



## **SHIRE OF WANDERING**

### **MINUTES OF THE ORDINARY COUNCIL MEETING**

**Wandering Shire Council Chambers, 22 Watts  
Street, Wandering**

**18 June 2015  
1.30pm**

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(d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

### **NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
  - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
  - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

### **INTERESTS AFFECTING IMPARTIALITY**

**DEFINITION:** An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

### **IMPACT OF AN IMPARTIALITY CLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

**10. REPORTS OF OFFICERS**

**10.1 CHIEF EXECUTIVE OFFICER**

**10.1.1 AUTHORISATION OF DELEGATIONS REGISTER AND COUNCIL APPROVAL AUTHORISATIONS 2015**

<b>FILE REFERENCE:</b>	1.1.29
<b>PROPOSERS:</b>	Nil
<b>DISCLOSURE OF INTEREST:</b>	Yes Report Writer is CEO
<b>DATE:</b>	9 June 2015
<b>PREVIOUSLY BEFORE COUNCIL:</b>	18 April 2013 OCM 20 September 2012 OCM
<b>AUTHORS NAME &amp; POSITION:</b>	Amanda O'Halloran CEO
<b>NATURE OF COUNCILS ROLE IN THE MATTER:</b>	Legislative

**PURPOSE OF THE REPORT**

Council is required to review and endorse the Delegations and Council Approval Authorisations Registers of the Council annually. The 2014 Department of Local Government and Communities Probity Audit highlighted that this had not occurred since 2013. The latest delegations register of Council is presented for adoption.

**BACKGROUND**

The Last review of the Delegations register occurred at the Ordinary Meeting of Council in April 2013. Since then a minor restructure has occurred and issues were highlighted during the 2014 Department of Local Government and Communities Probity Audit that need to be addressed.

The review of the Delegations and Council Approval Authorisations Registers by Council forms part of the annual and constant review process of the Shire to ensure that the internal procedures of the organisation reflect efficient and complaint practices.

**COMMENT/ DETAILS**

A restructure of the Delegations and Authorisation Registers has been undertaken to incorporate the Functions of the CEO (s5.41) Local Government Act 1995 by identifying the "acting through another person" legislation (s5.45 LGA) which have previously delegations. The identified "acting through" functions are listed in the delegations Operational Guideline No 17. These guidelines have been incorporated as an attachment to this agenda.

**ATTACHMENT 2**

The presentation of the Registers to Council at the June Council Meeting ensures that Council is meeting the Probity Audit Commitments as per the 2014 Department of Local Government and Communities Probity Audit.

**10.1.2 AFFIXING OF THE SHIRE OF WANDERING COMMON SEAL – POLICY**

<b>FILE REFERENCE:</b>	1.1.30
<b>PROPOSERS:</b>	Nil
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	10 June 2015
<b>PREVIOUSLY BEFORE COUNCIL:</b>	N/A
<b>AUTHORS NAME &amp; POSITION:</b>	Amanda O'Halloran CEO
<b>NATURE OF COUNCILS ROLE IN THE MATTER:</b>	Legislative

**PURPOSE OF THE REPORT**

The Affixing of the Shire of Wandering Common Seal is established to address the circumstances under which the official Common Seal may be affixed to documents.

**BACKGROUND**

The Policy has been established in order to clarify which documents require the Common Seal and enable the Chief Executive Officer to sign all other documents that do not require the Common seal.

Recommendation 19 of the 2014 Department of Local Government and Communities Probity Audit, identified that previous policy and delegations didn't perhaps comply with the *Local Government Act 1995*.

**COMMENT/ DETAILS**

Recommendation 19 of the 2014 Department of Local Government and Communities Probity Audit, identified that previous policy and delegations didn't perhaps comply with the *Local Government Act 1995*.

A review of the Delegations Register and previous Policies has now ensured that all legislation pertaining to the use of the Common Seal are complied with.

The attached Policy will improve the efficiency of the organisation as many documents that have been previously executed do not require the common seal. Ensuring clarity in the Policy will speed up the process of document signing with the Shire's Stakeholders. **ATTACHMENT 4**

Documents not requiring the application of the Common seal will be signed by the CEO as per section 9.49 of the *Local Government Act 1995*.

**CONSULTATION**

Local Government Department

## 10.2 BUILDING AND PLANNING REPORTS

### 10.2.1 NEW OUTBUILDING ON LOT 14 CHARLTON WAY - WANDERING

<b>FILE REFERENCE:</b>	A389
<b>PROPOSERS:</b>	Carol and Warwick Bailey
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	10 June 2015
<b>PREVIOUSLY BEFORE COUNCIL:</b>	Item: 12.1 - 21 May 2015 Ordinary Meeting of Council
<b>AUTHOR'S NAME &amp; POSITION:</b>	Alexander George Thamm – Planning Officer (Shire of Kalamunda)
<b>NATURE OF COUNCILS ROLE IN THE MATTER:</b>	Legislative

#### PURPOSE OF THE REPORT

After reviewing the additional information from the applicants and revising the previous report to council, this report recommendation remains unchanged and that the planning application submitted by Carol and Warwick Bailey to construct a new outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering to be approved subject to conditions.

#### BACKGROUND

The applicant is seeking Council's planning approval to construct a new outbuilding and associated water tank on Lot 14 Charlton Road, Wandering. Previously the applicant's proposal was put to council which erroneously reported the size and scale of the development while assessing it against the wrong parameters.

Lot 14 is located to the north of the Wandering town site, with primary access from Mellows Road which is located near Charlton Road and North Bannister - Wandering Road. The lot falls within the Wandering Downs subdivision and is surrounded by vacant residential lots. The lot comprises a total area of approximately 2.007 Hectares and is zoned Rural-Residential under the Shire's LPS No. 3 (See Attachment 1).

Under the terms of the additional information and plans submitted in support of the application the following is proposed:

1. Construction of a new 164.5m<sup>2</sup> colourbond outbuilding with a zincalume roof, measuring 9.4 metres by 17.5 metres (See Attachment 2);

policy (i.e. 164.5 m<sup>2</sup> in lieu of 150m<sup>2</sup>);

The following points elaborate on the non-compliance issues outlined above:

**Point 1: Outbuildings Policy Clause (a) (ii) – ‘Size of Outbuildings’**

Within the Shire’s ‘Outbuildings’ policy the maximum allowable floor area for any colourbond outbuilding is limited to 150 m<sup>2</sup> on properties zoned Rural-Residential that have a lot size between 2 hectares and 10 hectares.

The Shire must consider whether or not to approve this proposed variation to the requirements of Shire’s ‘Outbuildings’ policy and must determine whether or not the size of the new shed on Lot 16 is likely to have a detrimental impact upon the amenity and character of the immediate locality.

It should be noted that under section 2.2 of the Shires LPS No. 3 states:

*“... A Local Planning Policy is not part of the Scheme and shall not bind the local government in respect of any application for planning approval but the local government shall have due regard to the provisions of any Policy and the objectives which the Policy is designed to achieve before making its decision...”*

Subsequently the objectives of the Shires outbuilding policy are as follows:

- *To provide clear standards as to what constitutes an acceptable type of outbuilding on certain land types.*
- *To ensure that the style, materials, condition and design of an outbuilding are acceptable and in keeping with community standards.*
- *To provide a process for approving outbuildings.*

It is concluded from a detailed assessment of the application against the provision of the Shires LPS no. 3 and objectives of the Shires Outbuilding Policy that the proposed variation is unlikely to have any adverse impacts for the following reasons:

- i) The new shed will not have any adverse impacts on the local streetscape in terms of its bulk and scale due to its location and orientation towards Charlton Road as it meets the prescribed setbacks with the Shires TPS No. 3.
- ii) The visual impact is considered minimal as the subject lot size and surrounding lots are proportionally much larger than the outbuilding.
- iii) The new shed provides for the effective use of storing the domestic items for current and future land owners.
- iv) The variation of 14.5 m<sup>2</sup> is considered minor in respect to the lot size exceeding 2 hectares.
- v) The size and scale is not consistent with associated development linked with the land use “Storage Yard”

It should be noted that section (h) of the Shires Outbuilding Policy states:

*“No planning approval will be granted for any outbuildings on any Residential zoned lot which does not contain a residence”*

However as the proposal falls within a lot zoned rural-residential under the Shires LPS No.3, this provision is not stated to apply to rural-residential zoned lots within the Shires outbuilding policy.

## MINUTES FOR THE MEETING HELD 18 JUNE 2015

2. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
3. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
4. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
5. The new shed shall have a maximum wall height of 3.0 metres and a maximum roof height of 4.0m metres.
6. The new shed shall be of colourbond construction with a zincalume roof with a total floor area not exceeding 164.5m<sup>2</sup>.
7. The new shed shall be used for domestic purposes only unless otherwise approved by Council.

### Advice Notes

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The new outbuilding (shed) are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. No construction works shall commence on the land prior to 7am without the Shire's written approval.
6. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

### **VOTING REQUIREMENTS**

Simple majority required.

### **COUNCIL DECISION – ITEM 10.2.1**

**MOVED: Cr J McNeil**

**SECONDED: Cr B Dowsett**

#### **That Council:**

**APPROVE** the application for planning approval submitted by the applicant and owners Carol and Warwick Bailey to construct a new outbuilding (shed) and water tank on Lot 14 Chariton Road, Wandering in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

#### Conditions

8. The proposed finished floor level of the new shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.



**10.3 COMMUNITY SERVICES REPORTS**

Nil

**10.4 CORPORATE SERVICES**

**10.4.1 DIFFERENTIAL GENERAL RATES 2015/16**

**FILE REFERENCE:** 10.1.18

**PROPOSERS:** Nil

**DISCLOSURE OF INTEREST:** Nil

**DATE:** 26 May 2015

**PREVIOUSLY BEFORE COUNCIL:** N/A

**AUTHORS NAME & POSITION:** Durga Ojha, Manager Finance & Administration

**NATURE OF COUNCILS ROLE IN THE MATTER:** Legislative

**PURPOSE OF THE REPORT**

That Council consider the level of Rates to be imposed on the Wandering ratepayers for the 2015/16 financial year.

**BACKGROUND**

The Local Government Act 1995 provides for Councils to levy rates to fund the estimated annual budget deficiency for forthcoming financial year after taking into account all other forms of revenue. Rating income is the principal source of revenue for the Shire of Wandering and is determined by multiplying a rate in dollar to the valuation of that property. Valuations are categorised as Gross Rental Value (GRV) and Unimproved Value (UV) and supplied by the Valuer General, the WA State Government independent body. The revaluation occurs every year for the UV properties, whereas GRV properties are only valued every five years. The Shire of Wandering has been applying a differential general rating model to levy fair and equitable rates to its ratepayers for a number of years. In order to levy differential general rates, the Council has to give local public notice of, 21 days (Local Government act 1995 (6.36), of the intention to do so.

**ATTACHMENT 6.1**

**COMMENT/ DETAILS**

The following principles will be observed as per the Department of Local Government Rating Guidelines in making the decision to impose the differential general rates and minimum payment:

- Objectivity: The basis of imposing differential rate is by land use. Land held for residential purposes in UV will be rated UV Rural Residential and land held for business purposes in GRV categories will be rated GRV Special Use.

**Comparison of rates in the dollar – with surrounding similar Shires**

Description	UV Rural	UV Mining	GRV Residential
Shire of Mingenew (FY2014/15)	0.0148	0.22500	0.1120
Shire of Cuballing (FY2014/15)	0.0062	0.0062	0.0067
Shire of Pingelly (FY2014/15)	0.0176	-	0.1338
Shire of Williams (FY2014/15)	0.0060	0.0060	0.0540
Shire of Boddington (proposed)	0.0060	0.0300	0.0788
Shire of Brookton (FY2014/15)	0.0091	-	0.0914

**CONSULTATION**

Councillors  
Chief Executive Officer

**STATUTORY/ LEGAL ENVIRONMENT**

The Following sections of the Local Government Act 1995 are applicable to differential general rates and minimum payment.

- **Section 6.32** of the Local Government Act 1995 provides Council with the power to impose rates and service charges to properties.
- **Section 6.33** of the Local Government Act 1995 provides Council with the power to impose differential general rates
- **Section 6.35** of the Local Government Act 1995 provides Council with the power to impose minimum payments.
- **Section 6.36** of the Local Government Act 1995 requires Council to give local Public notice of its intention to levy differential general rates and invite public submission by giving a local public notice of minimum of 21 days. Council is also required to consider any submissions received, prior to imposing the proposed differential general rates and minimum payment.

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Income generated from rates will be included in the 2015/16 Budget and is estimated to be \$813,073 (an increase of \$60,763) including rate discount.

**STRATEGIC IMPLICATIONS**

**Community Strategic Plan 2013-2023**

**Goal 5 – A strong and effective Organisation**

*Outcome 5.2: Accountable decision making and resource allocation through effective governance*

**Strategy 5.2.1:** Ensure the Council's decision making process is effective and transparent

**Strategy 5.2.3:** Ensure appropriate funds are available to implement current and future action plans

**VOTING REQUIREMENT**

Absolute Majority

**10.4.2 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MAY 2015**

<b>FILE REFERENCE:</b>	<b>10.1.16</b>
<b>PROPOSERS:</b>	Nil
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	10 June 2015
<b>PREVIOUSLY BEFORE COUNCIL:</b>	N/A
<b>AUTHORS NAME &amp; POSITION:</b>	Durga Ojha, Manager Finance & Administration
<b>NATURE OF COUNCILS ROLE IN THE MATTER:</b>	Legislative

**PURPOSE OF THE REPORT**

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council.

The monthly Financials for the month of May 2015 are presented for Councils consideration.

**BACKGROUND**

In accordance with Local Government (Financial Management) Regulation 1996 34(1), local governments are required to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of Council within two (2) months after the end of the month to which the statement relates.

The statement of financial activity for the periods ending 31 May 2015, financial statements, bank reconciliation and list of accounts paid for the period's ending 31 May 2015 are hereby presented for Council's information.

**COMMENT/ DETAILS**

Council is requested to accept the monthly statement of financial activity, financial statements, bank reconciliation and list of payments as presented.

Monthly Financial Report for the period ending 31 May 2015

**ATTACHMENT 7;7.1;7.2;7.3;7.4;7.5;7.6;7.7**

**CONSULTATION**

Chief Executive Officer  
Finance Officer

MINUTES FOR THE MEETING HELD 18 JUNE 2015

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN  
Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING  
Nil

13 CONFIDENTIAL ITEMS  
Nil

14 TIME AND DATE OF NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 16 July 2015 at 1:30pm

15 CLOSURE OF MEETING

The Shire President declared the meeting closed at 2.56pm

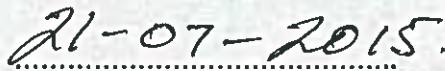
These Minutes were confirmed at the Ordinary Council Meeting  
on Thursday 16 July 2015.

Signed:



Presiding Person at the meeting at which the minutes were confirmed

Date:





## **SHIRE OF WANDERING**

### **MINUTES OF THE ORDINARY COUNCIL MEETING**

**Wandering Shire Council Chambers, 22 Watts  
Street, Wandering**

**21 May 2015  
1.30pm**

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# Ordinary Council Meeting

1. **DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS**  
The Shire President, Cr Graeme Kerr declared the meeting open at 1.33pm

2. **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**

**Councillors:**

Cr G Kerr	President
Cr B Dowsett	Deputy President
Cr W Gowland	
Cr B Whitely	
Cr C Ferguson	
Cr J Price	
Cr J McNeil	

**Staff:**

Ms A O'Halloran	Chief Executive Officer
Mr D Ojha	Manager Administration and Finance

**Visitors:** Kim Stripe

**Apologies:** Nil

**On Leave of Absence:** Nil – *Cr McNeil had applied but circumstances changed and didn't need to take leave*

**Absent:** Nil

3. **DISCLOSURE OF INTERESTS**

Nil

**DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) (updated 13 March 2000)**

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

**4. PUBLIC QUESTION TIME**

Nil

**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**COUNCIL DECISION – ITEM 5.1**

**MOVED: Cr B Dowsett**

**SECONDED: Cr J Price**

That Council: Accept the application for leave of absence from Cr J McNeil for the June Ordinary Meeting of Council.

**CARRIED 7/0**

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Shire of Wandering Ordinary Meeting – 16 April 2015

**COUNCIL DECISION – ITEM 6.1**

**MOVED: Cr J Price**

**SECONDED: Cr J McNeil**

That the minutes of the Ordinary Meeting of Council held on 16 April 2015, be confirmed as a true and accurate record.

**CARRIED 7/0**

**7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

Nil

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil

**9. REPORTS OF COMMITTEES**

Nil



**Statutory Environment**

Section 6.20 of the *Local Government Act 1995* and Reg 20 of the *Local Government (Financial Management) Regulations 1996* apply.

Essentially, as Council is proposing to exercise the power to obtain credit outside of the annual budget process, the local government needs to give one month's local public notice of the intent to obtain credit; and the resolution to do so must be Absolute Majority.

**Financial Implications**

Council has the financial capacity to service the overdraft and it is intended that the overdraft is only to be utilised times of cash flow shortages.

**Strategic Implications**

Community Strategic Plan 2013-2023

**Goal 5 – A strong and Effective Organisation**

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

**Strategy 5.2.1:** Ensure Councils decision making process is effective and transparent

**Strategy 5.2.2:** Ensure the organisations governance structure, policies and procedures are current and relevant

**Policy Implications**

There are no policy implications.

**Voting Requirement**

Absolute Majority Required

**Recommendation**

That Council:

1. Approve the overdraft of \$200,000.00 from the Westpac Bank
2. Council authorises the CEO to advertise the proposal in accordance with section 6.20 of the Local Government Act 1995
3. Authorises the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the agreement for the overdraft of \$200,000.00 from the Westpac bank.

**COUNCIL DECISION – ITEM 10.1.1**

**MOVED: Cr C Ferguson**

**SECONDED: Cr B Whitely**

That Council:

1. Approve the overdraft of \$200,000.00 from the Westpac Bank
2. Council authorises the CEO to advertise the proposal in accordance with section 6.20 of the Local Government Act 1995
3. Authorises the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the agreement for the overdraft of \$200,000.00 from the Westpac bank.

**CARRIED 7/0**

## COMMENT

The 2007 Purchasing and Tendering Policy was the most recent endorsed Policy that was discoverable in the Shire's records. The Policy has been reviewed and updated to meet the needs of the Shire's operations and to ensure statutory compliance.

All changes incorporated ensure the requirements of the Probity Compliance Audit Report have been achieved. **Attachment 2**

## CONSULTATION

Department of Local Government and Communities  
Finance and Administration Manager  
Works Manager  
CRC Coordinator

## STATUTORY

Council's role in determining the Local Governments Policies is defined in Section 2.7(2)(b) of the *Local Government Act 1995*.

Regulation 11A & 17 of the Local Government (Functions & General) Regulations 1996.

## POLICY IMPLICATIONS

This policy will supersede all versions that have existed previously and will provide sound and compliant direction in regards to purchasing and tender processes at the Shire of Wandering.

## FINANCIAL IMPLICATIONS

There are no significant direct financial implications for the current budget as a result of the adoption of the proposed policy; however the changes and directions given will aid in a more effective and practical procurement procedure.

## STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 2 – A robust and Diverse Rural Economy

Outcome 2.2 Sustain and grow our business and industry sector

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

**Strategy 5.2.1:** Ensure the Council's decision making process is effective and transparent

**Strategy 5.2.2:** Ensure the organisation's governance structure, policies and procedures are current and relevant

## VOTING REQUIREMENTS

Simple Majority

## OFFICER RECOMMENDATION

That Council:

1. Adopt Purchasing and Tendering Policy as per **ATTACHMENT 2**

The Policy and associated forms will be available on the Council's website, CRC and at the front counter. Regular marketing of the Policy and its associated mechanisms will occur through the Echo, Shire's Website and bi annual mail outs.

The Shire is keen to foster a positive and cooperative attitude with rate payers.

**Attachment 3, 3.1, 3.2 &3.3**

**CONSULTATION**

Finance and Administration Manager  
Works Manager  
CRC Coordinator

**STATUTORY**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.1: Accessible customer Services and information systems.

Strategy 5.1.1: Promote and deliver responsive customer services

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Council:

1. Adopt Policy 02 Compliments and Complaints Policy as per ATTACHMENT 3

**COUNCIL DECISION – ITEM 10.1.3**

**MOVED: Cr W Gowland**

**SECONDED: Cr J Price**

That Council:

1. Adopt Policy 02 Compliments and Complaints Policy as per ATTACHMENT 3

**CARRIED 7/0**

**POLICY IMPLICATIONS**

If authorised, will become a policy of Council, to be presented at June 2015 Council Meeting

**FINANCIAL IMPLICATIONS**

Considerable finance and resource gains will be achieved by the production of electronic agendas.

**STRATEGIC IMPLICATIONS**

**Community Strategic Plan 2013-2023**

**Goal 5 – A strong and effective Organisation**

Outcome 5.2: Accountable decision making and resource allocation through effective governance

**Strategy 5.2.2:** Ensure the organisation's governance structure, policies and procedures are current and relevant

Outcome 5.3: Professional, committed and multi skilled Staff

**Strategy 5.3.1:** Ensure policies, procedures and systems are current and relevant.

**Strategy 5.3.2:** Promote new infrastructure that is multifunctional

**VOTING REQUIREMENTS**

Simple Majority

**OFFICER RECOMMENDATION**

That Council:

1. Adopt to receive Council Agendas electronically.
2. Instruct the CEO to produce a Council Policy regarding Electronic Agendas at the June 2015 Council Meeting.

**COUNCIL DECISION – ITEM 10.1.4**

**MOVED:** Cr G Kerr

**SECONDED:** Cr B Whitely

That Council:

1. Adopt to receive Council Agendas electronically.
2. Instruct the CEO to produce a Council Policy regarding Electronic Agendas at the June 2015 Council Meeting.

**LOST 2/5**

be sought for this committee from member Shires.

- The various Councils are at various stages of readiness. For example:
  - The Shire of Corrigin has submitted an application for units for Corrigin. They have plans and land arranged. They view their application as the first of a multi stage project. They are being advised that a wider application may be more successful.
  - The Shire of Wickepin also has land and plans completed to construct units. The Shire had budgeted to borrow to construct accommodation but are now delaying to make an application for funding;
  - The Shire of Cuballing and Wandering have identified land for aged accommodation and are keen to capitalise on this initiative.
- The Shires of Wandering, Corrigin and Cuballing make a budget allocation of about \$3,000 to contribute to a planning study to justify aged housing in the region. The Shires of Wickepin and Narrogin and the Town of Narrogin are undertaking the study and the other Councils should be able to be included into the study for a fee.
- The facilities in Narrogin are operating at capacity and aged housing in surrounding towns will complement the housing infrastructure for the aged in our region. Narrogin Cottage Homes in general support this proposal.

#### Attachment 4

Additional housing in Wandering will have a positive economic impact on the Shire of Wandering, through:

- Use of local business during construction; and
- Provision of goods and services to additional residents – increase the capacity to encourage extra services into Wandering – e.g. Doctors services, general store etc.
- Increased sense of community and engagement

#### CONSULTATION

- Wheatbelt Development Commission
- Shires of Corrigin, Wickepin, Cuballing and Narrogin.
- The Town of Narrogin
- Terry Waldron MLA

#### STATUTORY

Nil

#### POLICY IMPLICATIONS

Nil

#### FINANCIAL IMPLICATIONS

There are no immediate financial implications. Council is requested to consider allocating funds in future Council Budgets.

#### STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 1 – A community that is involved and caring

MINUTES FOR THE MEETING TO BE HELD 21 MAY 2015

NAME OF APPLICANT: Bush Fire Advisory Committee  
FILE REFERENCE: 4.1.1  
ATTACHMENTS: Bush Fire Advisory Minutes – 9 April 2015  
AUTHOR: Amanda O'Halloran, CEO  
DATE OF REPORT: 12 May 2015  
PREVIOUS MEETING REFERENCE: Nil

**SUMMARY**

It is a statutory requirement of the Shire to appoint Bush Fire Control Officers for the 2015/16 fire season.

**BACKGROUND**

The Annual General Meeting of the Shire of Wandering Bush Fire Advisory Committee Meeting was held on Thursday 9 April 2015.

The Brigades had previously held their own AGM's and had nominated Captains and other office bearers. The minutes from these meetings have been submitted to the Bush Fire Advisory Committee.

**COMMENT**

The Bush Fire Advisory Committee nominated Authorised Officers for the 2015/16 fire season. These nominations now require formalisation and authorisation by Council.

**Attachment 5**

The following nominations were received and carried by the committee:

Chief Bush Fire Control Officer	Mr P Monk
Deputy Chief Bush Fire Control Officer	Mr M Schorer
Vehicle Movement Ban Officers	Mr P Monk Mr GR Parsons Mr T Treasure Cr BE Dowsett Mr GH Parsons Mr M Whitely
Clover Burning Permit Officers	Mr P Monk Mr A Turton
Fire Control Officers – Hastings	Mr G Parsons Mr GH Parsons Mr C Ferguson Mr R Bostock Mr A Turton

MINUTES FOR THE MEETING TO BE HELD 21 MAY 2015

1. That Council authorise the recommendation from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions and direct the CEO to advertise in accordance with the Act;

Chief Bush Fire Control Officer	Mr P Monk
Deputy Chief Bush Fire Control Officer	Mr M Schorer
Vehicle Movement Ban Officers	Mr P Monk Mr GR Parsons Mr T Treasure Cr BE Dowsett Mr GH Parsons Ms A O'Halloran
Clover Burning Permit Officers	Mr P Monk Mr A Turton
Fire Control Officers – Hastings	Mr GR Parsons Mr GH Parsons Mr C Ferguson Mr R Bostock Mr A Turton
Fire Control Officers – Wandering	Mr T Hardie Mr T Treasure Mr G White Mr S Watts Mr BG Hardie
Fire Control Officers – Codjatomine	Mr P Monk Mr M Schorer Mr D Warburton Mr B Penny
Fire Control Officers – Wandering Town	Mr B Whitely
Dual Appointments – Brookton	Mr GR Parsons
Dual Appointments – Brookton	Mr P Monk
Dual Appointments – Pingelly	Mr R Bostock
Dual Appointments – Pingelly	Mr P Monk
Dual Appointments – Cuballing	Mr B Penny
Dual Appointments – Cuballing	Mr P Monk
Dual Appointments – Boddington	Mr T Hardie
Dual Appointments – Boddington	Mr P Monk
Dual Appointments – Williams	Mr T Hardie
Dual Appointments – Williams	Mr P Monk

## 10.2 BUILDING AND PLANNING REPORTS

### 10.2.1 PLANNING APPLICATION – NEW SINGLE HOUSE AND CARPORT ON LOT 21 MELLOWS ROAD, WANDERING

NAME OF APPLICANT:	AK Homes Construction
DISCLOSURE OF INTEREST:	Nil
FILE REFERENCE:	A395
Attachments:	Plans 1 to 4
AUTHOR:	Alexander George Thamm – Planning Officer (Shire of Kalamunda)
DATE OF REPORT:	8 <sup>th</sup> MAY 2015

#### SUMMARY

This report recommends that a planning application submitted by AK Homes Construction to construct a new 'dwelling' and carport on Lot 21 Mellows Road, Wandering be approved subject to conditions.

#### BACKGROUND

The applicant is seeking Council's planning approval to construct a new dwelling and carport on Lot 21 Mellows Road, Wandering which is currently vacant.

Lot 21 is located to the north of the Wandering town site, with primary access from Mellows Road which is located near Charlton Road and North Bannister - Wandering Road. The lot falls within the Wandering Downs subdivision and is surrounded by vacant residential lots. The lot comprises a total area of approximately 4.08 Hectares and is zoned Rural-Residential under the Shires LPS No. 3.

Under the terms of the information and plans submitted in support of the application, the following is proposed:

1. Construction of a new 240.90m<sup>2</sup> three (3) bedroom, two (2) bathroom dwelling comprising of a 6 metre wide by 7 meter long (42 m<sup>2</sup>) front carport and a 23.25m<sup>2</sup> patio (see Attachment 1 to3);
2. The dwelling will have a maximum wall height of 2.7 metres and a maximum ridge height of approximately 4m metres;
3. The dwelling will have a minimum setback of 20.37 metres from the southern (side) boundary;
4. The dwelling will have a minimum setback of 49.35 metres from the eastern (front) boundary;
5. The proposed carport will provide two car parking spaces for standard domestic vehicles.
6. All storm water disposal will be disposed of onsite;

#### COMMENT

##### Lot 21 Zoning & proposed land use permissibility

Lot 21 falls within one of the 'Rural-Residential' zones under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).



Outcome 5.1: Accessible customer Services and information systems.

**Strategy 5.1.1:** Promote and deliver responsive customer services

Outcome 5.2: Accountable decision making and resource allocation through effective governance

**Strategy 5.2.1:** Ensure the Council's decision making process is effective and transparent

## VOTING REQUIREMENTS

Simple majority required.

## OFFICER RECOMMENDATION

That the application for planning approval submitted by AK Homes Construction to construct a new single house and carport on Lot 21 Mellows Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

### Conditions

1. The proposed finished floor level of the new single dwelling, carport and associated shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
2. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
3. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
4. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
5. The proposed development shall be provided with an adequate on-site effluent disposal system constructed and maintained to the specifications and satisfaction of the Shire of Wandering.

### Advice Notes

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
4. No construction works shall commence on the land prior to 7am without the Shire's written approval.
5. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

## COUNCIL DECISION – ITEM 10.2.1

**MOVED:** Cr B Dowsett

**SECONDED:** Cr J McNeil

**That Council:**

That the application for planning approval submitted by AK Homes Construction to construct a new single house and carport on Lot 21 Mellows Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

### 10.3 COMMUNITY SERVICES REPORTS

#### 10.3.1 WANDERING COMMUNITY RESOURCE CENTRE ACTION PLAN 2015/2016

<b>FILE REFERENCE:</b>	18.1.29
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE:</b>	13 May 2015
<b>AUTHOR:</b>	Monica Treasure, Community Resource Centre Coordinator
<b>SENIOR OFFICER:</b>	Amanda O'Halloran, Chief Executive Officer

##### **Summary**

In accordance with the Community Service Agreement between the Department of Regional Development and the Shire of Wandering an action plan for the 2015/2016 year is to be received by the Department of Regional Development no later than the 1 June, 2015.

The Action Plan states the activities and operational requirements to ensure the CRC meets its contracted service levels.

##### **Background**

The Wandering Community Resource Centre has a three year contract with the Department of Regional Development to provide contracted services under three outcomes:

- Government and Community information and services
- Economic and Business development initiatives
- Social development initiatives.

The first year of contract is coming to completion and as per the agreement, a new Action Plan for the next financial year 2015/2016 is to be received by the 1 June 2015.

The action plan is a summary of the projects/tasks the Shire will undertake to meet the service level outcomes that are contracted. It is required to state the aims of the project, key persons responsible and the timeframe in which the projects will be completed.

The outcomes of the projects are reported against a statistical return every quarter to the Department of Regional Development.

##### **Comment**

The Wandering CRC Action plan has been tailored to meet the demands of the Wandering community in line with the Shire's Strategic Plan. Projects such as Business After Hours, Women Who Work are events that are targeted to improve the community's economic health and build their capacity. Social outcomes like Summertime Movies, School Holiday Activities and Men's Health Night help build positive relationships and social cohesion. Events and activities are targeted to deliver services and opportunities to all facets of the community and meet generational expectations. These activities and initiatives will further develop Wandering into a vibrant and sustainable community.

## 10.4 CORPORATE SERVICES

### 10.4.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED

**FILE REFERENCE:** 10.1.16

**DISCLOSURE OF INTEREST:** Nil

**DATE:** 12 May 2015

**AUTHOR:** Durga Ojha, Manager Finance & Administration

#### **Summary**

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council.

The monthly Financials for the month of April 2015 are presented for Councils consideration.

#### **Background**

In accordance with Local Government (Financial Management) Regulation 1996 34(1), local governments are required to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of council within two (2) months after the end of the month to which the statement relates.

The statement of financial activity for the period's ending 30 April 2015, financial statements, bank reconciliation and list of accounts paid for the period's ending 30 April 2015 are hereby presented for Council's information.

#### **Comment**

Council is requested to accept the monthly statement of financial activity, financial statements, bank reconciliation and list of payments as presented.

Monthly Financial Report for the period ending 30 April 2015

**ATTACHMENT 8**

#### **Consultation**

Chief Executive Officer  
Finance Officer

#### **Statutory Environment**

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Financial Management) Regulation 1996.

**10.4.2 ADDRESSING RECOMMENDATION 2 & 3 FROM THE PROBITY AUDIT REPORT DATED 2 APRIL 2015 IN RELATION TO RATES**

**FILE REFERENCE:** 10.1.16

**DISCLOSURE OF INTEREST:** Nil

**DATE:** 8 May 2015

**PREVIOUS MEETING REFERENCE:** Item 13.1; 16 April 2015

**AUTHOR:** Durga Ojha, Manager Finance & Administration

**Summary**

Council needs to address the recommendations two and three in relation to rates as addressed in the probity audit report dated 2 April 2015.

**Background**

The Council is aware of the probity audit report dated 2 April 2015 which highlighted errors in our rating methodology, namely GRV incorrect rates in the dollar and GRV & UV minimum rates (as raised in 2014/15 rates billing).

As per the following recommendations from the probity audit report:

- 1 "That 2014/15 rates on the 40 GRV - Residential properties which were incorrectly based on a rates in the dollar of 6.5 cents, be reassessed at the rate of 7.5 cents imposed and new rates notices issued. As an alternative to issuing new rate notices, the Council may consider resolving to write-off the additional rates or to grant a concession to affected properties equivalent to the additional rates"
- 2 "That the rates record be amended to remove the minimum payments of \$850 and \$1,700 unlawfully levied on the two Special Use and six Mining properties respectively; and new rate notices issued and refunds made where necessary."

**Comment**

In addressing the above recommendations, Council agreed at the 16 April Ordinary Meeting to do the following:

- 1 "Review and prepare a report for Council at the May 2015 Ordinary Meeting of Council. Consider the implications and make recommendations to resolve this matter prior to the end of the financial year 2015."
- 2 Review and prepare a report for Council at the May 2015 Ordinary Meeting of Council. Consider the implications and make recommendations to resolve this matter prior to the end of the financial year 2015.

The Manager of Finance & Administration, Durga Ojha, has conducted an investigation in relation to the implications associated with each recommendation and suggests the following actions:

MINUTES FOR THE MEETING TO BE HELD 21 MAY 2015

**Strategy 5.2.2:** Ensure the organisation's governance structure, policies and procedures are current and relevant

**Voting Requirement**

Absolute Majority

**Officer Recommendation**

That Council:

1. Write off the \$4,905.00 which is the short fall of GRV residential rates being levied at 6.5 cents in the dollar instead of 7.5 cents in the dollar.
2. Refund the incorrect rates levied on two (2) Special Use GRV properties at \$150 each equals top \$300.00 in total and six (6) UV rated Mining Tenements at \$850 each to a total of \$5,100.00.

**COUNCIL DECISION – ITEM 10.4.2**

**MOVED: Cr B Whitely**

**SECONDED: Cr W Gowland**

That Council:

1. Write off the \$4,905.00 which is the short fall of GRV residential rates being levied at 6.5 cents in the dollar instead of 7.5 cents in the dollar.
2. Refund the incorrect rates levied on two (2) Special Use GRV properties at \$150 each equals top \$300.00 in total and six (6) UV rated Mining Tenements at \$850 each to a total of \$5,100.00.

**CARRIED 5/2**

## BACKGROUND

The applicant is seeking Council's planning approval to construct a new outbuilding and associated water tank on Lot 14 Charlton Road, Wandering.

Lot 14 is located to the north of the Wandering town site, with primary access from Mellows Road which is located near Charlton Road and North Bannister - Wandering Road. The lot falls within the Wandering Downs subdivision and is surrounded by vacant residential lots. The lot comprises a total area of approximately 2.0 Hectares and is zoned Rural-Residential under the Shires LPS No. 3 (See Attachment 1).

Under the terms of the information and plans submitted in support of the application the following is proposed:

7. Construction of a new 164.5m<sup>2</sup> Zincalume outbuilding, measuring 9.4 metres by 17.5 metres (See Attachment 2);
8. Construction of a water tank to the south of the proposed dwelling, measuring a total area of 164.5m<sup>2</sup> (See Attachment 3);
9. The proposed outbuilding will be used for domestic storage and hobby purposes;
10. All storm water disposal will be disposed of onsite;

## COMMENT

### Lot 14 Zoning & proposed land use permissibility

Lot 14 is classified 'Rural-Residential' zone under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).

The objectives outlined for rural-residential zoned land within the shire states:

- e) *To select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats, and rural-based commercial uses that are consistent with a rural residential zone.*
- f) *To generally select areas that are within approximately 8 kilometres of the town of Wandering to facilitate the provision of services to residents.*
- g) *To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*
- h) *Having regard for the size of the district, the fragile nature of the environment in many places, and the difficulties faced by the local government in providing services away from the town of Wandering, the local government will generally favour Rural-Residential zones be located close to the town of Wandering and then only where the environmental impacts are manageable.*

Charlton Road the application is recommended to be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner.

**STATUTORY & TOWN PLANNING**

Planning & Development Act (2005)

Shire of Wandering Town Planning Scheme No.3

**POLICY IMPLICATIONS**

Shire of Wandering Local Planning Policy – *'Outbuildings: Residential & Rural Residential Zones'*

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

Nil

**VOTING REQUIREMENTS**

Simple majority required.

**OFFICER RECOMMENDATION**

That the application for planning approval submitted by the applicant and owners Carol and Warwick Bailey to construct a new outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

Conditions

11. The proposed finished floor level of the new shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
12. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
13. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
14. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
15. The new shed shall have a maximum wall height of 3.0 metres and a maximum roof height of 4.0m metres.
16. The new shed shall be of zincalume construction with a total floor area not exceeding 164.5m<sup>2</sup>.
17. The new shed shall be used for domestic purposes only unless otherwise approved by Council.
18. A Schedule 6 – Application for Planning Approval for a new single house shall be submitted to the Shire of Wandering within 18 months of the completion of the outbuilding (Shed).

Advice Notes

17. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
18. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
19. The new outbuilding (shed) are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
20. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
21. No construction works shall commence on the land prior to 7am without the Shire's written approval.
22. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

LOST 7/0

## 12.2 ROAD PROGRAM 2015 - 2020

**Name of Applicant:** Shire of Wandering  
**File Reference:** 33.1.12  
**Author:** Amanda O'Halloran CEO  
**Date of Report:** 20 May 2015  
**Previous Meeting Reference:** Nil

<p><b>Summary</b> Council are requested to adopt, a five year road construction and maintenance program to align with Councils Strategic, Asset Management and Long Term Financial Plans.</p>
---

### Background

Council has a need to implement a 5 year Road Construction and Maintenance plan. The reasons being for Strategic Direction, Staff Planning, to apply for funding and general planning and direction from Council to achieve the best Asset Preservation Model for Councils Road Network.

### Comment

A full investigation has been done on the best way forward for Councils future road works. Council has three main fund funding sources, outside its own contribution, these being:-



**Policy Implications**

There are no policy implications.

**Voting Requirement**

Simple Majority Required

**Recommendation**

That Council:

1. Adopt the 5 Year Roads Construction and Maintenance Plan as attached
2. Review the plan annually in line with the Annual Budget process.

**COUNCIL DECISION – ITEM 12.2**

**MOVED: Cr J Price**

**SECONDED: Cr B Dowsett**

**That Council:**

1. Adopt the 5 Year Roads Construction and Maintenance Plan as attached
2. Review the plan annually in line with the annual Councillor Road Inspection held in March.

**CARRIED 7/0**

*Officer resolution was amended to confirm the timeframe for the annual inspection and to ensure that it coincided with established Council process.*

**13 CONFIDENTIAL ITEMS**

**COUNCIL Resolution to Close the Meeting**

**MOVED: Cr W Gowland**

**SECONDED: Cr B Whitely**

**That Council:**

That Council close the meeting to the public at 3.50 pm pursuant to sub section 5.23 (2) (e) of the Local Government Act 1995.

**CARRIED 7/0**

14 TIME AND DATE OF NEXT MEETING

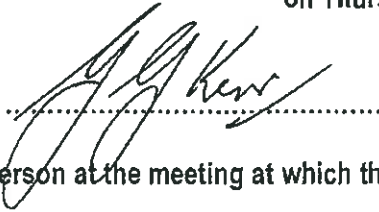
Next Ordinary Council meeting to be held on Thursday 18 June 2015 at 1:30pm

15 CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.31pm

These Minutes were confirmed at the Ordinary Council Meeting  
on Thursday 18 June 2015.

Signed: .....



Presiding Person at the meeting at which the minutes were confirmed

Date: .....

18-06-2015.



Government of **Western Australia**  
Department of **Local Government and Communities**

# Local Government Operational Guidelines

Number 17 – January 2007

## Delegations



The definitions and judicial commentary above illustrate that:

- to delegate is to appoint another person to exercise a power or discharge a duty; and
- a delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty.

### 3. The Nature of Delegation – Decision Making

Delegations are most commonly used in organisations where:

- A particular person has authority to exercise a discretion to enforce a right or discharge a duty on behalf of the organisation;
- That person or officer has either:
  - (i) a multitude of authorities to exercise a discretion to enforce rights or discharge powers; or
  - (ii) many circumstances in which they have authority to exercise a discretion to enforce rights or discharge duties;
- The business of the organisation could not be efficiently carried on if that person were to personally exercise their discretion to enforce all the rights or discharge all the duties; and
- Through practical administration, that person needs to appoint other persons to exercise their discretion to exercise powers or discharge duties on behalf of the organisation.

Whilst there is a requirement for local government delegations to be authorised by statute (as is explained in section 6 of these guidelines), there is no limitation (unless expressly stated to the contrary

by statute) on appointing a person to act on behalf of the local government or the CEO, provided that appointment does not include the power of delegation (see section 15 of these guidelines for details).

There is a legal distinction between:

- the delegation to a person to exercise a right or discharge a duty on behalf of an organisation; and
- appointing a person to act on behalf of an organisation or another employee of that organisation.

In most circumstances, where a person:

- Is appointed only to carry out the express instructions of an employee or the governing body of an organisation; and
- Is provided with only limited discretion in carrying out those instructions,

that appointment does not constitute a delegation and does not need to be formally delegated. Please see section 4 of these guidelines which explain the concept of 'acting through'. Section 3 of this guideline has illustrated that when determining whether an appointment is a delegation or simply an appointment to act on behalf of another person, it is critical to consider whether or not the person is appointed to exercise a broad discretion to exercise a power or discharge a duty.

## 6. Local Government Act 1995

The provisions of the *Local Government Act 1995* which provide for delegations by a local government or its CEO are as follows:

- Section 5.16(1), states:  
'Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than this power of delegation.'
- Section 5.42(1), states:  
'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.'
- Section 5.44(1), states:  
'A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.'

The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term 'council' is used then it is the council itself which must carry out that function. If the term 'local government' is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using 'acting through' where it may be a better way of carrying out the power or duty.

## 7. Local Government (Miscellaneous Provisions) Act 1960; Strata Titles Act 1995

Section 2 of the *Local Government (Miscellaneous Provisions) Act 1960* effectively incorporates the provisions of that Act into the *Local Government Act 1995*, and therefore the delegation provisions of the *Local Government Act 1995* apply to the *Local Government (Miscellaneous Provisions) Act 1960*.

Section 2 states that:

*'The Local Government Act 1995 applies as if the provisions of this Act were in that Act but in construing the provisions of this Act account is to be taken of the meanings they had before the Local Government Act 1995 commenced.'*

In addition to the delegation powers of the *Local Government Act 1995* which apply to the *Local Government (Miscellaneous Provisions) Act 1960*, section 374(1b) of the *Local Government (Miscellaneous Provisions) Act 1960* provides for a local government to delegate the authority to approve certain plans to its building surveyor, stating that:

*'The authority to approve or refuse to approve plans and specifications submitted under [section 374] may be delegated by a local government to a person appointed to the office of building surveyor...'*

Reference also needs to be made to section 23 of the *Strata Titles Act 1985* which provides for particular delegations to employees.

delegated by council to the CEO under section 48 of that Act. Therefore, only the CEO may exercise the powers delegated by council to the CEO under that Act.

## 12. Statutory Limitations on Delegations

There are limitations on all of the above legislative provisions which provide for the delegation of powers and duties.

Many of the limitations relate to sub-delegation. Other limitations include whether the delegation must be in writing, what types of powers and duties can be delegated and what type of majority decision is required to delegate a power or duty.

Not all of the limitations can be addressed in this operational guideline, due to their number and detail. However, the majority of the limitation provisions are located close to the provisions which provide for the delegations.

As the *Local Government Act 1995* is the Act under which most delegations will be made by local government, this guideline will discuss the limitations on delegations contained within that Act.

## 13. Delegations to Committees

Section 5.17 of the *Local Government Act 1995* provides limitations on what powers and duties a local government can delegate to its committees. Section 5.17(1) limits the powers and duties which can be delegated to committees, according to the types of members which constitute the committees eg:

- Council members only;
- Council members and employees only;
- Council members, employees and other persons; or
- Employees and other persons only.

Section 5.17(2) prohibits absolutely the delegation of any powers or duties to committees comprised of only persons other than local government council members or employees.

## 14. Delegations to the CEO

Sections 5.43(a) to 5.43(h) of the *Local Government Act 1995* provide limitations on what powers and duties a local government can delegate to its CEO, stating that:

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

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;

- (b) such a delegation may be made subject to such conditions, qualifications, limitations or exceptions as the person so delegating may specify;
  - (c) if the delegation may be made only with the approval of some person, such delegation, and any amendment of the delegation, may be made subject to such conditions, qualifications, limitations or exceptions as the person whose approval is required may specify;
  - (d) such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office;
  - (e) such a delegation may be amended or revoked by instrument in writing signed by the person so delegating;
  - (f) in the case of a power conferred upon a person by reference to the term designating an office, such a delegation shall not cease to have effect by reason only of a change in the person lawfully acting in or performing the functions of that office.
- (2) The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.
- (3) Where under a written law an act or thing may or is required to be done to, by reference to or in relation to, a person and that person has under a written law delegated a relevant

function conferred or imposed on him with respect to or in consequence of the doing of that act or thing, the act or thing shall be regarded as effectually done if done to, by reference to or in relation to the person to whom the function has been delegated.'

It is important to be aware that under these provisions, the delegator retains the power to make decisions if need be, despite the fact that a delegation has occurred.

Also, in situations when a number of people occupy a particular office throughout either the day or week (eg ranger officers), a delegation by office enables an employee who occupies that office for the time being, to exercise the powers and duties delegated to that office.

A delegation by office will also enable an employee who temporarily occupies an office, say in an acting role whilst the normal occupier of the office is sick, to efficiently exercise the powers and duties delegated to that office, without the need to go through the delegation process again. Care needs to be taken in ensuring that the person has the appropriate qualifications where required.

When delegating by office, it is essential to ensure that the office described is a distinctly identifiable office (eg Manager, Corporate Services).

## 18. Delegates to Disclose Interests and Lodge Returns

Part 5 Division 6 of the *Local Government Act 1995* (disclosure of financial interests) also applies to delegates of powers and duties.

Section 5.71 states that:

'If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and:

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.

Penalty: \$10,000 or imprisonment for 2 years.'

In circumstances where the employee is carrying out a delegated function and the matter relates to his or her own projects, then another officer will need to have the authority to deal with the matter. In addition to the prohibition on delegates exercising the powers or performing the duties delegated to them, sections 5.75 and 5.76 of the *Local Government Act 1995* require employees who have been delegated powers or duties to lodge primary and annual returns. Sections 5.75 and 5.76 state:

### 5.75 Primary Returns

- (1) A relevant person other than the CEO must lodge with the CEO a primary return in the prescribed form within 3 months of the start day.
- (2) A CEO must lodge with the mayor or president a primary return in the prescribed form within 3 months of the start day.
- (3) This section does not apply to a person who:
  - (a) has lodged a return within the previous year; or
  - (b) has, within 3 months of the start day, ceased to be a relevant person.

Penalty: \$10,000 or imprisonment for 2 years.

### 5.76 Annual returns

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

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

'Relevant person' includes a 'designated employee' who has been delegated a power or duty.

Section 5.78 of the *Local Government Act 1995* prescribes the information which must be included in the primary and annual returns.

Where an officer acts temporarily in a position with delegated power, that person will need to complete a financial interest return unless they have only acted in that position for less than 3 months.



In the example above, if the relevant employees believe it is necessary to spend more funds than approved in the budget, they must refer that matter to the council for its approval – the adoption of an annual budget can only be done by an absolute majority of council, which under section 5.43(a) of the *Local Government Act 1995* cannot be delegated to the CEO or any other employee.

The principal consideration for a local government when deciding if it should delegate a power or duty, is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented. See the attached schedule which lists those items where acting through would be a suitable mechanism for achieving that efficiency. Local governments also need to consider the content of their local laws and whether delegation may be necessary, in some circumstances. However, 'authorised persons' can normally carry out the 'policing' powers in local laws.

## 20. Procedure for Delegations by Council

Section 19 of this guideline considers how a local government can determine whether it should delegate particular powers and duties. This part considers the procedure for council to make a delegation.

When CEOs identify a duty or power of the local government which can be delegated and they believe that if it is delegated it will provide better efficiency, they should put the proposed delegation to their council, for approval.

As the earlier example from the Local Laws Manual (in section 19) demonstrates, a recommendation to council for a delegation is relatively straightforward. The essential elements of a delegation recommendation are:

- (a) correct and accurate identification of the power or duty to be delegated;
- (b) correct and accurate identification of the person or office to whom or which the power or duty is to be delegated;
- (c) correct and accurate definition of the circumstances (if any) in which the power or duty can be exercised or discharged; and
- (d) conditions on the exercise of the power or discharge of the duty.

It is important to note again that all delegations by council require an absolute majority decision.

Once a delegation has been made by council, the delegation must be recorded in the delegation register.

Under regulation 19 of the *Local Government (Administration) Regulations 1996*, the delegate must keep written records of when and how they exercise the delegated power or discharge the delegated duty, and the persons or classes of persons affected by the exercise of the power or discharge of the duty.

For reasons of policy and/or to maintain uniformity, it may be inappropriate for a CEO to delegate to other employees to exercise any section 3.25(1) powers which have been delegated to the CEO. However, other employees can be appointed to carry out a CEO's exercise of powers delegated to the CEO, without those other employees needing to be delegated.

By way of example, in times when a cyclone is approaching a district, if the CEO is delegated to exercise section 3.25(1) powers, the CEO may decide that certain items must be tied down to prevent them from causing a hazard when the cyclone hits the district, and that section 3.25(1) notices must be issued in relation to those items. Once the CEO has decided this, the CEO may then appoint any number of employees to survey the district and, when they identify items which the CEO has decided must be tied down, complete the section 3.25(1) notices and issue them to the relevant person, on behalf of the CEO.

## 24. Calling for and Accepting Tenders

Section 3.57(1) of the *Local Government Act 1995* states that:

'A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.'

Section 5.43 of that Act states that:

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

- (a) ...
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.'

Part 4 of the *Local Government (Functions and General) Regulations 1996* regulates and provides the procedures for local government tenders for providing goods or services.

A council may delegate to its CEO to invite tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, without the necessity of setting a maximum limit on the tenders which the CEO may invite.

However, the effect of section 5.43(b) is that if a council wishes to delegate to its CEO to accept tenders under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*, it may attach a condition to the delegation that specifies the maximum limit of the tenders which the CEO may accept.

Following is an example of a recommendation to council to delegate to its CEO to invite any tenders (in accordance with council's selection criteria) and accept tenders up to a limit of \$200,000 under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*:

'That, under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer be delegated to:

- (a) Invite any tenders; and
- (b) Accept tenders up to an amount of \$200,000 in total value, under section 3.57 of the *Local Government Act 1995* and Part 4 of the *Local Government (Functions and General) Regulations 1996*.'

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	<b>Part 3 – Functions of Local Government</b>						
3.5	A local government may make local laws to perform any of its functions under the Act		✓				
3.6(1)	With the Governor's approval, a local government can apply a local law to an area that is not in a district		✓				
3.12(3)	Local government must give Statewide public notice (in relation to proposed local laws)	✓					
3.12(4)	Local government may adopt a local law		✓				
3.12(5)	Local government must publish (adopted local law in the Government Gazette)	✓					
3.12(6)	Local government must give local public notice (that a local law has been adopted)	✓					
3.15	A local government must ensure that people of its district are informed (of the purpose and effect of all its local laws)	✓					
3.16(1)	Within 8 years from the day a local law commences, a local government must review the operation of each local law following the process set out in section 3.16	✓					
3.16(2)	Local government must give Statewide public notice (in relation to the review of its local laws)	✓					
3.16(3)	After the last day for submissions in relation to the review of its local laws, a local government must consider submissions and cause a report to be submitted to council	✓					
3.16(4)	Local government may determine whether or not it considers that any of its local laws should be repealed or amended		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	<b>Part 3 – Functions of Local Government</b>						
3.36(3)	A local government may make an opening in a fence to do works on property subject to providing the owner or occupier with 3 days written notice	✓					✓
3.39	Local government may authorise an employee to remove and impound any goods	✓					✓
3.40(2)	If a local government impounds a vehicle to remove and impound goods, it must allow the offender to resume control of the vehicle as soon as practicable after the goods have been removed	✓					
3.40(3)	If the person entitled to resume control of the vehicle is not present, the local government must give notice (to the holder of a licence in respect of the vehicle, stating from where and when the vehicle may be collected)	✓					
3.40A(1)	Local government may authorise a person to remove and impound an abandoned vehicle wreck	✓					✓
3.40A(2)	Local government to provide notice (to the owner of a removed abandoned vehicle wreck, advising that the vehicle may be collected	✓					
3.40A(4)	Local government may declare that a vehicle is an abandoned vehicle wreck	✓					✓
3.42(1)	If a local government impounds non-perishable goods, it must either begin a prosecution against the offender or give them a notice stating from where and when the goods may be collected	✓					
3.44	Where non-perishable goods have been removed and impounded and a prosecution instituted, if the offender is not convicted or is convicted but it is not ordered that the goods be confiscated, the local government must give the alleged offender notice stating from where and when the goods may be collected	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	<b>Part 3 – Functions of Local Government</b>							
3.50(1a) and 3.50(4)	A local government may, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks							✓
3.50(6)	An order to close a thoroughfare may be revoked by the local government	✓						✓
3.50(8)	If a thoroughfare is closed without local public notice, the local government must give such notice as soon as practicable after its closure	✓						
3.50A	A local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare	✓						✓
Functions & General Reg 6(3)	A local government may, by local public notice, revoke an order under regulation 6(1) that closed a thoroughfare or alter it to make it less restrictive	✓						✓
3.51(3)	Before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land, the local government must give notice of its proposal, invite submissions and consider those submissions	✓						✓
3.52(2)	Except if they are closed or have restricted use, local governments are to ensure that public thoroughfares are kept open for public use	✓						
3.52(3)	When fixing, altering or realigning a public thoroughfare, the local government must ensure vehicle access to adjoining land is provided	✓						
3.53(3)	If an unvested facility lies within 2 or more districts, the local governments concerned can agree on its control and management			✓			✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
Part 3 – Functions of Local Government							
Functions & General Reg 20 (2)	If the successful tenderer does not want to accept the contract with the variation or the local government and the tenderer cannot reach agreement, the local government can select the next most appropriate tenderer			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 21 (1)	A local government may seek expressions of interest before entering the tender process			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 21 (3)	A local government must give statewide public notice (that it seeks expressions of interest before entering the tender process)	✓					
Functions & General Reg 23(3)	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services			✓ Limited	✓ Limited		✓ Limited
Functions & General Reg 24	A local government must give each person who submitted an expression of interest written notice (of the outcome of its decision)	✓					
Functions & General Reg 24E(1)	Where local government intends to give a regional price preference the local government is to prepare a regional price preference policy	✓		✓	✓		✓
Functions & General Reg 24(E)(4)	A local government cannot adopt a regional price policy until the local government has considered submissions received	✓		✓	✓		✓
3.58(2)	A local government can only dispose of property to the highest bidder at public auction or the most suitable public tender			✓ Limited	✓ Limited		✓ Limited

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
4.9(1)	<b>Part 4 – Elections and Other Polls</b>  If the mayor or president has not already done so, the council must fix the day on which a poll is held for an extraordinary election		✓				
4.16(4)	The council may decide, with the Electoral Commissioner's approval, that the election day for a vacancy that has occurred under section 2.32 before the first Saturday in August in the year prior to an ordinary election but after the first Saturday in February in an ordinary election year, is to be on the ordinary election day for that year		✓				
4.17(2)	The council may decide, with the Electoral Commissioner's approval, that a vacancy may remain unfilled if it occurred under section 2.32 before the first Saturday in August in the year prior to the election year in which the term would have ended under the Table to section 2.28, but after the first Saturday in February in that election year		✓				
4.20(2)	A local government may, with the approval of the person concerned and the Electoral Commissioner, appoint a person as the returning officer instead of the CEO		✓				
4.20(4)	A local government may, with the Electoral Commissioner's agreement, declare the Electoral Commission to be responsible for the conduct of an election		✓				
4.57(3)	A local government may appoint an eligible person (who is willing to accept the appointment) to any unfilled office if, at the close of nominations for an extraordinary election, under section 4.57(1) or (2), the number of candidates is less than the number of offices		✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	<b>Part 5 – Administration</b>						
5.2	The council of a local government must ensure there is an appropriate structure for administering the local government		✓				
5.3(1)	The council must hold ordinary meetings and may hold special meetings		✓				
5.4	The council may decide to hold an ordinary or special meeting		✓				
5.8	A local government may establish committees of 3 or more people to assist the council in exercising its powers and duties		✓				
5.15	A local government may reduce the quorum for a committee meeting		✓				
5.16(1)	A local government may delegate to a committee, under and subject to section 5.17, any of its powers and duties other than this power of delegation		✓				
5.18	A local government must keep a register of all delegations made to a committee (at least once each financial year)	✓					
5.18	A local government must review all delegations made to a committee	✓		✓	✓		✓
Admin Reg 12(1)	At least once every year a local government must give local public notice (of the date, time and place of all its ordinary council meetings and any committee meetings that must or are proposed to be open to the public, that are to be held in the next 12 months)	✓					
Admin Reg 12(2)	A local government must give local public notice (if any of the dates, times or places in the notice under regulation 12(1) change)	✓					
Admin Reg 12(3)	A local government must give local public notice (of the date, time and place of a special meetings of council that must be open to the public)	✓					



Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	<b>Part 5 – Administration</b>							
Admin Reg 18C	A local government is to approve a process for selection and appointment of the CEO			✓	✓			
Admin Reg 18D	A local government is to consider, accept or reject a review of the CEO's performance			✓	✓			
5.42(1) & 5.43	A local government may delegate to the CEO any of its powers and duties under this Act except those in section 5.43 and this power of delegation		✓					
5.50(1)	A local government must prepare a policy for employees whose employment is finishing, setting out the circumstances in which the local government would pay a gratuity and how that gratuity would be assessed, and give local public notice of the policy			✓	✓			✓
5.50(2)	A local government may make a payment to an employee whose employment is finishing, that is in addition to the amount set out in its policy, provided that local public notice of the payment is given			✓	✓			✓
5.53(1)	A local government must prepare an annual report for each financial year	✓						
5.54(1)	A local government must accept the annual report by 31 August after that financial year		✓					
5.56	A local government is to prepare a Plan for the Future	✓		✓	✓			✓
Admin Reg 19C(4)	A local government is to review its current plan for the future every 2 years			✓	✓			
Admin Reg 19C(7)	A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a plan for the future and when preparing any modifications of a plan	✓						

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
<b>Part 5 – Administration</b>							
5.99A	A local government may decide that instead of reimbursing council members, under section 5.98(2), for all of a particular type of expense, it will instead pay all council members an allowance for that type of expense		✓				
5.100(2)	A local government may decide to reimburse expenses to committee members who are not council members or employees			✓	✓		✓
5.101(2)	A local government may reimburse an employee for an expense that was incurred in relation to a matter affecting the local government			✓	✓		✓
5.102	A local government may make a cash advance to a person for an expense which can be reimbursed			✓	✓		✓
5.103(1)	A local government must prepare or adopt a code of conduct to be observed by council members, committee members and employees			✓	✓		✓
5.103(2)	A local government must review its code of conduct within 12 months of every ordinary elections day			✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	<b>Part 6 – Financial Management</b>						
6.3	A local government must adopt the budget prepared (Budget for other circumstances)	✓	✓				
6.4(1)	A local government must prepare an annual financial report for the preceding financial year and such other reports as are required	✓					
6.4(3)	By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor the accounts of the local government and the annual financial report	✓					
Financial M'gment Reg 33A(3)	A council is to consider a budget review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review on any recommendations made in the review	✓	✓				
Financial M'gment Reg 34(2)(c)	Each statement of financial activity is to be accompanied by documents containing such other supporting information as is considered relevant by the local government	✓					
Financial M'gment Reg 34(1)	A local government must prepare monthly financial reports	✓					
6.9(3)	A local government must pay or deliver to the person entitled to it any money and its interest and any property	✓					
6.9(4)	A local government may transfer money held in trust for 10 years to its municipal fund, but must repay it to a person who establishes a right to the repayment, together with any interest earned on the investment	✓					✓
6.11(1)	A local government must establish and maintain a reserve account for each purpose for which it wishes to set aside money	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	<b>Part 6 – Financial Management</b>							
6.19	If a local government wishes to impose a fee or charge under Part 6 Division 5 Subdivision 2 after the annual budget has been adopted, it must provide local public notice of its intention to do so and the date from which the amended fees or charges will be imposed	✓						
6.20(1)	A local government may borrow or re-borrow money, obtain credit or extend its financial accommodation in other ways		✓					
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, unless the proposal is of a prescribed kind, it must give one month public notice of the proposal	✓						
6.20(2)	If a local government proposes to exercise its power to borrow but it is not budgeted for, it must make the resolution to do so by absolute majority		✓					
6.20(3)(a)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, after giving one month local public notice it may resolve to use it for another purpose		✓					
6.20(3)(b)	If a local government exercises its power to borrow and then decides not to proceed with the proposal or it does not use all of the money, credit or financial accommodation, it may resolve to use it for another purpose		✓					
6.20(3)	One months public 'notice' must be given	✓						
6.26(3)	If Co-operative Bulk Handling Ltd and a local government cannot reach an agreement, under section 6.26(2)(f), the local government may refer the matter to the Minister for determination			✓		✓	✓	✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation		
	<b>Part 6 – Financial Management</b>			To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte
6.39(1)	As soon as practicable after a local government resolves to impose rates, it must compile a record of all rateable land in the district and all land which has a service charge imposed	✓				
6.39(2)	A local government must, from time to time, amend the current rate record to ensure it is accurate and correct and may amend the rate record for the 5 years preceding the current financial year	✓				
6.40(1)	If the rateable value, rateability or the rate imposed on any land is amended in the rate record, under section 6.39(2), the local government must reassess the rates payable and give notice to the owner of the land of any change in the amount of rates payable	✓				
6.40(2)	If a service charge on any land is amended in the rate record, under section 6.39(2), the local government must reassess the service charge and give notice to the owner of the land of any change of the amount of service charge payable	✓				
6.40(3)	If rates are reduced, under section 6.40(1), a local government must refund the owner of the land on request or credit the amount for rates or service charges	✓				
6.40(4)	If a service charge is reduced, under section 6.40(2), and the service charge had already been paid by the owner, the owner may request and then the local government must pay the overpaid amount to the owner or, alternatively, the overpaid portion is credited against any future amounts payable. If the service charge was paid by the occupier, the local government must pay the overcharged portion to the person who paid it	✓				
6.41(1)	A local government must give a rate notice to the owner of rateable land and the owner or occupier (as the case requires) of land on which a service charge is imposed, containing the particulars required	✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation						
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO	
	<b>Part 6 – Financial Management</b>							
6.51(1) & Financial M'gment Reg 70	A local government may resolve to impose interest (not to exceed 13%) on a rate, service charge and any costs of recovery that remains unpaid		✓					
6.56(1)	A local government may recover an unpaid rate or service charge and the cost of proceedings in court of competent jurisdiction	✓						✓
6.60(2)	A local government may 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 local government in satisfaction of the rate or service charge)	✓						✓
6.60(3)	If a local government gives notice to a lessee, under section 6.60(2), the local government must give a copy of the notice to the lessor	✓						✓
6.60(4)	If a local government gives notice to a lessee, under section 6.60(2), and the lessee fails to pay rent to the local government, the local government may recover the rate or service charge as a debt from the lessee	✓						✓
6.61(1)	A local government may request an occupier, an agent or the person who receives the rent of a property, to give the name and address of the owner to the local government	✓						
6.64(1)	If any rates or service charges have remained unpaid for at least 3 years, a local government may take possession of the land and hold the land against a person having an estate or interest in the land, and may lease or sell the land or transfer it to the Crown or itself			✓		✓		✓ subject to 5.43(d)
6.64(2)	A local government that takes possession of land, under section 6.64(1), must give the owner such notice as prescribed and then affix the notice to a conspicuous part of the land in the form prescribed	✓						

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Applicable Delegation					
		Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
6.76(4)	<p><b>Part 6 – Financial Management</b></p> <p>A local government may extend the time for a person to make an objection in relation to the rate record</p>	✓		✓	✓		✓
6.76(5)	<p>The local government must consider any objections to the rates record and may disallow or allow the objection either wholly or in part</p>			✓	✓		✓
6.76(6)	<p>The local government is to provide the person with notice of its decision</p>	✓					

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
7:12A(4)	<b>Part 7 – Audit</b> A local government must prepare a report on any action taken in response to an auditor's or section 7.9(3) report, and provide it to the Minister			✓ Audit Ctte			
Audit Reg 14(1)	A local government must carry out a compliance audit for the period 1 January to 31 December in each year	✓					
Audit Reg 14(3)	A compliance audit return must be presented to the council at a meeting of the council, adopted by the council and recorded in the minutes of the meeting at which it is adopted		✓				



Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
	<b>Part 9 – Miscellaneous Provisions</b>						
9.6(1)	An objection under Part 9 is to be dealt with by the council or a committee authorised by council to deal with it		✓				
9.6(5)	The local government must give the person who made the objection notice of how it was disposed of and reasons why	✓				✓	
9.9(3)	As soon as a decision under section 9.9(1)(b) is made, the local government must give the affected person written notice stating the reasons for the decision	✓					✓
9.10(1) & (2)	The local government may appoint persons or classes of persons to be authorised to perform certain functions and must issue them with a certificate stating they are authorised	✓		✓	✓		✓
9.60(4)	A local government is to administer any regulation made under section 9.60 as if it were a local law	✓					
9.63(1)	If a dispute has arisen between 2 or more local governments, a local government may refer the matter to the Minister to resolve			✓	✓		✓
9.68(5)	A local government may recover accruing rates from a principal or agent who has failed to give a notice to the local government in accordance with section 9.68	✓					✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
4(1)	A local government must consider any submissions made under clause 3			✓	✓		✓
4(2)	If a council believes that a submission is of a minor nature or one which would not require public submissions, it may either propose to the Advisory Board that a submission be rejected or itself deal with it under clause 5(b)		✓				
4(3)	If it is a council's opinion that a submission is substantially similar to a submission in respect of which the local government made a decision in the last 2 years, or the majority of affected electors who made the submission no longer support it, the local government may reject the submission		✓				
4(4)	Unless a local government decides to deal with a submission under clause 5(b) or rejects it or proposes to reject it under clauses 4(1) or 4(2), the local government must carry out a review as to whether or not the order sought should, in the council's opinion, be made		✓				
5	Whether or not it has received a submission, a local government may carry out a review as to whether or not an order under clauses 2.2, 2.3(3) or 2.18, should, in the council's opinion, be made, or propose to the Advisory Board the making of an order under clauses 2.2(1), 2.3(3) or 2.18(3), if, in the opinion of the council, the proposal is of a minor nature or one which would not require public submissions, or propose to the Minister the making of an order changing the name of a district		✓				
6	A local government must carry out a review of its ward boundaries and the number of councillors per ward every 8 years or as directed by the Advisory Board	✓		✓	✓		✓

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation		
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte
1(1)	<p>Schedule 6.1 – Provisions Relating to the Phasing-In of Valuation</p> <p>When imposing general rates, a local government may resolve that a general valuation, which results in an increase, can be phased in over 3 years</p>		✓			To the CEO
1(5)	<p>If a local government makes a resolution, under clause 1(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required</p>	✓				
2(1)	<p>When imposing general rates, a local government may resolve that gross rental valuations can be phased in over 3 years</p>		✓			
2(5)	<p>If a local government makes a resolution under clause 2(1), it must request the Valuer General, at the same time as the Valuer General determines an interim valuation that will come into force in the district during the first 2 years of the phasing in period, to determine a valuation under subclause (6). The local government must give the Valuer General immediate written notice when the valuation is no longer required</p>	✓				

Section/ Regulation	Relevant Exercisable Power or Dischargeable Duty of Local Government	Suitable for Acting Through	Delegation Prohibited	Applicable Delegation			
				To a 5.9(2) (a) Ctte	To a 5.9(2) (b) Ctte	To a 5.9(2) (c) - (e) Ctte	To the CEO
1(1)	<b>Schedule 6.3 – Provisions Relating to the Sale or Transfer of Land where Rates or Service Charges Unpaid</b>  Before exercising its power of sale, a local government must give the owner, or any other person who has a recorded interest in the land, opportunity to pay the rates or service charges. It must send them notice by certified mail and place a notice [with the contents prescribed in clause 1(2)] on its notice board for a minimum of 35 days	✓					
1(3)	A local government must give local public notice (if the owner or other interested parties do not have a recorded address)	✓					
1(4)	The local government must appoint a time at which the land may be offered for sale by public auction, not less than 3 months and not more than 12 months from the service of the notice under clauses 1(1) or 1(2)			✓	✓		✓
2(1)	The local government must give (Statewide public notice of the sale)	✓					
2(3)	The local government must give the Registrar of Titles or the Registrar of Deeds a memorial of the Statewide notice	✓					
4(1)	A local government may transfer or convey to the purchaser of the land an indefeasible estate in fee simple			✓	✓		✓ subject to 5.43(d)
7(2)	If the land has not been sold within 12 months, the local government may begin the process again in accordance with this Schedule	✓					

Delegated Authority Register  
2015  
Shire of Wandering

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A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year. {S.5.46(1) and (2)}. If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used. {S 5.46 (3)}

The record is to contain the following information:

- 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.  
{Local Government (Administration) Regulations 1996 Regulation 19.}

Departments responsible for a work process are to ensure that data is captured and records managed in accordance with all legislation, as well as preparing reports to Council where required under a specific delegation. This includes recording of delegated authority of the CEO where applicable, once approved through a signed authority by the CEO.

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under S 5.74(b) of the Act and is required to complete a primary and annual return each year.

There is no power for a person other than the CEO to delegate a power. {S 5.44 (1)}.

#### Acting through another person

Local Government Act 1995 – Section 5.45 (2)

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

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

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

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

The difference between a delegated authority to exercise a discretion on behalf of the Shire and acting through another person to undertake a function on behalf of the Shire where no discretion exists is reinforced by Section 56 of the Interpretation Act 1984 which states –

56. "May" imports a discretion, "shall" is imperative

- (1) Where in a written law the word "may" is used in conferring a power, such word shall be interpreted to imply that the power so conferred may be exercised or not, at discretion.
- (2) Where in a written law the word "shall" is used in conferring a function, such word shall be interpreted to mean that the function so conferred must be performed.

Note:

The reporting system implemented has two denotable levels which are:

1. Formally reported to Council via the agenda Section 10.2 Actions Performed Under Delegated Authority For The Month of \_\_\_\_\_
2. Information recorded in the appropriate file

## DAR01-1

## CLOSING CERTAIN THOROUGHFARES TO VEHICLES (EXCEEDING 4 WEEKS)

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power inclusive of conditions [see below].</i>	A local government may, after providing public notice of its intentions and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding 4 weeks
Legislative Power or duty delegated:	Section 3.50(1a) and 3.50(4) Local Government Act 1995
Legislative power to delegate	Section 5.42 and Section 5.44 Local Government Act 1995
Policy	ENG06 Road Closures
Delegation to:	Chief Executive Officer
Delegation:	The CEO is delegated the power to close a thoroughfare, wholly or partially, subject to Section 3.50 of the Local Government Act 1995.
Conditions and Exceptions:	The permanent closure of thoroughfares to be referred to Council for determination
Chief Executive Officer delegates to:	Works Manager, Finance and Administration Manager
Delegation delegated by the CEO	The CEO delegates to the above Officers the exercise of this delegated power. The exercise of the delegated power does not include the power of delegation.
Reporting Requirements:	Action taken to close thoroughfares must be recorded in the appropriate record to meet legislative requirements and elected members informed at the next ordinary meeting of Council.  <i>Financial Interest Return Required - Yes</i>
Details of Review	



## DAR02-1

## APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER (FOR PERIODS OF 10 DAYS OR LESS)

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Appointment of Acting Chief Executive Officer (for periods of 10 days or less) to undertake the CEO's functions.
Legislative Power or duty delegated:	Section 5.36(1)(a) of the Local Government Act 1995
Legislative power to delegate	Section 5.41 and 5.42 of the Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	To undertake the CEO's functions.
Conditions and Exceptions:	Delegated authority is only granted for appointments to the position of Acting Chief Executive Officer covering a period of 10 days or less. In instances where an appointment is required for a period exceeding 10 days, then that proposed appointment must be presented to Council for determination prior to the appointment taking effect.
Delegation delegated by the CEO	The Chief Executive Officer is delegated the power to make appointments to the position of Acting Chief Executive Officer (for periods of 10 days or less).
Reporting Requirements:	The Chief Executive Officer must advise Elected Members, upon use of the delegation, of any appointments which are made to the position of Acting Chief Executive Officer under delegated authority.  Details of the appointments must be recorded in the appropriate record to meet legislative requirements (including personal file).  <i>Financial Interest Returns Required - Yes</i>

Details of Review

## DAR02-4

## DELEGATION OF POWERS AND DUTIES OF THE LOCAL GOVERNMENT ACT TO THE CEO

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The CEO's functions to be performed shall encompass all parliamentary legislation. As such, it is necessary for the Chief Executive Officer to hold those powers necessary for them to perform the functions required of them in an expeditious and competent manner.
Legislative Power or duty delegated:	Section 5.42 of the Local Government Act 1995
Legislative power to delegate	Section 5.41(i) of the Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	Council delegates to the Chief Executive Officer all of the delegable functions of the local government under all parliamentary legislation for the effective management of the Shire of Wandering. This delegation is supplementary to the prescribed delegations in the Delegated Authority Register 2013.
Conditions and Exceptions:	The delegation takes into account s5.43 of the Local Government Act. The delegation shall only be used when; an urgent operational function needs to be implemented and is not already prescribed as a delegated function; or, it is problematic for Council to convene to otherwise make the decision. Elected members will where possible be given at least 24 hours' notice via email of the CEO's intent to use this delegated authority.
Specification:	<p>This delegation is limited only to the extent that a constraint is outlined by the statute within which the Chief Executive Officer is operating, to any Council resolutions in effect, and the following limitations and clarifications:</p> <p>LIMITATIONS – The CEO's delegated authority is subject to the following limitations:-</p> <ol style="list-style-type: none"><li>State Administrative Tribunals (SAT) negotiations and mediations up to a value of \$20,000.00 where there is a budget provision approved.</li><li>For the purposes of the administration of leases, acquire or dispose of any property lease valued at an amount not exceeding \$20,000.00 per annum.</li><li>Dispose of minor plant and equipment with a depreciated value of not more than \$20,000.00 without the requirement of Council approval.</li><li>Authorise a waiver, grant a concession, or write off an amount of money, not including a rate or service charge, owed to Council that does not exceed \$1,000.00.</li></ol>
Reporting Requirements:	<p>Details of transactions must be recorded in the appropriate record to meet legislative requirements and elected members informed at the next ordinary meeting of Council.</p> <p><i>Financial Interest Returns Required - Yes</i></p>

Details of Review

## DAR02-6

## DESIGNATE SENIOR EMPLOYEES

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power inclusive of conditions [see below].</i>	That Council delegate to the Chief Executive Officer the authority to designate other employees as Senior Employees, to whom the provisions of employment by written contract will apply.
Legislative Power or duty delegated:	Section 5.37(2) Local Government Act 1995
Legislative power to delegate	Section 5.42, Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	The CEO to determine if designated employees are to be senior employees as defined in Section 5.37 of the Local Government Act 1995.
Conditions and Exceptions:	The CEO is to inform the Council of each proposal to employ or dismiss a designated senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation, but if the Council rejects a recommendation, it is to inform the CEO of the reasons for its doing so. If the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
Chief Executive Officer delegates to:	Nil
Delegation delegated by the CEO	Nil
Reporting Requirements:	If Senior Employees are to be designated within the Shire of Wandering then, a policy will be adopted as defined in Section 5.37 of the Local Government Act 1995.  <i>Financial Interest Returns Required - Yes</i>
Details of Review:	

## DAR03-1

## PAYMENTS FROM MUNICIPAL FUND AND TRUST FUND

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	Where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal fund or the trust fund, each payment from the municipal fund or the trust fund is to be noted on a list compiled for each month which is to be presented to the next ordinary meeting of council.
Legislative Power or duty delegated:	Regulation 12(1)(a) of the Local Government (Financial Management) Regulations 1996
Legislative power to delegate	Section 5.42 and Section 5.44 Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	The Chief Executive Officer is delegated the power to make payments from the municipal fund or the trust fund, subject to Regulation 12(1) of the Local Government (Financial Management) Regulations 1996 and Council's Accounting Policy.
Conditions and Exceptions:	Subject to the requirements of Regulation 13 of the Local Government (Financial Management) Regulations 1996.
Chief Executive Officer delegates to:	Finance & Administration Manager
Delegation delegated by the CEO	The CEO delegates to the above Officer the exercise of this delegated power. The exercise of the delegated power does not include the power of delegation.
Reporting Requirements:	Details of transactions must be recorded in the appropriate record to meet legislative requirements and elected members informed at the next ordinary meeting of Council.  <i>Financial Interest Returns Required - Yes</i>
Details of Review:	

### DAR03-3

### CONSIDER OBJECTION TO THE RATE RECORD

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The local government is to promptly consider any objection to the rate record and may either disallow it or allow it, wholly or in part.
Legislative Power or duty delegated:	Section 6.76(5) Local Government Act 1995
Legislative power to delegate	Section 5.42 and Section 5.44 Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	The CEO is delegated the power to consider any objection to the rate record and may either disallow it or allow it, wholly or in part, subject to section 6.76(5) of the Local Government Act 1995.
Conditions and Exceptions:	Nil
Chief Executive Officer delegates to:	N/A
Delegation delegated by the CEO	N/A
Reporting Requirements:	Details of the determination must be recorded in the appropriate record to meet legislative requirements.  <i>Financial Interest Returns Required - Yes</i>
Details of Review	

PART 4  
LOCAL GOVERNMENT  
(UNIFORM LOCAL PROVISION)  
REGULATIONS 1996

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PART 5  
LOCAL GOVERNMENT  
(FUNCTION AND GENERAL)  
REGULATIONS 1996

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## DAR05-2

## TENDERS EVALUATION CRITERIA

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted
Legislative Power or duty delegated:	Regulation 14(1), (2), (3), (4) or (5) of the Local Government (Function and General) Regulations 1996.
Legislative power to delegate	Section 5.42 and Section 5.44 Local Government Act 1995
Policy:	Purchasing and Tender Policy
Delegation to:	Chief Executive officer
Delegation:	The Chief Executive Officer is delegated the power to determine in writing the tender evaluation criteria prior to tenders being advertised
Conditions and Exceptions:	Nil
Chief Executive Officer delegates to:	Finance & Administration Manager
Delegation delegated by the CEO	The CEO authorises the Finance & Administration Manager to determine in writing the tender evaluation criteria prior to tenders being advertised.
Reporting Requirements:	Details of the determination must be recorded in the appropriate record to meet legislative requirements.  After a notice has been given under the Local Government (Function and General) Regulations 1996 14(1) or (2), a local government may vary the information referred to in (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.  <i>Financial Interest Returns Required - Yes</i>
Details of Review	



## DAR05-4

## EXPRESSIONS OF INTEREST

**Function to be performed:**

*This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power inclusive of conditions [see below].*

**Determine:**

1. When to call tenders or not to call tenders [s3.57(1), F&G Reg.11]
2. The circumstances to invite tenders, though not required to do so [F&G Reg.13]
3. Selection criteria for the acceptance of tenders [F&G Reg.14(2a)]
4. The information to be disclosed to those interested in submitting a tender [F&G Reg.14(4)(a)]
5. Minor variations before entering into a contract [F&G Reg.20]
6. Appropriate circumstances (for application of the Expression of interest process) and to call for Expressions of Interest [F&G Reg.21]

**Legislative Power or duty delegated:**

S3.57 of the Local Government Act 1995  
Local Government (Function and General) Regulations 1996

- Reg 11 Tenders to be invited for certain contracts
- Reg 13 Procedure when local government invites tenders though not required to do so
- Reg 14 (2a), (4)(a) and (5) Requirements for publicly inviting tenders
- Reg 20 Variation of requirements before entry into contract
- Reg 21 Limitation may be placed on who can tender

**Legislative power to delegate**

s5.42 Delegation of some powers or duties to the CEO and  
s5.43 Limitations on delegations to the CEO of the Local Government Act 1995

**Policy:**

Purchasing and Tender Policy

**Delegation to:**

Chief Executive Officer

**Delegation:**

Authorisation is given to call for Expressions of Interest for the supply of goods or services where appropriate.

**Conditions and Exceptions:**

The delegate has the authority to deal with such matters relevant to this declaration.

Details of the expression of interest sought must be recorded in the appropriate record and in the Tender Register as required by the Local Government (Functions and General) Regulations 1996, Regulation 17.

A determination to call a tender must only occur where the procurement or disposal is identified in Annual Budget allocations.

Minor variations before entering a contract are limited to a maximum value of aggregated variations which remain under 10% of the total contract value and remain within the relevant adopted Budget allocation.

**Chief Executive Officer delegates to:**

N/A

**Reporting Requirements:**

Tender Closing Checklist to be completed and the delegations of authority used to be recorded in the appropriate record to meet legislative requirements.

**Details of Review:**

## DAR05-6

## TENDERS

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below]</i>	A local government must consider any submissions of interest that have not been rejected and decide which ones could satisfactorily supply the goods or services. The local government may then execute the associated contract.
Legislative Power or duty delegated:	S3.57 of the Local Government Act 1995 and Part 4 of the Local Government (Functions and General Regulations) 1996.
Legislative power to delegate	Local Government Act 1995 and Local Government (Functions and General Regulations) 1996
Delegation to:	Chief Executive Officer
Delegation:	The Chief Executive Officer is authorised to accept the tenders and execute the associated contacts.
Policy:	Purchasing and Tender Policy
Conditions and Exceptions:	<p>For tender categories established under Council Policy ie Plant, Services or Infrastructure the following limits will apply:</p> <ul style="list-style-type: none"><li>• Plant – each item of plant up to \$300,000.00</li><li>• Services – for each item up to \$300,000.00 and multi-year contracts up to \$1,000,000</li><li>• Infrastructure – for each item up to \$300,000.00</li></ul> <p>In order for the CEO to exercise this delegation, provision must be provided for in Council's Annual Budget.</p>
Chief Executive Officer delegates to:	Nil
Delegation delegated by the CEO	Nil
Reporting Requirements:	<p>Details recorded in the Tender Register to meet legislative requirements and elected members informed via an information bulletin.</p> <p><i>Financial Interest Returns Required - Yes</i></p>
Details of Review:	

# PART 6

## OTHER LEGISLATION

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*The Local Government may delegate, appoint and authorise Shire staff directly under the following Acts:*

*Building Act 2011*

*Bush Fires Act 1985*

*Cat Act 2011*

*Dog Act 1976*

*Food Act 2008*

*Liquor Control Act 1988*

*Residential Tenancy Act 1997*

*Strata Titles Act 1985*

BUILDING ACT 2011

DAR06-2

APPROVE OR REFUSE DEMOLITION PERMIT

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	<p>The permit authority to which an application for a demolition permit is made must grant the demolition permit if it is satisfied that the permit complies with subsections (1)(a) to (o).</p> <p>A permit authority to which an application for a demolition permit is made must not grant the demolition permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (o).</p>
Legislative Power or duty delegated:	Section 21 of the Building Act 2011
Legislative power to delegate	Section 127 of the Building Act 2011
Delegation to:	Chief Executive Officer
Delegation:	To approve or refuse to approve plans and specifications submitted under section 21 of the Building Act 2011.
Conditions and Exceptions:	Delegation does not apply to places listed on the State's Register of Heritage Places or Council's Heritage Register, or to places classified by the National Trust.
Reporting Requirements:	Details of actions taken under this delegation are to be retained on the appropriate file or record.  Financial Interest Return Required - No
Details of Review:	

**BUILDING ACT 2011**

**DAR06-4**

**EXTENSION OF PERIOD OF DURATION OF OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE**

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power inclusive of conditions [see below].</i>	A permit authority to which an application is made may extend the period in which the occupancy permit or modification, or the building approval certificate has effect and may do so even though the application was made after the expiration of the period.
Legislative Power or duty delegated:	Section 65(4) of the Building Act 2011
Legislative power to delegate	Section 127 of the Building Act 2011
Delegation to:	Chief Executive Officer
Delegation:	To approve, modify or refuse to approve applications submitted under Section 65 of the Building Act 2011.
Conditions and Exceptions:	Nil
Reporting Requirements:	Details of the action must be recorded in the appropriate record to meet legislative requirements.  Financial Interest Return Required - No
Details of Review	

Function to be performed:

*This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].*

As per section 401 of the former provisions of the Local Government (Miscellaneous Provisions) Act 1960 a local government may, during or after the erection of a building in its district, give to the builder or owner of the building, written notice of anything, in the construction of the building —

- which tends to render the building unsafe or prejudicial to the public interest;
- which is not in compliance with, or is a departure from, the plans and specifications for the building, of which plans and specifications the approval of the local government has been obtained as required by this Act;
- which is a contravention of this Act; or
- which, where permission of the local government is required for carrying it out, has been carried out without that permission;

and requiring him to pull down or so alter the building as to remove the cause of the objection and on being served with the notice the builder or owner shall comply with the requisition, unless he applies to the State Administrative Tribunal under subsection (3) for a review of the decision to make the requisition and the State Administrative Tribunal sets aside the decision.

Legislative Power or duty delegated:

Section 401 of the former provisions of the Local Government (Miscellaneous Provisions) Act 1960

Legislative power to delegate

Section 127 of the Building Act 2011

Delegation to:

Chief Executive Officer

Delegation:

The CEO is delegated the power to serve notice on the builder or owner requiring alterations to a building, subject to Section 190 of the Building Act 2011 and as per the former provisions of Section 401 of the Local Government (Miscellaneous Provisions) Act 1960. The delegation is only for a proceeding prior to the commencement of the Building Act.

Conditions and Exceptions:

Nil

Reporting Requirements:

Details of notices given must be recorded in the appropriate record to meet legislative requirements.

*Financial Interest Returns Required - Yes*

Details of Review

**APPOINTMENT OF AUTHORISED PERSONS (SWIMMING POOL INSPECTORS)**

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions of the Building Act 2011 and the Building Regulations 2012.
Legislative Power or duty delegated:	Section 93 (2)(d) of the Building Act 2011 and s.53 of the Building Regulations 2012.
Legislative power to delegate	Section 5.42 and section 5.44 of the Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	The CEO is delegated the power to appoint authorised persons for the purpose of inspecting private swimming pools and enforcing the provisions of the Act, subject to Regulation 54(2)* of the Building Regulations 2012.  <i>*Regulation 52 (2): For the purposes of section 93(2)(d) a person who was an authorised person for the purposes of section 245A of the repealed provisions immediately before repeal day is to be taken to be an authorised person in relation to the inspection of private swimming pool enclosures for the period commencing on repeal day and ending on the day that is 5 years after that day.</i>
Conditions and Exceptions:	Governance to be advised of the appointment of all authorised persons. External authorised organisations to be identified.
Reporting Requirements:	Details of all swimming pools inspected must be recorded in the appropriate record to meet legislative requirements and written authorisations must be given and recorded in the Authorised Officers Register to meet legislative requirements (including personal file).  <i>Financial Interest Returns Required - No</i>
Details of Review	

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions of the Building Act 2011 and the Building Regulations 2012
Legislative Power or duty delegated:	Section 96 (3) of the Building Act 2011
Legislative power to delegate	Section 5.42 and section 5.44 of the Local Government Act 1995
Delegation to:	Chief Executive Officer
Delegation:	Authority to appoint authorised persons for the purposes of the Building Act 2011 and the Building Regulations 2012 in relation to buildings and incidental structures located, or proposed to be located in the Shire's district.
Conditions and Exceptions:	<p>The Delegation is subject to <i>section 100(2) of the Building Act 2011:</i></p> <p><i>"The authorised person is not entitled to enter a part of a place in use as a residence, except –</i></p> <ul style="list-style-type: none"><li><i>a) with the consent of an adult occupier; or</i></li><li><i>b) under the authority of an entry warrant; or</i></li><li><i>c) to take action under section 118(2) in relation to a building order emergency); and</i></li></ul> <p><i>Section 127 (3) of the Building Act 2011</i></p> <p><i>(3) A delegation of a local government's powers or duties may be only to a local government employee"</i></p>
Reporting Requirements:	<p>Details of the recovery and court action must be recorded in the appropriate record to meet legislative requirements.</p> <p><i>Financial Interest Returns Required – No</i></p>
Details of Review:	



BUSH FIRES ACT 1954

DAR06-12

PROHIBITED BURNING TIMES

Function to be performed:  
*This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].*

Determine to vary Prohibited Burning Times, in accordance with s17(7) and (8), regarding:

- shortening, extending, suspending or reimposing a period of prohibited burning times; or
- imposing a further period of prohibited burning times.

Legislative Power or duty delegated:

Bush Fires Act 1954

Legislative power to delegate

Section 17(10), Bush Fires Act 1954

Delegation to:

Chief Executive Officer/Chief Bush Fire Control Officer

Delegation:

No statutory power provided to sub-delegate s48(3)

Conditions and Exceptions:

1. The Minister may, by declaration published in the Gazette, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.
2. Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.
3. A copy of the Gazette containing a declaration published under subsection (1) shall be received in all courts as evidence of the matters set out in the declaration.
4. Where the FES Commissioner considers that burning should be carried out on any land, the FES Commissioner may suspend the operation of a declaration made under subsection (1), so far as the declaration extends to that land, for such period as the FES Commissioner thinks fit and specifies and subject to such conditions as may be prescribed or as the FES Commissioner thinks fit and specifies.

Reporting Requirements:

Details of all notices issued must be recorded in the appropriate record to meet legislative requirements.

*Financial Interest Returns Required - No*

Details of Review:

**APPOINTMENT OF NOMINATED SHIRE OFFICERS AS  
AUTHORISED OFFICERS UNDER THE FOOD ACT 2008**

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The Council delegates to the CEO authority to exercise all of the functions conferred or imposed on the Shire, as an enforcement agency, under and subject to s.118(2) of the Food Act.
Legislative Power or duty delegated:	Food Act 2008 s122 Appointment of Authorised Officers and s126 Infringement Notices
Legislative power to delegate	Section 118(2) of the Food Act 2008
Delegation to:	Chief Executive Officer
Delegation:	The Chief Executive Officer <ul style="list-style-type: none"><li>• Environmental Health Officers as Authorised Officers for all food premise types and under the Food Act 2008</li></ul>
Conditions and Exceptions:	Powers under the Act limited to the following and the authorisation does not extend to the Financial Provisions of the Act:  The Chief Executive Officer and the Environmental Health Officers as the Designated Officer for the purposes of Section 126 of the Food Act 2008: <ol style="list-style-type: none"><li>1) May, in a particular case, 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;</li><li>2) May, whether or not the modified penalty has been paid, withdraw an infringement notice by sending the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn."</li></ol> Environmental Health Officers: <ul style="list-style-type: none"><li>• Section 38 Entry, inspection and seizure</li><li>• Section 126(2) Issuing of Infringement notices</li><li>• Section 62 Issuing of Improvement Notices</li></ul> The power to prosecute any person is only exercised by agreement of the Chief Executive Officer
Reporting Requirements:	Details of all authorised officers appointed must be recorded in the appropriate record to meet legislative requirements. <i>Financial Interest Returns Required - Yes</i>
Details of Review:	

Function to be performed:  
*This text is provided as a reference only.  
Delegates shall only act in full  
understanding of the delegated statutory  
power, inclusive of conditions [see below].*

An enforcement agency, after making a prohibition order, must give a certificate of clearance if, after an inspection of the premises, part of the premises, vehicle or equipment, or the handling of food in the way or for the purpose, or the activities, specified in the order, the agency finds, by the agency's own inspection or the report of an authorised officer, that –

- (a) the premises are not, or the part of the premises, vehicle or equipment, or the handling of food by the food business in the specified way or for the specified purpose, or the carrying out of the specified activities is not, a serious danger to public health; and
- (b) the person on whom the prohibition order was served has complied with the prohibition order and any improvement notices served on the person.

An enforcement agency must give written notification to the 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 under Section 66 or 67.

Legislative Power or  
duty delegated:

Section 65 of the Food Act 2008  
Section 67 of the Food Act 2008

Legislative power to delegate

Section 118 of the Food Act 2008

Delegation to:

Chief Executive Officer  
Environmental Health Officers

Delegation:

Environmental Health Officers are delegated the power to clear and remove a prohibition order in accordance with section 66 of the Food Act 2008, and to provide written notification as required with respect to any decision made not to issue a certificate of clearance following an inspection under either Section 66 or 67.

Conditions and Exceptions:

The power to prosecute any person is only exercised by agreement of the Chief Executive Officer.

Reporting  
Requirements:

Details of all prosecutions must be recorded in the appropriate record to meet legislative requirements.

*Financial Interest Returns Required - No*

Details of Review:

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the Cat Act 2011.
Legislative Power or duty delegated:	Section 48 of the Cat Act 2011
Legislative power to delegate	Cat Act 2011
Delegation to:	Chief Executive Officer
Delegation:	The Chief Executive Officer is delegated the power to appoint authorised persons for the purposes of performing particular functions under the Cat Act 2011.
Conditions and Exceptions:	Nil
Chief Executive Officer delegates to:	Finance and Administration Manager Customer Service Officers
Delegation delegated by the CEO	The CEO delegates to the above Officers the exercise of this delegated power. The exercise of the delegated power does not include the power of delegation.
Reporting Requirements:	Details of all decision made must be recorded in the appropriate record to meet legislative requirements.  <i>Financial Interest Returns Required - No</i>
Details of Review	

RESIDENTIAL TENANCY ACT 1997

DAR06-20

APPOINTMENT OF AUTHORISED PERSONS –RESIDENTIAL  
TENANCY ACT 1997

Function to be performed: <i>This text is provided as a reference only Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	The Commissioner of the Residential Tenancy Act 1997 may delegate to any person any of his or her powers or functions, other than the power of delegation to exercise functions associated with the Residential Tenancy Act 1997.
Legislative Power or duty delegated:	Section 9 of the Residential Tenancy Act 1997
Legislative power to delegate	Section 9 of the Residential Tenancy Act 1997
Delegation to:	Chief Executive Officer
Delegation:	The Chief Executive Officer is delegated the power as authorised persons for the purposes of performing functions under the Residential Tenancy Act 1997.
Conditions and Exceptions:	Nil
Chief Executive Officer delegates to:	Nil
Delegation delegated by the CEO	Nil
Reporting Requirements:	Details of all decision made must be recorded in the appropriate record to meet legislative requirements.  <i>Financial Interest Returns Required – Yes</i>
Details of Review	

## DAR07-1

## CERTAIN PLANNING FUNCTIONS RELATING TO SHIRE OF WANDERING TOWN PLANNING SCHEME NO. 3

Function to be performed:  
*This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].*

The Council may require the preparation and presentation as a prerequisite to:

- the Council's support for a proposal to rezone or reclassify land in the District;
- the Council's support for an application to subdivide or amalgamate lots; or
- the Council's consideration of an application for Planning Approval.

Applications for planning approval;

All matters which arise out of the imposition of conditions on planning approvals;

All matters delegated to the Shire under the Planning and Development Act 2005, or functions that the Shire is authorised to exercise under that Act.

Legislative Power or duty delegated:

Clause 11.3. of the text to Shire of Wandering Town Planning Scheme No. 3 and Sections 5.45 and 5.46 of the Local Government Act 1995

Legislative power to delegate

Shire of Wandering Town Planning Scheme No. 3

Delegation to:

Chief Executive Officer

Delegation:

A. Advertising and Determining Applications for Planning Approval  
Power/Duty

1. Notification and Advertising of Applications for Planning Consent

In accordance with Clause 9.4 of the Shire of Wandering Local Planning Scheme No 3 determine that a particular application will be advertised and notify the applicant accordingly.

Determine those landowners and occupiers to whom notice of an application for Planning Consent required to be advertised shall be provided pursuant to Clause 9.4.3(b) of Shire of Wandering Local Planning Scheme No. 3.

Determine the requirement for consultation with other of authorities for an application for Planning Approval pursuant to Clause 10.1 of the Shire of Wandering Local Planning Scheme No. 3.

2. Consideration of Applications for Planning Approval

Determine applications for Planning Approval made in accordance with Clause 5.1 of the Shire of Wandering Local Planning Scheme No. 3 and/or Statement of Planning Policy No. 1 – Residential Design Codes irrespective of whether objections have been received and impose conditions or grounds of refusal as required.

3. Determine requests for Amending or Revoking a Planning Approval

Determine requests for Amending or Revoking a Planning Approval a Planning made in accordance with Clause 8.3 of the Shire of Wandering Local Planning Scheme No. 3 where the original permit was issued under delegated authority.

4. Conditions

An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

B. Advertising draft Development Plans

Power/Duty

1. Notification and Advertising of Applications for a draft Development Plan/s

Determine the requirement for advertising for public comment a draft Development Plan/s pursuant

H. Directions regarding unauthorized development

Power/Duty

To give directions in relation to unauthorized development and to authorize any action available to the responsible authority under the Planning and Development Act 2005 incidental to such written direction, including but not limited to issuing a notice to correct or amend the development or to commence legal action.

Conditions

An officer to whom delegated authority is granted is not to exercise that authority in circumstances where the Chief Executive Officer has received a request from a Councillor that the matter be referred to Council for consideration or determination.

I. Responsible Authority Reports to the Development Assessment Panel

Power/Duty

To submit Responsible Authority Reports to the Development Assessment Panel pursuant to Regulation 12 of the Planning & Development (Development Assessment Panels) Regulations 2011.

Conditions

The Chief Executive Officer is to advise Councillors of the lodgement of a JDAP application in the 'Councillors Information Bulletin' and report to Council at the earliest opportunity, the outcome of the JDAP decision.

Conditions and Exceptions:

This Delegation does not preclude the Delegate or Sub-Delegate referring the categories of development or legal proceedings outlined above, to Council for determination, after having regard to the circumstances of a particular case.

Reporting Requirements:

Details of all approvals given and actions taken must be recorded in the appropriate record to meet legislative requirements.

*Financial Interest Returns Required - No*

Details of Review:

## DAR08-1

## REQUEST FOR DONATIONS – COMMUNITY GROUPS

Function to be performed: <i>This text is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions [see below].</i>	To approve requests for donations or sponsorship from community groups as per Council's policy
Legislative Power or duty delegated:	Section 6.7(2) of the Local Government Act 1995
Legislative power to delegate	Section 5.42 and Section 5.44, Local Government Act 1995
Policy:	Community Donations, Sponsorships and Funding Policy Fees and Charges Schedule
Delegation to:	Chief Executive Officer
Delegation:	The CEO is delegated the power to approve requests for donations or sponsorship from community groups, subject to section 6.7(2) of the Local Government Act 1995.
Conditions and Exceptions:	Subject to – <ul style="list-style-type: none"><li>• conditions contained in Council's Community Donations, Sponsorships and Funding Policy and Fees and Charges Schedule Policy;</li><li>• a value not exceeding <u>\$2500.00</u> per request;</li><li>• funding being allocated in the Shire's Annual Budget</li></ul>
Reporting Requirements:	Details of donations and waivers of fees and charges approved under delegated authority must be recorded in the appropriate record to meet legislative requirements and elected members informed of approved applications at the next ordinary meeting of Council.  <i>Financial Interest Returns Required - Yes</i>
Details of Review	



# PART 9

## DELEGATIONS BY COUNCIL TO THE CEO MADE DURING THE YEAR

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*The following Local Government delegations are 'ad hoc' and approved via an Ordinary Meeting of Council outside of the annual Delegated Authority Register review.*

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# COUNCIL APPROVED AUTHORISATIONS

Register 2015

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## COUNCIL APPROVED AUTHORISATIONS

These Acts do not contain a head of power to **delegate**.

Council **authorises** the appropriate staff to undertake the functions to be performed under each Act.

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*ABORIGINAL HERITAGE ACT 1972*

*CARAVAN PARKS AND CAMPING GROUNDS ACT 1995*

*CEMETERIES ACT 1986*

*CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978*

*FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994*

*HEALTH ACT 1911*

*LITTER ACT 1979*

**CAA01-2 APPOINTMENT OF AUTHORISED PERSONS –  
CARAVAN PARKS AND CAMPING GROUNDS ACT 1995**

Function to be performed: <i>This text is provided as a reference only. Authorises shall only act in full understanding of the Authorised statutory power, inclusive of conditions [see below].</i>	A local government — (a) may appoint such persons to be authorised persons for the purposes of this Act as the local government considers necessary; and (b) must issue each person appointed under paragraph (a) with an identity card, in the prescribed form, certifying that the person is an authorised person under this Act.
Legislative Power or duty Authorised:	The powers of a “authorised person” under the Caravan Parks and Camping Grounds Act 1995 and the Caravan and Camping Grounds Regulations 1997.
Legislative power to Authorise	Section 17(1) of the Caravan Parks and Camping Grounds Act 1995
Appointed as Authorised Person	For the purposes of Division 1 of Part 2 and Sections 22 and 23(5) and (7) of the Caravan Parks and Camping Grounds Act 1995:- <ul style="list-style-type: none"><li>• Chief Executive Officer</li><li>• Finance &amp; Administration Manager</li><li>• Environmental Health Officers</li></ul> For the purposes of section 23(2) of the Caravan Parks and Camping Grounds Act 1995:- <ul style="list-style-type: none"><li>• Environmental Health Officers</li><li>• Building Surveyors</li><li>• Rangers</li></ul>
Conditions and Exceptions:	The Senior Environmental Health Officers, Environmental Health Officers, Building Surveyors, and Rangers are empowered to sign such documents, issue notices and initiate appropriate legal action on behalf of the Shire when a breach of the said Act and related legislation warrants such action provided that the power to prosecute any person is only exercised by agreement of the Chief Executive Officer.
Reporting Requirements:	Any actions taken or notices issued are to be recorded on the appropriate file or record. Copies of applications, licences and notices are to be recorded on the appropriate file or record.  <i>Financial Interest Returns Required – Yes</i>
Details of Review:	

Reporting  
Requirements:

Register of, and review of, Authorisations

- (1) The chief executive officer of a local government is to keep a register of
  - (a) Authorisations made under section 10AA(1); and
  - (b) further Authorisations made under the authority of an Authorisation made under section 10AA(1).
  
- (2) At least once every financial year —
  - (a) Authorisations made under section 10AA(1); and
  - (b) further Authorisations made under the authority of an Authorisation made under section 10AA(1), are to be reviewed by the delegator.

*Financial Interest Returns Required – Yes*

Details of Review:

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LITTERACT 1979

CAA01-8 APPOINTMENT OF AUTHORISED PERSONS – LITTER ACT 1979

Function to be performed: <i>This text is provided as a reference only Authorises shall only act in full understanding of the Authorised statutory power, inclusive of conditions [see below].</i>	For the purposes of this Act an authorised officer is — (a) any member of the Police Force;  (b) any person appointed as such pursuant to subsection (2) within the area of jurisdiction entrusted to him by the appointment;  (c) within the district of a local government, any person who is — (i) a member of the council of the local government; (ii) an employee of the local government; or (iii) an honorary inspector appointed by the local government under section 27AA.
Legislative power or duty of appointment	The powers of an authorised officer under the Litter Act 1979 and the Litter Regulations 1981.
Legislative power to Authorise	Section 26 of the Litter Act 1979
Appointed as Authorised Person	All elected members. All shire employees with delegated authority
Conditions and Exceptions:	Those persons appointed do not have the authority to withdraw infringement notices (subject to Authorisation 12.6).
Reporting Requirements:	Details of exercising the Authorisation must be recorded in the appropriate record to meet legislative requirements.  <i>Financial Interest Returns Required – No</i>
Details of Review:	

CEMETERIES ACT 1986

CAA01-10 APPOINTMENT OF AUTHORISED PERSONS –  
CEMETERIES ACT 1986

Function to be performed: A Board means a cemetery board established under Section 7 or deemed to have been established under this Act and in relation to a cemetery means the Board responsible for the care, control and management of that Cemetery.  
*This text is provided as a reference only. Authorises shall only act in full understanding of the Authorised statutory power, inclusive of conditions [see below].*

Legislative Power or duty Authorised: Under Sections 10 and 47 of the Cemeteries Act 1986 –

- A Board may authorise funds to be expended for the performance of any of the functions or any other purpose approved by the Minister;
- A Board may appoint such employees, either full time or part time, as it considers necessary to enable it to carry out its functions; and
- A Board may engage under contract for services such professional and technical and other assistance as it considers necessary to enable it to carry out its functions.

Legislative power to Authorise Section 10 and Section 47 of the Cemeteries Act 1986

Appointed as Authorised Person The Board shall consist of:

- Chief Executive Officer
- Finance & Administration Manager

Conditions and Exceptions: Nil

Reporting Requirements: Any actions taken or notices issued are to be recorded on the appropriate file or record.

*Financial Interest Returns Required - No*

Details of Review:

**Policy Number:** TBC



**Policy Name:** AFFIXING OF THE SHIRE OF WANDERING COMMON SEAL

**File No: (Admin)** TBC

**Policy Purpose:** To establish the circumstances under which the official Council Common Seal may be affixed to documents.

**Principles / Framework** SOA 10 Year Community Strategic Plan 2012-2022  
Goal 05- Inspiring Governance  
Objective 03 - Council Leadership

**Application:** Elected Members and CEO

**Statutory Environment:** Local Government Act 1995-

Section 2.5 (2) stipulates that a local government is "a body corporate with perpetual succession and a common seal". There is no stipulated requirement for the use of the common seal in particular circumstances.

Section 9.49 stipulates that "a document is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the Chief Executive Officer or employee of the local government who purports to be authorised by the Chief Executive Officer to so sign".

Section 9.49A contains detailed provisions regulating the execution of documents by a local government, including the execution of documents using the Common Seal.

**Approval Date:**

**1. Affixing the Common Seal**

Under section 9.49A of the *Local Government Act 1995*-

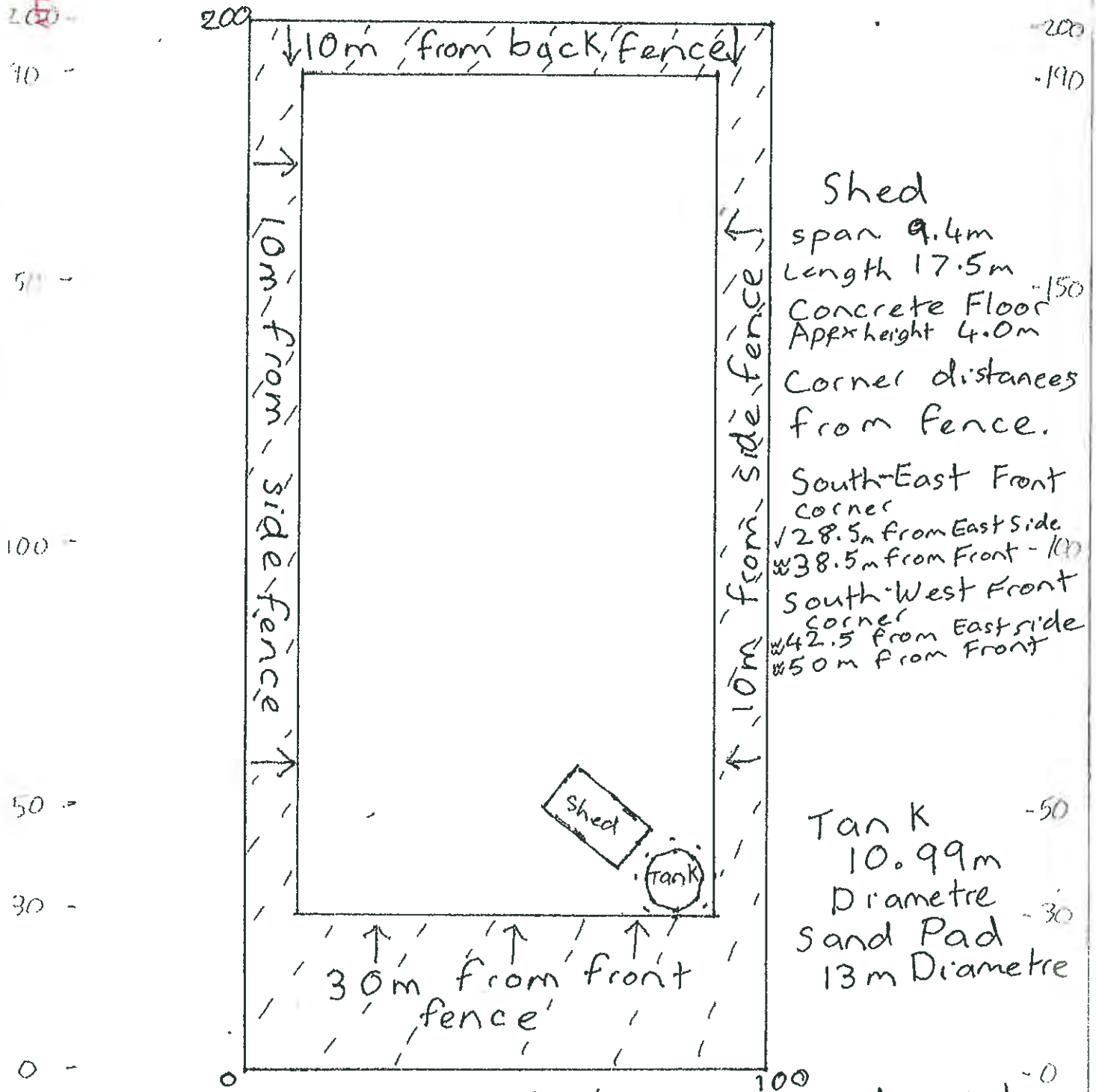
a. the Common Seal cannot be affixed to a document except as authorised by the Council;

and

b. the Common Seal must be affixed to a document in the presence of—  
(i) the Shire President (or, if section 5.34 applies, by the Deputy Shire President); and  
(ii) the CEO or an employee authorised by the CEO;

each of whom is to sign the document to attest that the Common Seal was affixed.





Shed  
 span 9.4m  
 Length 17.5m  
 Concrete Floor  
 Appx height 4.0m  
 Corner distances  
 from fence.  
 South-East Front  
 corner  
 √ 28.5m from East side  
 √ 38.5m from Front - 100  
 South-West Front  
 corner  
 √ 42.5m from East side  
 √ 50m from Front

Tan K -50  
 10.99m  
 Diametre  
 Sand Pad -30  
 13m Diametre

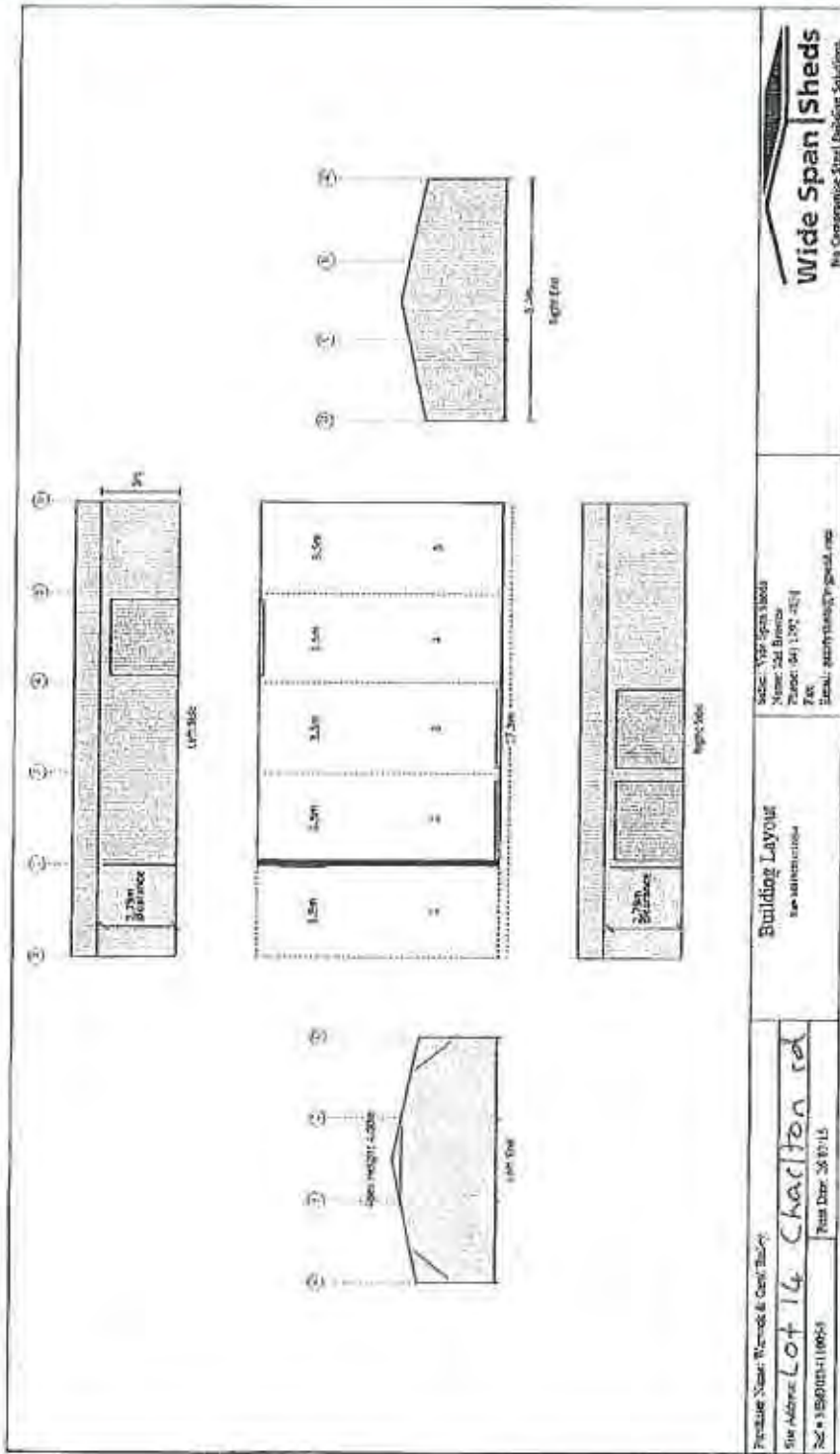
Carol and Warwick Bailey

Mid point  
 of tank  
 from fences  
 (East) side √ 17.5m  
 front √ 37.5m  
 (South)

Lot 14 Charlton rd  
 Wandering Downs Estate.

# Building Layout

Attachment 5.1



Provider Name: <b>Wide Span Sheds</b> Site Address: <b>Lot 14 Charlton rd</b> Sub: <b>11990101110054</b> Post Code: <b>3810</b>	Building Layout See instructions	Sub: <b>Wide Span Sheds</b> Name: <b>200 Bundoora</b> Phone: <b>(04) 1907 4511</b> Fax: Email: <b>enquiries@widespan.com.au</b>	 <b>Wide Span Sheds</b> No Compromise Steel Building Solutions
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*Wandering*



**ATTACHMENT 6**

Rating Summary based on 8% increase										
Line	Code	Total Props	UV Value	GRV Value	Min Rates	UV Rates in a Dollar	GRV Rates in a Dollar	Calculated Rates	No of Minimum rated Properties	Actual Rates to Raise
1	00	32	287000.00	107345.00				0.00		\$0
2	Mining Rural	6	176879.00	0.00	918.00	0.5670		1002.90	6	\$5,508
3	GRV Residential	79	0.00	611036.00	755.00		7.6000	46438.73	39	\$64,270
4	GRV Special Use	5	0.00	164525.00	918.00		9.1800	15103.39	2	\$16,324
5	UV Residential	103	12008000.00	0.00	918.00	0.7560		90780.48	50	\$97,845
6	UV Rural	203	108282400.00	0.00	918.00	0.5670		613961.24	53	\$629,126
									Total	<b>\$813,073</b>

## Shire of Wandering



## Intention to levy Differential General Rates

Local Government Act 1995 (section 6.36)

Local Public notice is hereby given, in accordance with section 6.36 of the Local Government Act 1995, of intention of the Shire of Wandering to levy the following differential general rates and minimum payments for the 2015/16 Financial year.

Rating Category	Rates in a Dollar	Minimum Rate Payments
GRV - Special Use	\$0.0918	\$918
GRV- Residential	\$0.0760	\$755
UV- Rural Residential	\$0.00756	\$918
UV- Rural Mining	\$0.00567	\$918
UV - Rural	\$0.00567	\$918

Electors and ratepayers of the Shire of Wandering are invited to submit a written submission in respect of the proposed differential general rates or minimum payments and any related matters no later than **4:30 PM, Monday 13<sup>th</sup> July 2015**. The Submissions must be addressed to the Chief Executive Officer, Shire of Wandering, 22 Watts Street, Wandering WA 6308.

Amanda O'Halloran

Chief Executive Officer

**Shire of Wandering**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 May 2015**



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**Shire of Wandering**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Function & Activity)**  
**For the Period Ended 31 May 2015**

	FM Reg 34(1)(a)	FM Reg 34(1)(b)	FM Reg 34(1)(c)	FM Reg 34(1)(d) FM Reg 34(5)			
	Current Budget Note 4	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) Note 3	Var. % (b)-(a)/(b) Note 3	Var.	
Note							
<b>Operating Revenues</b>	\$	\$	\$	\$	%		
Governance	0	0	0	0			
General Purpose Funding	534,547	532,843	533,478	635	0.12%	▲	
Law, Order and Public Safety	31,304	29,870	23,850	(6,020)	(25.24%)	▼	
Health	0	0	0	0			
Education and Welfare	0	0	0	0			
Housing	204,757	20,059	19,974	(85)	(0.43%)	▼	
Community Amenities	28,925	26,873	21,933	(4,940)	(22.52%)	▼	
Recreation and Culture	5.6	2,141	2,041	177	7.99%	▲	
Transport	5.6	44,066	44,031	1,512	3.32%	▲	
Economic Services	5.6	671,555	625,108	(19,584)	(3.23%)	▼	
Other Property and Services		128,059	117,060	(566)	(0.48%)	▼	
<b>Total (Excluding Rates)</b>	<b>1,645,354</b>	<b>1,398,451</b>	<b>1,369,581</b>				
<b>Operating Expense</b>							
Governance	(96,709)	(86,890)	(87,021)	(131)	(0.15%)	▲	
General Purpose Funding	5.7	(71,341)	(68,760)	31,375	83.92%	▼	
Law, Order and Public Safety	5.7	(97,487)	(92,739)	42,127	83.23%	▼	
Health		(26,307)	(24,196)	1,069	4.62%	▼	
Education and Welfare		(4,752)	(3,213)	1,199	37.32%	▼	
Housing	5.7	(62,886)	(57,740)	22,939	65.92%	▼	
Community Amenities		(162,518)	(147,036)	31,478	27.24%	▼	
Recreation and Culture	5.7	(164,308)	(152,243)	11,998	8.55%	▼	
Transport	5.7	(1,183,917)	(1,085,470)	41,612	3.99%	▼	
Economic Services	5.7	(866,799)	(799,636)	669,047	130,589	19.52%	▼
Other Property and Services		(186,806)	(168,229)	21,301	189,530	(889.76%)	▼
<b>Total</b>	<b>(2,923,830)</b>	<b>(2,687,350)</b>	<b>(2,183,566)</b>				
<b>Funding Balance Adjustment</b>							
Add back Depreciation	772,529	714,791	629,142	(85,649)	(13.61%)	▼	
Adjust (Profit)/Loss on Asset Disposal	(181,779)	0	0	0			
Aged Friendly Grants Carried Forward	0	0	(53,000)	(53,000)	(100.00%)	▼	
<b>Net Operating (Ex. Rates)</b>	<b>(687,726)</b>	<b>(574,109)</b>	<b>(237,843)</b>				
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	552,952	552,952	458,223	(94,729)	(20.67%)	▼	
Proceeds from Disposal of Assets	200,000	0	0	0			
Proceeds from New Debentures	350,000	350,000	350,000	0			
Transfer from Reserves	0	0	0	0			
Self Supporting Loan Repayment	2,500	0	1,250	1,250	100.00%	▲	
<b>Total</b>	<b>1,105,452</b>	<b>902,952</b>	<b>809,473</b>	<b>0</b>			
<b>Capital Expenses</b>							
Land Held for Resale	0	0	0	0			
Land and Buildings	(368,990)	(357,316)	(306,370)	50,946	16.63%	▼	
Plant and Equipment	(12,000)	(11,000)	(13,845)	(2,845)	(20.55%)	▲	
Furniture and Equipment	(5,368)	(4,917)	(6,881)	(1,964)	(28.54%)	▲	
Infrastructure Assets - Roads	(971,167)	(953,164)	(657,787)	295,377	44.90%	▼	
Infrastructure Assets - Other	(453,279)	(453,279)	(439,080)	14,199	3.23%	▼	
Purchase of Investments	0	0	0	0			
Repayment of Debentures	(21,956)	0	0	0			
Transfer to Reserves	0	(3,140)	(7,324)	(4,184)	(57.13%)	▼	
<b>Total</b>	<b>(1,832,760)</b>	<b>(1,782,816)</b>	<b>(1,431,287)</b>				
<b>Net Capital</b>	<b>(727,308)</b>	<b>(879,864)</b>	<b>(621,814)</b>				
<b>Total Net Operating + Capital</b>	<b>(1,415,034)</b>	<b>(1,453,973)</b>	<b>(859,657)</b>	<b>0</b>			
Rate Revenue	706,456	706,456	700,425	(6,031)	(0.86%)	▼	
Opening Funding Surplus(Deficit)	281,090	281,090	281,090	0	0.00%		
<b>Closing Funding Surplus(Deficit)</b>	<b>(427,488)</b>	<b>(466,427)</b>	<b>121,859</b>				

months.

**Land Held for Resale**

Land purchased for development and/or resale is valued at the lower of the cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

Land held for resale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

**(i) Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

**(j) Depreciation of Non-Current Assets**

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation rates and periods are:

Buildings	2%
Furniture and Equipment	10-25%
Plant and Equipment	15-25%
Motor Vehicles	25%
Roads - Aggregate	25 years
Roads - Unsealed - Gravel	35 years
Drains and Sewers	75 years
Airfield - Runways	12 years

**Shire of Wandering**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 May 2015**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**(k) Trade and Other Payables**

Trade and other payables are carried at amortised cost. They represent liabilities for goods and services provided to the local government prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured and are usually paid within 30 days of recognition.

**(l) Employee Benefits**

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

**(i) Wages, Salaries, Annual Leave and Long Service Leave (Short-term Benefits)**

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.



**Non-Operating Grants, Subsidies and Contributions**

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

**Profit on Asset Disposal**

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

**Fees and Charges**

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

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity, neighbourhood surveillance services and water. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

**Interest Earnings**

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

**Other Revenue / Income**

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

**Employee Costs**

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

**Materials and Contracts**

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

**Utilities (Gas, Electricity, Water, etc.)**

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

**Shire of Wandering**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 May 2015**

**1. SIGNIFICANT ACCOUNTING POLICIES (Continued)****(q) Nature or Type Classifications (Continued)****Insurance**

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

**Loss on asset disposal**

Loss on the disposal of fixed assets.

Provides and maintains housing rented to staff and non-staff. Council is a major landlord, providing accommodation for aged, pensioner, single, married and Government Employees.

**COMMUNITY AMENITIES**

Operation and control of cemeteries, public conveniences and sanitation service. Provides public amenities. Owns and operates the town site deep sewerage service. Controls and maintains one rubbish disposal site.

**RECREATION AND CULTURE**

Maintenance of hall, the aquatic centre, library and various reserves.

**TRANSPORT**

Construction and maintenance of roads, footpaths, drainage works and cleaning of streets. Provision of infrastructure necessary to ensure adequate transport, communication, freight, social access routes and environmental enhancement within the shire.

**ECONOMIC SERVICES**

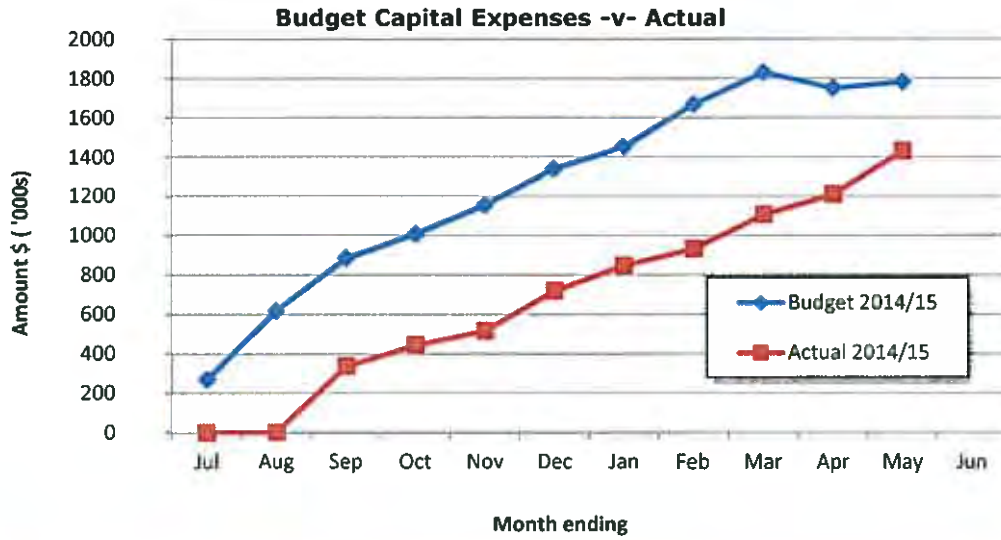
Tourism, pest control, building controls and natural resource management. Tourism facilities, information and directional signs. Weed and pest control services. Necessary building control services.

**OTHER PROPERTY & SERVICES**

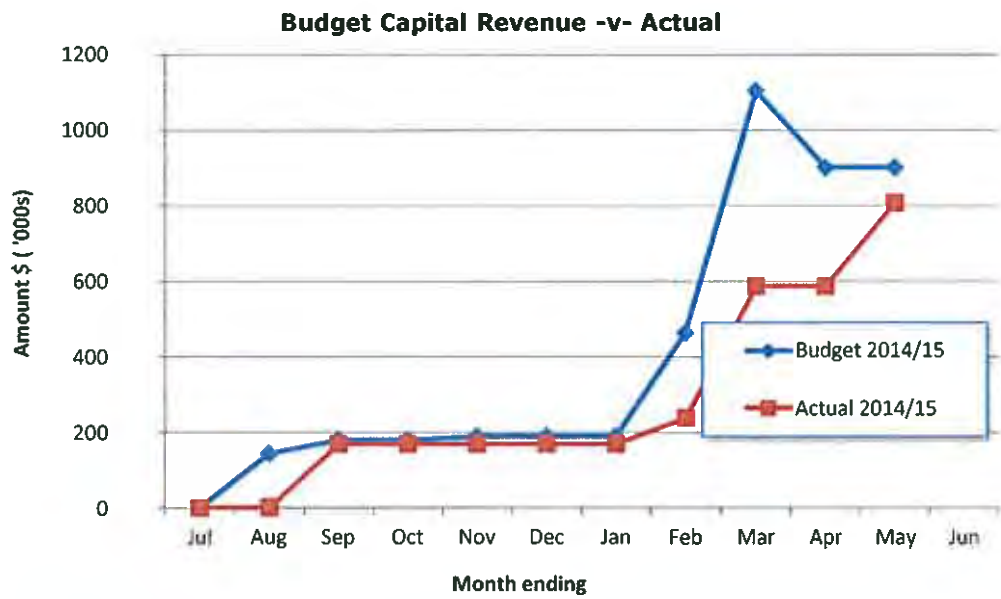
Private works carried out by council and indirect cost allocation pools. Public Works Overheads, plant operation and administrative costs are allocated to the various functions, works and services provided by Council.

For the Period Ended 31 May 2015

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Capital Expenses



Comments/Notes - Capital Revenues

Shire of Wandering  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
 For the Period Ended 31 May 2015

**Note 4: CASH AND INVESTMENTS**

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Transport \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
	2.10%	0 232,728	361,247	10,926	0 0	10,926 593,976	WPAC WPAC	
(b) Term Deposits								
Nil								
Nil								
<b>Total</b>		<b>232,728</b>	<b>361,247</b>	<b>10,926</b>	<b>0</b>	<b>604,902</b>		

Comments/Notes - Investments

**Shire of Wandering  
STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 May 2015**

**Note 5: MAIOR VARIANCES ( By programme)**

Comments/Reason for Variance	Variance	
	Timing	Permanent
Refuse collection cost is less than expected	\$14,037	
<b>RECREATION AND CULTURE</b>		
Wandering Community Centre maintenance cost is more than expected	\$5,832	
Public Parks, Gardens & Reserves expenses is less than expected	\$5,929	
Community Centre Oval expenses is less than expected	\$3,687	
<b>TRANSPORT</b>		
Rural Road Maintenance expenses are less than budgeted	\$24,712	
Depreciation expenses are less than budgeted	\$31,405	
<b>ECONOMIC SERVICES</b>		
Fuel Purchase is less than expected		\$59,502
Other CRC Expenses is less than expected		\$20,607
Consultant Building Surveyor expenses are less than expected	\$9,950	
Feral Pigs expenses are less than expected	\$5,203	
CRC Salaries are less than expected		\$6,325
Caravan Park maintenance and Area Promotion expenses are less than expected	\$10,144	
<b>OTHER PROPERTIES &amp; SERVICES</b>		
Private Works Expenses is less than expected	\$9,274	
Administration Allocated	\$18,409	
Works - Annual, LSL, Public Holiday & Sick Leave is more than expected	\$31,788	
PWOH allocated to Works & Services is over allocated to programme	\$66,155	
Plant - Fuel & Oils is less than expected due to April fuel allocation which has not been processed yet	\$33,926	
Plant - Depreciation less than expected	\$31,418	
Plant Operation Costs allocated to Works & Services is over allocated to programme	\$42,921	
Admin - Salaries are less than expected	\$20,188	
Consultancy Fee is less than expected	\$12,000	
Depreciation is less than expected	\$19,038	
Admin Costs allocated to Programs is more than forecasted	\$22,891	

**Shire of Wandering  
STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 May 2015**

**Note 5: MAJOR VARIANCES**

Comments/Reason for Variance	Variance	
	Timing	Permanent
to run the depreciation		
<b>INTEREST EXPENSES</b>		
Loan for the 5 Dunmall Drive House has been received however the repayment will not be incurred until 30 Spetmeber 2015	\$1,952	
<b>INSURANCE EXPENSES</b>		
Nil		
<b>OTHER EXPENSES</b>		
Nil		
<b>5.3 CAPITAL REVENUE</b>		
<b>GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
Recreation & Sport Grants-Grants Acqutal has been done and waiting for final payment	\$35,800	
Grant - Regional Road Group- project still to be completed	\$62,872	
Grant - Blackspot Project still to be completed	\$48,000	
<b>PROCEEDS FROM NEW DEBENTURES</b>		
Nil		
<b>SELF-SUPPORTING LOAN PRINCIPAL</b>		
Nil		
<b>TRANSFER FROM RESERVES (RESTRICTED ASSETS)</b>		
Nil		
<b>5.4 CAPITAL EXPENSES</b>		
<b>LAND HELD FOR RESALE</b>		
<b>LAND&amp; BUIDLING</b>		
Caravan Park Abulation has not been purchased yet	\$68,750	
<b>PLANT AND EQUIPMENT</b>		
Sundr Plant		
<b>FURNITURE AND EQUIPMENT</b>		
Purcause computers for councillors are more than expected		
<b>INFRASTRUCTURE ASSETS - ROADS</b>		
Reginal roads group construction still to be completed	\$109,137	
Blackspot funding Construction still to ve completed	\$69,817	
Bridge Construction works still to be completed	\$118,812	
<b>INFRASTRUCTURE ASSETS - OTHER</b>		
Transfer Station Construction	\$4,328	
Skate Park is yet to be completed	\$9,870	

**Shire of Wandering**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 May 2015**

**Note 8: GRANTS AND CONTRIBUTIONS**

Program/Details GL	Provider	Approval (Yes/No)	2014/15 Budget	Variations Additions (Deletions)	Capital	Operating	Revised Grant	Recoup Status	
								Received	Not Received
<b>GENERAL PURPOSE GRANTS</b>									
Grants Commission	FAG's - Roads	Yes	217,705	0	0	217,705	217,705	218,940	0
Grants Commission	FAG's - General	Yes	253,245	0	0	253,245	253,245	254,681	0
	FAG's -Bridges	Yes	40,000	0	0	40,000	40,000	40,227	0
<b>LAW, ORDER, PUBLIC SAFETY</b>									
<b>RECREATION AND CULTURE</b>									
Bowling Green	CSRFF	Yes	36,857	0	36,857	0	36,857	0	(36,857)
Other Grants	Volunteer Day	Yes	0	0	0	1,750	1,750	1,750	0
<b>TRANSPORT</b>									
Project Grants	MRWA	Yes	335,000	0	335,000	0	335,000	272,128	(62,872)
Direct Grants	MRWA	Yes	42,000	0	0	42,000	42,000	43,000	0
Black Spot	MRWA	Yes	80,000	0	80,000	0	80,000	32,000	(48,000)
Roads To Recovery	Dep't Trans & Reg Serv.	Yes	101,095	0	101,095	0	101,095	101,095	0
<b>ECONOMIC SERVICES</b>									
CRC Grants	Dept. Regl. Development	Yes	108,000		0	108,000	108,000	108,000	0
<b>TOTALS</b>			<b>1,213,902</b>	<b>0</b>	<b>552,952</b>	<b>662,700</b>	<b>1,215,652</b>	<b>852,225</b>	<b>(147,729)</b>

Comments - Grants and Contributions

Shire of Wandering  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
 For the Period Ended 31 May 2015

**Note 10: CAPITAL DISPOSALS AND ACQUISITIONS**

Profit/(Loss) of Asset Disposal				Disposals	Current Budget			
Cost	Accum Depr	Proceeds	Gain/(Loss)		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
33,600	15,379	200,000	181,779	Housing				
				7 Gnowing Street	200,000	0	(200,000)	▼
0	0	0	0	Plant & Property				
				Works Supervisor Hi-Lux	0	0	0	▲
		200,000	181,779					

Comments - Capital Disposal

Contributions Information				Summary Acquisitions	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				Property, Plant & Equipment				
79,000	0	350,000	425,000	Buildings	357,316	306,370	(50,946)	▼
0	0	0	0	Plant & Property	11,000	13,845	2,845	▲
0	0	0	0	Furniture & Equipment	4,917	6,881	1,964	▲
				Infrastructure				
516,095	0	0	516,095	Roadworks	723,093	546,298	(176,795)	▼
0	0	0	0	Drainage	37,572	37,801	229	▲
40,000	0	0	40,000	Bridges	192,500	73,688	(118,812)	▼
0	0	0	0	Footpath & Cycleways	0	0	0	
36,857	0	0	36,857	Parks, Gardens & Reserves	295,393	285,523	(9,870)	▼
0	0	0	0	Airports	0	0	0	
0	0	0	0	Sewerage	0	0	0	
0	0	0	0	Other Infrastructure	157,886	153,558	(4,328)	▼
667,952	0	350,000	1,017,952	Capital Totals	1,779,877	1,423,963	(355,914)	

Comments - Capital Acquisitions

Contributions				Land	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				0				
				Mill St Residential Development	0	0	0	
				0				
				Turton Drive Development	0	0	0	
Contributions				Buildings	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				0				
		350,000	350,000	Residence - Humes Way	83,739	87,863	4,124	▲
				Residence - Dunmall Drive	199,509	213,189	13,681	▲
73,000			75,000	Caravan Park Ablutions	68,750	0	(68,750)	▼
				Community Centre Brick Paving	0	0	0	
				Admin. Office Refurbishment	5,318	5,318	0	
73,000	0	350,000	425,000	Capital Totals	357,316	306,370	(50,946)	

Contributions				Plant & Equipment	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				0				
				Works Supervisor Vehicle	0	0	0	
				Sundry Plant	12,000	13,845	2,845	▲
0	0	0	0	Capital Totals	12,000	13,845	2,845	

Contributions				Furniture & Equipment	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				0				
				Laptops & iPads	4,917	6,881	1,964	▲
0	0	0	0	Capital Totals	4,917	6,881	1,964	

Contributions				Roads	Current Budget			
Grants	Reserves	Borrowing	Total		Budget	Actual	Variance	
\$	\$	\$	\$		\$	\$	\$	
				0				
				Capital Totals	0	0	0	



**Shire of Wandering**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 May 2015**

**Note 11: TRUST FUND**

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 1-Jul-14	Amount Received	Amount Paid	Closing Balance 28-Feb-15
Housing Bonds	600	3,860	(4,460)	0
Cleaning Bonds	1,400	2,800	(4,000)	200
Town Planning Bonds	6,000	1,386		7,386
Fire Brigade Donations	3,340			3,340
	<b>11,340</b>	<b>8,046</b>	<b>(6,460)</b>	<b>10,926</b>

# Shire of Wandering

ATTACHMENT 7.1

## Payment Listing for the period ending 31 May 2015

Chq/EFT No	Date	Description	Amount
<b>MUNICIPAL BANK ACCOUNT</b>			
EFT1555	07/05/2015	<b>Monica Beth Treasure</b> Myer - Kitchenware - 22/04/2015 - CRC	769.61
EFT1556	07/05/2015	<b>Stripey's Services</b> Cleaning of Public Toilets x 10 days 23/04/2015 to 06/05/2015	350.00
EFT1558	15/05/2015	<b>Great Southern Fuels</b> Unleaded Petrol 91 UNMK 9500L @ 1.1252	11,758.34
EFT1559	21/05/2015	<b>Australian Taxation Office</b> BAS 30/04/2015 - PAYG Withholding	13,955.00
EFT1560	25/05/2015	<b>Stripey's Services</b> Cleaning of Public Toilets x 10 days - 7th May to 20th May 2015	350.00
EFT1561	25/05/2015	<b>Great Southern Fuels</b> BP 10PPM Diesel - 16220L @ 1.1290	29,476.94
EFT1562	25/05/2015	<b>Best Office Systems</b> CPC Colour copy unit - 3427 units @ 16 7063 cents/unit	1,120.25
EFT1563	25/05/2015	<b>Landgate</b> Rural UV General Revaluation 2014/2015	5,374.72
EFT1564	25/05/2015	<b>Covs Parts Pty Ltd</b> 2200 AMP 12/24V Jumpstarter HP - Depot	825.00
EFT1565	25/05/2015	<b>Shire of Pingelly</b> Supply of replacement signage - York-Williams Road 50% purchase cost	902.00
EFT1566	25/05/2015	<b>Australia Post</b> Various Postal Items, Stamps, Satchels	618.38
EFT1567	25/05/2015	<b>Hotham Mechanical</b> Service & Tyres for Mitsubishi Canter - WD 6	1,938.20
EFT1568	25/05/2015	<b>Startrack Express</b> Con-Note: S25062670 - Road Express 21 April 2015	189.17
EFT1569	25/05/2015	<b>Payroll Paper Solutions Pty Ltd</b> Hand Seal Laser x 500 - Printed Payslips	150.00
EFT1570	25/05/2015	<b>Country Sparky Services</b> Install Reticulation - 19 Humes Way	3,865.84
EFT1571	25/05/2015	<b>H &amp; I Pubs Pty Ltd T/as Wandering Tavern</b> Supply of 14 Pizza's - Youth Week - Monday 13th April 2015	482.20
EFT1572	25/05/2015	<b>McDougall Weldments</b> Semi Trailer Repairs - Plate both sided of beaver tail, replace wood floor section on beaver tail with steel sheet and mount fixed legs to loading ramps, includes painting	2,923.03
EFT1573	25/05/2015	<b>Quick Corporate Australia</b> Stationary Supplies - Administration Building	221.91
EFT1574	25/05/2015	<b>WesTrac Pty Ltd</b> Supply of Air Filters for Front End Loader	137.61
EFT1575	25/05/2015	<b>Austral Mercantile Collections Pty Ltd</b> Field Calls/Solicitors Fees - A299 - Mar Roos & Kim Waiwycked	1,064.43
EFT1576	25/05/2015	<b>Armadale Mower World &amp; Service Co</b> Canopy to suit X One Hustler Mower	635.00
EFT1577	25/05/2015	<b>Local Government Managers Australia</b> LGMA Finance Professionals Conference 2015: Registration 1562651 - Durga Ojha	1,185.50
EFT1578	25/05/2015	<b>JR &amp; A Hersey Pty Ltd</b> Hobart Safety Boot - Size 7	565.70
EFT1579	25/05/2015	<b>Wandering Primary School P &amp; C</b> Afternoon Tea provided for Investment Workshop in March 2015	100.00

13803	05/05/2015	Australia Post - Western Processing Daily Takings 04/05/2015	215.58
13804	11/05/2015	Australia Post - Western Processing Daily Takings 08/05/2015	32.00
13805	12/05/2015	Australia Post - Western Processing Daily Takings 11/05/2015	79.87
13806	13/05/2015	Australia Post - Western Processing Daily Takings 12/05/2015	61.53
13807	15/05/2015	Australia Post - Western Processing Daily Takings 14/05/2015	32.00
13808	18/05/2015	Australia Post - Western Processing Daily Takings 15/05/2015	51.00
13809	19/05/2015	Australia Post - Western Processing Daily Takings 18/05/2015	102.54
13810	20/05/2015	Australia Post - Western Processing Daily Takings 19/05/2015	1,842.74
13811	21/05/2015	Australia Post - Western Processing Daily Takings 20/05/2015	71.99
13812	25/05/2015	Australia Post - Western Processing Daily Takings 22/05/2015	528.66
13813	25/05/2015	BR & IM Hardie Supply of 2000 cubic metres of gravel - York/Williams Road	4,400.00
13814	26/05/2015	Australia Post - Western Processing Daily Takings 25/05/2015	100.75
13815	27/05/2015	Australia Post - Western Processing Daily Takings 26/05/2015	1,674.88
13816	29/05/2015	Australia Post - Western Processing Daily Takings 27/05/2015	336.80
13817	29/05/2015	Australia Post - Western Processing Daily Takings 28/05/2015	106.91
DD161.2	06/05/2015	Telstra Bill Payment Telstra payment - Office/Houses	1,504.93
DD1564.1	06/05/2015	WA SUPER Plan Payroll deductions	4,320.84
DD1564.2	06/05/2015	Superwrap Personal Super Plan (annette Hardie) Superannuation contributions	74.62
DD1564.3	06/05/2015	Rod Evenis Superannuation Fund Pty Ltd Payroll deductions	753.85
DD1564.4	06/05/2015	I & T Brown Family Super Fund Payroll deductions	447.56
DD1567.1	06/05/2015	Hostplus Superannuation contributions	190.46
DD1587.1	20/05/2015	WA SUPER Plan Payroll deductions	4,442.25
DD1587.2	20/05/2015	I & T Brown Family Super Fund Superannuation contributions	447.56
DD1587.3	20/05/2015	Hostplus Superannuation contributions	190.46
DD1587.4	20/05/2015	Superwrap Personal Super Plan (annette Hardie) Superannuation contributions	130.59
DD1587.5	20/05/2015	Rod Evenis Superannuation Fund Pty Ltd Payroll deductions	753.85
DD1592.1	07/05/2015	Telstra Telstra Integrated Messaging	51.48
DD1592.2	11/05/2015	Synergy 64 days electricity supply from 05/03/2015 to 07/05/2015	3,018.50
DD1592.3	01/05/2015	Synergy Street Lighting x 43 - 31 days electricity supply from 25/03/2015 to 24/04/2015	759.20
DD1592.4	04/05/2015	Water Corporation Water usage 06/03/2015 to 01/05/2015 - 13 Dunmall Drive	3,423.87

**CERTIFICATION OF CHIEF EXECUTIVE OFFICER**

This schedule of accounts to be passed for payment was submitted to each member of the Council on Thursday, 18 June 2015 and has been checked and is fully supported by vouchers and invoices which are sub certified as to the receipt of goods and services and as to prices, computations and costings and the amounts shown are due for payment.

  
Chief Executive Officer**CERTIFICATION OF CHAIRMAN**

I hereby certify this schedule of accounts was submitted to the Council on Thursday, 18 June 2015 and that the amounts were approved for payment

  
Cr. Chairman

## Bank Reconciliation 31/05/2015

---

Balance as per Bank Statement	\$84,277.37
Add Outstanding Deposits	\$9,542.25
Less unpresented Cheques	-\$37,215.20
<b>Total as per Bank Statement</b>	<b>\$56,604.42</b>
Balance as per GL	\$58,647.63
Debit Appearing in the GL	-\$882.93
Less credit card payment	-\$1,160.28
<b>Total As per General Ledger</b>	<b>\$56,604.42</b>
Differences	\$0.00



Finance Officer



Manager of Finance &amp; Administration



## Trust Bank Reconciliation 31 May 2015

---

Balance as per Bank Statements	\$11,125.95
Unpresented Cheque	-\$200.00
<b>Total as per Bank Statements</b>	<b>\$10,925.95</b>
<hr/>	
Balance as per GL	\$10,925.95
<b>Total as per General Ledger</b>	<b>\$10,925.95</b>
<hr/>	
Difference	\$0.00



Finance Officer



Manager Finance &amp; Administration

Investment Bank Reconciliation 31st May 2015

Balance as per Bank Statements	367944.55
Total as per Bank Statement	<b>\$367,944.55</b>
Add Transfer from Municipal Account	\$150,000.00
Balance as per GL	517944.55
Total As per General Ledger	<b>517944.55</b>
Difference	\$0.00



Finance Officer



Manager Finance &amp; Administration





## Community Solutions Cheque Account

### Branch Name and Address

Narrogin  
38 Fortune Street  
Narrogin WA 6312

BSB Account Number

036-170 00-0091

### Account name

SHIRE OF WANDERING  
MUNICIPAL ACCOUNT

### Customer Number

19308463 SHIRE OF WANDERING

### Account enquiries

Call Westpac Telephone Banking  
132 142 within Australia  
+61 2 9293 9262 if calling from overseas

### Account Summary

Opening Balance	+ \$93,919.58
Total credits	+ \$410,609.69
Total debits	- \$420,251.90
Closing Balance	<b>+ \$84,277.37</b>

### Details of your account

From Last Statement Dated 30 Apr 2015 to 29 May 2015

Date	Description of transaction	Debit	Credit	Balance
2015	STATEMENT OPENING BALANCE			93,919.58
01 May	Deposit Bwams Payment 42298585287407		790.30	94,709.88
01 May	Merchant Settlement 0910001 Shire Of Wandering 0001 Wandering		160.83	94,870.71
01 May	Merchant Settlement 0910002 Shire Of Wandering 0002 Wandering		76.00	94,946.71
01 May	Deposit Joneslanglasalle Payment # 00962782		2,333.98	97,280.69
01 May	Internet Online Banking Transaction Fee	20.00		97,260.69
01 May	Withdrawal Westpac Merchant Fees 24215998Fee 001556	41.80		97,218.89
01 May	Withdrawal Westpac Merchant Fees 23253198Fee 001556	60.99		97,157.90
01 May	Payment By Authority To Bwams Fee 42298585287407	122.25		97,035.65
01 May	Payment By Authority To Haynes Chiroprac Merch Fee005128473	13.33		97,022.32

Please check all entries on this statement and promptly inform the Bank of any possible error or unauthorised transaction.

Statement No. 701 Page 1 of 9



## Community Solutions Cheque Account

Account name  
SHIRE OF WANDERING

036-170 00-0091

### Details of your account

From Last Statement Dated 30 Apr 2015 to 29 May 2015

Date	Description of transaction	Debit	Credit	Balance
06 May	Withdrawal - Internet Online Banking 7576762 Bpay To Telstra Bill Payment	1,504.93		103,814.27
06 May	Withdrawal - Internet Online Banking 8780664 Bpay To Telstra Bill Payment	1,947.68		101,866.59
06 May	Payment By Authority To Transport Wado20150504	165.90		101,700.69
07 May	Deposit Browne Inv4142 Sow		30.00	101,730.69
07 May	Deposit J W Killick & N A254 Killick		80.00	101,810.69
07 May	Deposit Bwams Payment 42298585287407		1,356.83	103,167.52
07 May	Merchant Settlement 0970001 Shire Of Wandering 0001 Wandering		45.00	103,212.52
07 May	Withdrawal - Internet Online Banking 1431638 Payment Ppe 06052015 07-May	25,546.12		77,666.40
07 May	Withdrawal - Internet Online Banking 1431861 Payment Stipeys/Reimb Mt 07-May	1,119.61		76,546.79
07 May	Withdrawal - Internet Online Banking 1534490 Payment One off Pay 07-May	82.04		76,464.75
07 May	Withdrawal - Internet Online Banking 1534666 Payment One Off Pay Nottle 07-May	1,633.80		74,830.95
07 May	Payment By Authority To Transport Wado20150505	5,002.45		69,828.50
07 May	Withdrawal/Cheque 013800	501.15		69,327.35
08 May	Deposit Bwams Payment 42298585287407		1,069.60	70,396.95
08 May	Merchant Settlement 0910001 Shire Of Wandering 0001 Wandering		62.00	70,458.95
08 May	Payment By Authority To Transport Wado20150506	61.90		70,397.05
08 May	Withdrawal/Cheque 013802	160.83		70,236.22
08 May	Withdrawal/Cheque 013803	215.58		70,020.64
11 May	Deposit Inv 4139 Mayenc Inv 4139 Mayencan		101.45	70,122.09
11 May	Deposit Bwams Payment 42298585287407		1,042.48	71,164.57
11 May	Deposit Bwams Payment 42298585287407		1,053.03	72,217.60
11 May	Deposit Bwams Payment 42298585287407		2,356.54	74,574.14
11 May	Merchant Settlement 0940001 Shire Of Wandering 0001 Wandering		79.87	74,654.01



## Community Solutions Cheque Account

Account name

SHIRE OF WANDERING

036-170 00-0091

### Details of your account

From Last Statement Dated 30 Apr 2015 to 29 May 2015

Date	Description of transaction	Debit	Credit	Balance
18 May	Deposit Bwams Payment 42298585287407		1,525.39	74,484.87
18 May	Deposit Bwams Payment 42298585287407		1,738.04	76,222.91
18 May	Deposit Government Of WA EFT180515-02		128,462.00	204,684.91
18 May	Deposit Department Hous Ip00801397-2455679		2,571.43	207,256.34
18 May	Merchant Settlement 0940001 Shire Of Wandering 0001 Wandering		102.54	207,358.88
18 May	Merchant Settlement 0940002 Shire Of Wandering 0002 Wandering		24.00	207,382.88
18 May	Payment By Authority To Transport Wado20150514	3,166.10		204,216.78
19 May	Deposit Bwams Payment 42298585287407		1,212.05	205,428.83
19 May	Deposit State Revenue De Pen15051500071250R		1,329.43	206,758.26
19 May	Deposit Main Roads Weste 2021208		74,061.68	280,819.94
19 May	Merchant Settlement 0950001 Shire Of Wandering 0001 Wandering		1,842.74	282,662.68
20 May	Deposit Narrogin WA		9,830.10	292,492.78
20 May	Deposit Department Of Tr Payment:41533		554.19	293,046.97
20 May	Deposit Bwams Payment 42298585287407		2,427.01	295,473.98
20 May	Deposit Dept Of Infra Rtr 05/15		101,095.00	396,568.98
20 May	Merchant Settlement 0960001 Shire Of Wandering 0001 Wandering		135.39	396,704.37
20 May	Merchant Settlement 0960002 Shire Of Wandering 0002 Wandering		2,602.15	399,306.52
20 May	Withdrawal - Internet Online Banking 1915875 Fnds Tfr Transfer From Muni 20-May	150,000.00		249,306.52
20 May	Payment By Authority To Transport Wado20150518	98.25		249,208.27
21 May	Deposit Peel-Harvey Cc Phcc Inv4134		20.00	249,228.27
21 May	Deposit Peel-Harvey Cc Phcc Inv4146		35.00	249,263.27
21 May	Deposit Peel-Harvey Cc Phcc Inv4145		35.00	249,298.27
21 May	Deposit J W Killick A254 Killick		80.00	249,378.27
21 May	Deposit Bwams Payment 42298585287407		904.41	250,282.68



## Community Solutions Cheque Account

Account name

SHIRE OF WANDERING

036-170 00-0091

### Details of your account

From Last Statement Dated 30 Apr 2015 to 29 May 2015

Date	Description of transaction	Debit	Credit	Balance
25 May	Withdrawal - Internet Online Banking 1349358 Bpay To Water Corporation WA	36.01		71,737.90
25 May	Withdrawal - Internet Online Banking 1778718 Bpay To Synergy	759.20		70,978.70
25 May	Withdrawal - Internet Online Banking 1778719 Bpay To Water Corporation WA	380.73		70,597.97
25 May	Withdrawal - Internet Online Banking 1988640 Bpay To Water Corporation WA	36.01		70,561.96
25 May	Withdrawal - Internet Online Banking 2446368 Bpay To Water Corporation WA	73.61		70,488.35
25 May	Withdrawal - Internet Online Banking 2700313 Bpay To Water Corporation WA	228.44		70,259.91
25 May	Withdrawal - Internet Online Banking 2922912 Bpay To Synergy	176.10		70,083.81
25 May	Withdrawal - Internet Online Banking 3028047 Bpay To Synergy	393.25		69,690.56
25 May	Withdrawal - Internet Online Banking 3847631 Bpay To Water Corporation WA	109.27		69,581.29
25 May	Withdrawal - Internet Online Banking 3922716 Bpay To Synergy	969.10		68,612.19
25 May	Withdrawal - Internet Online Banking 4357829 Bpay To Water Corporation WA	6.17		68,606.02
25 May	Withdrawal - Internet Online Banking 4430176 Bpay To Telstra Mobile	51.48		68,554.54
25 May	Withdrawal - Internet Online Banking 4729968 Bpay To Synergy	391.45		68,163.09
25 May	Withdrawal - Internet Online Banking 5527689 Bpay To Water Corporation WA	158.47		68,004.62
25 May	Withdrawal - Internet Online Banking 5627504 Bpay To Water Corporation WA	16.46		67,988.16
25 May	Withdrawal - Internet Online Banking 5847077 Bpay To Water Corporation WA	36.01		67,952.15
25 May	Withdrawal - Internet Online Banking 6553444 Bpay To Synergy	321.70		67,630.45
25 May	Withdrawal - Internet Online Banking 6553445 Bpay To Water Corporation WA	1.97		67,628.48
25 May	Withdrawal - Internet Online Banking 6910318 Bpay To Synergy	350.45		67,278.03



## Community Solutions Cheque Account

Account name

SHIRE OF WANDERING

036-170 00-0091

From Last Statement Dated 30 Apr 2015 to 29 May 2015

	Debit	Credit	Balance
		132.95	100,802.92
Withdrawal - Internet Online Banking 1724293			
Payment Xerox/Metrocount 29-May	16,424.80		84,378.12
29 May Withdrawal/Cheque 013814	100.75		84,277.37
29 May <b>CLOSING BALANCE</b>			<b>84,277.37</b>

Further information in relation to your account, including details of product benefits and applicable fees and charges, is available on request. That information is also contained in the Product Disclosure Statement (PDS) or other disclosure document for your account. For a copy of that document or if you have any other enquiries, you can call Telephone Banking on 132 142 from Australia or +61 2 9293 9262 from overseas

The above Closing Balance amount may not be the same as the balance payable to you on closure of your account (the 'termination value'). Details of the termination value can be obtained by calling Telephone Banking on the numbers quoted above. Further information on how to close accounts, including calculation of the termination value, is contained in the Product Disclosure Statement (PDS) booklet or other disclosure document for your account.

We have an internal process for handling and resolving any problem you may have with, or complaints relating to, your account or this product. Information about this process can be found in the Product Disclosure Statement (PDS) or other disclosure document for your account, or you can contact us on 1300 130 467

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Statement No. 701 Page 9 of 9



## Community Solutions Cheque Account

### Branch Name and Address

Narrogin  
38 Fortune Street  
Narrogin WA 6312

BSB Account Number

036-170 00-0120

Account name  
**SHIRE OF WANDERING  
TRUST ACCOUNT**

### Customer Number

19308463 SHIRE OF WANDERING

Account enquiries   
Call Westpac Telephone Banking  
132 032 within Australia  
+61 2 9293 9270 if calling from overseas

### Account Summary

Opening Balance	+ \$11,332.93
Total credits	+ \$500.00
Total debits	- \$706.98
Closing Balance	<b>+ \$11,125.95</b>

### Details of your account

From Last Statement Dated 30 Apr 2015 to 29 May 2015

Date	Description of transaction	Debit	Credit	Balance
2015	STATEMENT OPENING BALANCE			11,332.93
05 May	Deposit - Internet Online Banking 2545081 Fnds Tfr Bond-N Kelliher 05-May		300.00	11,632.93
05 May	Deposit - Internet Online Banking 2545342 Fnds Tfr Bond-Denise Clarke 05-May		200.00	11,832.93
05 May	Withdrawal - Internet Online Banking 1545160 Fnds Tfr 05-May	200.00		11,632.93
05 May	Withdrawal - Internet Online Banking 1545247 Fnds Tfr Bank Interest 05-May	6.98		11,625.95
05 May	Withdrawal/Cheque 200024	200.00		11,425.95
11 May	Withdrawal - Internet Online Banking 1862120 Payment Bond Refund/Kellih 11-May	300.00		11,125.95
29 May	CLOSING BALANCE			11,125.95

Further information in relation to your account, including details of product benefits and applicable fees and charges, is available on request. That information is also contained in the Product Disclosure Statement (PDS) or other disclosure document for your account. For a copy of that document or if you have any other enquiries, you can call Telephone

Please check all entries on this statement and promptly inform the Bank of any possible error or unauthorised transaction.

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Account: Investment Account 214822

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Current Bal: \$367,944.55+

Funds Available: \$367,944.55+

Transaction List

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Date	Description of Transaction	Debit	Credit
9 Jun 2015	WITHDRAWAL - INTERNET ONLINE BANKING 1396661 FNDS TFR FUND TRF 09-JUN	150,000.00	
29 May 2015	INTEREST PAID		504.62
20 May 2015	DEPOSIT - INTERNET ONLINE BANKING 2915885 FNDS TFR MUNI TO INVESTMENT 20-MAY		150,000.00
30 Apr 2015	INTEREST PAID		512.69
31 Mar 2015	INTEREST PAID		573.11
27 Feb 2015	INTEREST PAID		577.23
2 Feb 2015	WITHDRAWAL - INTERNET ONLINE BANKING 1421616 FNDS TFR TRF 02-FEB	32,000.00	
30 Jan 2015	INTEREST PAID		810.02
21 Jan 2015	WITHDRAWAL - INTERNET ONLINE BANKING 1275450 FNDS TFR FUND TRF 21-JAN	50,000.00	
14 Jan 2015	WITHDRAWAL - INTERNET ONLINE BANKING 1615388 FNDS TFR FUND TRF 14-JAN	80,000.00	

End of Transaction List

**! Personalise Accounts**

You can personalise your accounts by assigning them a name

**i Note**

This list of transactions is not an official statement and is subject to change