	COUNCILLOR PAYMENTS FOR MARCH 2025	1		6,801.31
INV MAR	20231/03/2025	CHRISTOPHER ANTONIO	COUNCILLOR PAYMENTS FOR MARCH 2025	1	6,801.31	
EFT53908	04/04/2025	CHRISTOPHER POULTON	COUNCIL PAYMENT FOR MARCH 2025	1		2,360.38
INV MARCH	31/03/2025	CHRISTOPHER POULTON	COUNCIL PAYMENT FOR MARCH 2025	1	2,360.38	
EFT53909	04/04/2025	CLACKLINE FENCING CONTRACTORS	THACKRAH AVE - MTCE	1		313.50

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INV 1701	03/04/2025	CLACKLINE FENCING CONTRACTORS	THACKRAH AVE - MTCE	1	313.50	
EFT53910	04/04/2025	CLEANAWAY DANIELS SERVICES PTY LTD	BERNARD PARK TOILETS - SANITATION - MAR 2025	1		966.07
INV 2370207	31/03/2025	CLEANAWAY DANIELS SERVICES PTY LTD	BAKERS HILL PUBLIC TOILETS - SANITATION - MAR 2025	1	157.61	
INV 2370211	31/03/2025	CLEANAWAY DANIELS SERVICES PTY LTD	CLACKLINE PUBLIC TOILETS - SANITATION - MAR 2025	1	6.82	
INV 2370210	31/03/2025	CLEANAWAY DANIELS SERVICES PTY LTD	WUNDOWIE PUBLIC TOILETS - SANITATION - MAR 2025	1	164.42	
INV 2370209	31/03/2025	CLEANAWAY DANIELS SERVICES PTY LTD	APEX PARK TOILETS - SANITATION - MAR 2025	1	315.19	
INV 2370208	31/03/2025	CLEANAWAY DANIELS SERVICES PTY LTD	BERNARD PARK TOILETS - SANITATION - MAR 2025	1	322.03	
EFT53911	04/04/2025	COUNTRYWIDE GROUP	DEPOT - SUPPLIES	1		160.00
INV ACC003127	03/2025	COUNTRYWIDE GROUP	DEPOT - SUPPLIES	1	160.00	
EFT53912	04/04/2025	DAMIAN'S PLUMBING	CLACKLINE LIONS PARK TOILET - MTCE	1		506.00
INV INV-099526	03/2025	DAMIAN'S PLUMBING	APEX PARK TOILETS - REPAIRS	1	187.00	
INV INV-099426	03/2025	DAMIAN'S PLUMBING	CLACKLINE LIONS PARK TOILET - MTCE	1	319.00	
EFT53913	04/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	KILLARA - MTCE	1		14,261.50
INV 1295	27/03/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BKB - MTCE	1	2,838.00	
INV 1294	27/03/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	YOUTH PRECINCT TOILETS - MTCE	1	3,212.00	
INV 1296	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	KILLARA - MTCE	1	6,319.50	
INV 1297	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	INKPEN WASTE FACILITY - MTCE	1	1,892.00	
EFT53914	04/04/2025	DESMOND ARNOLD HUGHES	COUNCILLOR PAYMENTS FOR MARCH 2025	1		1,905.73
INV MARCH	31/03/2025	DESMOND ARNOLD HUGHES	COUNCILLOR PAYMENTS FOR MARCH 2025	1	1,905.73	
EFT53915	04/04/2025	DORMAKABA AUSTRALIA PTY LTD	ADMIN - MTCE	1		467.50
INV 35WA13231	03/2025	DORMAKABA AUSTRALIA PTY LTD	ADMIN - MTCE	1	467.50	

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EFT53916	04/04/2025	E FIRE & SAFETY	KILLARA - MTCE	1		839.85
INV 630974	28/03/2025	E FIRE & SAFETY	REC CENTRE - MTCE	1	254.65	
INV 630970	28/03/2025	E FIRE & SAFETY	KILLARA - MTCE	1	422.40	
INV 630967	28/03/2025	E FIRE & SAFETY	TOWN/LESSER HALL - MTCE	1	162.80	
EFT53917	04/04/2025	ENVIRO PIPES PTY LTD	DEPOT - SUPPLIES	1		3,432.00
INV 67316	21/03/2025	ENVIRO PIPES PTY LTD	DEPOT - SUPPLIES	1	3,432.00	
EFT53918	04/04/2025	GDR CIVIL CONTRACTING PTY LTD	C.202425-02 - FLOOD DAMAGE REPAIRS - CLAIM 4	1		59,559.50
INV 2484	28/02/2025	GDR CIVIL CONTRACTING PTY LTD	C.202425-02 - FLOOD DAMAGE REPAIRS - CLAIM 4	1	59,559.50	
EFT53919	04/04/2025	GRAFTON ELECTRICS	REC CENTRE - MTCE	1		2,864.29
INV A836	25/03/2025	GRAFTON ELECTRICS	NORTHAM BMX TRACK - MTCE	1	561.00	
INV A846	28/03/2025	GRAFTON ELECTRICS	REC CENTRE - MTCE	1	1,647.80	
INV A833	31/03/2025	GRAFTON ELECTRICS	NORTHAM POOL - MTCE	1	264.00	
INV A806	31/03/2025	GRAFTON ELECTRICS	BERNARD PARK - MTCE	1	132.00	
INV A837	31/03/2025	GRAFTON ELECTRICS	KILLARA - MTCE	1	259.49	
EFT53920	04/04/2025	HAYDEN JOHN APPLETON	COUNCILE PAYMENTS FOR MARCH 2025	1		1,905.73
INV MARCH 31/03/2025		HAYDEN JOHN APPLETON	COUNCILE PAYMENTS FOR MARCH 2025	1	1,905.73	
EFT53921	04/04/2025	HELIX HYDRO PTY LTD	DEPOT - SUPPLIES	1		1,340.34
INV SI-00013(31/03/2025		HELIX HYDRO PTY LTD	DEPOT - SUPPLIES	1	1,340.34	
EFT53922	04/04/2025	ICONIC PROPERTY SERVICES PTY LTD	C.202324-11 - CLEANING - MAR 2025	1		15,692.68
INV PSI0439031/03/2025		ICONIC PROPERTY SERVICES PTY LTD	C.202324-11 - CLEANING - MAR 2025	1	15,692.68	
EFT53923	04/04/2025	INTEGRATED ICT - MARKET CREATIONS TECHNOLOGY PL T/AS	IT - CONSULTING SERVICES - MAR 2025	1		4,620.00
INV 36883	26/03/2025	INTEGRATED ICT - MARKET CREATIONS TECHNOLOGY PL T/AS	IT - CONSULTING SERVICES - MAR 2025	1	4,620.00	

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EFT53924	04/04/2025	IXOM OPERATIONS PTY LTD	NORTHAM POOL & WWTP - MTCE	1		472.16
INV 6932810	28/02/2025	IXOM OPERATIONS PTY LTD	NORTHAM POOL & WWTP - MTCE	1	472.16	
EFT53925	04/04/2025	JADCO TIME PTY LTD	NORTHAM POOL - SUPPLIES	1		49.50
INV 0003123121/01/2025		JADCO TIME PTY LTD	NORTHAM POOL - SUPPLIES	1	49.50	
EFT53926	04/04/2025	JAIME ELIZABETH HAWKINS	STAFF - REIMBURSEMENT	1		14.25
INV 0188050325/03/2025		JAIME ELIZABETH HAWKINS	STAFF - REIMBURSEMENT	1	14.25	
EFT53927	04/04/2025	JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - MAR 2025	1		16,592.90
INV 005312-D28/02/2025		JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - FEB 2025	1	1,540.00	
INV 005314-D28/02/2025		JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - FEB 2025	1	4,411.17	
INV 005315-D31/03/2025		JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - MAR 2025	1	4,411.11	
INV 005313-D31/03/2025		JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - MAR 2025	1	1,540.00	
INV 005311-D31/03/2025		JH COMPUTER SERVICES WA PTY LTD	SOFTWARE SUBSCRIPTION - MAR 2025	1	4,690.62	
EFT53928	04/04/2025	JOANNE SEATON	STAFF - REIMBURSEMENT	1		99.00
INV INV-591802/04/2025		JOANNE SEATON	STAFF - REIMBURSEMENT	1	99.00	
EFT53929	04/04/2025	JULIE ELLEN GREENFIELD WILLIAMS	COUNCILLOR PAYMENTS FOR MARCH 2025	1		2,232.46
INV MARCH 31/03/2025		JULIE ELLEN GREENFIELD WILLIAMS	COUNCILLOR PAYMENTS FOR MARCH 2025	1	2,232.46	
EFT53930	04/04/2025	KLEENWEST	REC CENTRE - SUPPLIES	1		19.80
INV 0010588305/03/2025		KLEENWEST	REC CENTRE - SUPPLIES	1	19.80	
EFT53931	04/04/2025	LED SIGNS PTY LTD	REC CENTRE - MTCE	1		110.00
INV 2025015 23/01/2025		LED SIGNS PTY LTD	REC CENTRE - MTCE	1	110.00	
EFT53932	04/04/2025	LFA FIRST RESPONSE	VARIOUS SON FACILITIES / PLANT / VEHICLE - MEDICAL SUPPLIES	1		1,461.83

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INV IN47478	13/03/2025	LFA FIRST RESPONSE	VARIOUS SON FACILITIES / PLANT / VEHICLE - MEDICAL SUPPLIES	1	1,461.83	
EFT53933	04/04/2025	LISA CHARMAINE BIGLIN	COUNCIL PAYMENT FOR MARCH 2025	1		2,125.53
INV MARCH 31/03/2025		LISA CHARMAINE BIGLIN	COUNCIL PAYMENT FOR MARCH 2025	1	2,125.53	
EFT53934	04/04/2025	LO-GO APPOINTMENTS WA - HELENE PTY LTD T/AS	ADVERTISEMENT - WEBSITE	1		165.00
INV H4919	24/03/2025	LO-GO APPOINTMENTS WA - HELENE PTY LTD T/AS	ADVERTISEMENT - WEBSITE	1	165.00	
EFT53935	04/04/2025	MALINOWSKI HOLDINGS PTY LTD	AVON MALL - RENT - MAR 2025	1		2,566.66
INV 0000101226/02/2025		MALINOWSKI HOLDINGS PTY LTD	AVON MALL - RENT - MAR 2025	1	1,283.33	
INV 0000102220/03/2025		MALINOWSKI HOLDINGS PTY LTD	AVON MALL - RENT - APR 2025	1	1,283.33	
EFT53936	04/04/2025	MARIA IRENE GIRAK	COUNCILLOR PAYMENTS FOR MARCH 2025	1		1,905.73
INV MARCH 31/03/2025		MARIA IRENE GIRAK	COUNCILLOR PAYMENTS FOR MARCH 2025	1	1,905.73	
EFT53937	04/04/2025	MENZA CONCEPTS PTY LTD	NORTHAM/WUNDOWIE POOL - SUPPLIES	1		7,876.04
INV 000273	25/03/2025	MENZA CONCEPTS PTY LTD	NORTHAM/WUNDOWIE POOL - SUPPLIES	1	7,876.04	
EFT53938	04/04/2025	MICHAEL PATRICK RYAN	COUNCILLOR PAYMENTS FOR MARCH 2025	1		1,905.73
INV MARCH 31/03/2025		MICHAEL PATRICK RYAN	COUNCILLOR PAYMENTS FOR MARCH 2025	1	1,905.73	
EFT53939	04/04/2025	MICHAEL ROBERT FRIEND	P25027 - DEVELOPMENT APPLICATION - REFUND	1		147.00
INV 183197	25/03/2025	MICHAEL ROBERT FRIEND	P25027 - DEVELOPMENT APPLICATION - REFUND	1	147.00	
EFT53940	04/04/2025	MILBRIDGE PTY LTD AS TRUSTEE FOR MX MAV TRUST	DEVELOPMENT SERVICES - CONSULTING SERVICES - FEB 2025	1		5,308.88
INV INV 020228/02/2025		MILBRIDGE PTY LTD AS TRUSTEE FOR MX MAV TRUST	DEVELOPMENT SERVICES - CONSULTING SERVICES - FEB 2025	1	1,633.50	
INV INV 021228/02/2025		MILBRIDGE PTY LTD AS TRUSTEE FOR MX MAV TRUST	DEVELOPMENT SERVICES - CONSULTING SERVICES - FEB 2025	1	3,675.38	
EFT53941	04/04/2025	NARELLE BOYDON	BA25030 - BUILDING APPLICATION FEE - REFUND	1		110.00

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INV 182792	18/03/2025	NARELLE BOYDON	BA25030 - BUILDING APPLICATION FEE - REFUND	1	110.00	
EFT53942	04/04/2025	NICHOLA HODGE	BA24236 - INFRASTRUCTURE BOND REFUND	1		1,678.00
INV T1834	03/04/2025	NICHOLA HODGE	BA24236 - INFRASTRUCTURE BOND REFUND	1	1,678.00	
EFT53943	04/04/2025	NORTHAM AUTOS PTY LTD T/AS NORTHAM MAZDA / HOLDEN / SUZUKI	PN2005 - VEHICLE MTCE	1		586.93
INV 147636	07/03/2025	NORTHAM AUTOS PTY LTD T/AS NORTHAM MAZDA / HOLDEN / SUZUKI	PN2005 - VEHICLE MTCE	1	586.93	
EFT53944	04/04/2025	NORTHAM RACE CLUB (INC)	CREDIT RATES REFUND FOR ASSESSMENT A1141	1		4,566.63
INV A1141	31/03/2025	NORTHAM RACE CLUB (INC)	CREDIT RATES REFUND FOR ASSESSMENT A1141		4,566.63	
EFT53945	04/04/2025	NUTRIEN WATER	DEPOT - SUPPLIES	1		190.44
INV 4135506727/03/2025		NUTRIEN WATER	DEPOT - SUPPLIES	1	190.44	
EFT53946	04/04/2025	OFFICEWORKS SUPERSTORES PTY LTD	ADMIN - OFFICE SUPPLIES	1		303.95
INV 6207999826/03/2025		OFFICEWORKS SUPERSTORES PTY LTD	ADMIN - OFFICE SUPPLIES	1	303.95	
EFT53947	04/04/2025	ORACLE CUSTOMER MANAGEMENT SOLUTIONS PTY LTD	C.202324-12 - FEB 2025	1		1,358.96
INV 0020306721/03/2025		ORACLE CUSTOMER MANAGEMENT SOLUTIONS PTY LTD	C.202324-12 - FEB 2025	1	1,358.96	
EFT53948	04/04/2025	PERTH BOUNCY CASTLE HIRE - KGO ENTERPRISES PL T/AS	ELEVATE - 01/06/2025	1		6,610.10
INV 38516	04/03/2025	PERTH BOUNCY CASTLE HIRE - KGO ENTERPRISES PL T/AS	BAKERS HILL COLOUR RUN - 23/03/2025	1	3,104.20	
INV 37157	26/03/2025	PERTH BOUNCY CASTLE HIRE - KGO ENTERPRISES PL T/AS	ELEVATE - 01/06/2025	1	3,505.90	
EFT53949	04/04/2025	PFD FOOD SERVICES PTY LTD	KIOSK - STOCK	1		798.05
INV LP35667217/03/2025		PFD FOOD SERVICES PTY LTD	KIOSK - STOCK	1	798.05	
EFT53950	04/04/2025	PICKLEBALL ASSOCIATION OF WESTERN AUSTRALIA INC	REC CENTRE - PROGRAMS & EVENTS	1		60.00

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INV INV-000010/03/2025		PICKLEBALL ASSOCIATION OF WESTERN AUSTRALIA INC	REC CENTRE - PROGRAMS & EVENTS	1	60.00	
EFT53951	04/04/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - CONSULTING SERVICES - MAR 2025	1		10,458.25
INV 2025.15	17/03/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - CONSULTING SERVICES - MAR 2025	1	4,290.00	
INV 2025.16	20/03/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - CONSULTING SERVICES - MAR 2025	1	6,168.25	
EFT53952	04/04/2025	PUBLIC LIBRARIES WESTERN AUSTRALIA INC	LIBRARY - TRAINING	1		42.85
INV INV-MJY24/03/2025		PUBLIC LIBRARIES WESTERN AUSTRALIA INC	LIBRARY - TRAINING	1	42.85	
EFT53953	04/04/2025	R&L HIAB TRANSPORT PL T/AS R&L HIAB SERVICES	FREIGHT CHARGES - JAN 2025	1		2,970.00
INV 0003772007/01/2025		R&L HIAB TRANSPORT PL T/AS R&L HIAB SERVICES	FREIGHT CHARGES - JAN 2025	1	1,485.00	
INV 0003771907/01/2025		R&L HIAB TRANSPORT PL T/AS R&L HIAB SERVICES	FREIGHT CHARGES - JAN 2025	1	1,485.00	
EFT53954	04/04/2025	RB ADVERTISING T/AS ROOFTOP BALLOONS	DEPOT - SUPPLIES	1		291.50
INV INV-150631/03/2025		RB ADVERTISING T/AS ROOFTOP BALLOONS	DEPOT - SUPPLIES	1	291.50	
EFT53955	04/04/2025	RED DOT STORE	KILLARA - SUPPLIES	1		129.62
INV 2103427224/03/2025		RED DOT STORE	KILLARA - SUPPLIES	1	129.62	
EFT53956	04/04/2025	REGAL SPORTSWEAR PTY LTD T/AS YARN	BKB - STOCK	1		1,836.59
INV 1759	11/03/2025	REGAL SPORTSWEAR PTY LTD T/AS YARN	BKB - STOCK	1	1,836.59	
EFT53957	04/04/2025	SAPIO PTY LTD	CCTV - EQUIPMENT HIRE	1		2,544.30
INV 297893	31/03/2025	SAPIO PTY LTD	CCTV - EQUIPMENT HIRE	1	2,544.30	
EFT53958	04/04/2025	SGS AUSTRALIA PTY LTD	OLD QUARRY WASTE FACILITY - MTCE	1		1,381.47



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INV NE00098	24/03/2025	SGS AUSTRALIA PTY LTD	OLD QUARRY WASTE FACILITY - MTCE	1	1,381.47	
EFT53959	04/04/2025	SHIRE OF TOODYAY	ADVERTISEMENT - WEBSITE	1		46.80
INV 2436	01/04/2025	SHIRE OF TOODYAY	ADVERTISEMENT - WEBSITE	1	46.80	
EFT53960	04/04/2025	SHIRE OF YORK	ENGINEERING SERVICES - TRAINING	1		512.74
INV 12287	24/03/2025	SHIRE OF YORK	ENGINEERING SERVICES - TRAINING	1	287.00	
INV 12298	01/04/2025	SHIRE OF YORK	LSL - REIMBURSEMENT	1	225.74	
EFT53961	04/04/2025	SHRED-X PTY LTD	SES - EQUIPMENT HIRE	1		39.01
INV 0234281628	02/2025	SHRED-X PTY LTD	SES - EQUIPMENT HIRE	1	39.01	
EFT53962	04/04/2025	STEWART & HEATON CLOTHING CO.PTY LTD	BFB - UNIFORMS	1		498.85
INV SIN-405027	03/2025	STEWART & HEATON CLOTHING CO.PTY LTD	BFB - UNIFORMS	1	498.85	
EFT53963	04/04/2025	SYNERGY	BKB - 08/01/2025 - 11/02/2025	1		2,110.97
INV 2931107313	02/2025	SYNERGY	BKB - 08/01/2025 - 11/02/2025	1	2,110.97	
EFT53964	04/04/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES - MAR 2025	1		680.63
INV 0673-S3023	03/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES - MAR 2025	1	216.58	
INV 0674-S3030	03/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES - MAR 2025	1	464.05	
EFT53965	04/04/2025	TENNANT AUSTRALIA	REC CENTRE - MTCE	1		969.10
INV 9211737925	03/2025	TENNANT AUSTRALIA	REC CENTRE - MTCE	1	969.10	
EFT53966	04/04/2025	THE PRINT SHOP BUNBURY	ADVERTISEMENT - BROCHURE	1		2,816.00
INV 1690140	21/03/2025	THE PRINT SHOP BUNBURY	ADVERTISEMENT - BROCHURE	1	2,816.00	
EFT53967	04/04/2025	THESAURUS (NORTHAM) PTY LTD T/AS LLOYDS EARTHMOVING AND GARDEN SUPPLIES	DEPOT - SUPPLIES	1		181.00

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INV INV-414926/03/2025		THESAURUS (NORTHAM) PTY LTD T/AS LLOYDS EARTHMOVING AND GARDEN SUPPLIES	DEPOT - SUPPLIES	1	181.00	
EFT53968	04/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	KILLARA - COPIER SERVICE/METER READING	1		317.86
INV 223901	09/03/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	REC CENTRE - COPIER SERVICE/METER READING	1	129.59	
INV 223902	09/03/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	KILLARA - COPIER SERVICE/METER READING	1	188.27	
EFT53969	04/04/2025	WUNDOWIE & DISTRICTS MENS SHED INC	WUNDOWIE COMMUNITY BUS - MTCE	1		1,500.00
INV 16	01/04/2025	WUNDOWIE & DISTRICTS MENS SHED INC	WUNDOWIE COMMUNITY BUS - MTCE	1	1,500.00	
EFT53970	11/04/2025	ALL PARTS WA - DUSTY ROADS SOLOUTIONS PTY LTD T/AS	DEPOT - SUPPLIES	1		277.81
INV SI-0002631/03/2025		ALL PARTS WA - DUSTY ROADS SOLOUTIONS PTY LTD T/AS	DEPOT - SUPPLIES	1	277.81	
EFT53971	11/04/2025	AUSTRALIA POST	AUSTRALIA POST CHARGES - MAR 2025	1		2,455.79
INV 1013928303/04/2025		AUSTRALIA POST	AUSTRALIA POST CHARGES - MAR 2025	1	2,455.79	
EFT53972	11/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions	1		173.50
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		26.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		26.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		26.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		26.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		26.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		24.50	
INV 58	10/04/2025	AUSTRALIAN SERVICES UNION	Payroll Deductions/Contributions		16.50	
EFT53973	11/04/2025	AVON VALLEY TOYOTA / ISUZU	PN1808 - VEHICLE MTCE	1		696.11
INV JC14021201/04/2025		AVON VALLEY TOYOTA / ISUZU	PN1808 - VEHICLE MTCE	1	696.11	

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EFT53974	11/04/2025	AVON WASTE	C.202122-04 - WASTE FACILITY MANAGEMENT - MAR 2025	1		191,259.14
INV 67358	24/01/2025	AVON WASTE	C.2020-01 - WASTE COLLECTION - 24/01/2025	1	40,491.50	
INV 0006848314/03/2025		AVON WASTE	SAFER STREET CHILDREN'S FESTIVAL - 15/03/2025	1	55.00	
INV 0006851521/03/2025		AVON WASTE	C.202122-04 - WASTE FACILITY MANAGEMENT - MAR 2025	1	108,075.29	
INV 68511	21/03/2025	AVON WASTE	C.2020-01 - WASTE COLLECTION - 21/03/2025	1	42,637.35	
EFT53975	11/04/2025	BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1		742.79
INV 2182/998510/03/2025		BUNNINGS BUILDING SUPPLIES P/L	BFB - SUPPLIES	1	117.18	
INV 2182/003127/03/2025		BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	145.45	
INV 2182/003101/04/2025		BUNNINGS BUILDING SUPPLIES P/L	DEPOT - SUPPLIES	1	289.43	
INV 2182/004102/04/2025		BUNNINGS BUILDING SUPPLIES P/L	KILLARA - SUPPLIES	1	190.73	
EFT53976	11/04/2025	BUSINESS FUEL CARDS PTY LTD (FLEET CARD)	FUEL CHARGES FOR MARCH 2025	1		970.41
INV MARCH 31/03/2025		BUSINESS FUEL CARDS PTY LTD (FLEET CARD)	FUEL CHARGES FOR MARCH 2025	1	970.41	
EFT53977	11/04/2025	CARRINGTONS TRAFFIC SERVICES	HORTON RD THE LAKES - TRAFFIC MANAGEMENT	1		1,094.81
INV 0004940615/01/2025		CARRINGTONS TRAFFIC SERVICES	HORTON RD THE LAKES - TRAFFIC MANAGEMENT	1	1,094.81	
EFT53978	11/04/2025	CENTRAL MOBILE MECHANICAL REPAIRS	PN2104 - PLANT MTCE	1		1,920.49
INV 0000491831/03/2025		CENTRAL MOBILE MECHANICAL REPAIRS	PN2104 - PLANT MTCE	1	1,920.49	
EFT53979	11/04/2025	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions	1		120.00
INV 58	10/04/2025	CHILD SUPPORT AGENCY	Payroll Deductions/Contributions		120.00	
EFT53980	11/04/2025	CHRISTOPHER JOHN MARRIS	CBFCO - MAR 2025	1		833.33
INV AE 7/04/207/04/2025		CHRISTOPHER JOHN MARRIS	CBFCO - MAR 2025	1	833.33	
EFT53981	11/04/2025	CIVIL PRODUCTS WA - ASCENTION PROPERTIES PL T/AS	DEPOT - SUPPLIES	1		726.00

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INV 0000435212/02/2025		CIVIL PRODUCTS WA - ASCENTION PROPERTIES PL T/AS	DEPOT - SUPPLIES	1	726.00	
EFT53982	11/04/2025	COLES - WEX AUSTRALIA PTY LTD	COLE PURCHASES - MAR 2025	1		85.21
INV 213	31/03/2025	COLES - WEX AUSTRALIA PTY LTD	COLE PURCHASES - MAR 2025	1	85.21	
EFT53983	11/04/2025	COMBINED TYRES PTY LTD	PN1706 - PLANT MTCE	1		1,243.00
INV INV-597407/04/2025		COMBINED TYRES PTY LTD	PN1706 - PLANT MTCE	1	1,243.00	
EFT53984	11/04/2025	CORPORATE RISK MANAGEMENT T/A FOOD SAFETY WA	KILLARA - FEES & CHARGES	1		1,028.50
INV 5227LFT 17/01/2025		CORPORATE RISK MANAGEMENT T/A FOOD SAFETY WA	KILLARA - FEES & CHARGES	1	1,028.50	
EFT53985	11/04/2025	DAMIAN'S PLUMBING	BERNARD PARK TOILETS - MTCE	1		605.00
INV INV-101501/04/2025		DAMIAN'S PLUMBING	BERNARD PARK TOILETS	1	187.00	
INV INV-102604/04/2025		DAMIAN'S PLUMBING	DOG POUND - MTCE	1	154.00	
INV INV-102304/04/2025		DAMIAN'S PLUMBING	BERNARD PARK TOILETS - MTCE	1	264.00	
EFT53986	11/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BERT HAWKE PAVILLION - MTCE	1		951.50
INV 1301	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	INKPEN TIP - MTCE	1	264.00	
INV 1300	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BKB - MTCE	1	264.00	
INV 1302	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BERT HAWKE PAVILLION - MTCE	1	423.50	
EFT53987	11/04/2025	DEPARTMENT OF PLANNING, LANDS & HERITAGE	DAP APPLICATION FEE - P25033 - PROPOSED WWTF	1		6,168.00
INV JJ 02/04/202/04/2025		DEPARTMENT OF PLANNING, LANDS & HERITAGE	DAP APPLICATION FEE - P25033 - PROPOSED WWTF	1	6,168.00	
EFT53988	11/04/2025	DEPARTMENT OF TRANSPORT	DEVELOPMENT SERVICES - FEES & CHARGES	1		13.65
INV 8068330 03/04/2025		DEPARTMENT OF TRANSPORT	DEVELOPMENT SERVICES - FEES & CHARGES	1	13.65	

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EFT53989	11/04/2025	DEPARTMENT OF WATER & ENVIRONMENT REGULATION	DEVELOPMENT SERVICES - FEES & CHARGES	1		6,171.54
INV JJ 09/04/209/04/2025		DEPARTMENT OF WATER & ENVIRONMENT REGULATION	DEVELOPMENT SERVICES - FEES & CHARGES	1	6,171.54	
EFT53990	11/04/2025	EQUIFAX AUSTRALASIA WORKFORCE SOLUTIONS PTY LTD	BFB - FEES & CHARGES	1		136.40
INV 1576457031/03/2025		EQUIFAX AUSTRALASIA WORKFORCE SOLUTIONS PTY LTD	BFB - FEES & CHARGES	1	136.40	
EFT53991	11/04/2025	FRONTLINE FIRE & RESCUE EQUIPMENT	BFB - VARIOUS VEHICLES - MTCE	1		5,171.26
INV 85426	14/02/2025	FRONTLINE FIRE & RESCUE EQUIPMENT	BFB - SUPPLIES	1	451.97	
INV 85670	04/03/2025	FRONTLINE FIRE & RESCUE EQUIPMENT	BFB - SUPPLIES	1	726.00	
INV 85901	26/03/2025	FRONTLINE FIRE & RESCUE EQUIPMENT	BFB - VARIOUS VEHICLES - MTCE	1	3,993.29	
EFT53992	11/04/2025	HUGGABLE TOYS	VISITORS CENTRE - STOCK	1		445.01
INV 0005359401/04/2025		HUGGABLE TOYS	VISITORS CENTRE - STOCK	1	453.26	
INV 0005361205/04/2025		HUGGABLE TOYS	VISITORS CENTRE - STOCK	1	-8.25	
EFT53993	11/04/2025	IQTECH SOLUTIONS - CREST INTEGRATIONS PL T/AS	SOFTWARE SUBSCRIPTION	1		227.70
INV 2265	28/03/2025	IQTECH SOLUTIONS - CREST INTEGRATIONS PL T/AS	SOFTWARE SUBSCRIPTION	1	227.70	
EFT53994	11/04/2025	KLEENWEST	KILLARA - SUPPLIES	1		935.66
INV 0010689802/04/2025		KLEENWEST	KILLARA - SUPPLIES	1	935.66	
EFT53995	11/04/2025	LAURA SQUIRES	STAFF - REIMBURSEMENT	1		66.00
INV KM 8/04/08/04/2025		LAURA SQUIRES	STAFF - REIMBURSEMENT	1	66.00	
EFT53996	11/04/2025	MARTYN TAYLOR	STAFF - REIMBURSEMENT	1		63.80
INV 01/24021 08/04/2025		MARTYN TAYLOR	STAFF - REIMBURSEMENT	1	63.80	
EFT53997	11/04/2025	MAYDAY EARTHMOVING / RENTAL - CHIVAS ENTERPRISES T-AS	ENGINEERING SERVICES - EQUIPMENT HIRE	1		7,920.00

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INV 86093	31/03/2025	MAYDAY EARTHMOVING / RENTAL - CHIVAS ENTERPRISES T-AS	ENGINEERING SERVICES - EQUIPMENT HIRE	1	7,920.00	
EFT53998	11/04/2025	NORTHAM AUTOS PTY LTD T/AS NORTHAM MAZDA / HOLDEN / SUZUKI	PN2312 - VEHICLE MTCE	1		568.69
INV 146832	20/12/2025	NORTHAM AUTOS PTY LTD T/AS NORTHAM MAZDA / HOLDEN / SUZUKI	PN2312 - VEHICLE MTCE	1	568.69	
EFT53999	11/04/2025	NORTHAM COUNTRY CLUB INC	GRANT - NORTHAM GOLF CLUB 2025 AGLIME STATE SANDS	1		2,380.00
INV 6631	31/03/2025	NORTHAM COUNTRY CLUB INC	SENIOR SPORT - X1	1	100.00	
INV 6637	04/04/2025	NORTHAM COUNTRY CLUB INC	GRANT - NORTHAM GOLF CLUB 2025 AGLIME STATE SANDS	1	1,980.00	
INV 6635	04/04/2025	NORTHAM COUNTRY CLUB INC	SENIOR SPORT - X1	1	100.00	
INV 6644	08/04/2025	NORTHAM COUNTRY CLUB INC	SENIOR SPORT - X2	1	200.00	
EFT54000	11/04/2025	NORTHAM CRICKET ASSOCIATION	AUSTRALIA DAY - 26/01/2025	1		1,000.00
INV 2420	24/01/2025	NORTHAM CRICKET ASSOCIATION	AUSTRALIA DAY - 26/01/2025	1	1,000.00	
EFT54001	11/04/2025	NORTHSTAR ASSET PTY LTD	COMMUNITY MOVIE - 9/05/2025	1		880.00
INV 0001340904/04/2025		NORTHSTAR ASSET PTY LTD	COMMUNITY MOVIE - 9/05/2025	1	880.00	
EFT54002	11/04/2025	NUTRIEN WATER	DEPOT - SUPPLIES	1		35.90
INV 4135611607/04/2025		NUTRIEN WATER	DEPOT - SUPPLIES	1	35.90	
EFT54003	11/04/2025	OFFICEWORKS SUPERSTORES PTY LTD	BFB - SUPPLIES	1		2,601.90
INV 6204176604/03/2025		OFFICEWORKS SUPERSTORES PTY LTD	BFB - SUPPLIES	1	205.95	
INV 6205452513/03/2025		OFFICEWORKS SUPERSTORES PTY LTD	BFB - SUPPLIES	1	2,395.95	
EFT54004	11/04/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - COUNSULTING - MAR 2025	1		18,727.50
INV 2025.17	01/04/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - COUNSULTING - MAR 2025	1	9,157.50	
INV 2025.18	01/04/2025	PLEXUS TOWN PLANNING	DEVELOPMENT SERVICES - COUNSULTING - MAR 2025	1	9,570.00	

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EFT54005	11/04/2025	POWERLYT	CORPORATE SERVICES - CONSULTING - APR 2025	1		1,650.00
INV INV2512	04/04/2025	POWERLYT	CORPORATE SERVICES - CONSULTING - APR 2025	1	1,650.00	
EFT54006	11/04/2025	PROFESSIONAL LOCKSERVICE	OLD RAILWAY STATION - MTCE	1		124.30
INV 0011131901	04/2025	PROFESSIONAL LOCKSERVICE	OLD RAILWAY STATION - MTCE	1	124.30	
EFT54007	11/04/2025	SETS ENTERPRISES PTY LTD	BFB - TRAINING	1		2,317.80
INV SI01308325	03/2025	SETS ENTERPRISES PTY LTD	BFB - TRAINING	1	2,317.80	
EFT54008	11/04/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - MAR 2025	1		3,696.00
INV 7176242128	02/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - FEB 2025	1	220.00	
INV 7176241928	02/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - FEB 2025	1	231.00	
INV 7176242028	02/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - FEB 2025	1	1,364.00	
INV 7177519531	03/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - MAR 2025	1	1,430.00	
INV 7177519431	03/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - MAR 2025	1	231.00	
INV 7177519631	03/2025	SOUTHERN CROSS AUSTEREO PTY LTD	ADVERTISEMENT - RADIO - MAR 2025	1	220.00	
EFT54009	11/04/2025	STEWART & HEATON CLOTHING CO.PTY LTD	BFB - UNIFORMS	1		493.68
INV SIN-404414	03/2025	STEWART & HEATON CLOTHING CO.PTY LTD	BFB - UNIFORMS	1	493.68	
EFT54010	11/04/2025	SYNERGY	361669310 RECREATION PRECINCT - 12/02/2025 to 11/03/2025	1		19,689.16
INV 3616693113	03/2025	SYNERGY	361669310 RECREATION PRECINCT - 12/02/2025 to 11/03/2025		14,065.60	
INV 8110294720	03/2025	SYNERGY	811029470 WUNDOWIE SWIMMING POOL - 20/02/2025 to 19/03/2025		920.85	
INV 3575496920	03/2025	SYNERGY	357549690 KILLARA DAYCARE CENTRE - 20/02/2025 to 19/03/2025		1,418.40	
INV 3577048424	03/2025	SYNERGY	357704840 ROTARY WHEEL - 21/01/2025 to 21/03/2025		136.83	
INV 3577020024	03/2025	SYNERGY	357702000 BROOME TCE BBQ LIGHTS - 21/01/2025 to 21/03/2025		123.02	

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INV 3577049824/03/2025		SYNERGY	357704980 CLARKE ST PUMP - 21/01/2025 to 21/03/2025		1,263.89	
INV 3577018224/03/2025		SYNERGY	357701820 BROOME TCE PUMP - 21/01/2025 to 21/03/2025		216.19	
INV 3577043624/03/2025		SYNERGY	357704360 BROOME TCE PUMP - 21/01/2025 to 21/03/2025		141.66	
INV 9626429925/03/2025		SYNERGY	962642990 WUNDOWIE MEDICAL CENTRE - 09/03/2025 to 19/03/2025		157.66	
INV 3575474725/03/2025		SYNERGY	357547470 MORBY COTTAGE - 22/01/2025 to 24/03/2025		132.51	
INV 3805238628/03/2025		SYNERGY	380523860 OLD QUARRY RD REFUSE SITE - RUBBISH DEPOT AT OLD QUARRY RD NORTHAM LOT 422 RES 26840 - 25/01/2025 to 27/03/2025		506.87	
INV 3575477131/03/2025		SYNERGY	357547710 MOUNT OMMANNEY - CCTV - 18/01/2025 to 26/03/2025		168.91	
INV 9414532301/04/2025		SYNERGY	941453230 GRASS VALLEY BFB FIRE SHED - 21/01/2025 to 28/03/2025		436.77	
EFT54011	11/04/2025	THESAURUS (NORTHAM) PTY LTD T/AS LLOYDS EARTHMOVING AND GARDEN SUPPLIES	DEPOT - MATERIALS	1		361.00
INV INV-416712/03/2025		THESAURUS (NORTHAM) PTY LTD T/AS LLOYDS EARTHMOVING AND GARDEN SUPPLIES	DEPOT - MATERIALS	1	361.00	
EFT54012	11/04/2025	TOURIST DESIGNS	VISITORS CENTRE - STOCK	1		601.15
INV TD06029	31/03/2025	TOURIST DESIGNS	VISITORS CENTRE - STOCK	1	601.15	
EFT54013	11/04/2025	VERLINDEN'S ELECTRICAL SERVICE PTY LTD	KURINGAL UNIT 3 - MTCE	1		1,403.55
INV 100963	31/03/2025	VERLINDEN'S ELECTRICAL SERVICE PTY LTD	KURINGAL UNIT 3 - MTCE	1	1,403.55	
EFT54014	11/04/2025	WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	PN2314 - VEHICLE MTCE	1		4,367.50
INV INV-163305/10/2023		WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	PN2314 - VEHICLE MTCE	1	2,060.00	
INV INV-190522/10/2024		WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	PN1607 - VEHICLE MTCE	1	722.50	



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INV INV-198003/02/2025		WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	9237 - IRISHTOWN 1:4 - VEHICLE MTCE	1	642.50	
INV INV-200312/02/2025		WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	N4633 - WUNDOWIE LT - VEHICLE MTCE	1	582.50	
INV INV-203604/04/2025		WESTWIDE AUTO ELECTRICS AND AIR CONDITIONING	PN1809 - VEHICLE MTCE	1	360.00	
EFT54015	11/04/2025	WHEATBELT (NRM) NATURAL RESOURCE MANAGEMENT	C.202223-14 - CEMETARY MTCE - 11/03/2025 - 21/03/2025	1		10,202.89
INV 0030169625/03/2025		WHEATBELT (NRM) NATURAL RESOURCE MANAGEMENT	C.202223-14 - CEMETARY MTCE - 11/03/2025 - 21/03/2025	1	10,202.89	
EFT54016	11/04/2025	WHEATBELT PRECISION SERVICES - JEFFREY ROBERTS T/AS	INKPEN FIRE STATION - MTCE	1		222.20
INV INV-040311/12/2024		WHEATBELT PRECISION SERVICES - JEFFREY ROBERTS T/AS	INKPEN FIRE STATION - MTCE	1	222.20	
EFT54017	11/04/2025	ZZ - STALLION BUILDING CO PL T/A STALLION HOMES / MULTICON COMMERCIAL CONST. - DO NOT USE	C.202223-11- FINAL RETENTION PAYMENT - INKPEN FIRE SHED	1		5,737.96
INV T1818	10/04/2025	ZZ - STALLION BUILDING CO PL T/A STALLION HOMES / MULTICON COMMERCIAL CONST. - DO NOT USE	C.202223-11- FINAL RETENTION PAYMENT - INKPEN FIRE SHED	1	5,737.96	
EFT54018	17/04/2025	ACCESS UNLIMITED INTERNATIONAL PTY LTD	CORPORATE SERVICES - TRAINING	1		2,000.00
INV I48062	08/04/2025	ACCESS UNLIMITED INTERNATIONAL PTY LTD	CORPORATE SERVICES - TRAINING	1	2,000.00	
EFT54019	17/04/2025	AFGRI EQUIPMENT AUSTRALIA PTY LTD	PN1912 - PLANT MTCE	1		152.80
INV 2942922	24/02/2025	AFGRI EQUIPMENT AUSTRALIA PTY LTD	PN1912 - PLANT MTCE	1	128.30	
INV 2947953	12/03/2025	AFGRI EQUIPMENT AUSTRALIA PTY LTD	PN1914 - PLANT PARTS	1	24.50	
EFT54020	17/04/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	DEPOT - SUPPLIES	1		5,677.60
INV 392544	03/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	DEPOT - SUPPLIES	1	154.00	
INV 392699	05/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	DEPOT - SUPPLIES	1	2,625.91	

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INV 392755	06/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 & PN2404 - PLANT MTCE	1	184.62	
INV 393124	12/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	DEPOT - SUPPLIES	1	54.00	
INV 393702	21/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	408.44	
INV 393839	24/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	124.30	
INV 394120	27/02/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	144.87	
INV 394337	04/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	684.39	
INV 394432	05/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	55.00	
INV 394479	06/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	65.00	
INV 394799	11/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	DEPOT - SUPPLIES	1	199.00	
INV 394762	11/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT PARTS	1	319.00	
INV 394889	12/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT PARTS	1	297.89	
INV 395036	13/03/2025	AGWEST MACHINERY - GREYMACH PTY LTD T/AS	P100 - PLANT MTCE	1	361.18	
EFT54021	17/04/2025	ALDRIDGE ELECTRICAL INDUSTRIES PTY LIMITED	PN1616 - PLANT PARTS	1		2,049.21
INV SI09598	02/04/2025	ALDRIDGE ELECTRICAL INDUSTRIES PTY LIMITED	PN1616 - PLANT PARTS	1	2,049.21	
EFT54022	17/04/2025	ALL PARTS WA - DUSTY ROADS SOLOUTIONS PTY LTD T/AS	DEPOT - SUPPLIES	1		49.03
INV SI-00026708	08/04/2025	ALL PARTS WA - DUSTY ROADS SOLOUTIONS PTY LTD T/AS	PN1703 - PLANT PARTS	1	1.74	
INV SI-00026811	04/2025	ALL PARTS WA - DUSTY ROADS SOLOUTIONS PTY LTD T/AS	DEPOT - SUPPLIES	1	47.29	
EFT54023	17/04/2025	ANDY'S PLUMBING SERVICE	BERNARD PARK TOILETS - MTCE	1		742.50

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INV A19974	08/04/2025	ANDY'S PLUMBING SERVICE	BERNARD PARK TOILETS - MTCE	1	742.50	
EFT54024	17/04/2025	ANGELA CHANEY	STAFF - REIMBURSEMENT	1		66.00
INV KM 9/04/09/04/2025		ANGELA CHANEY	STAFF - REIMBURSEMENT	1	66.00	
EFT54025	17/04/2025	ANGELO YU	VEHICLE CROSSOVER - REBATE	1		1,000.00
INV NK 10/0410/04/2025		ANGELO YU	VEHICLE CROSSOVER - REBATE	1	1,000.00	
EFT54026	17/04/2025	AUTOPRO NORTHAM	PN2304 - PLANT MTCE	1		38.17
INV 1210105	14/04/2025	AUTOPRO NORTHAM	PN2304 - PLANT MTCE	1	38.17	
EFT54027	17/04/2025	AVON VALLEY ARTS SOCIETY (INC)	VISITORS CENTRE - STOCK	1		326.81
INV 1120	08/04/2025	AVON VALLEY ARTS SOCIETY (INC)	VISITORS CENTRE - STOCK	1	326.81	
EFT54028	17/04/2025	AVON WASTE	C.2020-01 4/04/2025	1		41,642.81
INV 68821	04/04/2025	AVON WASTE	C.2020-01 4/04/2025	1	41,642.81	
EFT54029	17/04/2025	BOOKTOPIA DIRECT PTY LTD	NORTHAM LIBRARY - STOCK	1		416.59
INV 3051108128/03/2025		BOOKTOPIA DIRECT PTY LTD	NORTHAM LIBRARY - STOCK	1	416.59	
EFT54030	17/04/2025	BUNNINGS BUILDING SUPPLIES P/L	NORTHAM POOL - SUPPLIES	1		329.69
INV 2182/003124/03/2025		BUNNINGS BUILDING SUPPLIES P/L	REC CENTRE - SUPPLIES	1	71.44	
INV 2182/00231/03/2025		BUNNINGS BUILDING SUPPLIES P/L	NORTHAM POOL - SUPPLIES	1	168.10	
INV 2182/003101/04/2025		BUNNINGS BUILDING SUPPLIES P/L	ADMIN - SUPPLIES	1	58.65	
INV 2182/003102/04/2025		BUNNINGS BUILDING SUPPLIES P/L	WUNDOWIE POOL - SUPPLIES	1	31.50	
EFT54031	17/04/2025	CALTEX STARCARD - WEX AUSTRALIA PTY LTD	FUEL CHARGES FOR MAR 2025	1		466.16
INV MARCH 31/03/2025		CALTEX STARCARD - WEX AUSTRALIA PTY LTD	FUEL CHARGES FOR MAR 2025	1	466.16	
EFT54032	17/04/2025	CBH GROUP	RATES CREDIT REFUND A15536	1		792.56

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INV A15536	14/04/2025	CBH GROUP	RATES CREDIT REFUND A15536		792.56	
EFT54033	17/04/2025	CENTRAL MOBILE MECHANICAL REPAIRS	ENGINEERING SERVICES - EQUIPMENT HIRE	1		19,811.00
INV 0000489719	03/2025	CENTRAL MOBILE MECHANICAL REPAIRS	ENGINEERING SERVICES - EQUIPMENT HIRE	1	17,820.00	
INV 0000492711	04/2025	CENTRAL MOBILE MECHANICAL REPAIRS	PN1810 - PLANT MTCE	1	1,991.00	
EFT54034	17/04/2025	COMBINED TYRES PTY LTD	PN1802 - PLANT MTCE	1		936.10
INV INV-571630	01/2025	COMBINED TYRES PTY LTD	PN1802 - PLANT MTCE	1	357.50	
INV INV-585810	03/2025	COMBINED TYRES PTY LTD	PN2414 - VEHICLE MTCE	1	347.60	
INV INV-599310	04/2025	COMBINED TYRES PTY LTD	PN2304 - PLANT REPAIRS	1	55.00	
INV INV-600414	04/2025	COMBINED TYRES PTY LTD	PN2305 - PLANT MTCE	1	176.00	
EFT54035	17/04/2025	COMMUNITY RESOURCES LIMITED T/AS SOFT LANDING	WASTE COLLECTION - MAR 2025	1		5,042.73
INV INV940531	03/2025	COMMUNITY RESOURCES LIMITED T/AS SOFT LANDING	WASTE COLLECTION - MAR 2025	1	5,042.73	
EFT54036	17/04/2025	CTI SECURITY SYSTEMS PTY LTD T/AS SECURUS	CREATE 298 - MTCE	1		85.00
INV 138509	08/04/2025	CTI SECURITY SYSTEMS PTY LTD T/AS SECURUS	CREATE 298 - MTCE	1	85.00	
EFT54037	17/04/2025	D & BTL INVESTMENTS PTY LTD T/AS WALKABOUT FASHION ACCESSORIES	VISITORS CENTRE - STOCK	1		177.22
INV 5785	05/03/2025	D & BTL INVESTMENTS PTY LTD T/AS WALKABOUT FASHION ACCESSORIES	VISITORS CENTRE - STOCK	1	177.22	
EFT54038	17/04/2025	DAMIAN'S PLUMBING	BROOME TERRACE - REPAIRS	1		3,124.00
INV INV-101601	04/2025	DAMIAN'S PLUMBING	BROOME TERRACE - REPAIRS	1	2,860.00	
INV INV-103207	04/2025	DAMIAN'S PLUMBING	YOUTH PRECINCT TOILETS - MTCE	1	264.00	
EFT54039	17/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	WUNDOWIE OVAL PUBLIC TOILETS - MTCE	1		9,373.50
INV 1298	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	NORTHAM POOL - MTCE	1	671.00	

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INV 1299	02/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	REC CENTRE - MTCE	1	300.00	
INV 1306	06/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	WUNDOWIE OVAL PUBLIC TOILETS - MTCE	1	4,360.00	
INV 1307	08/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BERNARD PARK TOILETS - REPAIRS	1	165.00	
INV 1314	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	YOUTH PRECINCT TOILETS - REPAIRS	1	176.00	
INV 1310	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	ADMIN - MTCE	1	275.00	
INV 1315	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	SUSPENSION BRIDGE - REPAIRS	1	643.50	
INV 1308	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	APEX PARK - REPAIRS	1	874.50	
INV 1311	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	KILLARA - MTCE	1	346.50	
INV 1312	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	BKB - MTCE	1	176.00	
INV 1309	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	APEX PARK - REPAIRS	1	830.50	
INV 1313	10/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	INKPEN TIP - MTCE	1	264.00	
INV 1316	13/04/2025	DCM CARPENTRY AND MAINTENANCE PTY LTD	INKPEN TIP - MTCE	1	291.50	
EFT54040	17/04/2025	DRACO AIR PTY LTD	KILLARA - MTCE	1		668.80
INV 17927	10/04/2025	DRACO AIR PTY LTD	KILLARA - MTCE	1	668.80	
EFT54041	17/04/2025	ENVIRONEX INTERNATIONAL PTY LTD	NORTHAM POOL - SUPPLIES	1		1,450.35
INV 327239	02/12/2024	ENVIRONEX INTERNATIONAL PTY LTD	WUNDOWIE POOL - MTCE	1	85.80	
INV 331463	04/04/2025	ENVIRONEX INTERNATIONAL PTY LTD	NORTHAM POOL - SUPPLIES	1	66.00	
INV 331462	04/04/2025	ENVIRONEX INTERNATIONAL PTY LTD	NORTHAM POOL - SUPPLIES	1	52.80	
INV 331461	04/04/2025	ENVIRONEX INTERNATIONAL PTY LTD	NORTHAM POOL - SUPPLIES	1	1,245.75	
EFT54042	17/04/2025	EYES ON YOU SECURITY PTY LTD	VISITORS CENTRE - MTCE	1		2,423.00

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INV INV-037014/04/2025		EYES ON YOU SECURITY PTY LTD	VISITORS CENTRE - MTCE	1	2,423.00	
EFT54043	17/04/2025	FIONA BRAYSHAW	GRANT - INTERNATIONAL HIGHLAND DANCE CHAMPIONSHIP TRAVEL	1		500.00
INV 001/2025	15/04/2025	FIONA BRAYSHAW	GRANT - INTERNATIONAL HIGHLAND DANCE CHAMPIONSHIP TRAVEL	1	500.00	
EFT54044	17/04/2025	GRAFTON ELECTRICS	JUBILEE OVAL - MTCE	1		5,681.94
INV A842	31/03/2025	GRAFTON ELECTRICS	CLARK ST PUMPHOUSE - MTCE	1	132.00	
INV A857	02/04/2025	GRAFTON ELECTRICS	NORTHAM POOL - MTCE	1	731.94	
INV A867	04/04/2025	GRAFTON ELECTRICS	AVON MALL - MTCE	1	1,430.00	
INV A864	04/04/2025	GRAFTON ELECTRICS	JUBILEE OVAL - MTCE	1	3,190.00	
INV A874	07/04/2025	GRAFTON ELECTRICS	REC CENTRE - MTCE	1	198.00	
EFT54045	17/04/2025	HOCKING PLANNING & ARCHITECTURE PTY LTD	LESSER/TOWN HALL - CAPITAL WORKS	1		16,505.50
INV INV-485728/03/2025		HOCKING PLANNING & ARCHITECTURE PTY LTD	LESSER/TOWN HALL - CAPITAL WORKS	1	16,505.50	
EFT54046	17/04/2025	IAN PROUDLOCK	VEHICLE CROSSOVER - REBATE	1		1,000.00
INV NK 10/0410/04/2025		IAN PROUDLOCK	VEHICLE CROSSOVER - REBATE	1	1,000.00	
EFT54047	17/04/2025	ICONIC PROPERTY SERVICES PTY LTD	BKB - MTCE	1		1,386.00
INV PSI0441230/03/2025		ICONIC PROPERTY SERVICES PTY LTD	BKB - MTCE	1	1,386.00	
EFT54048	17/04/2025	IXOM OPERATIONS PTY LTD	NORTHAM POOL - SUPPLIES	1		4,358.09
INV 6943783	27/03/2025	IXOM OPERATIONS PTY LTD	NORTHAM POOL - SUPPLIES	1	3,852.20	
INV 6946006	31/03/2025	IXOM OPERATIONS PTY LTD	NORTHAM POOL & WWTP - MTCE	1	505.89	
EFT54049	17/04/2025	JANICE FAYE THOMPSON	RATES CREDIT REFUND A1645	1		611.00
INV A1645	14/04/2025	JANICE FAYE THOMPSON	RATES CREDIT REFUND A1645		611.00	
EFT54050	17/04/2025	JENNIFER DALE BILMAN	VEHICLE CROSSOVER - REBATE	1		1,000.00

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INV NK 10/0410/04/2025		JENNIFER DALE BILMAN	VEHICLE CROSSOVER - REBATE	1	1,000.00	
EFT54051	17/04/2025	JOMAR WA PTY LTD	NEWCASTLE ROAD BRIDGE - MTCE	1		54,510.50
INV IN0687	24/03/2025	JOMAR WA PTY LTD	NEWCASTLE ROAD BRIDGE - MTCE	1	54,510.50	
EFT54052	17/04/2025	KIM MARIE MURCUTT	STAFF - REIMBURSEMENT	1		148.25
INV CY 10/0410/04/2025		KIM MARIE MURCUTT	STAFF - REIMBURSEMENT	1	148.25	
EFT54053	17/04/2025	KOMATSU AUSTRALIA PTY LTD	PN2308 - PLANT PARTS	1		732.07
INV 0041153628/03/2025		KOMATSU AUSTRALIA PTY LTD	PN2308 - PLANT PARTS	1	732.07	
EFT54054	17/04/2025	MAD DOG PROMOTIONS	NORTHAM LIBRARY - SUPPLIES	1		1,452.00
INV INV-697408/04/2025		MAD DOG PROMOTIONS	NORTHAM LIBRARY - SUPPLIES	1	1,452.00	
EFT54055	17/04/2025	MARCIA DAVIS	BOOKING 6473 - BOND REFUND	1		100.00
INV 13974	31/03/2025	MARCIA DAVIS	BOOKING 6473 - BOND REFUND	1	100.00	
EFT54056	17/04/2025	MENTAL MEDIA	BKB - SUBSCRIPTION APR - JUN 2025	1		1,938.42
INV 1441	09/04/2025	MENTAL MEDIA	BKB - SUBSCRIPTION APR - JUN 2025	1	1,938.42	
EFT54057	17/04/2025	MICHAEL GERARD BARNARD	RATES CREDIT REFUND A12693	1		744.38
INV A12693	14/04/2025	MICHAEL GERARD BARNARD	RATES CREDIT REFUND A12693		744.38	
EFT54058	17/04/2025	MIRACLE RECREATION EQUIPMENT - SUPERIOR NOMINEES PTY LTD T/AS	DEPOT - SUPPLIES	1		922.90
INV 58943	07/04/2025	MIRACLE RECREATION EQUIPMENT - SUPERIOR NOMINEES PTY LTD T/AS	DEPOT - SUPPLIES	1	922.90	
EFT54059	17/04/2025	MM ELECTRICAL MERCHANDISING	ADMIN - MTCE	1		173.53
INV 221166-609/04/2025		MM ELECTRICAL MERCHANDISING	ADMIN - MTCE	1	173.53	
EFT54060	17/04/2025	MODERN TEACHING AIDS PTY LTD	LIBRARY - SUPPLIES	1		301.29
INV 4634648902/04/2025		MODERN TEACHING AIDS PTY LTD	LIBRARY - SUPPLIES	1	301.29	

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EFT54061	17/04/2025	NRP ELECTRICAL SERVICES	NORTHAM POOL - MTCE	1		957.00
INV 104598	03/04/2025	NRP ELECTRICAL SERVICES	NORTHAM POOL - MTCE	1	957.00	
EFT54062	17/04/2025	NUTRIEN WATER	WUNDOWIE OVAL - MTCE	1		8,006.45
INV 4135542931/03/2025		NUTRIEN WATER	WUNDOWIE OVAL - MTCE	1	7,647.62	
INV 4135634408/04/2025		NUTRIEN WATER	DEPOT - SUPPLIES	1	358.83	
EFT54063	17/04/2025	OCTAGON LIFTS PTY LTD	NORTHAM LIBRARY - MTCE	1		777.92
INV 70388	04/04/2025	OCTAGON LIFTS PTY LTD	NORTHAM LIBRARY - MTCE	1	777.92	
EFT54064	17/04/2025	OFFICEWORKS SUPERSTORES PTY LTD	NORTHAM POOL - SUPPLIES	1		225.71
INV 6199317810/02/2025		OFFICEWORKS SUPERSTORES PTY LTD	ADMIN - OFFICE SUPPLIES	1	71.00	
INV 6205679114/03/2025		OFFICEWORKS SUPERSTORES PTY LTD	NORTHAM POOL - SUPPLIES	1	154.71	
EFT54065	17/04/2025	ORACLE CUSTOMER MANAGEMENT SOLUTIONS PTY LTD	C.202324-12 - MAR 2025	1		677.18
INV 0020347608/04/2025		ORACLE CUSTOMER MANAGEMENT SOLUTIONS PTY LTD	C.202324-12 - MAR 2025	1	677.18	
EFT54066	17/04/2025	OXTER SERVICES	DEPOT - SUPPLIES	1		111.10
INV 30033	14/04/2025	OXTER SERVICES	DEPOT - SUPPLIES	1	111.10	
EFT54067	17/04/2025	PROFESSIONAL LOCKSERVICE	DEPOT - MTCE	1		131.45
INV 0011136710/04/2025		PROFESSIONAL LOCKSERVICE	DEPOT - MTCE	1	131.45	
EFT54068	17/04/2025	R&L HIAB TRANSPORT PL T/AS R&L HIAB SERVICES	FREIGHT CHARGES - MAR 2025	1		1,485.00
INV 0003855427/03/2025		R&L HIAB TRANSPORT PL T/AS R&L HIAB SERVICES	FREIGHT CHARGES - MAR 2025	1	1,485.00	
EFT54069	17/04/2025	SAPIO PTY LTD	CCTV - MTCE	1		2,176.98
INV 297889	31/03/2025	SAPIO PTY LTD	CCTV - MTCE	1	2,176.98	



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EFT54070	17/04/2025	SHANE SPINKS (CONSULTING)	RECREATION FACILITIES - CONSULTING SERVICES - APR 2025	1		11,004.26
INV 2025/024	04/04/2025	SHANE SPINKS (CONSULTING)	RECREATION FACILITIES - CONSULTING SERVICES - APR 2025	1	11,004.26	
EFT54071	17/04/2025	SHARON GAYE GALLUS	RATES CREDIT REFUND A15861	1		261.05
INV A15861	14/04/2025	SHARON GAYE GALLUS	RATES CREDIT REFUND A15861	1	261.05	
EFT54072	17/04/2025	SHIRE OF GOOMALLING	ADVERTISEMENT - WEBSITE	1		17.60
INV 17373	08/04/2025	SHIRE OF GOOMALLING	ADVERTISEMENT - WEBSITE	1	17.60	
EFT54073	17/04/2025	SHIRE OF TOODYAY	AROC - 11/12/2024	1		2,489.12
INV T957	14/04/2025	SHIRE OF TOODYAY	AROC - 11/12/2024	1	2,489.12	
EFT54074	17/04/2025	SHRED-X PTY LTD	KILLARA - EQUIPMENT HIRE	1		39.01
INV 0235139831	03/2025	SHRED-X PTY LTD	KILLARA - EQUIPMENT HIRE	1	39.01	
EFT54075	17/04/2025	SLATER-GARTRELL SPORTS	HENRY ST OVAL - MTCE	1		825.00
INV SG71394	07/04/2025	SLATER-GARTRELL SPORTS	HENRY ST OVAL - MTCE	1	825.00	
EFT54076	17/04/2025	STATE LIBRARY OF WESTERN AUSTRALIA	SOFTWARE SUBSCRIPTION	1		8,144.00
INV RI03972518	02/2025	STATE LIBRARY OF WESTERN AUSTRALIA	SOFTWARE SUBSCRIPTION	1	8,144.00	
EFT54077	17/04/2025	SUPAGAS PTY LTD	POOL HEATERS - GAS 27/03/2025	1		5,308.35
INV 902285D	27/03/2025	SUPAGAS PTY LTD	POOL HEATERS - GAS 27/03/2025	1	5,308.35	
EFT54078	17/04/2025	SYNERGY	168614990 STREETLIGHTING - 25/02/2025 to 24/03/2025	1		58,943.47
INV 36166931	12/02/2025	SYNERGY	361669310 RECREATION PRECINCT - 8/01/2025 TO 11/02/2025	1	19,776.41	
INV 3577046031	03/2025	SYNERGY	357704600 PERINA PARK - 16/01/2025 to 27/03/2025		1,258.59	
INV 1686149901	04/2025	SYNERGY	168614990 STREETLIGHTING - 25/02/2025 to 24/03/2025		24,821.69	
INV 9291252001	04/2025	SYNERGY	092912520 GRASS VALLEY OVAL - 21/01/2025 to 28/03/2025		133.86	

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INV 9152416401/04/2025		SYNERGY	915241640 AUXILLARY LIGHTING - 28/02/2025 to 27/03/2025		145.84	
INV 3613331802/04/2025		SYNERGY	361333180 SUSPENSION BRIDGE LIGHTING - 22/01/2025 to 21/03/2025		186.57	
INV 3980651102/04/2025		SYNERGY	398065110 GRASS VALLEY HALL - 21/01/2025 to 28/03/2025		505.02	
INV 3577031802/04/2025		SYNERGY	357703180 STORMWATER DAM PUMP - 23/01/2025 to 31/03/2025		137.45	
INV 3575473302/04/2025		SYNERGY	357547330 APEX PARK TOILETS - 22/01/2025 to 21/03/2025		158.90	
INV 7968413407/04/2025		SYNERGY	796841340 SHIRE ADMINISTRATION BUILDING - 05/02/2025 to 31/03/2025		1,994.38	
INV 3355969207/04/2025		SYNERGY	335596920 NORTHAM VISITORS CENTRE - 05/02/2025 to 04/04/2025		392.83	
INV 2931107307/04/2025		SYNERGY	293110730 BILYA KOORT BOODJA - 12/03/2025 to 31/03/2025		850.50	
INV 3575475207/04/2025		SYNERGY	357547520 BERNARD PARK BBQ PUMP LIGHTS - 05/02/2025 to 04/04/2025		1,592.49	
INV 3577000207/04/2025		SYNERGY	357700020 KILLARA DAYCARE CENTRE - 05/02/2025 to 04/04/2025		1,046.18	
INV 3616695007/04/2025		SYNERGY	361669500 OXIDATION PONDS - 01/03/2025 to 31/03/2025		2,031.16	
INV 3749669508/04/2025		SYNERGY	374966950 BEAVIS PLACE OPEN SPACE - 06/02/2025 to 07/04/2025		172.17	
INV 3575487009/04/2025		SYNERGY	357548700 TOWN HALL & LESSER HALL - 07/02/2025 to 08/04/2025		1,050.21	
INV 3577039909/04/2025		SYNERGY	357703990 BERT HAWKE PAVILION & LIGHTS - 12/03/2025 to 08/04/2025		368.25	
INV 3575476610/04/2025		SYNERGY	357547660 RUSHTON PARK - 22/01/2025 to 19/03/2025		193.23	
INV 1127695011/04/2025		SYNERGY	112769500 MEN'S SHED / OLD FIRE STATION - 06/02/2025 to 07/04/2025		437.22	
INV 3577051114/04/2025		SYNERGY	357705110 RAILWAY MUSEUM - 12/02/2025 to 11/04/2025		386.75	
INV 3577034214/04/2025		SYNERGY	357703420 PURSLOWE PARK - 11/02/2025 to 10/04/2025		125.61	
INV 3577050614/04/2025		SYNERGY	357705060 GREY ST AVON DESCENT POOL AERATORS - 08/02/2025 to 10/04/2025		105.48	
INV 3575481314/04/2025		SYNERGY	357548130 MEMORIAL HALL - 06/02/2025 to 07/04/2025		849.21	
INV 3575483214/04/2025		SYNERGY	357548320 BERNARD PARK TOILETS - 08/02/2025 to 10/04/2025		223.47	

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Cheque /EFT No	Date	Name	Invoice Description	Bank Code	INV Amount	Amount
EFT54079	17/04/2025	TAMBOURAH METALS LTD	RATES CREDIT REFUND A16823	1		405.53
INV A16823	14/04/2025	TAMBOURAH METALS LTD	RATES CREDIT REFUND A16823		405.53	
EFT54080	17/04/2025	TEGAN DOMINEE WALSH	BA25069 - BUILDING FEE - REFUND	1		110.00
INV 183903	09/04/2025	TEGAN DOMINEE WALSH	BA25069 - BUILDING FEE - REFUND	1	110.00	
EFT54081	17/04/2025	TPG NETWORK PTY LTD	TPG CHARGES - MAR 2025	1		667.88
INV INV05063	1/03/2025	TPG NETWORK PTY LTD	TPG CHARGES - MAR 2025	1	667.88	
EFT54082	17/04/2025	TPG TELECOM - ACCOUNT 2000050690	TPG CHARGES - MAR 2025	1		5,999.77
INV 217846830	1/04/2025	TPG TELECOM - ACCOUNT 2000050690	TPG CHARGES - MAR 2025	1	5,999.77	
EFT54083	17/04/2025	TPG TELECOM - ACCOUNT 2000054211	TPG CHARGES - MAR 2025	1		705.52
INV 217850250	1/04/2025	TPG TELECOM - ACCOUNT 2000054211	TPG CHARGES - MAR 2025	1	705.52	
EFT54084	17/04/2025	TREVOR EASTWELL	COMMUNITY TRANSPORT - 10/04/2025	1		50.00
INV 60	10/04/2025	TREVOR EASTWELL	COMMUNITY TRANSPORT - 10/04/2025	1	50.00	
EFT54085	17/04/2025	TREVOR SYDNEY WILKERSON	RATES CREDIT REFUND FOR A11280	1		125.83
INV A11280	14/04/2025	TREVOR SYDNEY WILKERSON	RATES CREDIT REFUND FOR A11280	1	125.83	
EFT54086	17/04/2025	TURNTECH	NORTHAM POLICE STATION - CCTV MTCE	1		3,146.00
INV INV-026813	04/2025	TURNTECH	NORTHAM POLICE STATION - CCTV MTCE	1	308.00	
INV 79938	13/04/2025	TURNTECH	NORTHAM POLICE STATION - CCTV MTCE	1	2,838.00	
EFT54087	17/04/2025	VERLINDEN'S ELECTRICAL SERVICE PTY LTD	VARIOUS LOCATIONS - MTCE	1		5,148.00
INV 101012	31/03/2025	VERLINDEN'S ELECTRICAL SERVICE PTY LTD	VARIOUS LOCATIONS - MTCE	1	5,148.00	
EFT54088	17/04/2025	VINCELEC	AIRPORT TOILETS - MTCE	1		1,043.94
INV IV2522	15/04/2025	VINCELEC	AIRPORT TOILETS - MTCE	1	1,043.94	

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EFT54089	17/04/2025	WESTGROW FARM TREES - B&J WEST T/AS	TREE PROGRAM - STOCK	1		5,335.27
INV INV-041302/10/2024		WESTGROW FARM TREES - B&J WEST T/AS	TREE PROGRAM - STOCK	1	5,335.27	
EFT54090	17/04/2025	WHEATBELT (NRM) NATURAL RESOURCE MANAGEMENT	WHEATBELT NRM - MTCE	1		1,990.00
INV 0030170410/04/2025		WHEATBELT (NRM) NATURAL RESOURCE MANAGEMENT	WHEATBELT NRM - MTCE	1	1,990.00	
EFT54091	17/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	ADMIN - COPIER SERVICE/METER READING	1		1,113.72
INV 224349	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	VISITORS CENTRE - COPIER SERVICE/METER READING	1	48.69	
INV 224348	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	BKB - COPIER SERVICE/METER READING	1	29.64	
INV 224345	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	DEPOT COPIER SERVICE/METER RAEDING	1	177.71	
INV 224343	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	ADMIN DONGA - COPIER SERVICE/METER READING	1	306.23	
INV 224347	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	ADMIN - COPIER SERVICE/METER READING	1	395.68	
INV 224350	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	NORTHAM LIBRARY - COPIER SERVICE/ METER READING	1	122.37	
INV 224344	07/04/2025	WHEATBELT OFFICE BM & COUNTRY COPIERS	WUNDOWIE LIBRARY - COPIER SERVICE/METER READING	1	33.40	
EFT54092	17/04/2025	WOOLWORTHS GROUP LIMITED (WOOLWORTHS GROUP)	WOOLWORTHS PURCHASES - MAR 2025	1		4,076.53
INV ST-0413101/04/2025		WOOLWORTHS GROUP LIMITED (WOOLWORTHS GROUP)	WOOLWORTHS PURCHASES - MAR 2025	1	4,076.53	
EFT54093	17/04/2025	YVONNE RYDER	STAFF - REIMBURSEMENT	1		56.56
INV 327039	14/04/2025	YVONNE RYDER	STAFF - REIMBURSEMENT	1	56.56	
EFT54094	17/04/2025	ZANADOO	WELLINGTON ST - MTCE	1		6,116.00
INV 988	08/04/2025	ZANADOO	WELLINGTON ST - MTCE	1	6,116.00	

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EFT54095	29/04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1		866.50
INV 0000583426	03/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - MAR 2025	1	111.50	
INV 0000583528	03/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - MAR 2025	1	48.00	
INV 0000583731	03/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - MAR 2025	1	48.00	
INV 0000584302	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	102.00	
INV 0000584404	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	143.00	
INV 0000585207	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	48.00	
INV 0000585309	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	75.00	
INV 0000585414	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	51.00	
INV 0000586517	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	72.00	
INV 0000586622	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	48.00	
INV 0000586724	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	72.00	
INV 0000586828	04/2025	NORTHAM FEED & HIRE	ANIMAL SUPPLIES - APR 2025	1	48.00	
DD21838.1	01/04/2025	COMMONWEALTH BANK OF AUSTRALIA	ALEX ESPEY-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1		5,874.55
INV VICTORI01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	VICTORIA WILLIAMS-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	264.60	
INV DEBORA01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	DEBORAH TERELINCK-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	1,540.84	
INV COLIN Y01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	COLIN YOUNG-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	433.97	
INV CHADD I01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	CHADD HUNT-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	732.88	
INV PAUL DE01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	PAUL DEVIC-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	2,740.00	
INV ALEX ES01	04/2025	COMMONWEALTH BANK OF AUSTRALIA	ALEX ESPEY-CORPORATE CHARGE CARD-28/02/2025 TO 28/03/2025	1	162.26	
DD21847.1	03/04/2025	TENNANT AUSTRALIA	RECREATION CENTRE LEASE FEE-CLEANING EQUIPMENT APRIL 2025	1		573.75

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INV RECREA	03/04/2025	TENNANT AUSTRALIA	RECREATION CENTRE LEASE FEE-CLEANING EQUIPMENT APRIL 2025	1	573.75	
DD21919.1	30/04/2025	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 225 Fixed Component - PURCHASE VICTORIA OVAL	1		89,928.83
INV 224	30/04/2025	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 224 Fixed Component - NEW RECREATION CENTRE	1	49,460.86	
INV 225	30/04/2025	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 225 Fixed Component - PURCHASE VICTORIA OVAL	1	40,467.97	

REPORT TOTALS

Bank Code	Bank Name	TOTAL
1	MUNI FUND	1,098,665.22
<b>TOTAL</b>		<b>1,098,665.22</b>

**Payment dates 1<sup>st</sup> April 2025 – 30<sup>th</sup> April 2025**

- Municipal Fund payment cheque numbers 40 to 42 Total \$18,739.69.

**Electronic Funds Transfer**

- Municipal Fund EFT53897 to EFT54095 Total \$983,549.40.
- Direct Debits Total \$96,377.13
- Note: Payroll and Superannuation are not included in the Accounts & Statement of Accounts Report – April 2025.

All have been made in accordance with delegated authority reference number (M/F/F/Regs LGA 1995 S5.42).

Month	Cheques 2024/2025	EFT Payments 2024/2025	Direct Debits 2024/2025	Superannuation 2024/2025	Payroll 2024/2025	Total Payments 2024/2025
July	\$166,035.14	\$ 2,290,472.07	\$ 166,576.03	Inc in DD's	\$ 538,368.09	\$ 3,161,451.33
August	\$ 21,948.96	\$ 1,559,017.06	\$ 56,879.32	Inc in DD's	\$ 820,797.25	\$ 2,458,642.59
September	\$ -	\$ 1,723,182.66	\$ 3,892.28	\$ 156,561.94	\$ 600,778.20	\$ 2,484,415.08
October	\$ 40,052.60	\$ 2,403,998.50	\$ 102,270.77	\$ 108,209.75	\$ 749,536.94	\$ 3,404,068.56
November	\$ 58,957.00	\$ 1,347,298.21	\$ 35,524.36	\$ 103,669.20	\$ 560,578.12	\$ 2,106,026.89
December	\$ 28,867.18	\$ 1,433,063.04	\$ 102,149.69	\$ 107,652.19	\$ 590,900.78	\$ 2,262,632.88
January	\$166,945.47	\$ 2,177,046.79	\$ 4,774.22	\$ 159,095.99	\$ 887,264.70	\$ 3,395,127.17
February	\$ 57,177.59	\$ 1,214,338.07	\$ 140,597.61	\$ 112,196.28	\$ 615,632.02	\$ 2,139,941.57
March	\$123,624.61	\$ 1,431,177.72	\$ 6,812.91	\$ 105,679.31	\$ 581,300.06	\$ 2,248,594.61
April	\$ 18,738.69	\$ 983,549.40	\$ 96,377.13	\$ 106,533.73	\$ 586,905.55	\$ 1,792,104.50
May						\$ -
June						\$ -
<b>Total</b>	<b>\$682,347.24</b>	<b>\$ 16,563,143.52</b>	<b>\$ 715,854.32</b>	<b>\$ 959,598.39</b>	<b>\$6,532,061.71</b>	<b>\$25,453,005.18</b>

The following table presents all payments made for the month from Council credit cards paid by direct debit to Commonwealth Bank \$5,875.55.

Summary Credit Card Payments	\$	Total
<b>Chief Executive Officer</b>		
3/03/2025-TRYBOOKING*SOUTH YARRA- NWIP,RRR & CBH GROUP INTERNATIONAL WOMAN'S DAY BREAKFAST 17TH MARCH X3	124.50	
4/03/2025 WANEWSDTI Osborne Park WA-WEST AUSTRALIAN NEWSPAPER SUBSCRIPTION	32.00	

6/03/2025-QANTAS AIRWAYS LIMITED-ADDITIONAL TICKET CHARGES (CHRIS ANTONIO- REGIONAL CAPITALS ALLIANCE MEETING)	570.29	
10/03/2025-TRYBOOKING*SOUTH YARRA-NWIP,RRR & CBH GROUP INTERNATIONAL WOMAN'S DAY BREAKFAST 17TH MARCH X4	166.00	
10/03/2025-TRYBOOKING*SOUTH YARRA-WA REGIONAL BUSINESS EXCELLENCE AWARDS-X1 TICKET FOR PRESIDENT CHRIS ANTONIO	248.05	
25/03/2025-DWER-WATER PERTH-CLEARING PERMIT - NORTHAM AIRFIELD	400.00	
		<b>\$ 1,540.84</b>
<b>Executive Manager of Corporate Services</b>		
5/03/2025 -STARLINK INTERNET-CESM PHONE PLAN	195.00	
14/03/2025-ADOBE-MONTHLY LICENCE FEE (LIBRARY)	238.97	
		<b>\$ 433.97</b>
<b>Executive Manager of Engineering Services</b>		
10/03/2025-KOMATSU-PN1003 - INSURANCE EXCESS	1000.00	
21/03/2025-INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA (IPWEA)-IPWEA STATE CONFERENCE 2025 FOR SHANE MOORHEAD MANAGER ASSETS	1740.00	
		<b>\$ 2,740.00</b>
<b>Executive Manager of Development Services</b>		
5/03/2025 -DEPT OF JUSTICE-MAGISTRATES COURT-COURT HEARING LODGEMENT FEE INV#34182786	189.00	
12/03/2025-SUBWAY NORTHAM-CATERING FOR COMMUNITY SAFETY COMMITTEE MEETING	118.00	
26/03/2025-HOME AFFAIRS-STANDARD BUSINESS SPONSOR-SKILLED EMPLOYEE DEV SERVICES	425.88	
		<b>\$ 732.88</b>
<b>Community Emergency Services Manager</b>		
24/03/2025-RYDGES KALGOORLIE-DFES-LAUNDRY CHARGE	5.08	
3/03/2025-FORMSTACK, LLC-MONTHLY SOFTWARE FEE	104.61	
3/03/2025-INTNL TRANSACTION FEE-(FORMSTACK SOFTWARE)	2.62	
12/03/2025-RING BASIC PLAN HAWTHORNE-RING YEARLY PLAN-ANNUAL 12/03/25 TO 12/03/26	49.95	
		<b>\$ 162.26</b>



<b>Manager Engagement &amp; Communications</b>		
14/03/2025-KMART-REMOTE CONTROL CARS FOR THE NORTHAM MOTOR SPORT FESTIVAL	143.50	
21/03/2025-BIG W-LAPEL MICS AND TRIPOD FOR INTERNAL FILMING	121.10	
		<b>\$ 264.60</b>
<b>Total Credit Card Expenditure</b>		<b>\$ 5,874.55</b>

The following table presents payment made by Council for the Coles Card Account – March 2025. Paid on 11<sup>th</sup> April 2025 by EFT53982 - \$85.21

DATE	SUMMARY COLES CARD PAYMENTS	\$	TOTAL
<b>ENGINEERING - SENIOR ADMIN OFFICER</b>			
6/03/2025	KITCHEN SUPPLIES	15.61	
13/03/2025	KITCHEN SUPPLIES	8.70	
19/03/2025	KITCHEN SUPPLIES	34.40	
27/03/2025	KITCHEN SUPPLIES	12.90	
			<b>\$ 71.61</b>
<b>EMERGENCY SERVICES SUPPORT OFFICER</b>			
5/03/2025	CATERING - STAFF FAREWELL	13.60	
			<b>\$ 13.60</b>
<b>Total Coles Card Expenditure</b>			<b>\$ 85.21</b>

The following table presents payment made by Council for the Woolworths Card Account – March 2025. Paid on 17<sup>th</sup> April 2025 by EFT54092 - \$4076.53.

DATE	SUMMARY WOOLWORTHS CARD	\$	TOTAL
	<b>CSO / LICENCING COORDINATOR</b>		
7/03/2025	KITCHEN SUPPLIES	202.35	
10/03/2025	KITCHEN SUPPLIES	9.69	
19/03/2025	KITCHEN SUPPLIES	14.70	
			<b>\$ 226.74</b>
	<b>CSO / LICENCING OFFICER</b>		
26/03/2025	KITCHEN SUPPLIES	8.70	
			<b>\$ 8.70</b>
	<b>CSO / LICENCING OFFICER</b>		
6/03/2025	KITCHEN SUPPLIES	8.70	
12/03/2025	KITCHEN SUPPLIES & OFFICE	14.35	
			<b>\$ 23.05</b>
	<b>CSO / LICENCING OFFICER</b>		
7/03/2025	KITCHEN SUPPLIES	79.45	
24/03/2025	KITCHEN SUPPLIES	11.70	
			<b>\$ 91.15</b>
	<b>EMERGENCY SERVICES SUPPORT OFFICER</b>		
21/03/2025	KITCHEN SUPPLIES	52.30	
			<b>\$ 52.30</b>
	<b>DEVELOPMENT SERVICE OFFICER</b>		
5/03/2025	CATERING - STAFF FAREWELL	103.78	
			<b>\$ 103.78</b>
	<b>MANAGER COMMUNITY DEVELOPMENT</b>		
17/03/2025	KITCHEN SUPPLIES	8.85	
26/03/2025	KITCHEN SUPPLIES	82.25	
			<b>\$ 91.10</b>
	<b>TOURISM FACILITIES COORDINATOR</b>		
6/03/2025	KITCHEN SUPPLIES	8.90	
10/03/2025	KITCHEN SUPPLIES	28.90	
17/03/2025	KITCHEN SUPPLIES	2.95	
			<b>\$ 40.75</b>

<b>KILLARA ADMIN OFFICER</b>		
4/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	490.75
17/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	463.40
21/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	45.00
24/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	24.50
25/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	515.50
27/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	33.72
		<b>\$ 1,572.87</b>
<b>KILLARA SUPPORT WORKER</b>		
6/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	31.70
7/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	160.60
10/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	287.72
11/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	56.85
25/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	375.13
26/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	40.05
31/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	365.84
		<b>\$ 1,317.89</b>
<b>KILLARA ADMIN OFFICER</b>		
14/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	29.75
24/03/2025	CLIENT MEALS / KITCHEN SUPPLIES	42.50
		<b>\$ 72.25</b>
<b>RECREATION MANAGER</b>		
7/03/2025	KIOSK STOCK / PROGRAMS & EVENTS	180.80
27/03/2025	KIOSK STOCK / SUPPLIES	279.65
		<b>\$ 460.45</b>
<b>LIBRARIES BRANCH MANAGER</b>		
26/03/2025	KITCHEN SUPPLIES	15.50
		<b>\$ 15.50</b>
<b>Total Woolworths Card Expenditure</b>		<b>\$ 4,076.53</b>

The following table presents payment made by Council for Fuel Purchases / Products – March 2025.

DATE	SUMMARY OF FUEL PURCHASES / PRODUCTS	TYPE	\$
<b>NON OPERATIONAL - LIGHT VEHICLES</b>			
	PN1310	FUEL PURCHASES	
	PN1906	FUEL PURCHASES	
	PN1907	FUEL PURCHASES	
	PN2004	FUEL PURCHASES	
	PN2005	FUEL PURCHASES	
	PN2013	FUEL PURCHASES	
	PN2015	FUEL PURCHASES	
	PN2016	FUEL PURCHASES	
	PN2019	FUEL PURCHASES	
	PN2101	FUEL PURCHASES	
	PN2309	FUEL PURCHASES	
	PN2311	FUEL PURCHASES	
Mar-25	PN2312	FUEL PURCHASES	\$123.30
	PN2313	FUEL PURCHASES	
	PN2413	FUEL PURCHASES	
	PN2414	FUEL PURCHASES	
		CARD FEES ONLY	
		<b>TOTAL</b>	<b>\$123.30</b>
<b>OPERATIONAL - LIGHT VEHICLES / MACHINERY / PLANT</b>			
<b>DEPOT VEHICLES</b>			
	LIGHT VEHICLES	FUEL PURCHASES	
	MACHINERY / PLANT	FUEL PURCHASES	
		<b>TOTAL</b>	<b>\$0</b>
<b>CESM / BFB</b>			
Mar-25	CESM / BFB	FUEL PURCHASES	\$1,313.27
		<b>TOTAL</b>	<b>\$1,313.27</b>
<b>RANGERS</b>			
	RANGERS	FUEL PURCHASES	
		<b>TOTAL</b>	<b>\$0</b>
<b>TOTAL FUEL PURCHASES</b>			<b>\$1,436.57</b>

Payment to Dun Direct to be made in May 2025.

Payment to Caltex Starcard on 17<sup>th</sup> April 2025 by EFT54031 - \$466.16.

Payment to Business Fuel Card on 11<sup>th</sup> April 2025 by EFT53976 - \$970.41.  
Total Fuel Payment - \$1436.57.

CERTIFICATION OF THE PRESIDENT

I hereby certify that this schedule of account covering vouchers and electronic fund transfer payments as per above and totalling \$1,792,104.50 was submitted to the Ordinary Meeting of Council on Wednesday, 28th May 2025.

\_\_\_\_\_ CERTIFICATION OF THE PRESIDENT

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts paid covering vouchers \$1,792,104.50 was submitted to each member of the Council on Wednesday, 28th May 2025, has been checked and is fully supported by vouchers and invoices which are submitted herewith, and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

\_\_\_\_\_ CHIEF EXECUTIVE OFFICER

### 13.4.2 Financial Statements for the period ending 30 April 2025

<b>File Reference:</b>	13.4.3
<b>Reporting Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Responsible Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority
<b>Communication Required:</b>	No

#### BRIEF

For Council to receive the Financial Statement for the period ending 30 April 2025.

#### ATTACHMENTS

1. Statement of Financial Activity - April 2025 [**13.4.2.1** - 20 pages]

#### A. BACKGROUND / DETAILS

The reporting of monthly financial information is a requirement under section 6.4 of the *Local Government Act 1995*, and Regulation 34 of the *Local Government (Financial Management) Regulations*.

The Statement of Financial Activity for the period ending 30 April 2025 is included as Attachment 13.4.2.1 to this agenda and includes the following reports:

- Statement of Financial Activity
- Operating Statements
- Balance Sheet
- Graphs
- Acquisition of Assets
- Disposal of Assets
- Information on Borrowings
- Reserves
- Net Current Assets
- Cash Position
- Rating Information
- Cash Flow Information

The report includes a summary of the financial position along with comments relating to the statements.

### Operating Revenue

- Other Revenue is over budget 10% due predominantly to greater than expected workers compensation reimbursements.

### Operating Expenditure

- Depreciation expenditure is 12% over budget due to increased asset values from the recent infrastructure revaluations (non-cash).
- Insurance expenditure is over budget 11%, due to timing and is expected to be on track by the end of financial year.

### Capital Grants

- Capital grants are under budget 68% due to the timing of receipt of road grants, ESL BFB capital grant, and recreation grants.

### Asset Disposal

- Profit and loss on asset disposal is under budget 89% and 87% respectively due to timing of disposal of the budgeted assets.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

### B.2 Financial / Resource Implications

The Financial Statements have been prepared in accordance with the Shire's 2024/25 Budget review.

### B.3 Legislative Compliance

*Section 6.4 and 6.26(2)(g) of the Local Government Act.*

*Local Government (Financial Management) Regulations 1996.*

### B.4 Policy Implications

Nil.

### B.5 Stakeholder Engagement / Consultation

N/A

### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action

Financial	Figures not reflecting the true financial situation and legislative requirements.	Unlikely (2) x Medium (3) = Low (6)	There are processes in place to ensure compliance with relevant financial standards and legislation.
Health & Safety	N/A	N/A	N/A
Reputation	N/A	N/A	N/A
Service Interruption	N/A	N/A	N/A
Compliance	Report not being accepted by Council.	Unlikely (2) x Medium (3) = Low (6)	There are processes in place to ensure compliance with relevant Finance policy, standards and legislation.
Property	N/A	N/A	N/A
Environment	N/A	N/A	N/A

#### B.7 Natural Environment Considerations

Nil.

#### C. OFFICER'S COMMENT

Nil.

#### RECOMMENDATION / COUNCIL DECISION

**Minute No: C.5320**

**Moved: Cr H J Appleton**

**Seconded: Cr M P Ryan**

**That Council RECEIVES the Financial Statements, prepared in accordance with the *Local Government (Financial Management) Regulations*, for the period ending 30 April 2025.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil





Shire of Northam

## SHIRE OF NORTHAM

### MONTHLY STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

#### TABLE OF CONTENTS

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Statement of Financial Activity	2 to 4
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Notes to and forming part of the statement	
Acquisition of Assets	8
Disposal of Assets	13
Information on Borrowings	15
Reserves	16
Net Current Assets	17
Rating Information	18
Cash Flow Information	19
Investment Schedule	20



SHIRE OF NORTHAM  
STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING 30 APRIL 2025

	NOTE			Variances	Variances
	2024/25	Ytd	2024/25	Actuals to	Actuals to
	Revised	Revised	Ytd Actual	Budget	Budget
	Budget	Budget			
<b>OPERATING REVENUE</b>					
Rates	12,653,964	12,611,470	12,620,033	8,563	0%
Operating Grants Subsidies and Contributions	2,925,281	2,220,524	2,395,926	175,402	8%
Fees and Charges	5,034,283	4,410,346	4,718,904	308,558	7%
Interest Revenue	627,685	544,224	578,330	34,106	6%
Other Revenue	999,472	923,133	1,012,731	89,598	10%
<b>TOTAL OPERATING REVENUE</b>	<b>22,240,685</b>	<b>20,709,697</b>	<b>21,325,924</b>	<b>616,227</b>	<b>3%</b>
<b>OPERATING EXPENSES</b>					
Employee Costs	(10,844,039)	(8,997,858)	(9,291,286)	(293,428)	3%
Materials and Contracts	(9,915,839)	(7,296,243)	(6,681,625)	614,618	-8%
Utility Charges	(1,170,337)	(1,051,402)	(1,082,383)	(30,981)	3%
Depreciation of Non Current Assets	(5,426,168)	(4,520,499)	(5,068,263)	(547,764)	12%
Finance Costs	(214,242)	(189,722)	(184,952)	4,770	-3%
Insurance Expenses	(602,759)	(576,632)	(638,900)	(62,268)	11%
Other Expenditure	(331,341)	(275,900)	(296,924)	(21,024)	8%
<b>TOTAL OPERATING EXPENSE</b>	<b>(28,504,725)</b>	<b>(22,908,256)</b>	<b>(23,244,333)</b>	<b>(336,077)</b>	<b>1%</b>
Capital Grants Subsidies and Contributions	5,021,202	4,283,166	1,379,927	(2,903,239)	-68%
Profit on Asset Disposals	448,664	442,460	49,777	(392,683)	-89%
Loss on Asset Disposals	(34,627)	(28,850)	(3,764)	25,086	-87%
<b>RESULTING FROM OPERATIONS</b>	<b>(828,801)</b>	<b>2,498,217</b>	<b>(492,469)</b>	<b>(2,990,686)</b>	<b>-119.71%</b>
<b>Removal of Non-Cash Items</b>					
(Profit)/Loss on Asset Disposals	(414,037)	(413,610)	(46,013)	367,597	
Movement Provisions	0	0	0	0	
Depreciation on Assets	5,426,168	4,520,499	5,068,263	547,764	
<b>Non Operating Items</b>					
Purchase Land and Buildings	(1,870,321)	(1,068,970)	(288,624)	780,347	
Purchase Plant and Equipment	(2,092,350)	(1,209,880)	(405,315)	804,565	
Purchase Infrastructure Assets - Roads	(3,754,005)	(3,839,669)	(1,701,863)	2,137,806	
Purchase Infrastructure Assets - Bridges	(643,238)	(78,647)	0	78,647	
Purchase Infrastructure Assets - Footpaths	(602,000)	(156,202)	(25,000)	131,202	
Purchase Infrastructure Assets - Drainage	(509,561)	(426,632)	(11,474)	415,158	
Purchase Infrastructure Assets - Parks & Ovals	(1,968,649)	(520,597)	(537,052)	(16,455)	
Purchase Infrastructure Assets - Other	(872,330)	(472,330)	(187,919)	284,411	
Proceeds from Disposal of Assets	1,206,000	3,000	144,526	141,526	
Repayment of Debentures	(477,583)	(238,777)	(398,403)	(159,626)	
Self-Supporting Loan Principal Income	22,920	11,460	14,369	2,909	
Transfers to Restricted Assets (Reserves)	(554,962)	(572,985)	(572,985)	0	
Transfers from Restricted Asset (Reserves)	1,210,852	1,180,852	1,210,852	30,000	
Net Current Assets July 1 B/Fwd	6,721,897	6,730,459	6,730,459	0	
Net Current Assets Year to Date	-	5,946,188	9,536,107	3,589,919	
<b>Surplus/Deficit</b>	<b>(0)</b>	<b>(0)</b>	<b>(1,034,754)</b>	<b>(1,034,754)</b>	

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



**SHIRE OF NORTHAM**  
**STATEMENT OF COMPREHENSIVE INCOME BY PROGRAM**  
**FOR THE PERIOD ENDING 30 APRIL 2025**

	NOTE				
	24/25 Revised Budget \$	Ytd Revised Budget \$	24/25 Ytd Actual \$	Variances Actuals to Budget \$	Variances Actuals to Budget %
<b><u>Operating</u></b>					
<b>Revenues</b>					
Governance	1,300	1,080	1,444	364	34%
General Purpose Funding	14,111,549	13,565,490	13,848,713	283,223	2%
Law, Order, Public Safety	1,796,052	1,327,615	926,402	(401,213)	(30%)
Health	72,500	56,994	52,842	(4,152)	(7%)
Education and Welfare	1,516,229	1,369,782	1,164,737	(205,045)	(15%)
Housing	57,129	47,600	41,128	(6,472)	(14%)
Community Amenities	3,590,554	3,221,778	3,482,638	260,860	8%
Recreation and Culture	1,464,672	937,505	550,010	(387,495)	(41%)
Transport	4,027,737	3,951,049	1,924,338	(2,026,711)	(51%)
Economic Services	967,798	850,260	436,771	(413,489)	(49%)
Other Property and Services	105,030	106,170	326,605	220,435	208%
<b>Total Operating Revenue</b>	<b>27,710,550</b>	<b>25,435,323</b>	<b>22,755,628</b>	<b>(2,679,695)</b>	<b>(11%)</b>
<b>Expenses</b>					
Governance	(1,249,019)	(1,052,869)	(1,105,373)	(52,504)	(5%)
General Purpose Funding	(480,703)	(390,354)	(357,955)	32,399	8%
Law, Order, Public Safety	(2,269,393)	(1,850,774)	(2,223,650)	(372,876)	(20%)
Health	(358,741)	(302,333)	(295,417)	6,916	2%
Education and Welfare	(1,439,836)	(1,218,536)	(1,142,160)	76,376	6%
Housing	(120,036)	(57,522)	(60,901)	(3,379)	(6%)
Community Amenities	(5,006,524)	(3,941,906)	(3,408,473)	533,433	14%
Recreation & Culture	(6,355,694)	(5,114,138)	(5,364,950)	(250,812)	(5%)
Transport	(8,487,083)	(6,670,256)	(6,604,565)	65,691	1%
Economic Services	(2,580,542)	(2,253,216)	(2,203,711)	49,505	2%
Other Property and Services	(191,781)	(85,202)	(480,942)	(395,740)	(464%)
<b>Total Operating Expenses</b>	<b>(28,539,352)</b>	<b>(22,937,106)</b>	<b>(23,248,097)</b>	<b>(310,991)</b>	<b>(1.36%)</b>
<b>NET RESULT</b>	<b>-828,802</b>	<b>2,498,217</b>	<b>-492,469</b>	<b>-2,990,686</b>	<b>-119.71%</b>

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



SHIRE OF NORTHAM

FOR THE PERIOD ENDING 30 APRIL 2025

2. BALANCE SHEET

	24/25	23/24
	YTD Actual	Actual
	\$	\$
<b>CURRENT ASSETS</b>		
Cash Assets	11,153,965	11,320,876
Receivables	3,982,785	3,810,977
Inventories & Other Assets	137,942	294,790
<b>TOTAL CURRENT ASSETS</b>	<b>15,274,692</b>	<b>15,426,642</b>
<b>NON-CURRENT ASSETS</b>		
Receivables	536,419	536,419
Inventories	0	0
Land and Buildings	58,766,948	59,787,227
Property, Plant and Equipment	5,637,977	6,686,341
Infrastructure	329,086,262	328,440,993
Financial & Other Assets	321,277	321,277
<b>TOTAL NON-CURRENT ASSETS</b>	<b>394,348,883</b>	<b>395,772,258</b>
<b>TOTAL ASSETS</b>	<b>409,623,575</b>	<b>411,198,900</b>
<b>CURRENT LIABILITIES</b>		
Payables	1,969,296	4,374,534
Interest-bearing Liabilities	253,686	490,342
Provisions	1,428,715	1,428,714
<b>TOTAL CURRENT LIABILITIES</b>	<b>3,651,696</b>	<b>6,293,590</b>
<b>NON-CURRENT LIABILITIES</b>		
Interest-bearing Liabilities	6,093,908	6,093,908
Provisions	335,539	335,539
Payables	0	0
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>6,429,447</b>	<b>6,429,447</b>
<b>TOTAL LIABILITIES</b>	<b>10,081,143</b>	<b>12,723,037</b>
<b>NET ASSETS</b>	<b>399,542,431</b>	<b>398,475,863</b>
<b>EQUITY</b>		
Retained Surplus	119,428,645	117,724,210
Reserves - Cash Backed	3,254,815	3,892,682
Reserves - Asset Revaluation	276,858,971	276,858,971
<b>TOTAL EQUITY</b>	<b>399,542,431</b>	<b>398,475,863</b>



SHIRE OF NORTHAM

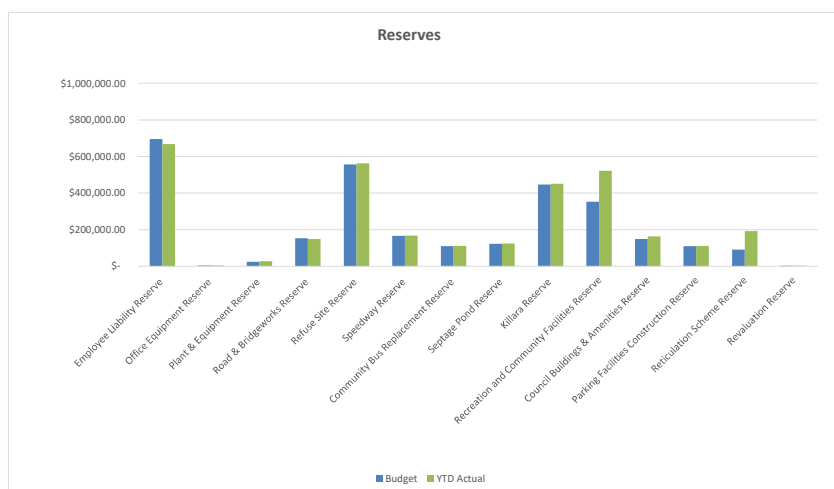
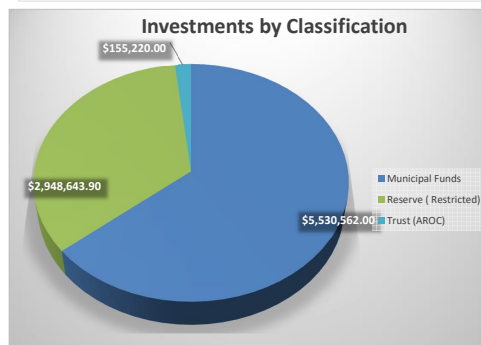
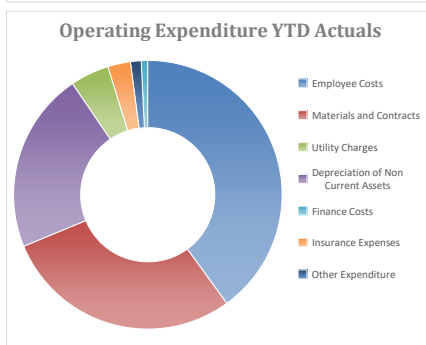
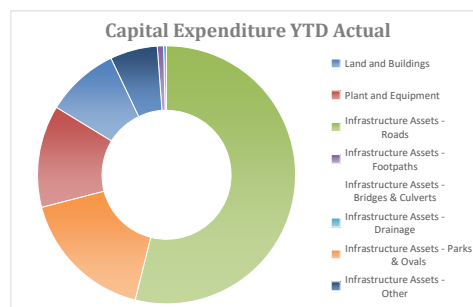
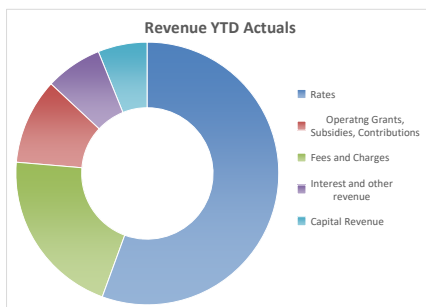
Year to Date Key Information- Graphical  
FOR THE PERIOD ENDING 30 APRIL 2025

Summary

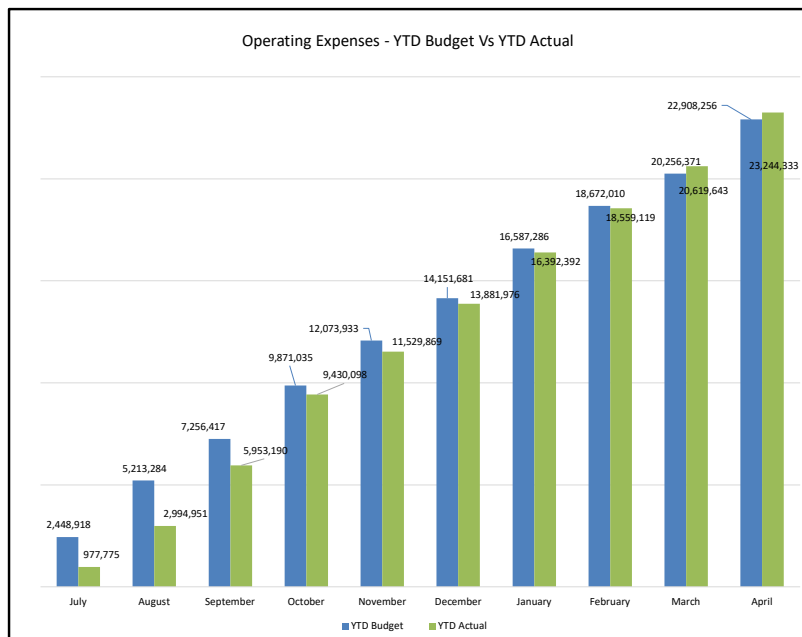
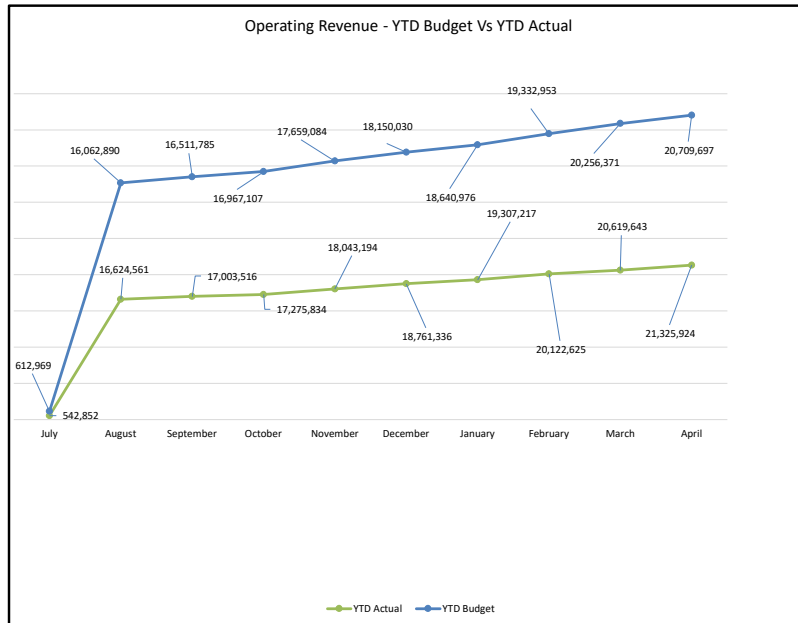
Actual Rates Raised	\$	12,511,932.00
Actual Rates Received	\$	11,647,371.00
Actual Operating Revenue	\$	21,375,700.95
Actual Capital Grants	\$	1,379,926.81
Actual Operating Expenditure	\$	23,240,569.23
Actual Capital Expenditure	\$	3,157,246.51
Actual Proceeds from Sale of Assets	\$	179,527.18

Loans

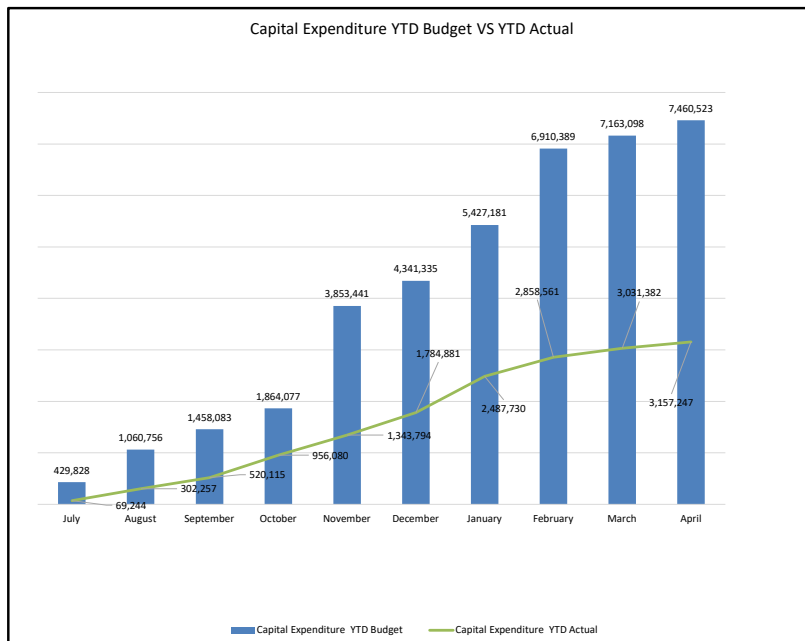
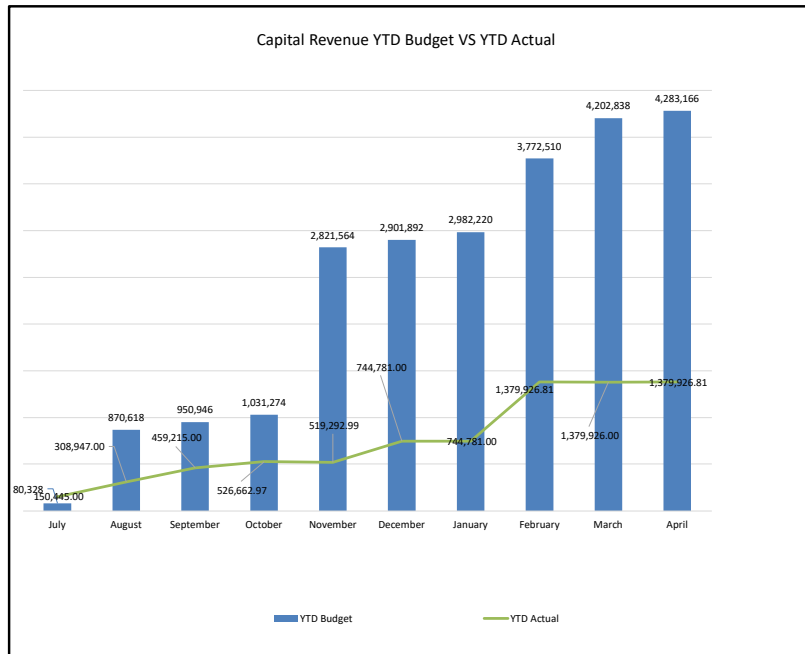
Actual Principal Outstanding	\$	6,172,790.00
Actual Principal Paid YTD	\$	398,403.00
Actual Interest Paid YTD	\$	184,952.26



OPERATING ACTIVITIES



INVESTING ACTIVITIES



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



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

		24/25 Revised Budget \$	24/25 Ytd Actual \$
<b>3. ACQUISITION OF ASSETS</b>			
The following assets have been acquired during the period under review:			
<b>By Program</b>			
<b>Law, Order &amp; Public Safety</b>	Note		
Wundowie Fireshed C/fwd		63,510	0
Wundowie Water Tanks C/fwd		34,930	24,557
Upgrade Stock Pound & CCTV System		45,000	7,086
CCTV Upgrades		100,000	4,839
BBF Light Tanker and Urban Tanker		862,300	0
Northam SES Accessibility Upgrades		60,935	20,750
CESM Vehicale		121,000	0
<b>Health</b>			
<b>Mitsubishi Outlander Hybrid</b>		58,000	
Rav 4 Hybrid & Mitsubishi Plug In		46,000	29,751
<b>Education &amp; Welfare</b>			
Killara Building Upgrades		47,600	49,766
<b>Community Amenities</b>			
Pooled Plug in Hybrid		58,000	53,457
RAV 4 Hybrid & Plug in Hybrid		46,500	18
Inkpen Sheds		8,139	0
Youth Precinct Toliets Painting		7,700	2,920
Wundowie Mueseum		40,000	40,000
Walk of Fame		5,000	0



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

3. ACQUISITION OF ASSETS (Continued)	Note	24/25 Revised Budget \$	24/25 Ytd Actual \$
<b><u>By Program (Continued)</u></b>			
<b>Recreation And Culture</b>			
Structural Repairs Memorial Hall		2,000	0
Brick Pointing Southern Brook Hall		7,000	0
Lesser Hall Upgrade		609,820	52,679
Swimming Infrastructure Upgrades and Wundowie Pool A		163,500	141,073
Bert Hawke Pavillion Carpet and Vinyl Replacement		25,000	0
Recreation Centre Upgrades		37,835	6,195
Bernard Park charging Station Infrastructure		194,277	195,175
Bakers Hill Precinct Upgrades		25,000	0
Bret Hawke Lighting and hockey Dugouts Water		768,800	23,432
Lions Park - Clackline		10,000	8,150
Landscaping Old Pool		501,042	1,040
Long Jump Pit Upgrades		17,500	13,437
Bakers Hill RV		129,972	0
BMX Upgrades		332,058	295,818
Library Building Upgrades		49,500	27,085
Morby Cottage, Replacement of Floor		70,000	0
External Painting Vintage Vehicle Association Building		9,000	0
Railway Museum Works		440,000	0
Entry Light Industrial and CBD		250,000	0

**SHIRE OF NORTHAM**  
**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 APRIL 2025**

<b>3 ACQUISITION OF ASSETS (Continued)</b>	Note	<b>24/25 Revised Budget</b>	<b>24/25 Ytd Actual</b>
<b>Transport</b>			
Northam Depot		133,400	17,456
Linley Valley Road		22,248	0
Kerb Renewal		84,238	33,696
Lunt Street SLK 0.0-0.70		133,050	28,356
Gillet Road SLK 0.0-0.52		99,999	0
Peacock Road SLK 0.0-2.19		151,023	151,024
Crorkan Road SLK 0.0-0.04		61,829	0
Meenar South Road SLK1.0-1.63		181,798	47,848
Meenar North road SLK 0.0-2.0		210,000	8,895
Parker road SLK0.0-1.0		189,861	104,422
Quamkadne Road SLK 0.0-1.0		136,361	96,177
Jennapullin Road SLK 6.56-7.9		535,287	299,498
Jennapullin Road 2.58-3.19		198,080	99,242
Jennapullin Road SLK12.76-1370		177,206	94,800
Jennapullin Road 5.05-6.19		409,608	160,759
Grass Valley South Road Slk 1.05-8.56		386,965	0
Yilgarn AVE Design SLK0-0.65 & 1.35-3.36( WSNF)		87,500	34,650
Wellington Street/Gordon Street		185,530	23,743
Storm Damage		515,922	518,754
Drainage Built Up Area		128,669	11,474
Drainage Rural		380,892	0
Bridges and Culverts		643,238	0
Minson Ave Footpath		355,800	5,800
Hitt Street		17,600	17,600
Killick Street Footpath		37,000	0
Wundowie Townsite Footpaths		37,000	1,600
St George Street Footpath		93,000	0
Gillet Road Footpath		58,000	0
Plant Purchases Parks and Works		900,550	322,089
Airport Toilet Block Mesh and Light Sensors		5,450	4,994
Airport Infrastructure Upgrades		154,900	17,450

SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

3. ACQUISITION OF ASSETS (Continued)	Note	24/25 Revised Budget \$	24/25 Ytd Actual \$
<b><u>By Program (Continued)</u></b>			
<b>Economic Services</b>			
Visitor Centre Upgrades		23,500	0
Create 298, upgrade Lighting & Aircon Repairs		16,000	0
Old Northam Fire Station, Drainage and Motar Repairs		30,000	0
Waste Reuse Water Upgrades		185,000	0
BKB Façade Works		20,000	2,580
<b>Other Property &amp; Services</b>			
Purchase Land		55,000	32,656
Admin Building Minor Works & Charging Station		14,900	24,455
		<u>12,303,322</u>	<u>3,157,247</u>

SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

3. ACQUISITION OF ASSETS (Continued)	Note	24/25 Budget \$	24/25 Ytd Actual \$
<b><u>By Class</u></b>			
Land Held for Resale		0	0
Land and Buildings		1,821,289	288,624
Plant and Equipment		2,092,350	405,315
Infrastructure Assets - Roads		3,766,505	1,701,863
Infrastructure Assets - Footpaths		598,400	25,000
Infrastructure Assets - Bridges & Culverts		643,238	0
Infrastructure Assets - Drainage		509,561	11,474
Infrastructure Assets - Parks & Ovals		1,978,649	537,052
Infrastructure Assets - Other		893,330	187,919
		<u>12,303,322</u>	<u>3,157,247</u>



**SHIRE OF NORTHAM**  
**NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDING 30 APRIL 2025**

**4. DISPOSALS OF ASSETS**

The following assets have been disposed of during the period under review:

	Note	Written Down Value		Sale Proceeds		Profit(Loss)	
		24/25 Budget \$	Ytd Actual \$	24/25 Budget \$	Ytd Actual \$	24/25 Budget \$	Ytd Actual \$
<b>By Program</b>							
<b>Law Order &amp; Public Safety</b>							
CESM Vehicle		10,000.00		9,000.00		(1,000.00)	-
<b>Health</b>							
PN2006 Suzuki Vitara		5,500	3,271.00	16,000	11,818.18	10,500.00	8,547.18
PN 1907 Ford Escape c/fwd		9,000	15,652.92	12,000	11,889.09	3,000.00	(3,763.83)
<b>Planning</b>							
PN2105 RAV 4 Hybrid		37,790.00		27,000.00		(10,790.00)	
<b>Transport</b>							
PN1512 John Deere Gator Crossover Utility		6,833.00		5,000.00		(1,833.00)	-
PN1703 Excavator		41,912.00		40,000.00		(1,912.00)	-
PN1805 Mitsubishi Fuso Fighter Tip Truck (N.4012)		61,856.00		55,000.00		(6,856.00)	-
PN2206 4.5t Trailer		8,592.00		1,000.00		(7,592.00)	-
PN0916 Clark Bobcat Loader (N006)		17,770.00		20,000.00		2,230.00	-
PN1804 Hino 500 Series Tipper (N10759) C/fwd		68,210.00	66,374.79	100,800.00	101,818.00	17.00	35,443.21
PN1905 Mitsubishi Outlander		20,000.00	13,653.11	17,000.00	19,001.91	(3,000.00)	5,348.80
Northam Depot Land Peel Terrace		702,000.00		1,100,000.00		398,000	-
Other			34,563.00		35,000.00		437.00
		1,012,963	133,514.82	1,427,000.00	179,527.18	381,464.00	46,012.36



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDING 30 APRIL 2025

4. DISPOSALS OF ASSETS

The following assets have been disposed of during the period under review:

4. DISPOSALS OF ASSETS CONTINUED

By Class	Written Down Value		Sale Proceeds		Profit(Loss)	
	24/25 Budget \$	Ytd Actual \$	24/25 Budget \$	Ytd Actual \$	24/25 Budget \$	Ytd Actual \$
<b>Plant &amp; Equipment</b>						
CESM Vehicle	10,000.00		9,000.00		(1,000)	-
PN2006 Suzuki Vitara	5,500.00	3,271.00	16,000.00	11,818.18	10,500	8,547.18
PN 1907 Ford Escape c/fwd	9,000.00	15,652.92	12,000.00	11,889.09	3,000	(3,763.83)
PN1905 Mitsubishi Outlander	20,000.00	13,653.11	17,000.00	19,001.91	(3,000)	5,348.80
PN2105 RAV 4 Hybrid	37,790.00		27,000.00		(10,790)	-
PN1512 John Deere Gator Crossover Utility	6,833.00		5,000.00		(1,833)	-
PN1703 Excavator	41,912.00		40,000.00		(1,912)	-
PN1805 Mitsubishi Fuso Fighter Tip Truck (N.4012)	61,856.00		55,000.00		(6,856)	-
PN2206 4.5t Trailer	8,592.00		1,000.00		(7,592)	-
PN0916 Clark Bobcat Loader (N006)	17,770.00		20,000.00		2,230	-
PN1513 John Deere Ride on Mower	8,644.00		7,000.00		(1,644)	-
PN1906 Mitsubishi Outlander C/fwd	14,856.00		17,200.00		2,344	-
PN1804 Hino 500 Series Tipper (N10759) C/fwd	68,210.00	66,374.79	100,800.00	101,818.00	32,590	35,443.21
<b>Land/Buildings</b>						
Northam Depot Land Peel Terrace	702,000.00		1,100,000.00		398,000	
Other		34,562.24		35,000.00		437.76
	1,012,963.00	133,514.06	1,427,000.00	179,527.18	414,037.00	46,013.12
<b>Summary</b>					<b>22/23 Budget \$</b>	<b>Ytd Actual \$</b>
Profit on Asset Disposals					448,664	49,777
Loss on Asset Disposals					(34,627)	(3,764)
					414,037	46,013



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

5 INFORMATION ON BORROWINGS

(a) Debenture Repayments

Particulars		Principal 1-Jul-24	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			24/25 Budget \$	24/25 Ytd Actual \$	24/25 Budget \$	24/25 Ytd Actual \$	24/25 Budget \$	24/25 Ytd Actual \$	24/25 Budget \$	24/25 Ytd Actual \$
Recreation & Culture										
Loan 219A - Northam Bowling Club **	3.18%	58,686	0	0	22,920	11,370	35,766	47,316	1,685	1,567
Loan 224 - Recreation Facilities	6.48%	549,682	0	0	64,328	64,328	485,354	485,354	34,594	36,324
Loan 227 - Youth Space	2.26%	264,032	0	0	50,460	25,088	213,572	238,944	5,684	5,562
Loan 228 - Swimming Pool	1.88%	3,628,715	0	0	203,716	203,716	3,424,999	3,424,999	67,273	68,565
loan 229- Depot	4.74%	1,620,338	0	0	83,527	41,269	1,536,811	1,579,069	76,703	35,646
Economic Services										
Loan 225 - Victoria Oval Purchase	6.48%	449,740	0	0	52,632	52,632	397,108	397,108	28,304	37,288
		6,571,193	0	0	477,583	398,403.00	6,093,610	6,172,790	214,242	184,952

**Note:** \*\* indicates self - supporting loans

All other debenture repayments are to be financed by general purpose revenue.



SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

	24/25 Budget				24/25 Ytd Actual			
	Opening Bal	Tfr To Reserve	Tfr From Reserve	Total	Opening Bal	Tfr To Reserve	Tfr From Reserve	Total
<b>6. RESERVES - CASH BACKED</b>								
Employee Liability Reserve	670,105	25,255	-	695,360	670,105	27,611	(30,000)	667,716
Office Equipment Reserve	3,828	235	-	4,063	3,828	172	-	4,000
Plant & Equipment Reserve	124,348	891	(100,000)	25,239	124,348	2,777	(100,000)	27,125
Road & Bridgeworks Reserve	536,005	16,786	(400,000)	152,791	536,005	12,763	(400,000)	148,768
Refuse Site Reserve	419,946	136,049	-	555,995	419,946	142,814	-	562,760
Speedway Reserve	160,800	5,146	-	165,946	160,800	6,656	-	167,456
Community Bus Replacement Reserve	106,892	3,417	-	110,309	106,892	4,425	-	111,317
Septage Pond Reserve	88,075	35,012	-	123,087	88,075	36,400	-	124,475
Killara Reserve	432,910	13,876	-	446,786	432,910	17,921	-	450,831
Recreation and Community Facilities Reserve	905,918	28,381	(580,852)	353,447	905,918	196,804	(580,852)	521,870
Council Buildings & Amenities Reserve	246,631	3,006	(100,000)	149,637	246,631	16,050	(100,000)	162,681
Parking Facilities Construction Reserve	106,788	3,413	-	110,201	106,788	4,421	-	111,209
Reticulation Scheme Reserve	87,603	2,982	-	90,585	87,603	104,051	-	191,654
Revaluation Reserve	2,834	93	-	2,927	2,834	118	-	2,952
Unspent Grants Reserve	-	-	-	-	-	-	-	-
<b>Total Cash Backed Reserves</b>	<b>3,892,683</b>	<b>274,542</b>	<b>(1,180,852)</b>	<b>2,986,373</b>	<b>3,892,683</b>	<b>572,985</b>	<b>(1,210,852)</b>	<b>3,254,816</b>

**Total Interest & Transfers**

All of the above reserve accounts are to be supported by money held in financial institutions.





SHIRE OF NORTHAM

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDING 30 APRIL 2025

	24/25 Budget	24/25 Ytd Actual	23/24 Actual Report
	\$	\$	\$
<b>7. NET CURRENT ASSETS</b>			
<b>Composition of Estimated Net Current Asset Position</b>			
<b>CURRENT ASSETS</b>			
Cash - Unrestricted	185,317	7,899,150	7,428,194
Cash - Restricted Reserves	2,986,373	3,254,815	3,892,682
Self Supporting Loan	22,920	14,551	15,261
Receivables	623,000	173,613	1,097,372
Rates - Current	2,431,239	3,850,683	2,740,747
Provision for Doubtful Debts	(70,000)	(56,062)	(56,062)
GST Receivables	0	59	294,790
	6,178,849	15,136,809	15,412,984
<b>LESS: CURRENT LIABILITIES</b>			
Sundry Creditors	(1,516,891)	(16,020)	(1,737,614)
Rates Income in Advance	(489,000)	(292,510)	(465,236)
GST Payable	0	(78,213)	(40,369)
Accrued Salaries & Wages	0	0	(204,803)
Accrued Interest on Debentures	0	(64,308)	(98,766)
Accrued Expenditure	0	0	(85,725)
Bond Liability	(900,000)	(856,048)	(823,193)
Loan Liability	(477,583)	(253,686)	(460,880)
Provision for Annual Leave	(649,390)	(728,881)	(728,881)
Provision for Long Service Leave	(695,314)	(699,834)	(699,834)
Other Payables	0	(625,999)	(936,364)
	(4,728,178)	(3,615,497)	(6,281,647)
<b>NET CURRENT ASSET POSITION</b>	1,450,671	11,521,312	9,131,338
Less Cash - Reserves- Restricted	(2,986,373)	(3,254,815)	(3,892,682)
Current Portion of Lease Liabilities	12,759	12,759	10,818
Less: Loans receivable - clubs/institutions	0	(14,551)	0
Add: Current Loan Liability	477,583	253,686	460,880
Add: Leave Liability Reserve	695,360	667,716	670,105
Add: Budgeted Leave	350,000	350,000	350,000
<b>ESTIMATED SURPLUS/(DEFICIENCY) C/FWD</b>	0	9,536,107	6,730,459

SHIRE OF NORTHAM  
RATING REPORT  
FOR THE PERIOD ENDED 30 APRIL 2025

**Key Rating Dates**

RATES ISSUED  
25/09/2015  
RATES DUE  
25/11/2015  
2nd INSTALMENT DUE  
25/01/2016  
3rd INSTALMENT DUE  
28/03/2016  
4th INSTALMENT DUE

Outstanding 1st July  
Rates Levied

Interest, Ex gratia, interim and  
back rates less writeoff's

**Rates paid by month**

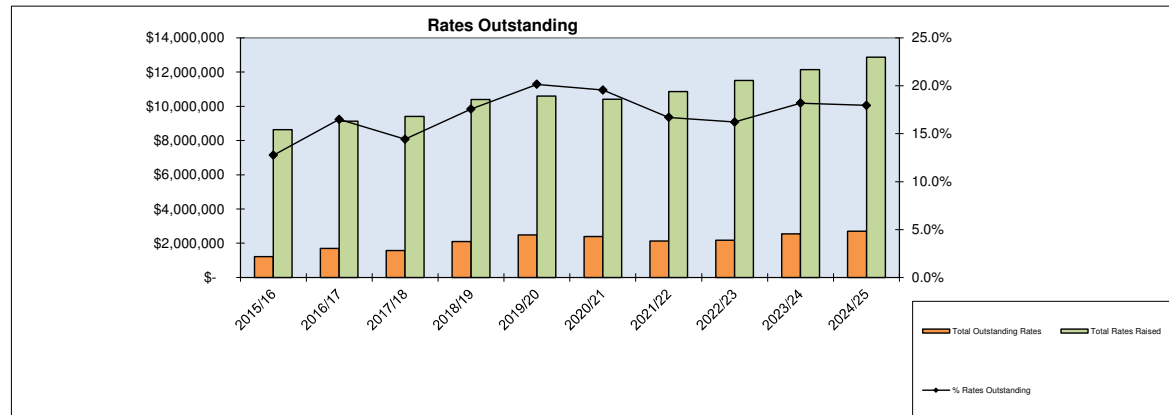
1 July  
2 August  
3 September  
4 October  
5 November  
6 December  
7 January  
8 February  
9 March  
10 April  
11 May  
12 June

Total YTD

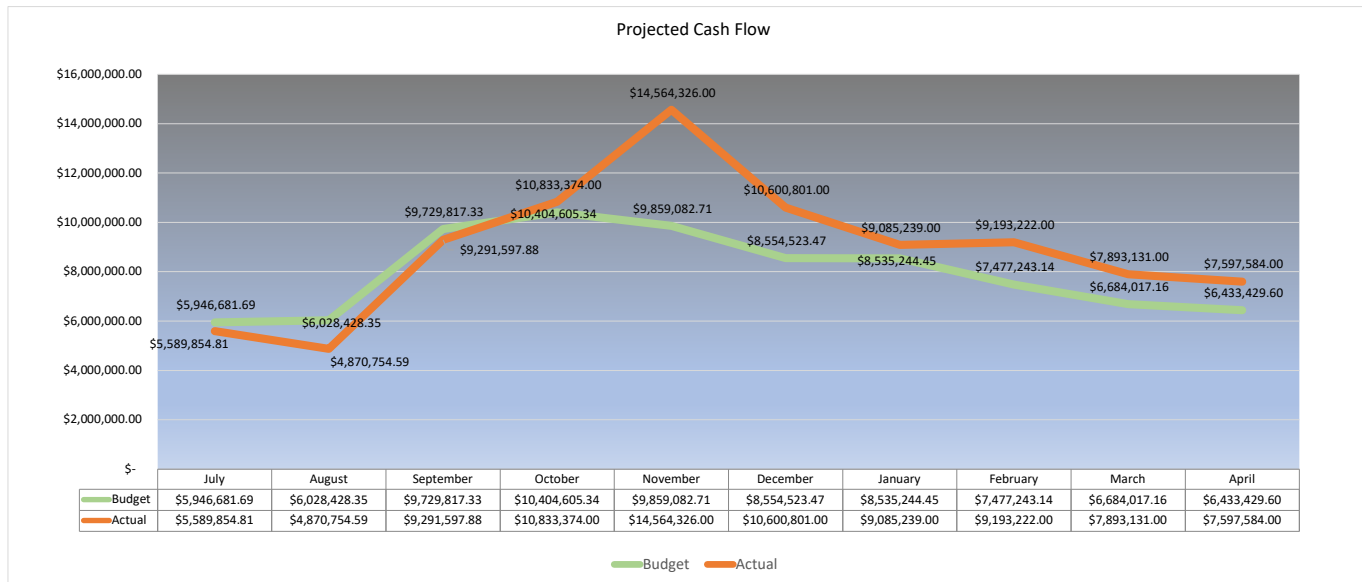
% Ytd Rates Outstanding

Ytd Outstanding

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
RATES ISSUED	14/08/2015	19/08/2016	1/08/2017	15/08/2018	4/09/2019	7/08/2020	23/08/2021	2/09/2022	25/08/2023	26/08/2024
RATES DUE	25/09/2015	30/09/2016	14/09/2017	19/09/2018	9/10/2019	11/09/2020	29/09/2021	7/10/2022	2/10/2023	2/10/2024
2nd INSTALMENT DUE	25/11/2015	30/11/2016	14/11/2017	19/11/2018	9/12/2019	11/11/2020	29/11/2021	7/12/2022	4/12/2023	4/12/2024
3rd INSTALMENT DUE	25/01/2016	30/01/2017	15/01/2018	21/01/2018	10/02/2020	11/01/2021	31/01/2022	7/02/2023	5/02/2024	5/02/2025
4th INSTALMENT DUE	28/03/2016	30/03/2017	15/03/2018	21/03/2018	14/04/2020	11/03/2021	31/03/2022	12/04/2023	8/04/2024	9/04/2025
Outstanding 1st July	\$873,686	\$1,116,220	\$1,483,688	\$1,535,793	\$1,737,187	\$1,842,862	\$1,911,223	\$1,882,648	\$1,883,329	\$2,196,643
Rates Levied	\$8,552,189	\$8,931,257	\$9,564,551	\$9,925,046	\$10,342,585	\$10,381,252	\$10,676,737	\$11,272,726	\$11,856,419	\$12,511,932
Interest, Ex gratia, interim and back rates less writeoff's	\$83,173	\$208,077	-\$155,280	\$474,784	\$251,025	\$29,990	\$190,654	\$242,052	\$284,033	\$356,534
Rates paid by month										
1 July	29,105	43,333	60,002	94,638	87,543	307,979	94,808	90,363	67,295	136,493
2 August	700,198	367,776	2,054,983	1,856,869	213,195	2,343,849	462,892	397,332	371,229	997,645
3 September	4,519,842	4,243,288	3,764,731	4,014,835	2,829,221	4,326,537	5,819,112	3,666,388	4,272,603	4,206,795
4 October	630,886	1,166,136	484,607	590,724	3,255,037	208,486	756,888	3,478,258	2,925,852	3,130,812
5 November	842,856	908,844	1,036,340	952,902	574,138	580,253	1,041,532	720,389	495,891	670,154
6 December	214,507	336,154	189,794	239,893	724,440	437,028	465,088	655,106	934,587	645,170
7 January	441,681	464,526	637,664	861,146	427,789	643,946	794,760	570,266	401,031	680,346
8 February	148,327	260,963	258,355	174,143	576,493	323,242	316,347	713,091	724,593	799,421
9 March	601,416	589,684	670,462	821,970	476,994	558,147	674,247	314,494	527,711	380,534
10 April	166,567	182,282	164,940	230,157	680,168	127,599	218,728	619,363	751,500	711,518
Total YTD	8,295,386	8,562,985	9,321,877	9,837,277	9,845,019	9,857,067	10,644,401	11,225,050	11,472,293	12,358,889
% Ytd Rates Outstanding	12.8%	16.5%	14.4%	17.6%	20.2%	19.6%	16.7%	16.2%	18.2%	18.0%



SHIRE OF NORTHAM  
CASH FLOW REPORT  
FOR THE PERIOD ENDED 30 APRIL 2025



# INVESTMENT REGISTER

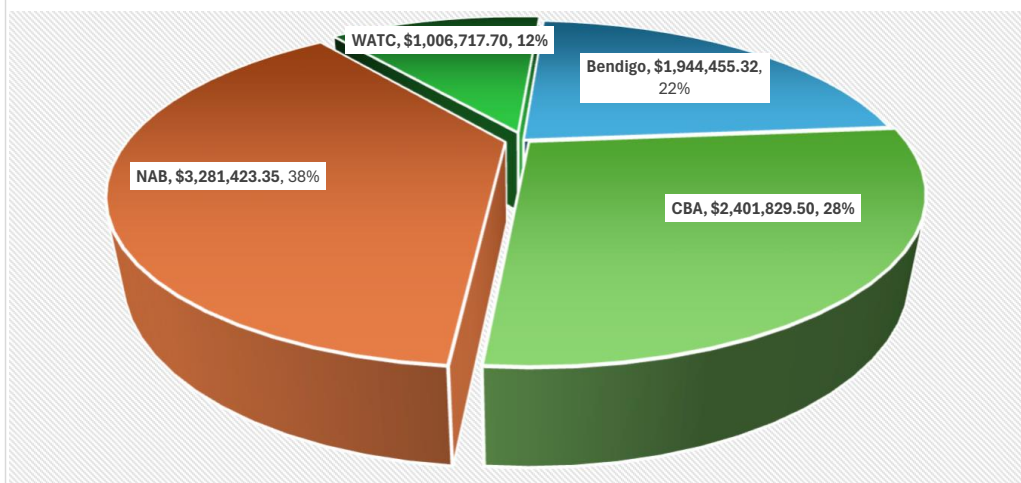
Investor: SHIRE OF NORTHAM

Starting Log Date: 01/07/24

Current Date: 30/04/25

Bank	INVESTING TERM		AMOUNT INVESTED	INTEREST RATE P.A	TERM TO MATURITY MONTHS
	Start	End			
Bendigo	23/12/24	23/06/25	\$594,455.32	5.05%	6
Bendigo	09/12/24	09/06/25	\$350,000.00	5.00%	6
Bendigo	04/04/25	04/07/25	\$1,000,000.00	4.55%	3
CBA	16/04/25	16/05/25	\$155,220.08	4.24%	1
CBA	28/01/25	28/07/25	\$1,228,783.88	4.71%	6
CBA	28/04/25	27/06/25	\$517,825.54	4.33%	2
CBA	09/04/25	09/05/25	\$500,000.00	4.26%	1
Nab	13/03/25	13/09/25	\$775,404.70	4.78%	6
Nab	03/03/25	03/06/25	\$1,500,000.00	4.77%	3
Nab	31/03/25	30/06/25	\$1,006,018.65	4.67%	3
WATC	14/03/25	13/06/25	\$1,006,717.70	4.12%	3
<b>Total</b>			<b>\$8,634,425.87</b>		

DISTRIBUTION OF INVESTMENTS 30/04/2025



### 13.4.3 Corporate Service Policies

<b>File Reference:</b>	2.3.1.2
<b>Reporting Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Responsible Officer:</b>	Colin Young (Executive Manager Corporate Services)
<b>Officer Declaration of Interest:</b>	Nil
<b>Voting Requirement:</b>	Absolute Majority
<b>Communication Required:</b>	No

#### BRIEF

For Council to consider the adoption of the amendments to a series of existing finance-related policies.

#### ATTACHMENTS

1. CS-POLICY-02 CP.24 Procurement\_V5 [**13.4.3.1** - 13 pages]
2. CS-POLICY-03 CP.25 Investment\_V3 [**13.4.3.2** - 4 pages]
3. CS-POLICY-05 CP.26 End of Year Surplus\_V4 [**13.4.3.3** - 1 page]
4. CS-POLICY-06 CP.27 Asset Disposal\_V3 [**13.4.3.4** - 4 pages]
5. CS-POLICY-10 CP.28 Annual and Long Service Liability\_V3 [**13.4.3.5** - 2 pages]
6. CS-POLICY-11 CP.29 Rates Hardship\_V3 [**13.4.3.6** - 4 pages]
7. CS-POLICY-13 CP.30 Vehicle Plant Management\_V3 [**13.4.3.7** - 6 pages]
8. CS-POLICY-14 CP.31 Budget Variation Reporting\_V3 [**13.4.3.8** - 4 pages]

#### A. BACKGROUND / DETAILS

There are a series of existing finance-related policies that are due for review that were discussed with Council Members at a Policy Workshop on 6 May. Copies of the Policies are included as Attachments 13.4.3.1 to 13.4.3.8.

The following table details the existing finance-related policies that have been reviewed and the proposed changes to these policies:

Policy No	Policy Title	Comment/Changes
CP.24	Procurement	The policy has had minor changes including the addition of exemptions under section 3.2 and minor grammatical and formatting changes.

CP.25	Investment	This policy has had minor grammatical and formatting changes.
CP.26	End of Year Surplus	This policy has had minor grammatical and formatting changes.
CP.27	Asset Disposal	This policy has had minor grammatical and formatting changes.
CP.28	Annual and Long Service Leave Liability	This policy has had minor changes to comply with statutory changes to the <i>Local Government (Long Service Leave) Regulations 2024</i> and minor grammatical and formatting changes.
CP.29	Rates Hardship	This policy has had changes to clarify documentation that can assist the ratepayer in applying for assistance and minor grammatical and formatting changes.
CP.30	Vehicle & Plant Management	A new section has been added to the policy recognising some requirements in relation to Work Health and Safety and minor grammatical and formatting changes.
CP.31	Budget Variation Reporting	This policy has had minor grammatical and formatting changes.

## B. CONSIDERATIONS

### B.1 Strategic Community / Corporate Business Plan

Performance Area: People.

Outcome 1: A safe community.

Objective 1.2: Provide accessible and safe public spaces.

Priority Action: Nil.

Performance Area: Performance. Outcome 12: Excellence in organisational performance and customer service.

Objective 12.1: Maintain a high standard of corporate governance and financial management.

Priority Action: Nil.

### B.2 Financial / Resource Implications

Nil.

### B.3 Legislative Compliance

The relevant legislation has been identified in each of the policies presented for consideration.

#### B.4 Policy Implications

This report proposes amendments to the existing finance-related policies.

#### B.5 Stakeholder Engagement / Consultation

A workshop was held with Council Members on 6 May 2025.

#### B.6 Risk Implications

Refer to Risk Matrix [here](#).

Risk Category	Description	Rating (likelihood x consequence)	Mitigation Action
Financial	N/A		
Health & Safety	N/A		
Reputation	N/A		
Service Interruption	Not having necessary Policies in place to mitigate service interruptions.	Possible (3) x Minor (2) = Moderate (6)	Adopt policies as per recommendation and communicate as required.
Compliance	Non-compliance with OAG audit	Possible (3) x Minor (2) = Moderate (6)	Adopt Policies as presented.
Property	N/A		
Environment	N/A		

#### B.7 Natural Environment Considerations

Nil.

#### C. OFFICER'S COMMENT

Nil.

**RECOMMENDATION / COUNCIL DECISION**

**Minute No:** C.5321

**Moved:** Cr A J Mencshelyi

**Seconded:** Cr C M Poulton

**That Council ADOPTS the following Policies:**

- 1) CP.24 Procurement as per Attachment 13.4.3.1, noting that no amendments were made to the Regional Price Preference component of this policy.
- 2) CP.25 investment as per Attachment 13.4.3.2;
- 3) CP.26 End of Year Surplus as per Attachment 13.4.3.3;
- 4) CP.27 Asset Disposal as per Attachment 13.4.3.4;
- 5) CP.28 Annual and Long Service Liability as per Attachment 13.4.3.5;
- 6) CP.29 Rates Hardship as per Attachment 13.4.3.6;
- 7) CP.30 Vehicle and Plant Management as per Attachment 13.4.3.7;
- 8) CP.31 Budget Variation Reporting as per Attachment 13.4.3.8.

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil





Shire of Northam Council Policy  
CP.24 Procurement

## CP.24 Procurement

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	<u>C.4720TBA</u>
<i>Resolution Date</i>	<u>19/04/202328/05/2025</u>
<i>Next Scheduled Review</i>	<u>20272024/2025</u>
<i>Related Shire Documents</i>	Delegated Authority Register Shire of Northam Code of Conduct Strategic Community Plan Manage Procurement Process
<i>Related Legislation</i>	Local Government Act 1995 Part 4 of Local Government (Functions and General) Regulations 1996 Freedom of Information Act 1992 Occupational Safety and Health Act 1984 Construction Contracts Act 1984 State Records Act 2000

### OBJECTIVE

The objectives of this policy are to:

- ensure best practice policies and procedures are followed in relation to procurement for the Shire of Northam (the Shire);
- undertake procurement processes that ensure value for money for the Shire by delivering the most advantageous outcome possible;
- ensure openness, transparency, fairness and equity through the procurement process to all potential suppliers; and
- ensure efficient and consistent procurement processes are implemented and maintained across the Shire.

### SCOPE

This policy applies to all procurement activities undertaken by the Shire's officers, appointed representatives and, where applicable, contractors procuring on behalf of the Shire.

### POLICY

#### 1 Ethics & Integrity

##### 1.1 Code of Conduct



Shire of Northam Council Policy  
CP.24 Procurement

All officers of the Shire undertaking procurement activities are expected to have regard for the Code of Conduct requirements and observe the highest standards of ethics and integrity. All officers of the Shire are expected to act in an honest and professional manner consistent with the Shire's values.

## 1.2 Procurement Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the procurement process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all procurement decisions and the efficient, effective and proper expenditure of public monies to achieve value for money;
- all procurement practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire's applicable policies and Code of Conduct;
- ~~in the context of this policy framework~~, procurement is to be undertaken on a competitive, ~~in the context of this policy framework~~, basis where all potential suppliers are treated impartially, honestly and in a similar manner;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed;
- any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation; and
- any canvassing of the Shire's Council ~~Members~~ or staff ~~will~~ disqualify ~~s~~Suppliers / contractors seeking to do business with the Shire in relation to the applicable procurement.

## 2 Value for Money

Value for money is an overarching principle governing procurement that seeks the best possible outcome for the Shire. Compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, safety and quality standards, sustainable procurement objectives, timeliness of supply, whole of life cycle costing and other relevant service benchmarks.

However, when a higher priced offer(s) is recommended, there should be clear and demonstrable benefits over and above the lowest total priced offer(s).



### 3 Purchasing Requirements

#### 3.1 Legislative / Regulatory Requirements

The requirements that must be complied with by the Shire are prescribed within the Regulations as noted in the Legislation/Local Law Requirements section of this Policy.

#### 3.2 ~~Purchasing~~~~Tendering~~ Exemptions

- ~~Tenders~~ Refer to regulation 11 (2) of the *Local Government Act (Functions & General) Regulations 1996*.
- Advanced/prior payment of services (accommodation, travel, seminars, training and conferences).
- Annual renewals for software maintenance, support and licensing fees.
- ~~Annual professional subscriptions and subscriptions.~~
- ~~Provision of advertising services.~~
- ~~Provision of temporary personal personnel.~~
- ~~Utility services.~~
- Statutory licences or statutory registration fees (e.g. vehicle registration).
- Banking fees and charges.
- Insurance payments to Local Government Insurance Services (LGIS).

#### 3.3 Purchasing Thresholds

The ~~p~~Purchasing ~~t~~Thresholds relate to the actual or expected value of a contract over the full contract period or the extent to which the Shire will continue to purchase a particular category of goods, services or work and the total value of that purchase.

The following thresholds apply where the total value (excluding GST) of the full contract period for the purchasing of goods and/or services is, or is expected to be:



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Purchase Value Threshold (exclusive of GST)	Procurement Requirement where no existing agreement/contract exists with the Shire	Evaluators
Up to \$2,000	All market approaches will comply with the table below, including Open Public Tenders and Tendering Exemptions (refer 3.2)  Direct <b>P</b> rocurement from suppliers requiring <b>one verbal or written quotation</b> .  The preference is to procure from a Shire based <b>b</b> Business if a suitable supplier can be sourced.  The supplier must provide quality and value for money.	Sole internal evaluator
Over \$2,000 and up to \$10,000	A minimum of <b>one written quotation</b> from suppliers containing price, and details of the supply including basic specifications and warranty offerings.  The preference is to procure from a Shire based <b>b</b> Business if a suitable supplier can be sourced. The supplier must provide quality and value for money.	Sole internal evaluator
Over \$10,000 and up to \$50,000	A minimum of <b>two written quotations</b> from different suppliers containing price, and details of supply including basic specifications and warranty offerings.  At least one written quote should be attained from a <b>local business</b> <del>Local Business</del> if a suitable supplier can be sourced.  When assessing quotes, <b>a local business</b> <del>the Local Business is</del> <del>would be</del> preferred if it is providing comparable quality and quantity to other quoters, and the price is no more than 10% higher than the other preferred quotes, and in the case of construction (building) contracts up to 5%, in accordance section 24D of the <i>Local Government (Functions and General) Regulations 1996</i> .	Minimum of one internal evaluator
Over \$50,000	<b>Seek assistance from the <b>P</b>rocurement</b>	Minimum of



Shire of Northam Council Policy  
CP.24 Procurement

Purchase Value Threshold (exclusive of GST)	Procurement Requirement where no existing agreement/contract exists with the Shire	Evaluators
and up to \$250,000	<p>All market approaches will comply with the table below, including Open Public Tenders and Tendering Exemptions (refer 3.2)</p> <p><u>team for purchases over \$150,000 for goods and services, and contracts over \$50,000.</u></p> <p>Seek a minimum of <b>three written quotations</b> from different suppliers containing price, detailed specifications, timing, capacity and warranty offerings. At least one written quote should be attained from a <u>local business</u><del>Local Business</del> if a suitable supplier can be sourced.</p> <p>When assessing the quotes <u>a the local bLocal Business is</u><del>would be</del> preferred if it is providing comparable quality and quantity to other quoters, and the price is no more than 10% higher than the other preferred quotes and in the case of construction (building) contracts up to 5%, in accordance section 24D of the <i>Local Government (Functions and General) Regulations 1996</i>.</p>	two internal evaluators
Over \$250,000	<p><u>All Tenders must be run by the Pprocurement team.</u></p> <p><del>Tenders must be called</del> Conduct a public Request for Tender process in accordance with Part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>, this policy and the Shire's tender processes.</p> <p>Local Content Weighting will be included, where appropriate, in accordance <u>with</u> section 24D of the <i>Local Government (Functions and General) Regulations 1996</i>, in the tender assessment process. <u>Shire based</u><del>Local bB</del>usinesses will receive preference when evaluating this criteria.</p>	<p>Minimum of three internal evaluators</p> <p>Over \$250,000 purchase value the Chief Executive Officer or Executive Manager must Chair the Evaluation Panel.</p>



Whenever it is not possible to meet the procurement requirements of the Shire, appropriate justification must be documented through [Central Recordsrecords](#) in accordance with the Shire's Recordkeeping Management Practice.

### 3.4 Waiver of Quotation

Where quotes are not practical, e.g. due to limited suppliers, the Chief Executive Officer or Executive Manager/[Director](#) may, at their discretion, waive the requirements to obtain quotes providing that written, justifiable reasons for such [a](#) waiver are provided by the responsible Officer and documented through [Central Recordsrecords](#).

### 3.5 Inviting Tenders under the Tender Threshold

Where considered appropriate and beneficial, or to manage procurement risk, the Shire may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold (\$250,000). This decision should be made after considering the benefits of this approach in comparison with the costs, timeliness and compliance requirements.

If a decision is made to undertake a public Tender for contracts expected to be \$250,000 or less in value, the Shire's tendering procedures must be followed in full.

### 3.6 Minor Variations to Tenders

- I. In accordance with regulation 20, *Local Government (Functions and General) Regulations 1996*, a minor variation may be made to a contract following a tender process, by the Shire, prior to the Shire and the preferred tenderer formalising the contract.
- II. A minor variation has been determined by the Shire to mean a variation which does not materially alter the specification or structure provided for by the initial tender.
- III. Where the initial procurement required Council approval, and the variation does not meet condition [II.2](#) above, then the variation must be presented to Council for consideration.
- IV. All decisions regarding minor variations must be documented and recorded.

### 3.7 Standing Offer Agreement

This is an Agreement where a supplier(s) agrees to provide specified goods (which are considered commodities/services off the shelf (COTS) which are



readily available from multiple suppliers and frequently purchased), at an agreed price fixed for a set period of time (usually for one year). Standing [oOffers](#) are a commitment by suppliers to provide agreed products at the fixed price on receipt of a Shire Purchase Order. Standing offers do not commit the Shire to any minimum volume. A standing offer once accepted by the Shire is deemed to have met the quotation process.

A [sStanding oOffer](#) is established by seeking quotations as per the Procurement Requirements tabled in section 3.3 "Purchasing Thresholds" of this policy, within the range of \$10,000 to \$250,000 ([excluding Exclusive of GST](#)).

### 3.8 Sole Source of Supply

Where the procurement requirement is of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Shire is satisfied and can demonstrate that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring any alternative sources of supply.

From time to time, the Shire may publicly invite an expression of interest to effectively determine that one sole source of supply prevails in this situation.

### 3.9 Anti-Avoidance

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the purchase in consideration below a particular purchasing threshold. Refer to Regulations 12(1) and 12(2) [Local Government \(Functions and General\) 1996](#).

### 3.10 Emergency Purchases

An emergency purchase is defined as an unanticipated and unbudgeted purchase, which is required in response to an emergency situation as provided for in the *Local Government Act 1995*. In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken.

An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate the Shire's procurement requirements in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

### 3.11 Council Approvals



The *Local Government (Functions and General) Regulations 1996* provide that Council is required to [accept](#) tenders (subject to approved Delegations of Authority). For the avoidance of doubt, Council approval is not required for the provision of goods or services when public tenders are not required to be invited (and are not invited), providing the expenditure is authorised through the annual budget or approved in accordance with section 6.8(1) of the *Local Government Act 1995*.

Regulation 13 of the *Local Government (Functions and General) Regulations 1996* specify that if:

*"a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited to the requirements of this Division."*

#### 4 State of Emergency Declaration

##### 4.1 Sourcing

A formal tender process does not need to be undertaken when sourcing and securing essential goods and services when a [State of Emergency](#) declaration is in force for local government and the goods or services must be required to address needs arising from, or impacts or consequences of, the hazard to which the emergency relates. Refer regulation 11(2) (aa) of the *Local Government (Functions and General) 1996*.

##### 4.2 Contract Extension

When a [State of Emergency](#) declaration is in force, a contract that is due to expire within the next three months can be renewed or extended at the discretion of the Shire, even though this option is not included in the original contract.

Limits on this apply: the original contract must have less than three months to expiry, [and it](#) The renewal or extension cannot be for more than twelve months. Refer regulation 11(2) (ja) of the *Local Government (Functions and General) 1996*.

#### 5. Records Management

Records relating to all procurement activities must be retained in compliance with the *State Records Act 2000 (WA)*, the Shire's Recordkeeping Management Practice and associated procurement procedures.





As a minimum, a comprehensive register of all contracts is to be maintained, with all contract information, where the value required an [Open Tender](#) to be conducted in line with the Local Government Regulations threshold.

## 6. Sustainable Procurement and Corporate Social Responsibility

Sustainable Procurement and Corporate Social Responsibility (CSR) is defined as the procurement of goods and services that have less environmental and social impacts than competing goods and services.

The Shire is committed to sustainable procurement, and will ensure that sustainable and CSR considerations are balanced against value for money outcomes, in accordance with the Shire's sustainability objectives.

## 7. Buy Local Policy

### 7.1 Local Price Preference

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire in relation to all quotations/tenders invited by the Shire for the supply of goods, services and construction (building) services.

The [Local price preference](#) enables suppliers to be evaluated as if the proposed tender/quotation bid price were reduced in accordance with permitted price preferences as specified below in this policy.

This policy will operate in conjunction with the purchasing considerations and procedures as outlined within this [Policy](#) when evaluating and awarding tender contracts.

### 7.2 Qualifying Criteria

#### 7.2.1 Local Supplier:

A supplier of goods or services who submits a tender/quotation is regarded as being a local tenderer if:

- i. the supplier has a physical business premises (in the form of an office, depot, shop, outlet, headquarters or other premises where goods or services are being supplied from), located within the Shire. This does not exclude suppliers whose registered business is located outside the Shire but undertake the business from premises located in the Shire;
- ii. a business having permanent staff that are based at the business premises located within the Shire;
- iii. management or delivery of the majority of the outcomes will be carried out from the business premises located in the shire, ~~and~~



In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

### 7.3 Local Price Preference Value

#### 7.3.1 Goods and Services:

The Shire of Northam will provide a local price preference to the maximum allowable amount specified in section 24D of the *Local Government (Functions and General) Regulations 1996*.

## 8. Contract Management

Refer to regulation 20 of the *Local Government (Functions and General) Regulations 1996*. The Shire may make minor variations, in accordance with regulation 20 of the *Local Government (Functions and General) Regulations 1996* and Delegated Authority F04, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

Contracts are to be proactively managed during their lifecycle by the Shire Officer responsible for the delivery of the contracted goods, services or works, to ensure the Shire receives value for money and to enforce performance against the contract. Requirements are outlined in the Shire's Contract Management Practice.

Where a contract extension or variation is required, the details must be updated in the [Shire's Shires](#) Contract Management system or database. The agreement must be signed by a person with appropriate delegation and authorisation.

## 9. Panels of Pre-Qualified Suppliers

### 9.1 Establishing a Panel

- Panels may be established for one type of supply requirement, or a number of similar types of supply requirements under defined categories within the Panel.
- Panels may be established for a minimum of one (1) year and for a maximum of three (3) years as deemed appropriate by the Shire.
- Evaluation criteria must be determined and communicated in the invitation process by which applications will be assessed and accepted.
- Where a Panel is to be established, the Shire will appoint at least three (3) suppliers to the Panel (or each category under the Panel), on the basis of best value for money. Where less than three (3) suppliers are determined as offering value for money, either per category or the Panel, the Panel or category of the Panel is not to be established.



- In each invitation to apply to become a pre-qualified supplier (through a state-wide notice and [the Shire's](#) official website), the Shire must state the number of suppliers it intends to pre-qualify onto the Panel, or to each category under the Panel.
- Should a Panel member leave the Panel during its operation, they may be replaced by the next ranked supplier as determined in the original value for money assessment to join the Panel of pre-qualified suppliers (should the supplier agree to do so), with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

## 9.2 Distributing Work Amongst Panel Members

To satisfy Regulation 24AD(5) of the *Local Government (Functions and General) Regulations 1996*, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; or
- ii. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances (e.g. emergency purchases, etc).

Contracts under the Panel must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes any options to extend the contract.

## 9.3 Purchasing from the Panel

All purchases made under the Panel must be made in accordance with the method prescribed in the Invitation to Join a Panel of pre-qualified suppliers, and applied in a consistent fashion.

## 9.4 Recordkeeping

Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire [electronic recordsCentral Records](#) system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

For the creation of a Panel, this includes:



Shire of Northam Council Policy  
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- The procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- A copy of the invitation to apply to become a pre-qualified supplier documentation;
- Copy of public advertisement inviting applications;
- Copies of all applications received;
- Evaluation documentation, including clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- Copies of framework agreements entered into with pre-qualified suppliers; and
- Records of orders issued under the Panel and any subsequent performance details of works undertaken.

The Shire is also to retain itemised records of each invitation to quote process, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Panel contract.

Information on each Panel of pre-qualified suppliers, including scope of the Panel, details of pre-qualified suppliers under each Panel and term of the Panel must be maintained and made available for access by all officers across the Shire.

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## Definitions

### 1.1 Shire Based Business

- Businesses registered in the Shire of Northam.
- Businesses that have premises in any of the Shire of Northam's localities.

### 1.2 Local Business

- Businesses registered in the Shire of Northam.
  - Businesses that have premises in any of the Shire of Northam's localities.
  - Businesses not registered in the Shire, but that have an economic impact on the Shire from using local sub-contractors, employing Shire residents or making significant material purchases from suppliers operating within the Shire of Northam.
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CP.24 Procurement*

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## CP.25 Investment

Responsible Department	Corporate Services
Resolution Number	C.4720
Resolution Date	19/04/202328/05/2025
Next Scheduled Review	2024/2025 2027
Related Shire Documents	
Related Legislation	Local Government Act 1995, s6.14; The Trustees Act 1995, Pt III Investments; as amended -Local Government (Financial Management) Regulations 1996, Regs 19, 19C, 28 & 49 -Australian Accounting Standards

### OBJECTIVE

The purpose of this policy is to define how the Shire will invest itsthe local government's surplus funds, ~~with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met, whilst minimizing the possibility of incurring capital loss.~~

~~While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.~~

### SCOPE

The policy applies to any investment of surplus funds other than bank deposits for operational purposes.

### POLICY

#### 1. Policy Objectives

To invest the Shire of Northamlocal government's surplus funds, with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met, and the investment type whilst minimiszesing the possibility of incurring capital loss.

While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio.



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CP.25 Investment

Investments are to be performed in a manner that seeks to ensure security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
- The investment is expected to achieve a predetermined market average rate of return that takes into account the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

The objectives of the Policy on Investment of Surplus Funds are:

- To provide maximum capital security of funds;
- To provide the best available rate of interest from an approved source; and,
- To ensure sufficient liquidity to meet the Shire's Council's cash flow requirements.

## 2. Legislative Requirements

All investments are to comply with the following:

- *Local Government Act 1995* – Section 6.14;
- *The Trustees Act 1962* – Part III Investments;
- *Local Government (Financial Management) Regulations 1996* Regulation 19, Regulation 19C, Regulation 28 and Regulation 49.

## 3. Policy Statement

Investments shall be restricted to term deposits or commercial bills offered by the following banks or government institutions:

- Commonwealth Bank of Australia
- ~~BankWest~~
- Australia and New Zealand Bank
- National Australia Bank
- Westpac Banking Corporation
- ~~WA Treasury Corporation~~
- Macquarie Bank
- Bendigo Bank

Investments shall be spread to ensure that no single institution holds more than 50% of the Shire's invested funds.

## 4. Prohibited Investments

This e-investment policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments;



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CP.25 Investment

- Principal only investments or securities that provide potentially nil or negative cash flow; and
- Standalone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

Speculative financial instruments are specifically prohibited, together with the use of the portfolio for speculation. Leveraging of the portfolio (borrowing to invest) is prohibited.

[The Local Government \(Financial Management\) Regulations 1996](#) —Reg 19c (2) does not allow the following;

- Deposit with an institution except an authorised institution;
- Deposit for a fixed term of more than 12 months;
- Invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory [Government](#);
- Invest in bonds with a term to maturity of more than 3 years;
- Invest in a foreign currency.

## 5. Term and Status Reports

The term of individual investments shall be consistent with the Shire's cash flow requirements and shall not exceed 12 months.

The status and performance of the investment portfolio is to be reported monthly to Council within the [monthly](#) financial report ~~to Council~~.

## 6. Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this [Investment Policy](#), and not for speculative purposes.

## 7. Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of [the Shire's Council's](#) investment portfolio. This policy requires officer's to disclose any conflict of interest to the [Chief Executive Officer](#) ~~EO~~.

## 8. Approved Investments

Without approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds;
- Interest bearing deposits;
- Bank accepted/endorsed bank bills;





## 9. Investment Risk Management Guidelines

### (a) Quotations on Investments

Not less than three (3) quotations shall be obtained from authorised institutions when an investment is proposed.

### (ii) Credit/Diversification Risk

The short term (0-365 days) credit guidelines will be based on Standard and Poors' Short Term Issue Credit Ratings which are:

- A1+ The obligor's capacity to meet its financial commitment on the obligation is extremely strong.
- A1 The obligor's capacity to meet its financial commitment on the obligation is strong.
- A2 The obligor is susceptible to adverse economic conditions however the obligor's capacity to meet its financial commitment on the obligation is satisfactory.

The amount invested with any one financial institution or product should not exceed the following percentages of average annual funds invested within each risk rating. to - To Exclude operating accounts and is at the time of initial investment of funds:

Credit Rating	Maximum % in credit rating category	Maximum % in one authorised institution
Short term A1+	100	50
Short term A1	50	50
Bendigo Bank Short Term A2	50	50
Short term A2	25	50

### (i) Preference to community support

Where two or more quotes are equal in terms of risk and return then the institution that can demonstrate a greater community support will be preferred over the other.

### (ii) Change in Credit Ratings

If any of the Shire Council's investments are downgraded such that they no longer fall within these investment policy guidelines, they will be divested as soon as is practicable.



Shire of Northam Council Policy  
CP.26 End of Year Surplus

## CP.26 End of Year Surplus

Responsible Department	Corporate Services
Resolution Number	C.4720
Resolution Date	<del>19/04/2023</del> 28/05/2025
Next Scheduled Review	2024/20252027
Related Shire Documents	Annual Budget & Annual Report Develop Annual Budget Process
Related Legislation	

### OBJECTIVE

This policy aims to establish parameters for the use of untied surplus funds at the end of each financial year as identified through the [Annual Budget](#) adoption process.

### SCOPE

As part of the [Annual Budget](#) process, the Shire of Northam must calculate its end of year financial position, or surplus/ deficit as a starting point for the following year's budget.

Included in this calculation are projects which have not been completed in the previous financial year and in most cases, these items are carried forward for expenditure in the following financial year. ~~However, b~~Budget savings which have been achieved which cannot be readily identified at the end of the financial year are known as an "untied surplus".

### POLICY

The Council recognises that the allocation of untied surpluses is an important aspect in discharging its financial management responsibilities. The Council recognises that untied surpluses will not be used to offset the future annual operating costs of the [Shire Council](#), except where Council, by an absolute majority vote, has ~~ve~~ declared that the community is in a [S](#)tate of [E](#)mergency. In this instance this policy SHALL NOT APPLY.

The use of any identified untied surplus at the end of a financial year will be limited to one (or more) of the following transactions, at the discretion of Council:

1. Transferred to a Reserve Account to be nominated by the Council;
2. Allocated to a "one-off" capital project nominated by the Council;
3. Retirement of debt (where possible).



Shire of Northam Council Policy  
CP.27 Asset Disposal

## CP.27 Asset Disposal

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.4720
<i>Resolution Date</i>	19/04/202328/05/2025
<i>Next Scheduled Review</i>	2024/20252027
<i>Related Shire Documents</i>	Annual Budget & Annual Report W5.7 Asset Management Policy
<i>Related Legislation</i>	Local <u>G</u> overnment Act 1995, S3.58 Local Government (Functions and General) Regulations 1996 Environmental Protection Act 1986

### OBJECTIVE

To establish protocols for the disposal of assets owned by the Shire of Northam in accordance with the requirements of section 3.58 of the *Local Government Act 1995* ensuring the best possible financial, environmental and community outcome is obtained in a process that has accountability and transparency.

### SCOPE

The Shire of Northam is responsible for a vast number of public assets which includes infrastructure and non-infrastructure assets to a significant value. The whole life-cycle management of all assets includes exercising due diligence in the disposal of assets owned by the Shire. This policy provides staff, in particular ~~Executive Officers and Asset Custodians~~, with the protocols for correct disposal of assets which no longer belong to, or are required by the Shire.

### POLICY

#### Policy Statement

The following principles apply to the disposal of property (assets) activity:

- Asset disposal decisions, including reasons for such action are to be recorded in the Shire's asset registers and associated accounting records.
- The financial treatment of the disposal of fixed assets such as land, property, plant, equipment, furniture and fittings is to be determined by market demand.
- Disposal of assets by private treaty must demonstrate that the most advantageous price was achieved.



- (d) Assets that are approved to be written off will be disposed of from the [Shire's](#) asset register at their written down value as of the date of write off.
- (e) Environmental considerations are paramount when considering disposal of assets to landfill sites, therefore the *Environmental Protection Act 1986* and the Department of Environment Guidelines for "*Landfill Waste Classification and Waste Definitions 1996 (as amended 2018)*" are to be complied with.

### Content

Section 3.58 of the *Local Government (Functions and General) Regulations 1996* establishes the methodologies by which local governments may dispose of property (assets) and are applicable to any asset disposal contemplated by the Shire. The following disposal approaches are to be followed by [the Chief Executive Officer](#) and Executive Managers in accordance this policy:

- (a) Vehicles shall be either traded in against the replacement vehicle as part of a public tender/quote process or disposed of by public auction. [The Executive Manager—Corporate Services](#) is responsible for vehicle disposals in accordance with this policy.
- (b) Heavy Plant shall be either traded in against the replacement piece of plant through a public tender process or sold by public auction. The Executive Manager Engineering Services is responsible for heavy plant disposals in accordance with this policy.
- (c) Minor Plant items are the responsibility of the Executive Manager Engineering Services for disposal in accordance with this policy.
- (d) Land is the responsibility of the Chief Executive Officer.
- (e) Buildings are to be disposed of in accordance with this policy and are the responsibility of the Executive Manager Engineering Services.
- (f) Furniture and Equipment located in buildings [isare](#) to be disposed of in accordance with this policy and [isare](#) the responsibility of the [relevant](#) department's Executive Manager.
- (g) Infrastructure assets are to be disposed of in accordance with this policy and are the responsibility of the Executive Manager Engineering Services.
- (h) Information technology assets are to be disposed of in accordance with this policy and are the responsibility of the Executive Manager Corporate Services.
- (i) Artwork assets within the Shire of Northam are the responsibility of Council.

### Authority to Dispose of Property

Assets to be disposed of shall be included in the annual budget, adopted by Council or be a value of less than \$5,000 and recorded in the delegated authority register.

### Reasons for disposal



Shire of Northam Council Policy  
CP.27 Asset Disposal

- (a) Has reached its pre-determined economic life and is being disposed of in order to maximise the realisable market value;
- (b) Is no longer required due to a change in functionality or usage patterns;
- (c) Has reached the end of its expected useful life and has been confirmed by an appropriate condition assessment as to be disposed and/or replaced;
- (d) No longer complies with workplace health and safety standards or is determined as environmentally unviable, subject to risk assessment;
- (e) Is beyond repair and no longer in operable condition;
- (f) Is no longer able to provide an acceptable level of service to the community;
- (g) Is stolen, lost or damaged (to be written off, asset register).

### Methods of Disposal

The disposal method chosen must comply with the requirements of section 3.58 of the *Local Government Act 1995* and be appropriate to the value, nature, quantity and location of the goods, and where applicable promote fair and effective competition to the greatest extent possible. The disposal methods available are:

- (a) Trade-in – as part of a public tender process and only where it is part of the asset replacement program.
- (b) Public Tender – advertising in the local newspapers circulated in Western Australia.
- (c) Auction – advertisement in the local newspapers circulated in Western Australia and be a licenced auctioneer.
- (d) Destruction or landfill – this applies where items are of no commercial value and no longer required by Shire.
- (e) Contribution or donation as approved by Council.
- (f) Other means as resolved by Council.

### Roles and Responsibilities

Chief Executive Officer (CEO)

- (a) The CEO is the chief custodian of assets and has limited delegated authority to authorise dispose of property as detailed in the Shire's Delegated Authority Register.
- (b) The CEO is responsible for ensuring that Executive Managers comply with legislation and implement this policy when undertaking the disposal of assets.

Executive Managers

- (c) Executive Managers have limited delegated authority from the CEO to authorise the disposal of property as detailed in the Shire's Delegated Authority Register.
- (d) Executive Managers are responsible for ensuring that Managers and Officers of the Shire comply with the legislation and this policy when undertaking the disposal of assets.



*Shire of Northam Council Policy  
CP.27 Asset Disposal*

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Shire of Northam Council Policy  
CP.28 Annual and Long Service Liability

## CP.28 Annual and Long Service Liability

Responsible Department	Corporate Services
Resolution Number	C.4720
Resolution Date	<del>19/04/2023</del> 28/05/2025
Next Scheduled Review	2024/20252027
Related Shire Documents	N/A
Related Legislation	Local Government (Long Service Leave) Regulations <del>2024</del> 8 (2)

### OBJECTIVE

The purpose of this policy is to establish employee maximum annual and long service leave liabilities for the Shire of Northam.

### SCOPE

Applies to all employees.

### POLICY

Each year the accrued liability for annual and long service leave for that year is calculated on the presumption that all employees remain in service.

#### 1. Annual Leave

Employees are to accrue no more than 40 days annual leave.

~~Effective as of the date this policy is adopted by Council.~~

Employees ~~affected~~ with a balance over 40 days will be given a twelve month period to ~~aeffect~~ an arrangement to reduce their annual leave to below ~~the~~ 40 days.

#### 2. Long Service Leave

Employees are to take long service leave capped at 11 years ~~and may be required to take the accrued LSL unless other agreed in writing by the Chief Executive Officer (CEO)EO.~~; any future increases in pay beyond that date will not apply to the rate of pay when long service is taken.



Shire of Northam Council Policy  
CP.28 Annual and Long Service Liability

~~Effective as of the date this policy is adopted by Council.~~

~~Current employees affected with a balance over the 11 years cap will be given a twelve month period to effect an arrangement to take their long service leave.~~

~~3.~~ The CEO has the discretion to vary the conditions relating to annual and long service leave at clauses 1 and 2 if one of the following conditions are met~~;~~:

- a. A suitable leave plan is presented to the CEO;
- b. Due to the orderly carrying out of Shire business leave cannot be taken in accordance to clauses 1 & 2 and agreed by the CEO;
- c. Extenuating circumstances (e.g. pending retirement, pending major health issue that will require a significant recovery period~~operation expected to be carried out, date pending~~).





Shire of Northam Council Policy  
CP.29 Rates Hardship

## CP.29 Rates Hardship

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	C.4720
<i>Resolution Date</i>	<del>19/04/2023</del> 28/05/2025
<i>Next Scheduled Review</i>	<del>2024/2025</del> 2027
<i>Related Shire Documents</i>	Shire of Northam Policies
<i>Related Legislation</i>	Local Government Act 1995 section 2.7

### OBJECTIVE

To give effect to [the Shire's](#) commitment to support rates debtors experiencing financial hardship.

This ~~p~~Policy is intended to ensure that [the Shire](#) offers fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding.

### SCOPE

This policy applies to:

1. Outstanding rates debtors who are unable to pay outstanding rates and service charges due to financial hardship.

### POLICY

1. Payment difficulties, hardship and vulnerability<sup>1</sup>

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances results in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant ~~(non-residential)~~, business owner etc.

2. Financial Hardship Criteria

<sup>1</sup> Adapted from the Ombudsman Western Australia publication, **Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance:**  
<http://www.ombudsman.wa.gov.au/>



Shire of Northam Council Policy  
CP.29 Rates Hardship

While evidence of hardship will be required, ~~the Shirewe~~ recognises that not all circumstances are alike. ~~The ShireWe~~ will take a flexible approach into consideration ~~to~~ a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness/injury or recovery from sickness/injury
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family
- Emergency event from natural disasters
- Domestic or family violence.
- ~~A serious accident~~

Ratepayers are ~~required~~encouraged to provide any applicable information about their individual circumstances that may be relevant for assessment with their Recompleted rates Hhardship application form. This may include:

- Letter from a recognised financial counsellor
- Letter from employer confirming change in employment status
- Any related Centrelink documentation (if applicable)
- ~~D~~demonstrating a capacity to make some payment and where possible, entering into a payment proposal.

~~We~~The Shire will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying without statutory responsibilities.

### 3. Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act Local Government Act 1995 are to be at an of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Northam of any change in circumstances that jeopardises impacts the agreed payment schedule.

In the case of severe financial hardship, the Shirewe reserves the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy as this a State Government charge).

### 5. Interest Charges

A ratepayer who~~that~~ meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

### 6. Deferment of Rates



Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the death of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, ~~but~~ the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

#### 7. Assessment

The Shire will carefully consider all relevant information and supporting documentation provided and will exercise due care in assessing financial hardship taking into account the rates debtor's individual circumstances.

Factors the Shire may consider in assessing an application for financial hardship support include:

- The size of debt.
- The length of time the debt has remained outstanding.
- Whether the debt has accumulated over time.
- Any prior payment arrangements entered into with the Shire.
- Any prior applications for financial hardship support or payment agreements.
- The nature of the property, including whether it is leased to a third party.
- Any mortgage or other debt secured by the property, ~~or~~
- The personal and financial circumstances of the applicant.

The Chief Executive Officer may enter into payment agreements with rates debtors for the Shire where the payment agreement will result in payment of the outstanding debt within three (3) years. Payment agreements outside of these terms will be ~~considered by~~ presented to Council.

#### 8. Debt ~~R~~ecovery

~~The Shire~~We will suspend ~~our~~ debt recovery processes whilst negotiating a suitable payment arrangement with a rate debtor. Where a rate debtor is unable to make payments in accordance with the agreed payment plan, ~~and~~ the rate debtor must advise ~~the Shire immediately~~ us and makes an alternative plan before defaulting on the third-3<sup>rd</sup> due payment. T, this will enable the Shire to ~~then we will~~ continue ~~to~~ suspending ing debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, ~~then~~ for any Rates and Service Charge debts that remain outstanding after the third due payment, ~~the Shire~~we will offer the ratepayer one ~~final~~further opportunity of adhering



Shire of Northam Council Policy  
CP.29 Rates Hardship

to a payment plan that will clear the total debt ~~by~~ as per the agreed payment arrangement.

Rates and service charge debts that remain outstanding at the end of the agreed payment arrangement ~~+~~ will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

9. Communication and Confidentiality

~~The Shire~~We will maintain confidential communications at all times and ~~we~~ undertake to communicate with a nominated support person or other third party at a rate debtor's request, and will be notified of the outcome of their hardship application in writing.

~~The Shire~~We will advise rates ~~debtors~~ payors of this policy and its application, where there is an outstanding rates or services charge debt and indication is given that they may be experiencing hardship when communicating in any format (i.e. verbal or written). ~~with a ratepayer that has an outstanding rates or service charge debt.~~

~~We~~The Shire recognises s that applicants for hardship consideration are experiencing additional stressors, and may have complex needs. ~~The Shire may~~We will provide additional response time for rates debtors to respond to communication and ~~may will~~ communicate in alternative formats where appropriate. ~~We will ensure a~~All communication with applicants will be ~~is~~ clear and respectful.



Shire of Northam Council Policy  
CP.30 Vehicle & Plant Management

## CP.30 Vehicle & Plant Management

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	<u>C.4194 and C.4195 TBA</u>
<i>Resolution Date</i>	<u>21/04/2024-28/05/2025</u>
<i>Next Scheduled Review</i>	<u>2024/25 2027</u>
<i>Related Shire Documents</i>	Asset Management Policy Employee Code of Conduct <u>Fleet Transition Plan – Light Vehicles</u> Workplace Health & Safety Policy
<i>Related Legislation</i>	<u>Local Government Act 1995</u>

### OBJECTIVE

- To clearly define the appropriate use of Shire owned vehicles for operational purposes;
- To ensure Shire owned plant and vehicles are purchased and replaced having regard to cost effectiveness;
- To provide clear guidelines to employees for private usage of Shire owned vehicles;
- Maximise vehicle availability for business use;
- Minimise Fringe Benefit Tax (FBT) liabilities;
- Provide an attractive employment package for staff.

### SCOPE

This pPolicy applies to all Shire of Northam employees who use Shire owned plant and vehicles for operational purposes and/or agreed private use. This pPolicy is also extended to persons who have agreed operational use of vehicles and/or plant that are not direct employees of the Shire.

### POLICY

Executive Managers will be responsible for ensuring to ensure this pPolicy is complied with within their department. The Executive Manager Corporate Services Fleet Manager will be responsible for coordinating the pPolicy in collaboration with the Chief Executive Officer (CEO).

Category 1	Vehicle	Conditions of Use
Community / Pool Vehicle	Type: Bus or vehicle specific to operational need.	<ul style="list-style-type: none"> <li><u>As agreed.</u></li> </ul>
Category 2	Vehicle	Conditions of Use



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W 5.9 Vehicle & Plant Management

Officers	Type: Base model Small Sedan, SUV or vehicle to meet operational needs	<ul style="list-style-type: none"> <li>Commuter <u>Use</u>;</li> <li>Approved travel to and from the employee's place of employment and home.</li> <li>Travel other than commuter use requires Executive Manager approval and operating costs to be inherited by employee.</li> <li>Commuter <u>Use</u> excludes the following: <ul style="list-style-type: none"> <li>Transportation of members of the public other than for official purposes;</li> <li>Visits to private or other non-work related locations, unless on the direct route.</li> </ul> </li> </ul>
<b>Category 3</b>  Officers & Supervisors	<b>Vehicle</b>  Type: Base model Small Sedan, SUV or vehicle to meet operational needs	<b>Conditions of Use</b> <ul style="list-style-type: none"> <li>Restricted Private <u>Use</u>.</li> <li>Approved travel within the Shire of Northam.</li> <li>Travel outside of the Shire of Northam requires Executive Manager approval, <del>and operating costs to be inherited by employee.</del></li> </ul>
<b>Category 4</b>  <del>Senior</del> Officers & Managers	<b>Vehicle</b>  Type: Base model Medium Sedan, SUV or vehicle to meet operational needs	<b>Conditions of Use</b> <ul style="list-style-type: none"> <li>Restricted Private <u>Use</u>;</li> <li>Approved travel within 200km of <u>Shire bBoundaryhome address</u>;</li> <li>Travel outside of 200km radius of <u>Shire bBoundaryhome address</u> requires Executive Manager approval, <del>and operating costs to be inherited by employee.</del></li> </ul>
<b>Category 5</b>  CEO Executive Managers	<b>Vehicle</b>  Type: Large Sedan, 4x4, SUV or Station Wagon.	<b>Conditions of Use</b> <ul style="list-style-type: none"> <li>Unrestricted Private <u>Use</u>;</li> <li>Approved travel within Western Australia;</li> <li>Travel outside of Western Australia subject <u>to CEO approval for Executive Managers, CEO Approval</u>;</li> </ul>

#### GENERAL VEHICLE USAGE

With the exception of vehicles allocated to designated special purpose positions, all Shire vehicles are to be made available for usage as pool vehicles during core business hours. Vehicles to be made available outside of these hours (excluding private use categories) shall be at the discretion of the relevant Departmental Executive Manager.



## PERIODS OF LEAVE

Category ~~42~~ & to 34 employees whom are absent from the workplace for a period of more than ~~oneto~~ (12) ~~consecutive~~ weeks (paid or unpaid leave), will require approval to retain use of the vehicle from the ~~relevant~~ Departmental Executive Manager. Fuel cards are ~~required to be returned to the Executive Manager not permitted to be used~~ for periods of leave in excess of one (1) week.

Category 5 employees shall retain their vehicles during periods of leave, with the use of fuel cards to be in accordance with their employment contract ~~agreements~~.

## FRINGE BENEFIT TAX REPORTING

All Fringe Benefits Tax (FBT) reporting requirements are to be completed and submitted to the Finance Manager and/or Accountant by the due date. These include:

- Log books of vehicle use are to be completed when requested;
- Annual returns giving details of any employee using the vehicle;
- The start and finish dates of each period of use, and;
- Details of the vehicle use when allocated to another person.

Employee's allocated vehicles for commuting or limited private use are required to notify the Executive Manager Corporate Services ~~Fleet Manager~~ of any changes to the allocation of the vehicle (e.g. during leave or staff rotation etc.). Failure to do so will result in the assumption the vehicle is still under the employee's control and associated fringe benefits will be attributed to the employee.

## OHSWORK HEALTH AND SAFETY REQUIREMENTS

- Smoking and/or v~~g~~Aping is not permitted in any Shire owned vehicle or plant.
- Drivers must ensure they are in a fit condition to drive the vehicle or plant.

## CARE OF VEHICLE

Employees who have been assigned a vehicle shall be responsible for the proper care of the vehicle including safe keeping, regular cleaning ~~—(both inside and out)~~ and ensuring that normal running items such as fuel, oil, battery, radiator and tyre pressure are checked at regular intervals, preferably daily.

Employees shall be responsible for ensuring an allocated vehicle is used appropriately at all times. Employees shall be responsible for paying for any damage that occurs when a vehicle has been deemed to have been used inappropriately (including drink driving and road rage).



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Reconditioning costs at change over may be recovered from [employees staff](#) if the vehicle is excessively damaged through negligence. The [Executive Manager Corporate Services Fleet Manager](#) shall report excessive re-conditioning costs to the relevant Executive Manager. The CEO shall decide if excessive re-conditioning costs are required to be paid by the [employee who was allocated the vehicle or plant Officer](#).

## SELECTION OF VEHICLE TYPE

Category 1 to 4 employees will be allocated a base model vehicle or a vehicle that is specific to operational needs.

Category 5 employees will be allocated a vehicle appropriate to the position and in accordance with their [employment](#) contract conditions.

All vehicles are to be purchased from local dealerships in accordance with the purchasing policy unless otherwise agreed by the CEO.

Where practicable all new light vehicle replacements are to be made in accordance with the objectives and findings of the [Shire's Fleet Transition Plan – Light Vehicles 2022](#).

## SAFETY RATINGS

Where practicable, vehicles purchased will have a 5 Star ANCAP (Australasian New Car Assessment Program) rating. Operational vehicles with a lower ANCAP rating may be purchased subject to operational needs and at the discretion of the [Executive Manager Corporate Services Fleet Manager](#).

## LEGAL REQUIREMENTS

It is the employee's responsibility to maintain the relevant class [of driver's](#) license to operate a Shire vehicle [or plant](#). Employees who are holders of probationary, or extraordinary licenses must display the appropriate plates in a prominent position.

The driver will be responsible for any fine incurred in the operation of vehicles [or plant](#) whether on [Shire Council](#) business (when under the control of the employee) or using it for private purposes.

In the event of an accident or damage to a vehicle, it is the responsibility of the employee to:

- Report as soon as practicable to their Executive Manager, any involvement in a motor vehicle accident or upon sustaining general damage to the vehicle;
- Report any accident in a motor vehicle to the Police where required by law;
- Not accept or acknowledge any liability on behalf of [the Shire Council](#) arising from an accident;





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- Complete as soon as practical after the accident, the appropriate claim form and incident report form, returning them to the relevant Officers.

Vehicle and plant rights usage ~~will~~may be revoked if the employee's ~~motor vehicle~~ license has lapsed or is suspended for any reason, until such time as the appropriate licensed driver's license has been reinstated.

Where the employee, or person authorised by the employee, is involved in an accident whilst on private use and subsequently convicted of an offence, the Shire Council reserves the right to recover any expenses incurred as a direct result of that accident.

### OTHER DRIVERS

Category 1 to 3 employees shall not allow any non-direct employees to drive the vehicle.

Category 4 employees are permitted to have spouse / partner drive the vehicle in accordance with conditions of that category and Sstate legislation if prior approval has been obtained from the relevant Departmental Executive Manager.

Category 5 employees are permitted to have their spouse or partner drive the vehicle in accordance with conditions of that category and Sstate legislation.

### VEHICLE ROTATION & REPLACEMENT

The following replacement frequency will apply to the Shire's fleet of plant and vehicles:

Passenger Vehicles:	<u>E</u> very 4 years, or 90,000 km
Operational Vehicles:	<u>E</u> very 5 years, or 90,000 km, or end of warranty periods
Heavy Plant:	<u>Seven-7</u> years or 8,000-15,000 hours, to be assessed annually for condition.

Vehicles may be ~~rotated~~deallocated amongst staff to prolong utilization or preserve market value to maximise financial gain when replacing vehicles.

Fleet life cycle costs vary regularly due to a variety of factors including fuel costs, maintenance costs, used fleet prices and market and industry trends. The Shire of Northam will review replacement periods on a regular basis to ensure vehicles are replaced at the optimum time, ensuring the most cost effective outcome ~~for the Shire of Northam~~.

### VEHICLE USAGE BY NON-EMPLOYEE'S

Non-employees who have a vehicle or plant assigned for operation purposes are required to enter into a written agreement clearly defining the terms and conditions of the usage.

### DEFINITIONS



Shire of Northam Policy Manual (Section I)  
Policy  
W 5.9 Vehicle & Plant Management

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<b>Fleet Manager:</b>	<del>The Executive Manager which has the fleet management service area assigned to them under the Corporate Plan.</del>
<b>Non- Employee:</b>	Is a person (excluding spouse or family member) <del>who</del> has an operational need to drive the vehicle, <del>s</del> Such as <del>a</del> Volunteer Bush <del>F</del> ire <del>B</del> brigade member.
<b>Pool Vehicle:</b>	Is a vehicle which is to be made available for use during business hours for other employees to use.



Shire of Northam Council Policy  
CP.31 Budget Variation Reporting

## CP.31 Budget Variation Reporting

<i>Responsible Department</i>	Corporate Services
<i>Resolution Number</i>	<u>C.4720TBA</u>
<i>Resolution Date</i>	<u>19/04/2023 28/05/2025</u>
<i>Next Scheduled Review</i>	<u>2024/20252027</u>
<i>Related Shire Documents</i>	<u>Adopted Budget &amp; CP.24 Procurement Policy</u>
<i>Related Legislation</i>	<u>Local Government Act 1995, section 5.2</u>

### OBJECTIVE

To provide guidance to the Council and the Chief Executive Officer (CEO) concerning the treatment of budget variations.

### SCOPE

The Policy applies across the organisation.

### POLICY

#### 1. Definitions

Annual Budget - Adopted each year in the form and manner prescribed, a budget for all revenue, expenditure, capital works and other income for the municipal fund, for the financial year ending on the 30 June. (section 6.2 *Local Government Act 1995*).

Budget Review - A review of the Annual Financial Year Budget, endorsed by Council and incorporating all known adjustments since adoption or prior budget reviews. For the purposes of reporting 'variations' in accordance with this policy, a budget review will occur once in each financial year quarter.

Emergency Expenditure - Expenditure required to mitigate any risk related to:

- 1.1. Injury to a person
- 1.2. A natural disaster
- 1.3. Restoring or maintaining normal services to the Community

LGA s6.8 (1)(c) is authorised in advance by the ~~P~~residentmayer in an emergency.

LGA s6.8(2)(b) is to be reported to the next ~~O~~rdinary ~~M~~meeting of ~~C~~ouncil.

COA – Chart of Account number, for example.

- 12382102 Streets, Carparks & Paths



Shire of Northam Council Policy  
CP.31 Budget Variation Reporting

Management Budget - The schedules that support the adopted annual budget forecasts.

Material Variance – for the purposes of *Local Government (Financial Management) Regulations 1996* Section 34 (1) (d), are defined as being 10% or \$20,000 whichever is greater.

Responsible Officer - Staff members responsible for budgetary control of any specific line item in the budget.

Service Area - A defined service delivery area in the Shire's organisational structure, for example.

1.4. Engineering Services [Directorate](#)

Statement of Financial Activity – as defined by *Local Government (Financial Management) Regulations 1996* Section 34 (1).

Sub Program - A group of service areas within Shire's organisational structure, for example.

1.5. Construction of Streets, Roads, Bridges, Depots

1.6. Maintenance of Road, Bridges, Depots

1.7. Road Plant Purchases

Variation – any expenditure change of greater than \$10,000 per chart of account item, excluding internal allocation accounts (such as administration allocation, depreciation, public works overheads and plant operating costs).

## 2. Budget Variations

It is recognised the [aAnnual](#) [bBudget](#) is an informed financial forecast and variations are to be expected as actual circumstances experienced may differ to initial estimates provided.

The intent of this [pPolicy](#) is to provide guidance [regarding amendment of towards amending](#) the Shire's [aAnnual](#) [bBudget](#) to accommodate variations which may arise in meeting administrative operations and the delivery of annual objectives. This includes the requirements for reporting budget amendments to Council.

Council recognises that the contents of this policy provides no limitation with reference to Section 6.8 of the *Local Government Act 1995* – Expenditure from municipal fund not included in annual budget.

### 2.1. Variations in Expenditure (Operational) – Existing Line Item:

#### 2.1.1. Accommodated within Sub Program



*Shire of Northam Council Policy  
CP.31 Budget Variation Reporting*

Where variations in expenditure may be accommodated within the overall budget for a sub program area, the responsible Executive Manager may authorise the re-direction of budget funds within that sub program area.

For example: The total operating expenditure budget for Maintenance of Roads, Bridges, Depots is \$4.3 million for a given financial year and there are multiple management budget line items (COA) to deliver the service. If maintaining gravel roads, in line with service standards, exceeds initial forecasts and operational savings exist or are identified within the overall road maintenance area, provided that the overall budget for the Maintenance of Roads, Bridges, Depots remains consistent with the adopted annual budget, the Executive Manager may approve a management budget amendment.

It is the relevant Executive Manager's responsibility to ensure that the change in expenditure has a nil effect on the budget operating position and the administrative amendment is reflected in the next Budget Review for Council.

#### **2.1.2. Not accommodated within a Sub Program Area**

Where increases in expenditure are not accommodated within the sub-program area or the overall budget for a sub-program, and funds are required for that expenditure, those funds must be identified from another budget line, either within the service area or from another service area. Any such re-direction of funds must maintain the budgeted operating position and requires the formal written approval of the Chief Executive Officer. It is the requesting Executive Manager's responsibility to ensure that the change in expenditure is detailed within the next Budget Review or within the Monthly Financial Report for Council approval.

### **2.2. Variations in Expenditure (Capital) – Existing Line Item:**

#### **2.2.1. Accommodated within Program Area**

Where variations in expenditure may be accommodated within the overall budget for a sub-program area, the responsible Executive Manager may authorise the re-direction of budget funds within the program area.

For example: The total capital expenditure budget for construction of Streets, Roads, Bridges, Depots (sub program) is \$7.7 million for a given financial year and there are multiple management budget line items (COA) to deliver the service. If construction of an individual road, in line with budget parameters of length, width and treatment type, exceeds initial forecasts and savings exist or are identified within the overall program area, provided that the overall budget for the construction of Streets, Roads, Bridges, Depots (sub program) remains consistent with the adopted annual budget, the Executive Manager may approve a management budget amendment.



Shire of Northam Council Policy  
CP.31 Budget Variation Reporting

It is the relevant Executive Manager's responsibility to ensure that the change in expenditure has a nil effect on the budget financial position and the management amendment is reflected in the next Budget Review or within the Monthly Financial Report for Council approval.

#### 2.2.2. Not Accommodated within Program Area

No capital variations can be approved if they are not able to be accommodated within the program area. Any such proposed variations must gain the prior approval of the Council, by formal resolution.

#### 2.3. Variations in Revenue Budget Lines

Variations in budget line items resulting from increases or decreases in budgeted revenue should be included in the following Budget Review for formal amendment as well as being reported in the Monthly Financial Report presented to ~~Full~~ Council. The materiality of the amount is to be considered. Shortfalls in actual revenue amounts against budget forecasts are to be met by reductions in operating expenditure. Additional revenues are to offset unexpected expenses defined in this Policy, to be addressed as part of a Budget Review or treated as surplus at year end.

#### 2.4. Material variances

In accordance with section 34 (1) of the *Local Government (Financial Management) Regulations 1996*, Material variances will be reported monthly against the statement of financial activity.

## 14 MATTERS BEHIND CLOSED DOORS

### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5322

Moved: Cr M P Ryan  
Seconded: Cr C M Poulton

That Council, in accordance with section 11.1(i) of the Shire of Northam Standing Orders Local Law 2018 and Section 5.23 (2) (b) of the *Local Government Act 1995*, meet behind closed doors to consider agenda item:

- 14.1 - Display of Artworks

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

Members of the Gallery left the meeting at 6:00 pm.

*Cr D A Hughes declared an "Impartiality" interest in item 14.1 – Display of Artworks as the artist is known to Cr D A Hughes.*

*President C R Antonio declared an "Impartiality" interest in item 14.1 – Display of Artworks as the person of the artwork is known to President C R Antonio.*

### 14.1 DISPLAY OF ARTWORKS

#### RECOMMENDATION / COUNCIL DECISION

Minute No: C.5323

Moved: Cr A J Mencshelyi  
Seconded: Cr H J Appleton

That Council:

1. REQUESTS the Chief Executive Officer to arrange removal of the Artwork No. 145 and 156 (Shire of Northam Art Collection Inventory) from public display and place the artworks into storage until further notice.
2. RETAINS Artwork No. 145 and 156 in the Shire of Northam Art Collection.
3. REQUESTS the Chief Executive Officer to arrange removal of the

displayed print of Artwork No.145 from the BKB Exhibition and replace it with an alternative artwork.

**4. REQUESTS the Chief Executive Officer to arrange the commissioning of an alternative artwork to replace the display of Artwork No.156.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

**RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.5324**

**Moved: Cr M P Ryan**

**Seconded: Cr A J Mencshelyi**

**That Council move out from behind closed doors.**

**CARRIED 9/0**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

Members of the Gallery returned to the meeting at 6:01 pm.

**15 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**MOTION / COUNCIL DECISION**

**Minute No: C.5325**

**Moved: Cr M P Ryan**

**Seconded: Cr A J Mencshelyi**

**That Council RAISES agenda item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way Adjacent to 16 Brown Road and 51 Olive Road, Wundowie, from the table.**

**CARRIED 9/0**



**For:** President C R Antonio, Cr A J Mencshelyi, Cr H J Appleton, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton, Cr M P Ryan and Cr J E G Williams

**Against:** Nil

*Cr J E G Williams declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie, as Cr Williams was the mover of the original motion, she has been in discussions with several local residents about this matter. One of the adjoining landowners is known to Cr Williams.*

*President C R Antonio declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as owners of the property(s) mentioned in the report are known to President C R Antonio.*

*Cr A J Mencshelyi declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as owners of a property near the PAW are known to Cr A J Mencshelyi.*

*Cr L C Biglin declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as owners of the adjacent lots are known to Cr L C Biglin.*

*Cr M P Ryan declared an "Impartiality" interest in item 15.1 - Motion to Change Council Decision C.3222 - Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie as one of the land owners who lives near the accessway is known to Cr M P Ryan.*

## **15.1 MOTION TO CHANGE COUNCIL DECISION C.3222 - PEDESTRIAN ACCESS WAY – ADJACENT TO 16 BROWN ROAD AND 51 OLIVE ROAD, WUNDOWIE**

### **BACKGROUND**

At the Ordinary Council Meeting held on 20 December 2017, Council resolved:

#### **RECOMMENDATION / COUNCIL DECISION**

**Minute No: C.3222**

**Moved: Cr Williams**

**Seconded: Cr Little**

**That Council:**

- 1. Resolves to retain the PAW located between Brown Road and Olive Road;**
- 2. Upgrade the PAW to ensure that the access way is trafficable by a 2 wheel drive vehicle for emergency situations; and**
- 3. Install an unlocked gate at either end of the PAW to deter unwanted vehicles utilising the access way.**

**CARRIED 9/0**

Cr Mencshelyi requested a Notice of Motion to change the above Council decision due to receiving feedback from members of the community about 2-wheel drive vehicles using the Pedestrian Access Way (PAW). A map of the PAW and Certificate of Title is provided in Attachments 15.1.1 and 15.1.2.

The PAW is approximately 10 metres wide and 240 metres long and connects the end of Brown Road to Olive Road, Wundowie. It appears that the PAW was created as a component of the subdivision of the surrounding area in 1981, however there are no Shire records that indicate what the purpose of the PAW was for at the time of subdivision. Staff have made inquiries with the Department of Planning, Lands and Heritage regarding the original intent of the PAW being created however they have advised that there is little historical information on its origin. The Department indicated that it is likely that the PAW was created to provide emergency access.

It is understood that in a number of subdivisions within semi-rural areas a PAW was provided as a means for emergency access/strategic firebreaks however as stated above there are no Shire records that indicate what the initial purpose for the PAW was.

This item was brought before Council again at its Ordinary Meeting held on 26 February 2025 where it was resolved:

**MOTION / COUNCIL DECISION**

**Minute No: C.5252**

**Moved: Cr L C Biglin**

**Seconded: Cr D A Hughes**

**That Council LIES agenda item 15.1 – Motion to Change Council Decision C.3222 – Pedestrian Access Way Adjacent to 16 Brown Road and 51 Olive Road, Wundowie on the table to allow the Chief Executive Officer to investigate all Pedestrian Access Ways and Emergency Access Ways within the Shire of Northam to ascertain compliance with the Planning for Bushfire**

**Guidelines (November 2024) issued by the Department Planning, Lands and Heritage.**

**CARRIED 7/1**

## **OFFICER COMMENT**

Following the 2017 resolution, a gate was installed at the Brown Road end of the PAW/emergency access way but not at the Olive Road end. From a technical perspective, as Minute No. C3222 refers to installation of an unlocked gate at either end of the access way, rather than both ends, action has been undertaken in accordance with the literal interpretation of the 2017 resolution.

The current *Planning for Bushfire Guidelines* state that permanent public emergency access ways that utilise gates to control traffic during non-emergency periods, will be managed by the local government and should not be locked.

The guidelines also state that for restricted public emergency access ways *"emergency access ways should not be gated, or where they are gated should not be locked. However, there may be instances where the local government or Main Roads Western Australia will request the gate be locked and public vehicular access restricted, except during an emergency. This is usually due to concern regarding additional vehicular access onto an existing local or state road. If the emergency access way is to be locked to restrict access, a common key system should be used. Keys should be available to emergency services and designated fire officers within the local government area/and or surrounding district."*

It is understood that the restricted public emergency access way arrangements would not be applicable in this instance as there are no concerns with additional vehicles accessing the local road system. In addition, given the location of the access way, having a common key system will not be effective. There have also been no reports of unauthorised access reported directly to the Shire.

Following discussion at the Council meeting in December 2024, further information was provided in terms of the installation of an additional gate and boulders at the Olive Road end of the PAW. The cost to replicate the gate and boulders that exists on the Brown Road end of the PAW is approximately \$2,650 (exc. GST), with an additional cost of \$220 for 2 padlocks. This funding is able to be allocated from W5102 Fire Mitigation expenses.

Photos of the existing gate at the Brown Road end have been provided in Attachment 15.1.3. A photo of the existing access way at the Olive Road end has been provided in Attachment 15.1.4.

It is noted that the proposed treatment may not prevent unauthorised access by two wheeled vehicles.

As per Minute No. C.5252, Officers have conducted a review of known public access ways, emergency access routes and fire service tracks within the Shire of Northam.

During this review, it was found that 2 of the 11 access ways/routes/tracks are gated. One gate is located on Brown/Olive Road and is not locked. The other is at the Raymond Court/Virginia Crescent Estate emergency access way where it meets Benruea Road, and this gate is also left unlocked.

The review further revealed that only 1 of the 11 routes complies with the current *Planning for Bushfire Protection Guidelines* issued by the Department of Planning, Lands and Heritage. However, these guidelines are not applied retrospectively.

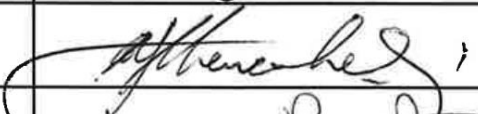
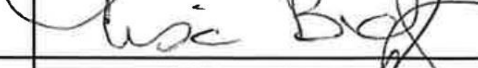
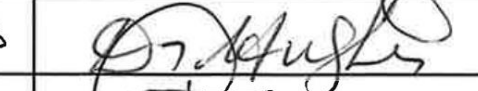

As a result of the review, further upgrading of several of the access ways and tracks will be undertaken (subject to grant/funding availability) to bring these more in line with current standards.

#### PART 1

A motion to revoke or change a previous Council or Committee decision must (first stage) be supported and be signed by at least a third of the number of members (whether vacant or not), inclusive of the mover, of the Council or Committee, or by an absolute majority if an attempt to revoke or change the decision has been made and failed in the previous three months.

Council Members will be requested to indicate if they support a motion to change the decision made. This is to be inclusive of Cr Mencshelyi as the mover.

Notice is hereby given by the following:

	Council Member Name	Signature
1.	Cr A J Mencshelyi	
2.	Cr L C Biglin	
3.	Cr <del>H J Appleton</del> D. Hughes	
4.	Cr M P Ryan	

To change the following decision:

Meeting / Date	20 December 2017
Agenda Item No	12.3.4
Agenda Item Name	Pedestrian Access Way – Adjacent to 16 Brown Road and 51 Olive Road, Wundowie
File Reference	A1054/A1765
Resolution No	C.3222

## PART 2

With the support of the required number of Council Members, it is requested that a portion of the decision made at the Ordinary Council Meeting 20 December 2017 be changed.

### MOTION

**That Council CHANGES item 3 in decision C.3222 made on 20 December 2017 as follows:**

- 3. Install locked gates and boulders at both ends of the PAW to deter unwanted vehicles utilising the access way, ensuring relevant access is provided to Emergency Services personnel.**

**ABSOLUTE MAJORITY OF SIX (6) REQUIRED**

Debate was held in relation to the motion. Cr A J Mencshelyi, Cr L C Biglin, Cr D A Hughes and Cr C M Poulton spoke for the motion. Cr J E G Williams and Cr H J Appleton spoke against the motion.

The Shire President adjourned the meeting at 6:30 pm in accordance with the Shire of Northam Standing Orders Local Law 2018 15.1.

The Shire President resumed the meeting at 6.39 pm in accordance with the Shire of Northam Standing Orders Local Law 2018 15.1.

**AMENDMENT TO MOTION / COUNCIL DECISION**

**Minute No: C.5326**

**Moved: Cr D A Hughes**

**Seconded: Cr M I Girak**

**That the words "locked" be removed after the word "install"**

**That the following words be added as item 4:**

**"That the gates be locked for a trial period of 12 months and request the CEO to provide a report to Council following the trial period"**

**CARRIED 7/2**

**For:** President C R Antonio, Cr A J Mencshelyi, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton and Cr M P Ryan

**Against:** Cr H J Appleton and Cr J E G Williams

Debate was held in relation to the motion. Cr D A Hughes, Cr M I Girak, Cr M P Ryan and Cr A J Mencshelyi spoke for the motion. Cr J E G Williams and Cr H J Appleton spoke against the motion.

**SUBSTANTIVE MOTION / COUNCIL DECISION**

**Minute No: C.5327**

**Moved: Cr A J Mencshelyi, Cr L C Biglin, Cr D A Hughes, Cr M P Ryan**

**Seconded: Cr C M Poulton**

**That Council, BY ABSOLUTE MAJORITY, CHANGES item 3 in decision C.3222 made on 20 December 2017 as follows:**

- 3. Install gates and boulders at both ends of the PAW to deter unwanted vehicles utilising the access way, ensuring relevant access is provided to Emergency Services personnel.**
- 4. That the gates be locked for a trial period of 12 months and request the Chief Executive Officer to provide a report to Council following the trial period.**

**CARRIED 6/3  
BY ABSOLUTE MAJORITY**

**For:** Cr A J Mencshelyi, Cr L C Biglin, Cr M I Girak, Cr D A Hughes, Cr C M Poulton and Cr M P Ryan

**Against:** President C R Antonio, Cr H J Appleton and Cr J E G Williams

Debate was held in relation to the motion. Cr A J Mencshelyi, Cr L C Biglin, Cr M P Ryan, Cr C M Poulton, Cr D A Hughes and Cr M I Girak spoke for the motion. Cr J E G Williams and Cr H J Appleton spoke against the motion. Cr A J Mencshelyi used his Right of Reply to close the debate.



Location Plan - Brown Road Laneway





WESTERN



AUSTRALIA

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

REGISTER NUMBER <b>55/P12671</b>	
DUPLICATE EDITION <b>N/A</b>	DATE DUPLICATE ISSUED <b>N/A</b>

VOLUME  
**2772**

FOLIO  
**629**

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.

REGISTRAR OF TITLES



**LAND DESCRIPTION:**

LOT 55 ON PLAN 12671

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

STATE OF WESTERN AUSTRALIA

(A C143612 ) REGISTERED 22/5/1981

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

1. VESTED BY THE REGISTRAR UNDER SECTION 20A OF THE TOWN PLANNING AND DEVELOPMENT ACT 1928 FOR THE PURPOSE OF PEDESTRIAN ACCESSWAY

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: P12671  
PREVIOUS TITLE: 1279-141  
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF NORTHAM  
RESPONSIBLE AGENCY: DEPARTMENT OF LANDS (SPAW)

NOTE 1: L659382 NO DUPLICATE ISSUED

PLAN 12671

PT LOTS 5 & 9 OF AVON LOC 6649

FB 41583  
TOTAL AREA 19.8335ha  
INDEX PLAN AVON 10,000 1:1  
C/T 1279-141

**APPROVED**  
**APPROVED**  
22 - 5 - 81

IN ORDER FOR DEALINGS  
23 - 2 - 79

DEPTH LIMIT 60.96 METRES.

PED. ACC. WAY TO VEST IN THE CROWN  
UNDER SEC 20A OF T.P. & D. ACT.

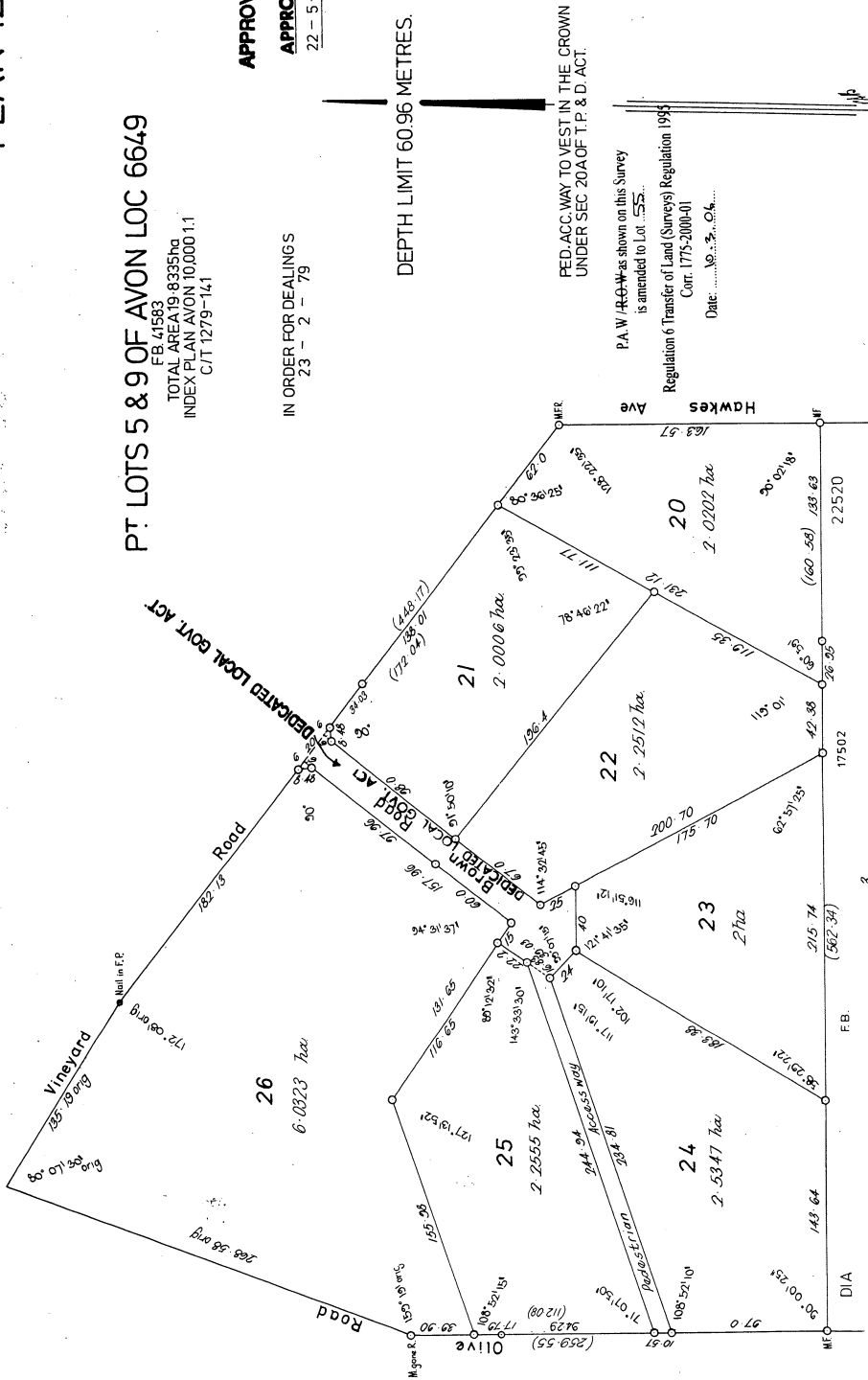
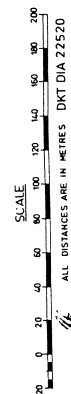
P.A.W. / ROW as shown on this Survey  
is amended to Lot 55.  
Regulation of Transfer of Land (Survey) Regulation 1995  
Corr. 1775-2000-01  
Date: ..... 10. 3. 04.....

P 012671 F 01



(S)

(C)

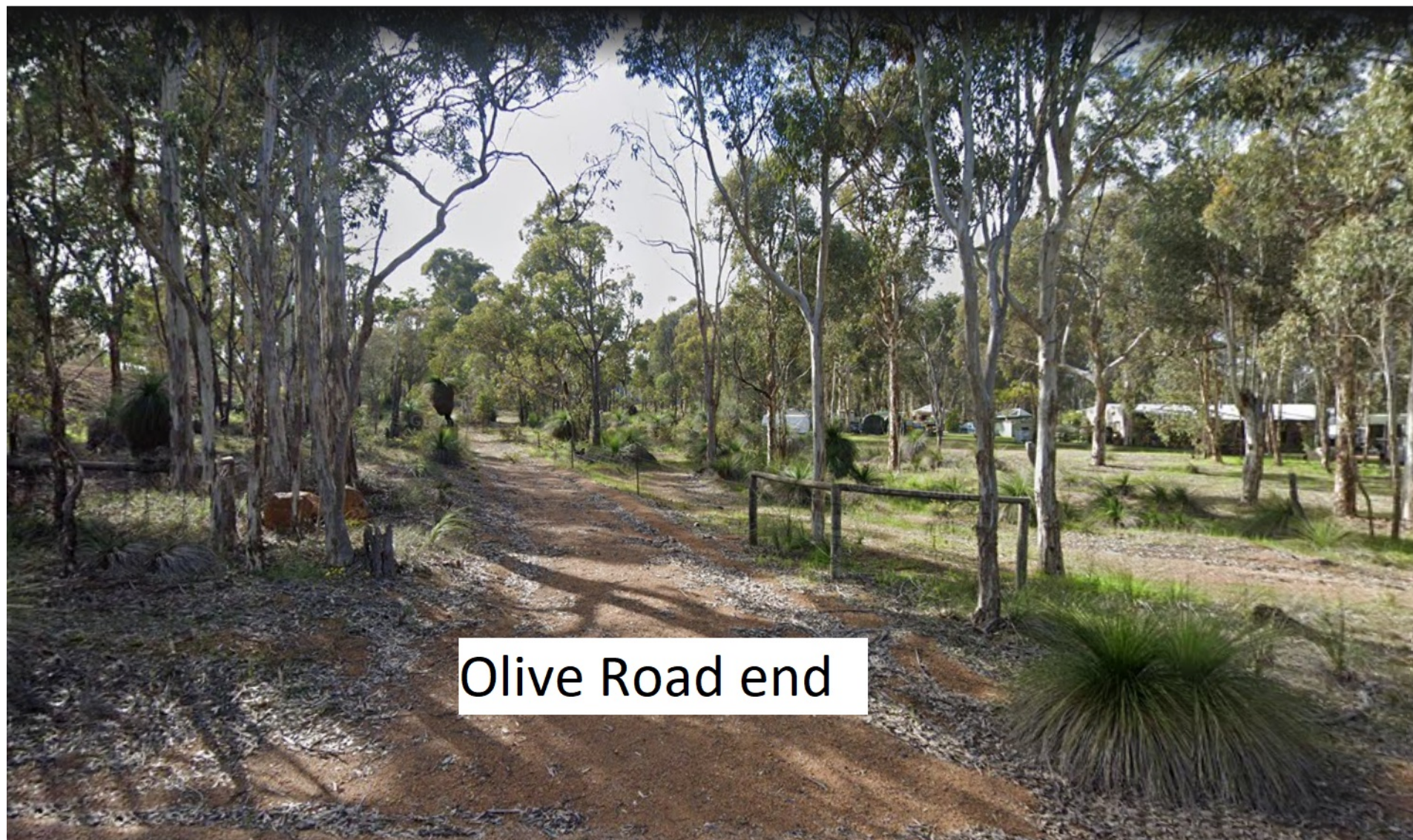


PLAN 12671



Brown Road End





**16 URGENT BUSINESS APPROVED BY DECISION**

Nil.

**17 DECLARATION OF CLOSURE**

There being no further business, the Shire President, C R Antonio, declared the meeting closed at 7:02 pm.

"I certify that the Minutes of the Ordinary Meeting of Council held on 28 May 2025 have been confirmed as a true and correct record."

\_\_\_\_\_ President

\_\_\_\_\_ Date