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MINUTES

Shire of Wandering Council Meeting 30 October 2025

OUR VISION

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment.

These Minutes of the Council meeting held 30 October 2025 are confirmed as a true and correct record of proceedings without amendment. Confirmed on 20 November 2025 by the Presiding Member, Cr S Little.

.....
Cr Little Presiding Member

DISCLAIMER

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The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Wandering during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Wandering. The Shire of Wandering warns that anyone who has an application lodged with the Shire of Wandering must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Wandering in respect of the application.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision.

The Shire of Wandering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

Dr. Alistair Pinto
Chief Executive Officer

SHIRE OF WANDERING

Minutes of the Ordinary Meeting of Council held in the Council Chambers on Thursday 30 October 2025.

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1. Declaration of Opening / Announcements of Visitors

The CEO opened the meeting at 3.30pm. The CEO, Dr Alistair Pinto, is presiding in the absence of a Shire President, which is the first order of business.

1.1 Election and Declaration of the Shire President

The Shire President is to be elected from within Council for a two-year term, as the first course of business, with the appointment expiring at the October 2027 Ordinary Election.

Cr Sheryl Little nominated for the position of Shire President and was elected unopposed. Cr Little was sworn in as Shire President and then resumed the position of Chairperson for the remainder of the meeting.

1.2 Election of the Shire Deputy President

The Deputy Shire President is to be elected from within Council for a two-year term with the appointment expiring at the October 2027 Ordinary Election.

Cr Alan Price nominated for the position of Deputy Shire President and was elected unopposed. Cr Price was sworn in as Deputy President.

Lee Muller and Robert Little left the meeting at 3.36pm and did not return.

1.3 Allocation of Councillor Seats

Background

Seats are to be allocated for Councillors at the Council table which will determine the seating order until the next local government election.

Comment

While Council has traditionally allocated specific places for the Shire President and Shire Deputy President at the Council Table, the Councillors will be allocated seats by random draw at the Council Table.

Councillors drew numbers to correspond with seating positions. The seating plan commences at 1 and is anticlockwise, with the Shire President, Deputy and CEO at the head of the table.

- 1. Cr Thompson**
- 2. Cr Latham**
- 3. Cr Cowan**
- 4. Cr Hansen**
- 5. Cr Jennings**

2. Attendance / Apologies / Approved Leave of Absence

Councillors

Cr Sheryl Little (Shire President) (Presiding Officer)
Cr Alan Price (Deputy Shire President)
Cr Lou Cowan
Cr Gillian Hansen
Cr Dennis Jennings
Cr Peter Latham
Cr Andrew Thompson

Staff

Dr Alistair Pinto (Chief Executive Officer)
Karl Mickle (Operations Manager)
Lisa Boddy (Executive Assistant)

Apologies

Nil.

Members of the Public

Lee Muller, JP
Robert Little

3. Announcements by the Presiding Member

Nil.

4. Response to Previous Public Questions Taken on Notice

Nil.

5. Public Question Time

Nil.

6. Petitions / Deputations / Presentations / Submissions

Nil.

7. Applications for Leave of Absence

Nil.

8. Disclosures of Interest

Nil.

9. Confirmation of Minutes of Previous Meetings Held

9.1 Ordinary Council Meeting Minutes – 18 September 2025

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the Council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

011025 Moved: Cr R Cowan Seconded: Cr G Hansen

Recommendation and Council Decision:

That the Minutes of the Ordinary Meeting of Council held on 18 September 2025 be confirmed as true and correct.

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson

Against: Nil

10. Reports of Committees of Council

Nil.

11. Reports from Councillors

Cr Sheryl Little

Cr Alan Price

RRG Wickopin

Cr Lou Cowan

Cr Gillian Hansen

Cr Dennis Jennings

Cr Peter Latham

Cr Andrew Thompson

12. Chief Executive Officer

12.1 Appointment of Delegates to Council and External Committees

File Reference:	04.041.04112
Location:	N/A
Applicant:	N/A
Author:	Lisa Boddy, Executive Assistant
Authorising Officer	Dr Alistair Pinto, Chief Executive Officer
Date:	12 September 2025
Disclosure of Interest:	Nil
Attachments:	Committees of Council 2025 – 2027
Previous Reference:	Item 11.1 Ordinary Council Meeting 26 October 2023
	Item 12.2 Ordinary Council Meeting 15 February 2024
	Item 12.2 Ordinary Council Meeting 17 April 2025

Summary:

To review the appointment of Elected Members to Council Committees and other External Committees.

Background:

The Council currently has one Council committee established under the Local Government Act 1995 and one established under the Local Emergency Management Act 2005.

In addition, the Council is represented on a number of external groups and committees, and Shire working groups, to assist with the progress of various initiatives. Council appoints delegates and in some circumstances proxy delegates to these groups, following each Ordinary Council Election.

It should be noted that Council is not required to appoint a delegate to each of the external Committees/Groups and may choose not to appoint a delegate if Council is of the view that there is little value to the Shire in doing so.

Comment:

The current list of delegates is as follows:

STANDING COMMITTEES OF COUNCIL

Committee	Meeting Schedule	Delegate 1	Delegate 2	Proxy
Audit Committee	Bi-annual	All Elected Members		
Local Emergency Management Committee	Bi-monthly	Cr Turton	Cr Little	Cr Cowan

OTHER COMMITTEES

Committee	Meeting Schedule	Delegate 1	Delegate 2	Proxy
Central Wheatbelt WALGA Zone	Bi-monthly	Cr Turton	Cr Little	As required
Regional Road Group	Quarterly	Cr Turton	Cr Price	Cr Little
Secondary Freight Routes Group	As required	Cr Turton	Cr Price	Cr Watts
Voluntary Regional Organisation of Councils (VROC)	Quarterly	Cr Hansen	Cr Cowan	Cr Little
Bush Fire Advisory Committee	Twice yearly	Cr Cowan	Cr Hansen	Cr Price
Development Assessment Panel (DAP)	As required			
Peel Harvey Catchment Council	Bi-monthly	Cr Watts	Cr Hansen	Cr Jennings Cr Price
Worsley Alumina Community Liaison Committee	Quarterly	Cr Hansen	Cr Jennings	Cr Watts
Newmont Goldcorp Boddington Community Reference Group	Quarterly	Cr Watts	Cr Price	Cr Jennings
Wandering Community Centre Upgrade Committee	As Required	Cr Hansen	Cr Little	Cr Watts (Delegate 3)
	<i>Community Members</i>	Lee Muller	Darralyn Ebsary	Brendan Whitely
CEO Performance Review Committee	As Required Shire President	Ex Cr Parsons	Ex Cr Treasure	Nil

Consultation:

Nil.

Statutory Environment:*Local Government Act 1995**Local Emergency Management Act 2005***Policy Implications:**

There are no current policy implications.

Financial Implications:

There are no financial implications.

Strategic Implications:**Provide Strong Leadership**

Our Goals	Our Strategies
A well informed Community	Foster Opportunities for connectivity between Council and the Community
We plan for the future and are strategically focused	Ensure accountable, ethical and best practice governance

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Risk	Medium (9)
Risk Likelihood (based on history and with existing controls)	Moderate (3)
Risk Impact / Consequence	Possible (3)
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Medium (9)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of two (2) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register to ensure Local Government Act and Regulations compliance.

Voting Requirements:

Absolute Majority (Appointment to Committees of Council)

Simple Majority (Appointment to other Committees / Groups)

021025 Moved: Cr G Hansen Seconded: Cr D Jennings

Recommendation and Council Decision:

That Council nominate members to the following Committees of Council and as delegates of Council to the respective committee or group:

STANDING COMMITTEES OF COUNCIL

Committee	Meeting Schedule	Delegate 1	Delegate 2	Delegate 3
Audit, Risk and Improvement Committee	Bi-annual	Cr Little	Cr Price	Cr Thompson
Bush Fire Advisory Committee	Bi-annual	Cr Little	Cr Cowan	Cr Latham
Local Emergency Management Committee (LEMC)	Bi-monthly	Cr Little	Cr Hansen	Cr Jennings
Wandering Community Centre Upgrade Committee	Bi-monthly	Cr Little	Cr Hansen	Cr Cowan
	Community Members:			
CEO Performance Review Committee	Annual	All Councillors		
Behaviour Complaints Committee	As required	All Councillors		

OTHER COMMITTEES

Committee	Meeting Schedule	Delegate 1	Delegate 2	Proxy
Central Wheatbelt WALGA Zone	Bi-monthly	Cr Little	Cr Price	Cr Latham
Regional Road Group	Quarterly	Cr Little	Cr Price	Cr Thompson
Secondary Freight Routes Group	As required	Cr Hansen	Cr Price	Cr Little
Voluntary Regional Organisation of Councils (VROC)	Quarterly	Cr Little	Cr Hansen	Cr Cowan
Development Assessment Panel (DAP)	As required	Cr Jennings	Cr Price	Cr Latham
Peel Harvey Catchment Council	Bi-monthly	Cr Price	Cr Hansen	Cr Thompson
Worsley Alumina Community Liaison Committee	Quarterly	Cr Hansen	Cr Jennings	Cr Latham
Newmont Goldcorp Boddington Community Reference Group	Quarterly	Cr Price	Cr Thompson	Cr Latham

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson
Against: Nil

Committees of Council 2025 -2027

STANDING COMMITTEES OF COUNCIL

Committee	Meeting Schedule	Attendees	Comment
Audit, Risk and Improvement Committee	Bi-annual	3 Elected Members. CEO, Operations Manager Independent Committee Member	Need to elect Presiding Member. Once Independent Member is appointed to this committee they will become the presiding member.
Bush Fire Advisory Committee	Bi-annual	3 Elected Members. CEO, Operations Manager Chief Bush Fire Control Officer (CBFCO), Fire Control Officers (FCO)	To advise the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
Local Emergency Management Committee (LEMC)	Bi-monthly	1-2 Elected Members, CEO	To prepare and continuously monitor and review the Joint Local Emergency Management arrangements for the Shire of Wandering and the Shire of Pingelly
Wandering Community Centre Upgrade Committee	Bi-monthly	3 Elected Members	Need to decide if Council is happy with existing members or wants to go out with an expression of

		<i>Community Members:</i> <ul style="list-style-type: none"> • Brendan Whitely • Darralyn Ebsary • Lee Muller 	interest. Need to elect Presiding Member.
CEO Performance Review Committee	Annual	All Elected Members Independent External Consultant	Need to elect Presiding Member
Behaviour Complaints Committee	As required	All Elected Members CEO	Complaints regarding alleged breaches of the Model Code in Division 3 are managed by the local council as the decision-making body of the local governments. The division also provides a process for responding to alleged breaches. The emphasis is on education and development, rather than punitive sanctions, with the aim of establishing or restoring positive working relationships and avoiding further breaches.

STANDING COMMITTEES OF COUNCIL

Committee	Meeting Schedule	Delegate 1	Delegate 2	Delegate 3
Audit, Risk and Improvement Committee	Bi-annual			
Bush Fire Advisory Committee	Bi-annual			
Local Emergency Management Committee (LEMC)	Bi-monthly			
Wandering Community Centre Upgrade Committee	Bi-monthly			

	<i>Community Members:</i>	<ul style="list-style-type: none"> • Brendan Whitely • Darralyn Ebsary • Lee Muller
CEO Performance Review Committee	Annual	All Elected Members Independent External Consultant
Behaviour Complaints Committee	As required	All Elected Members CEO

OTHER COMMITTEES

Committee	Meeting Schedule	Delegate 1	Delegate 2	Proxy (only attends if either Delegate 1 or 2 is unable to)
Central Wheatbelt WALGA Zone	Bi-monthly			
Regional Road Group	Quarterly			
Secondary Freight Routes Group	As required			
Voluntary Regional Organisation of Councils (VROC)	Quarterly			
Development Assessment Panel (DAP)	As required			
Peel Harvey Catchment Council	Bi-monthly			
Worsley Alumina Community Liaison Committee	Quarterly			
Newmont Goldcorp Boddington Community Reference Group	Quarterly			

12.2 Delegations Review

File Reference:	04.041.04111
Location:	N/A
Applicant:	N/A
Author:	Lisa Boddy, Executive Assistant
Authorising Officer	Dr Alistair Pinto, Chief Executive Officer
Date:	12 September 2025
Disclosure of Interest:	Nil
Attachments:	Register of Delegated Authority
Previous Reference:	Item 12.4 Ordinary Council Meeting 17 October 2024

Summary:

To review the Shire of Wandering Delegations Manual in accordance with statutory requirements.

Background:

All delegations made under the Act must be made by absolute majority and recorded in a register. Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed. Council undertook its last annual review of delegations in October 2024.

Comment:

The annual review of delegations by Council is a statutory requirement and is also necessary to ensure the delegations remain consistent with legislation and applicable to the Shire's current operational needs.

All delegations were presented to Council at the General Planning Forum on 2 October 2025 for discussion.

A few minor changes were made as follows:

1. Name Change to the document from Register of Delegations, Sub-delegations, Appointments and Authorisations to Register of Delegated Authority.
2. Addition of Document Control on page 2.
3. Minor typo changes in the Introduction section.
4. Renumbering of delegations and update of document index.

Delegation Number	Delegation / Sub Delegation Name	Change/s Made
01	Annual Electors Meeting – Setting	Delegation removed
12	Donations, Discounts and Debt Write-Offs	Amendment to CEO delegated maximum value of donations and increase in CEO delegated maximum value of debt write offs.
17	Payment from Municipal or Trust Funds	Removal of CRC Coordinator from the list of persons sub-delegated.
54	Financial Hardship	Addition of the policy reference.

Consultation:

Shire President
Councillors
Chief Executive Officer

Statutory Environment:

Local Government Act 1995 S.2.7(2)(b)

Policy Implications:

Nil.

Financial Implications:

Nil.

Strategic Implications:

Provide Strong Leadership

Our Goals	Our Strategies
We plan for the future and are strategically focused	Ensure accountable, ethical and best practice governance

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Not regularly updating the Shire's Delegations poses a compliance risk with a medium rating. Failure to adequately review the Register of Delegations will result in non-compliance with the Local Government Act and could also lead to inefficient practices.

Risk	Medium (9)
Risk Likelihood (based on history and with existing controls)	Moderate (3)
Risk Impact / Consequence	Possible (3)
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Medium (9)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of two (2) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register to ensure Local Government Act and Regulations compliance.

Voting Requirements:

Absolute Majority

031025 Moved: Cr R Cowan Seconded: Cr G Hansen

Recommendation and Council Decision:

That Council approves the amendments to the Delegations Register.

Carried by Absolute Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson

Against: Nil

SHIRE OF WANDERING

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Register of Delegated Authority

18 October 2025

SHIRE OF WANDERING

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Document Control		
Date	Action	Description
15/08/2019	Establishment	Adoption of Shire Register of Delegated Authority
16/04/2020	Revised	Authorised by Council at OCM
17/09/2020	Annual Review	Authorised by Council at OCM
15/07/2021	Reviewed	Authorised by Council at OCM
16/09/2021	Annual Review	Authorised by Council at OCM
08/09/2022	Annual Review	Authorised by Council at OCM
18/05/2023	Reviewed	Authorised by Council at OCM
19/10/2023	Annual Review	Authorised by Council at OCM
30/10/2025	Annual Review & Amendments	Authorised by Council at OCM

SHIRE OF WANDERING

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1. INTRODUCTION

FORMAT OF REGISTER

This Register includes:

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

The Register includes the relevant delegation decision followed by a sub delegation decision (where relevant).

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

TERMINOLOGY AND ACRONYMS

Clause – of the Shire of Wandering Town Planning Scheme No 3 referenced by ‘cl’, as in cl8.2.1.

Employee – refers to an employee of the Shire of Wandering. It should be noted although the Chief Executive Officer may generally only delegate a function or duty to an employee (s5.44 Local Government Act 1995 and others), any ‘person’ may be appointed an Authorised Person (although some Acts, such as the Building Act 2011 and Health Act 1911 require only employees or certain qualified employees to be ‘authorised’ or ‘appointed’). Thus, care needs to be taken to ensure that contractors are not ‘delegated’ functions or duties, although they may be appointed as Authorised Persons.

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

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

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

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

DELEGATIONS AND SUB DELEGATIONS

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

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

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



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

This Register describes:

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

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

AUTHORISATIONS

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

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

APPOINTMENTS

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

LOCAL GOVERNMENT ACT 1995

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

- any power or duty that requires a decision of an absolute majority or special majority of the local government,
- accepting a tender which exceeds an amount determined by the local government,
- appointing an auditor,
- acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government,
- any of the local government's powers under s5.98, 5.98A, s5.99, s5.99A and s5.100 of the Act,
- borrowing money on behalf of the local government,
- hearing or determining an objection of a kind referred to in s9.5 of the Act,
- the power under s9.49A(4) of the Act to authorise a person to sign documents on behalf of the local government,

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- any power or duty that requires the approval of the Minister or the Governor.

In addition, there are several other matters which cannot be delegated to the Chief Executive Officer:

- under r18G of the Local Government (Administration) Regulations s7.12a, 7.12A(3)(a) and s7.12(4), which relate to meetings with auditors,
- under r18C and 18D which relate to the recruitment and performance management of the Chief Executive Officer
- under r16 of the Local Government (Financial Management) Regulations which prevent the delegation of matters relating to internal audit to an employee who has been delegated the duty of maintaining the day-to-day accounts or financial management operations.

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

OTHER LEGISLATION

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

- Animal Welfare Act 2002;
- Australian Citizenship Act 2007;
- Building Act 2011 and Building Regulations 2012
- Bush Fires Act 1954, regulations and local laws created under that Act;
- Cat Act 2011 and regulations;
- Caravan Parks and Camping Grounds Act 1995;
- Control of Vehicles (Off-Road Areas) Act 1978 and regulations;
- Dog Act 1976 and regulations;
- Equal Employment Opportunity Act 1984;
- Environmental Protection Act 1986;
- Food Act 2008;
- Freedom of Information Act 1992;
- Graffiti Vandalism Act 2016
- Health (Miscellaneous Provisions) Act 1911 regulations and local laws created under that Act;
- Health (Asbestos) Regulations 1992
- Land Administration Act 1997, and regulations;
- Litter Act 1979 and regulations;
- Local Government (Miscellaneous Provisions) Act 1960;
- Parks and Reserves Act 1895;
- Planning and Development Act 2005 including regulations, policies and the Town Planning Scheme;
- Public Interest Disclosure Act 2003
- Public Health Act 2016
- Rates and Charges (Rebates and Deferrals) Act 1982;
- Road Traffic Act 1974;
- Strata Titles Act 1985

The Shire of Wandering Town Planning Scheme No 3 permits delegation by Council to employees (rather than via the Chief Executive Officer as per the Local Government Act). Accordingly, the process defined by the Town Planning Scheme for delegating authority and duties is utilised.



SUB DELEGATION BY THE CHIEF EXECUTIVE OFFICER

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

REVIEW OF DELEGATIONS

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

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

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

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

RECORD OF ACTIONS AND DECISIONS

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

The record is to contain information on:

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

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

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

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



PRIMARY/ANNUAL RETURNS AND GIFT DISCLOSURES

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

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

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

A delegation has been prepared in this Register to give effect to this approach, with the Chief Executive Officer delegated authority to nominate employees as "designated employees".

ACTING THROUGH ANOTHER PERSON

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

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

- a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or
- a Chief Executive Officer from performing any of his or her functions by acting through another person.

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

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

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



2. DELEGATIONS BY COUNCIL AND SUB DELEGATIONS BY CEO

Delegation No: 01		Appointment of Authorised Officers	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	Cannot be sub delegated
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.42		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 s9.10(1); s9.11; s9.13; s9.16; s9.17; s9.19; s9.20	
Conditions	Appointed Authorised Persons are to hold a Certificate of Appointment in accordance with s9.10(2). A register of Authorised Persons is to be maintained as a Local Government Record. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to appoint authorised persons for the purposes of Division 2 Sub Division 1 of the Local Government Act 1995.

The Chief Executive Officer is delegated authority to appoint Authorised Persons under s9.10(1), s9.11, s9.13, s9.16, s9.17, s9.19 and s9.20 of the Local Government Act 1995.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 02				Executing Documents	
DATE ADOPTED:	15/08/2019		DELEGATE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No	
POLICY REFERENCE:	Policy 22		SUB-DELEGATED TO:	Cannot be sub delegated	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s9.49</i>		
Conditions	<i>In accordance with s9.49A (3) of the Act, the common seal is to be affixed to a document in the presence of the Shire President and Chief Executive Officer. This duty cannot be subdelegated.</i>				

POWER OR DUTY DELEGATED

Pursuant to s5.42 Local Government Act 1995 the Chief Executive Officer is delegated authority to execute documents under s9.49A(2) of the Local Government Act 1995 including:

- The affixing of the Common Seal of the Shire to a document that needs the Shire's Common Seal to be legally effective and that is in one or more of the following categories:
 - (a) Documents required to satisfy conditions of subdivision and/or development approval;
 - (b) Documents required to effect the transfer of land as part of a settlement transaction (sale and purchase);
 - (c) Documents required as part of a funding agreement for an approved grant;
 - (d) Documents required to effect the grant of leasehold interests in the land either by the Shire to a third party, or by a third party to the Shire;
 - (e) Documents required to effect the grant of a licence either by the Shire to a third party, or by a third party to the Shire; and
 - (f) Documents that are necessary or appropriate to enable a Chief Executive Officer to carry out their functions under any written law

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 03		Gifts to Retiring Councillors	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 6	SUB-DELEGATED TO:	Cannot be sub delegated
POLICY REFERENCE:			
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s5.100A; s5.102</i>	
Conditions	<i>The retirement of a council member who has served at least one full 4-year term of office is prescribed under s5.100A(a) as circumstances in which a gift can be given to the Council member.</i> <i>The amount as prescribed under section 5.100A(b) in respect of a gift given to a council member in the circumstances set out in sub-regulation (1).</i> <i>Must have regard to Division 8 of Part 5 of the Local Government Act 1995.</i> <i>The Chief Executive Officer to consult with the Shire President on any proposal for a gift, and if it relates to the Shire President, with the Deputy Shire President.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to decide a gift to retiring Councillors in accordance with s5.100A of the Local Government Act 1995 and r34AC of the Local Government (Administration) Regulations 1996.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 04		Private Property and Thoroughfares	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.42		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 s3.20 s3.24; s3.25; s3.26(2), (3); s3.27(1); s3.28; s3.31 – s3.36 Sch 3.1, 3.2 and 9.1 Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996	
Conditions	<p><i>In relation to s3.32 (1)</i></p> <ul style="list-style-type: none">• A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered.• The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues.• The notice is to be given not less than 24 hours before the power of entry is exercised.• Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates.• Approvals given are subject to regulation 14(2) of the Local Government (Uniform Local Provisions) Regulations 1996 (where relevant). <p><i>In relation to r12, r13, r14, r15, r16, r17 of the Local Government (Uniform Local Provisions) Regulations 1996 due process must be followed for the issuing of a notice under s3.25 of the Act.</i></p> <p><i>Decisions under this Delegation must be exercised in alignment with Obstruction of Footpaths and Thoroughfares (where same exists).</i></p> <p><i>Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.</i></p> <p><i>Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>In relation to r.9 Local Government (Uniform Local Provisions) Regulations 1996: Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) - each approval provided must be recorded in the Shire’s statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8</i></p> <p><i>In relation to r.11(1), (4), (6) & (8) Local Government (Uniform Local Provisions) Regulations 1996: Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 - Permission may only be granted where, the proponent has:</i></p> <ul style="list-style-type: none">• Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.• Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.• Provided evidence of sufficient Public Liability Insurance.• Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.		

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The Chief Executive Officer is delegated:

- the powers and duties of the local government, and specifically authorised under s.3.20, s3.24, s3.25, s3.26(2), (3), s3.27(1), s3.28, s3.31, 3.32, 3.33, 3.34, 3.35 & 3.36 and Sch 3.1,3.2 and 9.1 of the *Local Government Act 1995* in relation to notices requiring certain things to be done by owner or occupier of land and additional powers when notice is given.
- the power to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, subject to Regulation 11(1) of the *Local Government (Uniform Local Provisions) Regulations 1996* and Schedule 3.1, Division 2, item 2:

The Chief Executive Officer is delegated authority to undertake the following pursuant to Schedule 3.1, Division 1 Things a notice may require to be done including:

- Prevent water from dripping or running from a building on the land onto any other land.
- Place in a prominent position on the land a number to indicate the address.
- Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.
- Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law — (a) is suitably enclosed to separate it from the public place; and (b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place. (2) The notice cannot be given to an occupier who is not an owner.
- Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly. (2) In this item — “unsightly”, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality. (3) The notice cannot be given to an occupier who is not an owner.
- Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy. In this item — “disused material” includes disused motor vehicles, old motor vehicle bodies and old machinery.
- Take specified measures for preventing or minimizing sand drifts on the land that are likely to adversely affect other land.
- Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown.
- Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government’s control or management and adjoins the land where the tree is situated.
- Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
- Take specified measures for preventing or minimizing— (a) danger to the public; or (b) damage to property, which might result from cyclonic activity.
- Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
- Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired.
- Take specific measures to prevent — (a) artificial light being emitted from the land; or (b) natural or artificial light being reflected from something on the land, creating a nuisance.

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- Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised. (2) In this item — “private thoroughfare” has the same meaning as in Schedule 9.1 clause 7(1) and s3.25(1)(b) of the Local Government Act 1995:
- Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done
- Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare).
- Regulations under Schedule 9.1, clause 5(1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so.
- Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare).
- Regulations under Schedule 9.1, clause 7(2) (Crossings from public thoroughfares to private land or to private thoroughfares) that — (a) prohibit a person from constructing a crossing; or (b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.
- Regulations under Schedule 9.1, clause 8(1) (Constructing private works on, over, or under public places).
- Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges).
- Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage).
- Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts).
- Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].
- Impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
- Give Notice re wind erosion and sand drifts – Sch.9.1 cl.12, r.21(1)

REVIEW REQUIREMENTS

At least once every financial year.



Sub Delegation No: 04a		Private Property and Thoroughfares	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.44		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 s3.20, s3.24; s3.25; s3.26(2), (3); s3.27(1); s3.28; s3.31 – s3.36 Sch 3.1, 3.2 and 9.1 Local Government Act 1995Local Government (Uniform Local Provisions) Regulations 1996	
Conditions	<p><i>In relation to s3.32 (1)</i></p> <ul style="list-style-type: none">• A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered.• The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues.• The notice is to be given not less than 24 hours before the power of entry is exercised.• Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates.• Approvals given are subject to regulation 14(2) of the Local Government (Uniform Local Provisions) Regulations 1996 (where relevant). <p><i>In relation to r12, r13, r14, r15, r16, r17 of the Local Government (Uniform Local Provisions) Regulations 1996 due process must be followed for the issuing of a notice under s3.25 of the Act.</i></p> <p><i>Decisions under this Delegation must be exercised in alignment with Obstruction of Footpaths and Thoroughfares (where same exists).</i></p> <p><i>Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.</i></p> <p><i>Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</i></p> <p><i>In relation to r.9 Local Government (Uniform Local Provisions) Regulations 1996: Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) - each approval provided must be recorded in the Shire’s statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8</i></p> <p><i>In relation to r.11(1), (4), (6) & (8) Local Government (Uniform Local Provisions) Regulations 1996: Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 - Permission may only be granted where, the proponent has:</i></p> <ul style="list-style-type: none">• Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.• Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.• Provided evidence of sufficient Public Liability Insurance.• Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.		

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POWER OR DUTY DELEGATED

The Operations Manager is sub delegated:

- the powers and duties of the local government, and specifically authorised under s3.20, 3.24, s3.25, s3.26(2), (3), s3.27(1), s3.28, s3.31, 3.32, 3.33, 3.34, 3.35 & 3.36 and Sch 3.1,3.2 and 9.1 of the *Local Government Act 1995* in relation to notices requiring certain things to be done by owner or occupier of land and additional powers when notice is given.
- the power to deem an excavation to be dangerous and to fill in or fence the excavation, or request the owner or occupier to fill or securely fence the excavation, subject to Regulation 11(1) of the *Local Government (Uniform Local Provisions) Regulations 1996* and Schedule 3.1, Division 2, item 2:

The Operations Manager is sub delegated authority to undertake the following pursuant to Schedule 3.1, Division 1 Things a notice may require to be done including:

- Prevent water from dripping or running from a building on the land onto any other land.
- Place in a prominent position on the land a number to indicate the address.
- Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.
- Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law — (a) is suitably enclosed to separate it from the public place; and (b) where applicable, is enclosed with a close fence, to the satisfaction of the local government, suitable to prevent sand or other matter coming from the land onto the public place.
(2) The notice cannot be given to an occupier who is not an owner.
- Ensure that unsightly land is enclosed, to the satisfaction of the local government, with a fence or other means suitable to prevent the land, so far as is practicable, from being unsightly. (2) In this item — “unsightly”, in relation to land, means having an appearance that, because of the way in which the land is used, does not conform with the general appearance of other land in the locality.
(3) The notice cannot be given to an occupier who is not an owner.
- Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy. In this item — “disused material” includes disused motor vehicles, old motor vehicle bodies and old machinery.
- Take specified measures for preventing or minimizing sand drifts on the land that are likely to adversely affect other land.
- Ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law is not overgrown.
- Remove all or part of a tree that is obstructing or otherwise prejudicially affecting a thoroughfare that is under the local government’s control or management and adjoins the land where the tree is situated.
- Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
- Take specified measures for preventing or minimizing— (a) danger to the public; or (b) damage to property, which might result from cyclonic activity.
- Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
- Ensure that an unsightly, dilapidated or dangerous fence or gate that separates the land from land that is local government property is modified or repaired.

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- Take specific measures to prevent — (a) artificial light being emitted from the land; or (b) natural or artificial light being reflected from something on the land, creating a nuisance.
- Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare so that danger to anyone using the thoroughfare is prevented or minimised. (2) In this item — “private thoroughfare” has the same meaning as in Schedule 9.1 clause 7(1) and s3.25(1)(b) of the Local Government Act 1995:
- Schedule 3.1, Division 2 Provisions contraventions of which may lead to a notice requiring things to be done
- Regulations under Schedule 9.1, clause 3 (Obstructing or encroaching on public thoroughfare).
- Regulations under Schedule 9.1, clause 5(1) (Gates and other devices across public thoroughfares) requiring a person to remove a gate or other device from across a public thoroughfare when requested by a local government to do so.
- Regulations under Schedule 9.1, clause 6 (Dangerous excavation in or near public thoroughfare).
- Regulations under Schedule 9.1, clause 7(2) (Crossings from public thoroughfares to private land or to private thoroughfares) that — (a) prohibit a person from constructing a crossing; or (b) by means of a notice in writing given to a person by the Commissioner of Main Roads, require the person to bring a crossing into accordance with an approval by the Commissioner of Main Roads or to remove a crossing and restore the place where it was to its former condition.
- Regulations under Schedule 9.1, clause 8(1) (Constructing private works on, over, or under public places).
- Regulations under Schedule 9.1, clause 9 (Protection of watercourses, drains, tunnels and bridges).
- Regulations under Schedule 9.1, clause 10 (Protection of thoroughfares from water damage).
- Regulations under Schedule 9.1, clause 12 (Wind erosion and sand drifts).
- Grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].
- Impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
- Give Notice re wind erosion and sand drifts – Sch.9.1 cl.12, r.21(1)

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 05		Donations, Discounts and Debt Write-offs	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 41	SUB-DELEGATED TO:	
POLICY REFERENCE:			
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s6.5; s6.7; s6.9</i> <i>Local Government (Financial Management) Regulations 1996</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Includes power to waive or reduce fees charged for the use of Shire facilities by not-for-profit community organisations up to \$100.</i> <i>Does not include authority to write off rates or service charges (s6.12(2))</i> <i>Does not include authority to write off interest on rates above \$20</i> <i>A debt may only be written off where all necessary measures have been taken to locate or contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire.</i> <i>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 Council informed of approved applications at the next ordinary meeting of Council.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to make donations to not for profit community organisations in accordance with s6.7 (2) of the Local Government Act 1995 to a maximum value of \$100 per annum

The Chief Executive Officer is delegated authority to defer, grant discounts, waive or write off debts, in accordance with s6.12 (1) (b), (c) and s6.12 (3) of the Local Government Act 1995 to a maximum amount of \$100 per transaction.

The maximum value of any debt waiver, discount, concession or write-off associated with the use of a community facility is \$100

The maximum value of any debt waiver, discount, concession or write-off associated with any other purpose is \$100.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 06		Investment of Surplus Funds	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 10	SUB-DELEGATE TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s6.14</i> <i>Local Government (Financial Management) Regulations</i>	
Conditions	<i>In exercising this delegated authority, Chief Executive Officer shall observe s6.14 of the Act.</i> <i>The Chief Executive Officer is to establish and document internal control procedures to be followed by employees to ensure control over investments in accordance with the Local Government (Financial Management) Regulations 1996.</i> <i>The control procedures are to enable the identification of the nature and location of all investments and the transactions related to each investment.</i> <i>A report detailing the investment portfolio’s performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</i> <i>Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</i> <i>The Chief Executive Officer is to review every two years the list of eligible institutions and those used by the Shire.</i> <i>All investment activity must comply with Local Government (Financial Management) Regulations r19C and Council Policy.</i> <i>Procedures are to be administratively reviewed for continuing compliance and confirmed as ‘fit for purpose’ and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to invest any funds held in the Municipal Fund, Reserve Fund or the Trust Fund that is not, for the time being, required for any other purpose. Such investments are to be made with banking institutions as provided for under Part III of the Trustees Act 1962.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 07		Legal Representation and Cost Indemnification	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 13	SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s6.7(2)</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Legal expenses do not exceed \$5,000.00 in respect of each application.</i> <i>Where it is the Chief Executive Officer who is seeking urgent financial support for legal services, the Council shall deal with the application.</i> <i>An application approved by the CEO is to be submitted to the next ordinary meeting of Council for advice only.</i>		

POWER OR DUTY DELEGATED

In cases where a delay in the approval of an application will be detrimental to the legal rights of the applicant, the Chief Executive Officer may exercise, on behalf of the Council, the powers of the Council under Policy 13 to a maximum of \$5,000 in respect of each application.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 08		Payment from Municipal or Trust Funds	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy 12 Policy 40	SUB-DELEGATED TO:	Operations Manager Executive Assistant
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.42		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 s6.5; s6.7; s6.9 Local Government (Financial Management) Regulations 1996	
Conditions	<p>Must comply with relevant policies</p> <p>Subject to the requirements of r5,11,12 and 13 of the Local Government (Financial Management) Regulations 1996.</p> <p>All payments from the Municipal Fund or Trust Fund are to be authorised and signed in accordance with the Council’s policies and the Shire’s approved work procedures. Authority to the Chief Executive Officer is unlimited subject to annual budget limitations.</p> <p>Payment authorisation via internet banking or cheque payment requires a combination of two signatories one of which must include the CEO, or Operations Manager or CRC Coordinator.</p> <p>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 available ordinary meeting of the Council.</p> <p>Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p> <p>Procedures are to be administratively reviewed for continuing compliance and confirmed as ‘fit for purpose’ and subsequently considered by the Audit and Risk Committee at least once each financial year. (Audit r.17)</p> <p>Each matter is to be reviewed at least once in every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.</p>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to make payments from the municipal or trust funds and to establish systems and procedures which give effect to internal controls and risk mitigation for:

- Collection of money owed to the Shire;
- Safe custody and security of money collected or held by the Shire;
- Maintenance and security of all financial records, including payroll, stock control and costing records;
- Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;
- Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;

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- Payments from the Shire's Municipal Fund or Trust Fund in accordance with r12 of the Local Government (Financial Management) Regulations 1996. This includes the authority to make payments of accounts and salaries and wages, payroll deductions and other obligations by cheque or Electronic Funds Transfer.
- Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.

REVIEW REQUIREMENTS

At least once every financial year.

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Sub Delegation No: 08a		Payment from Municipal or Trust Funds	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	04/10/2019 16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy 12 Policy 40	SUB-DELEGATED TO:	Operations Manager Executive Assistant
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.44		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 s6.5; s6.7; s6.9 Local Government (Financial Management) Regulations 1996	
Conditions	<p>Must comply with relevant policies</p> <p>Subject to the requirements of r5,11,12 and 13 of the Local Government (Financial Management) Regulations 1996.</p> <p>All payments from the Municipal Fund or Trust Fund are to be authorised and signed in accordance with the Council’s policies and the Shire’s approved work procedures. Authority to the Chief Executive Officer is unlimited subject to annual budget limitations.</p> <p>Payment authorisation via internet banking or cheque payment requires a combination of two signatories one of which must include the CEO, or Operations Manager or CRC Coordinator.</p> <p>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 available ordinary meeting of the Council.</p> <p>Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</p> <p>Procedures are to be administratively reviewed for continuing compliance and confirmed as ‘fit for purpose’ and subsequently considered by the Audit and Risk Committee at least once each financial year. (Audit r.17)</p> <p>Each matter is to be reviewed at least once in every 3 financial years, with a report on each matter to be provided to the Audit and Risk Committee that details the findings, including any identified deficiencies, and actions required.</p>		

POWER OR DUTY DELEGATED

The Operations Manager, CRC Coordinator are delegated authority to make payments from the Shire's Municipal Fund or Trust Fund in accordance with r12 of the Local Government (Financial Management) Regulations 1996, subject to the following limits:

- Operations Manager – \$200,000 - or as directed by the CEO for special circumstances

This includes the authority to make payments of accounts and salaries and wages, payroll deductions and other obligations by cheque or Electronic Funds Transfer.

Note: The Shire's current banking arrangements via internet banking or cheque payment requires a combination of two signatories.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 09 Temporary Overdraft Facility - Municipal Fund			
DATE ADOPTED:	17/03/2022	DELEGATE:	CEO
DATE LAST REVIEWED:		SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	N/A
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s6.5; s6.7; s6.9</i> <i>Local Government (Financial Management) Regulations 1996</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Subject to the requirements of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.</i> <i>Maximum overdraft facility limit, without explicit prior approval of Council, to be \$300,000.</i> <i>To allow for payments from the Municipal Fund of normal day to day operational expenses only and to be authorised and signed in accordance with the Council's policies and the Shire's approved work procedures. Authority to the Chief Executive Officer is unlimited subject to annual budget limitations.</i> <i>Payment authorisation via internet banking or cheque payment requires a combination of two signatories one of which must include the CEO, or Operations Manager or CRC Coordinator.</i> <i>Each occasion the temporary overdraft facility is used the CEO is to inform Council including the overdraft limit established and the manner in which such facility is to be repaid such as through receipt of a grant or rate income.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to put in place a temporary overdraft facility for the municipal fund and to establish systems and procedures which give effect to internal controls and risk mitigation for:

- Collection of money owed to the Shire;
- Safe custody and security of money collected or held by the Shire;
- Maintenance and security of all financial records, including payroll, stock control and costing records;
- Proper accounting of the Municipal Fund, including revenue and expenses;
- Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 10		Rates – Recovery where Unpaid	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:	Policy 12 - Policy 41 & Policy 71	SUB-DELEGATED TO:	Revenue Officer
POLICY REFERENCE:			
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government Act 1995 s6.50(1), (2); s6.56(1); s6.60(2), (3), (4); s6.64(1), (3); s6.71(1); s6.74(1); s6.76(4), (5); Sch 6.2 1(1); Sch 6.3 1(4), 4(1)</i>	
Conditions	Must comply with relevant policies		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the Council under s6.50(1), 6.50(2), 6.56(1), 6.60(2), 6.60(3), 6.60(4), 6.64(1), 6.64(3), 6.71(1), 6.74(1), 6.76(4), 6.76(5), Sch 6.2 1(1), Sch 6.3 1(4), Sch 6.3 4(1) of the Local Government Act 1995.

- This delegation includes the powers, duties and functions of the local government including to:
- Determine the date that a rate or service charge becomes due and payable in accordance with s6.50 of the Local Government Act 1995.
- Recovery of rates and service charges pursuant to the provisions of s6.56(1) of the Local Government Act 1995.
- Require a lessee to pay rent in accordance with s6.60(2), 6.60(3), 6.60(4) of the Local Government Act 1995.
- Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with s6.64(3).

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 11				Impounding Abandoned Vehicles and Goods	
DATE ADOPTED:	15/08/2019		DELEGATE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No	
POLICY REFERENCE:			SUB-DELEGATED TO:		
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 s5.42			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act s3.39; s3.40A (1), (4); s3.42; s3.43; s3.44; s3.46, s3.47 (1), (2) s3.47(2A) s3.47A; s3.48 r32 Local Government (Administration) Regulations 1995.		
Conditions		Delegation only to be used where the Delegate’s reasonable efforts to identify and contact an owner have failed.			

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and duties of the Shire in respect to:

- Remove and impound any goods that are involved in a contravention that can lead to impounding in accordance with s3.39.
- Impound abandoned vehicle wrecks in accordance with s3.40A (1), (4).
- Take appropriate action in respect to impounded non-perishable goods in accordance with s3.42 and s3.43.
- Give notice in accordance with s3.44 to collect goods.
- Refuse to allow goods to be collected until all costs have been paid in accordance with s3.46.
- Sell or dispose of confiscated or uncollected goods in accordance with s3.47 (1) (2) and s3.47(2a)
- Disposal of sick or injured animals in accordance with s3.47A.
- Take action to recover expenses in accordance with s3.48.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 12 Permits for Stall Holder, Trader and/or Outdoor Eating Facilities

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Regard must be had for the relevant local laws of the Shire.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications for new permits or renewal of permits for the activity of a stallholder, trader and/or an outdoor eating facility.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 13 Closure of Streets, Thoroughfares, Control of Reserves & Unvested facilities

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE Local Government Act 1995 – s5.42		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Local Government Act 1995 – s3.50(1) (1a) (4) (5) (6); s3.50A; s3.51(3); s3.52; s3.53; s3.54; Sch 3.1, Division 2 Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991. r6(3) Local Government (Functions and General) Regulations 1996 r12, r13, r15 Local Government (Uniform Local Provisions) Regulations 1996	
Conditions	Must comply with relevant policies Temporary closure of streets must not exceed 28 days. The Chief Executive Officer, or any employee sub delegated the authority must ensure any applicant has obtained relevant Police approval and provided appropriate indemnities and insurance cover. Where exercising powers and duties pursuant to s3.50, the following conditions apply: 1. Sufficient measures are in place to advise affected parties, minimise disruption to road users and to protect public and Shire assets. 2. Have regard to the provisions of s3.50(1). If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets. The permanent closure of thoroughfares is to be referred to Council for determination		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the Shire regarding closing certain thoroughfares to vehicles and partial closure of thoroughfare for repairs or maintenance and temporary closures (including revocation of Orders) for events in accordance with s3.50, 3.50(1), 3.50(1a), 3.50(4), 3.50(5), 3.50(6), 3.50A Local Government Act, r6(3) Local Government (Functions and General) Regulations 1996, S81(c)(2)(b) Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991 (where relevant).

The Chief Executive Officer is delegated authority to give the required notices as specified in s3.51(3) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

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The Chief Executive Officer is delegated authority to:

- Ensure that public thoroughfares are kept open for public use as required under s3.52(2) of the Act.
- In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided in accordance with s3.52(3).
- Keep plans of the levels and alignments of public thoroughfares that are under the Council's control or management and make those plans available for public inspection in accordance with s3.52(4).
- Control and manage otherwise unvested facilities within the Shire in accordance with s3.53 of the Local Government Act 1995.
- Control and manage land that is vested to the Shire in accordance with s3.54 of the Local Government Act 1995.
- Approve the construction of a crossing (vehicle crossover) giving access from a public thoroughfare to:
 - i. the land; or
 - ii. a private thoroughfare serving the land;

in accordance with r12, 13 and 15 of the Local Government (Uniform Provisions) Regulations 1996.

REVIEW REQUIREMENTS

At least once every financial year.



Sub Delegation No: 13a Closure of Streets, Thoroughfares, Control of Reserves & Unvested facilities

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): <i>Local Government Act 1995 – s5.44</i>		LEGAL (SUBSIDIARY): <i>Local Government Act 1995 – s3.50(1) (1a) (4) (5) (6); s3.50A; s3.51(3); s3.52; s3.53; s3.54; Sch 3.1, Division 2</i> <i>Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991.</i> <i>r6(3) Local Government (Functions and General) Regulations 1996</i> <i>r12, r13, r15 Local Government (Uniform Local Provisions) Regulations 1996</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Temporary closure of streets must not exceed 28 days.</i> <i>The Operations Manager, or any employee sub delegated the authority must ensure any applicant has obtained relevant Police approval and provided appropriate indemnities and insurance cover.</i> <i>Where exercising powers and duties pursuant to s3.50, the following conditions apply:</i> <div><div>1.</div><div><i>Sufficient measures are in place to advise affected parties, minimise disruption to road users and to protect public and Shire assets.</i></div></div> <div><div>2.</div><div><i>Have regard to the provisions of s3.50(1).</i></div></div> <i>If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].</i> <i>Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.</i>		

POWER OR DUTY DELEGATED

The Operations Manager is delegated authority to exercise the powers and discharge the duties of the Shire regarding closing certain thoroughfares to vehicles and partial closure of thoroughfare for repairs or maintenance and temporary closures (including revocation of Orders) for events in accordance with s3.50, 3.50(1), 3.50(1a), 3.50(4), 3.50(5), 3.50(6), 3.50A Local Government Act, r6(3) Local Government (Functions and General) Regulations 1996, S81(c)(2)(b) Road Traffic Act 1974 and Road Traffic (Events on Roads) Regulations 1991 (where relevant).

The Operations Manager is delegated authority to give the required notices as specified in s3.51(3) before fixing or altering the level of, or the alignment of a public thoroughfare and before draining water from a public thoroughfare or other public place onto adjoining land.

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The Operations Manager is delegated authority to:

- Ensure that public thoroughfares are kept open for public use as required under s3.52(2) of the Act.
- In fixing or altering the level of, or the alignment of a public thoroughfare, ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided in accordance with s3.52(3).
- Keep plans of the levels and alignments of public thoroughfares that are under the Council's control or management and make those plans available for public inspection in accordance with s3.52(4).
- Control and manage otherwise unvested facilities within the Shire in accordance with s3.53 of the Local Government Act 1995.
- Control and manage land that is vested to the Shire in accordance with s3.54 of the Local Government Act 1995.
- Approve the construction of a crossing (vehicle crossover) giving access from a public thoroughfare to:
 - i. the land; or
 - ii. a private thoroughfare serving the land;

in accordance with Regulations 12, 13 and 15 of the *Local Government (Uniform Provisions) Regulations 1996*.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 14		Obstruction of Thoroughfares	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> <i>r.5(2) Interfering with, or taking from, local government land</i> <i>r.6 Obstruction of public thoroughfare by things placed and left</i> <i>- Sch. 9.1 cl. 3(1)(a)</i> <i>r.7A Obstruction of public thoroughfare by fallen things –</i> <i>Sch.9.1 cl.3(1)(b)</i> <i>r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)</i>	
Conditions	Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996 .		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated:

- Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to:
 - a. prevent damage to the footpath; or
 - b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].
- Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].
- Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].
- Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].
- Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].

REVIEW REQUIREMENTS

At least once every financial year.



Sub Delegation No: 14a		Obstruction of Thoroughfares	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): s.5.44 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO		LEGAL (SUBSIDIARY): Local Government (Uniform Local Provisions) Regulations 1996: r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)	
Conditions	Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996 .		

POWER OR DUTY DELEGATED

The Operations Manager is delegated:

- Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to:
 - a. prevent damage to the footpath; or
 - b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].
- Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].
- Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].
- Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].
- Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Delegation No: 15		Roads – Heavy Vehicle Access	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Must comply with relevant policies</i> <i>The Council supports ‘as of right’ vehicles as defined by Main Roads WA (MRWA) or approved RAV routes, except where roads are closed for safety reasons.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications by heavy vehicle transport operators for Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) Networks to access roads managed and maintained by the Council.

REVIEW REQUIREMENTS

At least once every financial year.

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Sub Delegation No: 15a		Roads – Heavy Vehicle Access	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT):	LEGAL (SUBSIDIARY):		
	Local Government Act 1995 s5.44		
Conditions	<p><i>Must comply with relevant policies</i></p> <p><i>The Council supports 'as of right' vehicles as defined by Main Roads WA (MRWA) or approved RAV routes, except where roads are closed for safety reasons.</i></p>		

POWER OR DUTY DELEGATED

The Operations Manager is delegated authority to determine applications by heavy vehicle transport operators for Restricted Access Vehicle (RAV) and Accredited Mass Management Scheme (AMMS) Networks to access roads managed and maintained by the Council.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 16		Group Values on Contiguous Land	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 20	SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 – s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Must comply with relevant policies</i> <i>The final determination for group rating rests with the Valuer General, the CEO may only recommend an outcome</i>		

DEFINITION

For the purpose of this delegation, pieces of land will be taken to be contiguous if they abut one another at any point or if they are separated only by intervening land being a street, road, lane, footway, court, railway, thoroughfare, travelling stock route, a reserve or other similar open space dedicated for public purposes.

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the power to determine applications for group values on contiguous land.

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Delegation No: 17		Street Stalls/Appeals	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 – s5.42</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Must comply with relevant policies</i> Regard must be had for the relevant local laws of the Shire.		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated the power, to determine applications for street stalls/ appeals subject to satisfactory insurance arrangements and compliance with any statutes.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 18 Building Act & Regulations – Powers, Duties and Functions

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Building Act 2011:</i> <i>s.127(1) & (3) Delegation: special permit authorities and local government</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Building Act 2011: various, as detailed</i> <i>Building Regulations 2012: various, as detailed</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Sub delegation may only be to employees of the Shire (s127(3)).</i> <i>This delegation includes the power to serve notice on the builder or owner requiring alterations to a building, or in relation to encroachments, pursuant to s189, S190 of the Building Act 2011. These powers cannot be sub delegated.</i> <i>In undertaking the functions of this delegation, Building Surveyors (registered) must be employed by the Shire of Wandering in accordance with s5.36 of the Local Government Act 1995; and with respect to uncertified applications, hold the appropriate qualification as set out under r6 of the Local Government (Building Surveyors) Regulations 2008.</i> <i>In relation to s21 this sub delegation does not apply to places listed on the State’s Register of Heritage Places or the Council’s Heritage Register or to places classified by the National Trust.</i> <i>Must observe s100(2) of the Building Act 2011 in relation to entry to private residence.</i> <i>In relation to s110 this delegation permits a sub delegate to determine that an Order is to remain in effect in accordance with s117(2) of the Building Act 2011 where it is considered appropriate.</i> <i>In relation to s93(2)(d) of the Building Act 2011 and s.53 of the Building Regulations 2012</i> <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>		

POWER OR DUTY DELEGATED

Pursuant to s96 of the Building Act 2011 the Chief Executive Officer is delegated the 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 local government's district.

Pursuant to s99 the CEO is delegated authority to impose limitations on powers of authorised persons.

Pursuant to s127 the Chief Executive Officer is delegated all the powers and duties of the local government under the Building Act and Regulations and is authorised to take legal proceedings pursuant to s133 of the Act in relation to both the Act and Regulations.



These delegations include the powers and duties specified at:

- s18(1) - to require an applicant to provide any documentation or information required to determine a building permit application;
- s20 – to approve, or refuse to approve a certified or uncertified application for a building permit;
- s21,22 – to approve, or refuse to approve an application for a demolition permit;
- s27(1), (3) - to impose conditions on permit
- s.55 - Further information
- s58 – to approve, modify or refuse to approve an application for an occupancy permit or approve or refuse to approve an application for a building approval certificate;
- s62 – to impose conditions on an occupancy permit or modification of a building approval certificate;
- s65 – to approve, or refuse to approve an application to extend the time in which an occupancy permit or modification or building approval certificate has effect;
- s76 – to give consent for encroachments on Crown land under the care, control and maintenance of the local government;
- s93(2)(d) of the Building Act 2011 and s.53 of the Building Regulations 2012;
- S96(3) of the Building Act (and subject to s100(2) of the Building Act 2011) to appoint Authorised Persons;
- s110 – to make a Building Order in relation to building work, demolition work and/or, an existing building or incidental structure, whether completed before, or after commencement day;
- s111 – to give Notice of proposed building order other than building order (emergency)
- s114 – serve a building order;
- s117 – revoke a building order; and
- s118(2), (3) – to take action in relation to non-compliance with building orders;
- s131(2) - to determine applications for the inspection of or to seek copies of building records;
- s133 - to commence a prosecution for an offence against this Act;
- s145A(1) - to undertake local government functions in relation to Referrals and Issuing Certificates including authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government;
- S145A(2) - authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)];
- r23 (application to extend time), r24 (extension of time), r26 (approval of new responsible person);
- r40 - extension of period of duration of time of occupancy permit or building certificate;
- r51 - private pool barriers - alternatives solutions;
- r55, 61 - smoke alarms - alternative solutions - local government approval of battery powered smoke alarms

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 19 Building Act & Regulations – Occupancy Permits and Building Approval Certificates for Strata Plans and Survey Strata Plans

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Building Act 2011: s.127(1) & (3) Delegation: special permit authorities and local government</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Strata Titles Act 1985 – sA5B, s25 in respect of Built Strata Applications except for those applications listed as exceptions in WAPC Planning Bulletin 52/2009. Includes issue of Form 26</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Delegation and authority do not apply to those applications that:</i> <i>1. Propose the creation of a vacant lot;</i> <i>2. Proposed vacant air stratas in multi-tiered strata scheme developments;</i> <i>3. In the opinion of the WAPC as notified to the local government in writing, or in the opinion of the local government as notified to the WAPC in writing, relate to:</i> <i>a) type of development; and/or</i> <i>b) land within an area, which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.</i> <i>4. The WAPC is to be provided with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is authorised to issue occupancy permits and building approval certificates for strata plans and survey strata plans as required by s5B of the Strata Titles Act 1985 and to make certain decisions pursuant to s25 Strata Titles Act 1985 in respect of Built Strata Applications except for those applications listed as exceptions in Western Australian Planning Commission (WAPC) Planning Bulletin 52/2009.

Includes authority to issue Form 26

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Delegation No: 20		Bush Fires Act – General Delegation		
DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No power to sub delegate
POLICY REFERENCE:			SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Bush Fires Act 1954 – s48</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Must comply with relevant policies</i> <i>Does not include those matters in the Act which require a resolution of the Council, are prescribed in the Act for performance by prescribed employees or are subject to separate delegated authority within this Register.</i> <i>Only the Chief Executive Officer or the Shire President may withdraw infringement notices pursuant to s59A (3) Bush Fires Act 1954 and r4 Bush Fires (Infringements) Regulations 1958</i>			

POWER OR DUTY DELEGATED

Pursuant to s48 Bush Fires Act 1954 the Chief Executive Officer is delegated authority to exercise the powers and discharge the duties of the local government.

This delegation includes the authority to initiate legal action and prosecution.

The Chief Executive Officer is delegated authority to hand over the control of bush fires to the Department of Fire and Emergency Services (DFES).

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Delegation No: 21		Bush Fires Act – Prohibited Burning Times	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	CBFO
LEGAL (PARENT): POWER TO DELEGATE Bush Fires Act 1954 – s48		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Bush Fires Act 1954: s.17(7) Prohibited burning times may be declared by Minister s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land Bush Fire Regulations 1954: r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times	
Conditions	Must comply with relevant policies Decisions under s,17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- where seasonal conditions warrant it, determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer s.17(7).
- determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].
- declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].
- determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].
- issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].
- prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 22				Bush Fires Act – Variations to Fire Break Orders			
DATE ADOPTED:		15/08/2019		DELEGATE:		CEO	
DATE LAST REVIEWED:		16/09/2021		SUB-DELEGATED:		No power to sub delegate	
POLICY REFERENCE:				SUB-DELEGATED TO:			
LEGAL (PARENT): POWER TO DELEGATE				LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED			
Bush Fires Act 1954 – s48							
Conditions		Must comply with relevant policies Maximum approval period to be twelve (12) months. CEO to consult with relevant Brigade Fire Control Officer prior to exercising this delegation.					

POWER OR DUTY DELEGATED

Pursuant to s48 Bush Fires Act 1954 the Chief Executive Officer is delegated authority to vary or approve alternative arrangements to the Shire's Firebreak Orders.

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 23 Bush Fires Act – Restricted Burning Times and other Matters

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE Bush Fires Act 1954 – s48		Legal (Subsidiary): Power or duty delegated Bush Fires Act 1954: s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land s.27D Requirements for carriage and deposit of incendiary material Bush Fire Regulations 1954: r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.27(3) Permit, issue of s.33 Local government may require occupier of land to plough or clear fire-breaks r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of s.46 Bush fire control officer or forest officer may postpone lighting fire s.52(1) Approved area may be declared s.58 General penalty and recovery of expenses incurred s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices	
Conditions	Must comply with relevant policies Maximum approval period to be twelve (12) months. CEO to consult with relevant Brigade Fire Control Officer and Chief Bush Fire Control Officer prior to exercising this delegation.		



POWER OR DUTY DELEGATED

Pursuant to s48 Bush Fires Act 1954 the Chief Executive Officer is delegated authority to:

- where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)].
 - a) a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].
- Where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].
- Determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].
- Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].
- Give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].
- Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)].
 - a) Issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3), r.33(5)].
 - b) Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [r.34].
- Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:
 - a) a. camping or cooking [s.25(1)(a)].
 - b) b. conversion of bus into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].
- Prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)].
- Serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
- Give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Wandering
 - a) clearing of firebreaks as determined necessary and specified in the notice; and
 - b) act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and
 - c) as a separate or coordinated action with any other person carry out similar actions [s.33(1)].
- Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)].
 - a) Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].

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- Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning vary Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].
- Appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and
 - a) Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and
 - b) Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].
- Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Wandering [s.38(5A)]
- Appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)].
- Appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
- Determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B].
- Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].
- Prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].
- Recover the cost of measures taken by the Shire of Wandering or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
- Give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from:
 - a) a person operating a bee smoker device during a prescribed period [r.39CA(5)].
 - b) a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].
 - c) a person using explosives [r.39D(2)].
 - d) a person using fireworks [r.39E(3)]
- Determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. *Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.*
- Prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].
 - a) Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].

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- Apply to the Minister to have the local government district, or part of the district, declared as an approved area. [s.50(1)] (Note - The declaration of a district, or part thereof, as an approved area, results in a reduction in insurance premium of crops within that area s.53.)
- Recover general penalty and recovery of expenses incurred s58
- Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].
- To serve an infringement notice for an offence against this Act [s.59A(2)].

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 24		Cat Act – Duties and Functions	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Cat Act 2011 – s44</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Cat Act Regulations 2012</i>	
Conditions	<i>Pursuant to s48(2) only an employee of the Shire can be appointed under s62. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. In relation to authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat – it should be noted this delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995.</i>		

POWER OR DUTY DELEGATED

Pursuant to s44 Cat Act 2011 the Chief Executive Officer is delegated authority to perform all duties and functions of the local government under the Cat Act 2011 and Cat Act Regulations 2012.

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 25		Dog Act – Duties and Functions	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Ranger Operations Manager
LEGAL (PARENT): POWER TO DELEGATE <i>Dog Act 1976 – s10AA(1) and (3)</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Dog Act 1976 - as detailed below</i>	
Conditions	<i>Must comply with relevant policies</i> <i>Cannot delegate authority to commence enforcement proceedings at s44 of the Dog Act 1976</i> <i>In relation to S.31 Control of dogs in certain public places – this cannot be delegated because it requires an absolute majority and therefore must be determined by Council.</i>		

POWER OR DUTY DELEGATED

Pursuant to s10AA(1) of the Dog Act 1976 the Chief Executive Officer is delegated all powers and duties of the local government under the Dog Act 1976 and regulations and the Shire's Dogs Local Law.

Pursuant to s10AA(3) of the Dog Act 1976 the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties to other employees or other persons.

These delegations specifically exclude (and which must be determined by the Council):

- s.33E(1) - Individual dog may be declared to be dangerous dog (declared)
- s.33F(6) s.33G(4) s.33H(1) - Owners to be notified of making of declaration, Seizure and destruction - Local government may revoke declaration or proposal to destroy

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 25a		Dog Act – Duties and Functions	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	Yes
POLICY REFERENCE:		SUB-DELEGATED TO:	Contract Ranger Operations Manager
LEGAL (PARENT): POWER TO DELEGATE <i>Dog Act 1976 – s10AA(1) and (3)</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Dog Act 1976 –s12A; s14; s29; s38; s39; s43; s47; s12A; s14; s16(2); s16(3A); s16(3); s16(3C); s16(6); s26; s33E; s33F; s33G; s33H; s39; s43A;</i>	
Conditions	<i>Must comply with relevant policies</i> <i>No authority to commence enforcement proceedings at S44 of the Dog Act 1976.</i>		

POWER OR DUTY DELEGATED

Pursuant to s10AA(1) of the *Dog Act 1976* the Chief Executive Officer has been delegated all powers and duties of the local government.

Pursuant to s10AA(3) of the *Dog Act 1976* the Chief Executive Officer is specifically authorised to sub delegate any and all of these powers and duties

The Chief Executive Officer sub delegates all powers and duties to the Contract Ranger.

These delegations specifically exclude:

- s.33E(1) - Individual dog may be declared to be dangerous dog (declared)
- s.33F(6) s.33G(4) s.33H(1) - Owners to be notified of making of declaration Seizure and destruction
Local government may revoke declaration or proposal to destroy

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Delegation No: 26 Fines, Penalties & Infringement Notices – Appointment of Prosecution Officers

DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No
POLICY REFERENCE:			SUB-DELEGATED TO:	
LEGAL (PARENT): POWER TO DELEGATE <i>Fines, Penalties and Infringement Notices Enforcement Act 1994 – s13(2); s16; s22</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	<i>Appointed Designated Officers give written notice of their designated authority to the Registrar.</i> <i>Appointed Designated Officers hold a Certificate of Appointment.</i>			

POWER OR DUTY DELEGATED

The Chief Executive Officer is authorised to appoint Designated Officers for the purposes of the Fines, Penalties and Infringement Notices Enforcement Act 1994, Section 13(2), administer the issuing of, and any subsequent proceedings in relation to, the notice.

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 27		Food Act – Payment of Compensation	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>s.56(2) Compensation to be paid in certain circumstances</i> <i>s.70(2) and (3) Compensation</i>	
Conditions	<i>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</i> <i>Compensation under this delegation may only be determined upon documented losses up to a maximum of \$200.00.</i> <i>Compensation requests above this value are to be reported to Council.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].
- determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 28		Food Act – Prohibition Orders	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>s.65(1) Prohibition orders</i> <i>s.66 Certificate of clearance to be given in certain circumstances</i> <i>s.67(4) Request for re-inspection</i>	
Conditions	<i>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- Serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].
- Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].
- Give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 29		Food Act – Food Business Registrations	
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>s.110(1) and (5) Registration of food business</i> <i>s.112 Variation of conditions or cancellation of registration of food businesses</i>	
Conditions	<i>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</i> <i>Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</i> <i>Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</i> <i>WA Priority Classification System</i> <i>Verification of Food Safety Program Guideline</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].
- vary the conditions or cancel the registration of a food business [s.112].

REVIEW REQUIREMENTS

At least once every financial year.



Delegation No: 30 Food Act – Appoint Authorised Officers and Designated Officers

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>s.122(1) Appointment of authorised officers</i> <i>s.126(6), (7) and (13) Infringement Officers</i>	
Conditions	<i>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</i> <i>Appointment of Authorised Officers as Meat Inspectors</i> <i>Appointment of Authorised Officers</i> <i>Appointment of Authorised Officers – Designated Officers only</i> <i>Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].
- appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the *Public Health Act 2016*, to be a Designated Officer for the purposes of issuing Infringement Notices under the *Food Act 2008* [s.126(13)].
- appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 31 Food Act – Debt Recovery and Prosecutions Officers			
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No power to sub-delegate
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>s.54 Cost of destruction or disposal of forfeited item</i> <i>s.125 Institution of proceedings</i>	
Conditions	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to:

- to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].
- institute proceedings for an offence under the Food Act 2008 [s.125].

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 32				Food Act – Food Businesses List – Public Access			
DATE ADOPTED:		15/08/2019		DELEGATE:		CEO	
DATE LAST REVIEWED:		16/09/2021		SUB-DELEGATED:		No power to sub-delegate	
POLICY REFERENCE:				SUB-DELEGATED TO:		NA	
LEGAL (PARENT): POWER TO DELEGATE <i>Food Act 2008:</i> <i>s.118 Functions of enforcement agencies and delegation</i> <i>(2)(b) Enforcement agency may delegate a function conferred on it</i> <i>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</i> <i>(4) Sub-delegation permissible only if expressly provided in regulations</i>				LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Food Act 2008:</i> <i>r.51 Enforcement agency may make list of food</i>			
Conditions		In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.					

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to decide to make a list of food businesses maintained under s.115(a) or (b), publicly available [r.51].

REVIEW REQUIREMENTS

At least once every financial year.

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Delegation No: 33				Graffiti Vandalism Act – General Delegation	
DATE ADOPTED:	15/08/2019		DELEGATE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	Yes	
POLICY REFERENCE:			SUB-DELEGATED TO:	Operations Manager	
LEGAL (PARENT): POWER TO DELEGATE			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED		
Graffiti Vandalism Act 2016 – s16(1)					
Conditions		In accordance with s17(1) of the Graffiti Vandalism Act 2016, the Chief Executive Officer may only sub delegate to an employee of the Shire. The CEO may not sub delegate authority to commence enforcement proceedings. The CEO may not delegate authority to deal with Objections pursuant to s20, 21 and 22 of the Act			

POWER OR DUTY DELEGATED

Pursuant to s16(1) Graffiti Vandalism Act 2016 the Chief Executive Officer is delegated all powers and duties of the Local Government under the Graffiti Vandalism Act 2016.

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Sub Delegation No: 33a Graffiti Vandalism Act – General Delegation

DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	Yes
POLICY REFERENCE:			SUB-DELEGATED TO:	Operations Manager
LEGAL (PARENT): POWER TO DELEGATE Graffiti Vandalism Act 2016 – s16(1)			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	In accordance with s17(1) of the Graffiti Vandalism Act 2016, the Chief Executive Officer may only sub delegate to an employee of the Shire. The CEO may not sub delegate authority to commence enforcement proceedings. The CEO may not delegate authority to deal with Objections pursuant to s20, 21 and 22 of the Act			

POWER OR DUTY DELEGATED

Pursuant to s17(1) Graffiti Vandalism Act 2016 the Chief Executive Officer sub delegates:

The Operations Manager to exercise the powers and duties of the local government under the following sections of the Graffiti Vandalism Act 2016:

- s18 Giving Notices;
- s19 Additional Powers;
- s25 Graffiti removal;
- s26 Powers of Entry;
- s27 Procedures;
- s28 Notice of Entry;
- s29 Entry under Warrant; and
- s30 Purpose of Entry.

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 34 Public Health Act 2016 – Enforcement Reports to the Chief Health Officer

DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No
POLICY REFERENCE:			SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Public Health Act 2016:</i> <i>s.21 Enforcement agency may delegate</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Public Health Act 2016</i> <i>s.22 Reports by and about enforcement agencies</i>	
Conditions	<i>Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].</i>			

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Wandering. [s.22(1)]

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Delegation No: 35 Public Health Act 2016 – Authority to Designate Authorised Officers

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Public Health Act 2016: s.21 Enforcement agency may delegate</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Public Health Act 2016 s.24(1) and (3) Designation of authorised officers</i>	
Conditions	<i>Subject to each person so appointed being;</i> <ul style="list-style-type: none"><i>Appropriately qualified and experienced [s.25(1)(a)]; and</i><i>Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</i> <i>And a Register (list) of authorised officers is to be maintained in accordance with s.27</i>		

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to designate a person or class of persons as authorised officers for the purposes of:

- The Public Health Act 2016 or other specified Act
- Specified provisions of the Public Health Act 2016 or other specified Act
- Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act.

Including:

- an environmental health officer or environmental health officers as a class; OR
- a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR
- a mixture of the two. [s.24(1) and (3)].

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Delegation No: 36 Public Health Act 2016 – Determine Compensation for Seized Items

DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No
POLICY REFERENCE:			SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Public Health Act 2016: s.21 Enforcement agency may delegate</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Public Health Act 2016 s.264 Compensation</i>	
Conditions	Compensation is limited to a maximum value of \$200 with any proposal for compensation above this value to be referred for Council's determination.			

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 37 Public Health Act 2016 – Commence proceedings			
DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE Public Health Act 2016: s.21 Enforcement agency may delegate		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED Public Health Act 2016 s.280 Commencing Proceedings	
Conditions			

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to commence proceedings for an offence under the Public Health Act 2016 [s.280]

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Delegation No: 38 Town Planning Scheme No. 3 – Various duties, powers and functions

DATE ADOPTED:	15/08/2019	DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	No
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Shire of Wandering Town Planning Scheme No. 3</i>		LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED <i>Planning and Development Act 2005</i>	
Conditions	<i>The Chief Executive Officer is to advise Councillors of the lodgement of a JDAP application, and report to Council at the earliest opportunity, the outcome of the JDAP decision. This Delegation does not preclude the Delegate from referring the categories of development or legal proceedings, to Council for determination, after having regard to the circumstances of a particular case.</i>		

POWER OR DUTY DELEGATED

That pursuant to the Division 2 Part 10 Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* and Sections 5.45 and 5.46 LGA Council delegate its authority and power to the Chief Executive Officer the following:

ADVERTISING

Notification and Advertising of Applications for Planning Consent

1. 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.
2. 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.
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.
4. Determine the requirement for advertising for public comment a draft Development Plan/s pursuant to Clause 8.1 of the Shire of Wandering Local Planning Scheme No. 3.
5. To extend the advertising period for planning scheme amendments and development plans, where considered necessary to provide for adequate consultation and/or accommodate specific community consultation exercises (e.g. special electors meetings, workshops etc).

WAPC REFERRALS OF APPLICATIONS FOR SUBDIVISION APPROVALS

Pursuant to s142 of the *Planning and Development Act 2005*, provide comment to the Western Australian Planning Commission (WAPC) on matters associated with subdivision applications, proposed development plans (or similar) and licence applications.

CLEARANCE OF LOCAL GOVERNMENT CONDITIONS ASSOCIATED WITH SUBDIVISION APPROVAL

Pursuant to s143 of the *Planning and Development Act 2005* and where the WAPC has included conditions on a subdivision approval relevant to the Shire, determine the 'clearance' of a condition designated (LG) in a subdivision approval issued by the WAPC.

SHIRE OF WANDERING

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REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Delegation No: 39 Fence Line Clearing within Road and Other Reserves

DATE ADOPTED:	15/08/2019		DELEGATE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No
POLICY REFERENCE:	Policy 52		SUB-DELEGATED TO:	NA
LEGAL (PARENT): POWER TO DELEGATE <i>Local Government Act 1995 s5.42</i>			LEGAL (SUBSIDIARY): POWER OR DUTY DELEGATED	
Conditions	Must comply with relevant policies			

POWER OR DUTY DELEGATED

The Chief Executive Officer is delegated authority to determine applications for fence line clearing in accordance The *Environmental Protection (Clearing of Native Vegetation) Regulations 2004 r5 – Item 11*, and with Policy 52.

REVIEW REQUIREMENTS

To be reviewed at least once every financial year.

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Delegation No: 40

Financial Hardship

DATE ADOPTED:	16/04/2020
DATE LAST REVIEWED:	16/09/2021
POLICY REFERENCE:	Policy 71

DELEGATE:	CEO
SUB-DELEGATED:	No
SUB-DELEGATED TO:	Nil

LEGAL (PARENT): <i>Local Government Act 1995 s5.42</i>
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LEGAL (SUBSIDIARY):

Conditions	<i>Must comply with relevant policies</i>
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POWER OR DUTY DELEGATED

Council delegate its authority and power to the Chief Executive Officer to:

1. In consultation with the Shire President, determine financial hardship; and
2. Implement payment arrangements.

REVIEW REQUIREMENTS

At least once every financial year.



3. DELEGATIONS, APPOINTMENTS AND AUTHORISATIONS BY OUTSIDE ORGANISATIONS

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EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--
 - (i) Subregulation 18(13)(b) is not delegated.

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.



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EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.



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EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.



DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

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

Dated the 2nd day of June 2016

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS



SCHEDULE

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

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road, <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 162 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Bayswater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brockton Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Cannington Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dardanup Shire of Dardanup Shire of Denmark Shire of Derby/West Kimberley Shire of Dornbrook-Balingup Shire of Dowerin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Exmouth City of Fremantle City of Greater Geraldton Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Katanning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Moora Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbudin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

SHIRE OF WANDERING

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

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

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of June 2016



PI409

PLANNING AND DEVELOPMENT ACT 2005
Instrument of Delegation
Del 2009/03 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of the *Strata Titles Act 1985*

Preamble

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

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

Resolution under section 16 of the Act (delegation)

On 26 May 2009, pursuant to section 16 of the Act, the WAPC RESOLVED—

A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 25 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.

TONY EVANS, Western Australian Planning Commission.

SCHEDULE 1

1. Applications made under section 25 of the *Strata Titles Act 1985*

Power to determine applications for the issuing of a certificate of approval under section 25 of the *Strata Titles Act 1985* for a plan of subdivision, re-subdivision or consolidation, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - (i) a type of development; and/or
 - (ii) land within an area,

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

2. Reporting requirements

A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.



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

**RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS**

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

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

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

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.



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

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

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

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

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



Government of Western Australia
Department of Transport

Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

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

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

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

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

CONDITIONS

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



4. APPOINTMENTS AND AUTHORISATIONS

Appointment/Authorisation No: 1				Animal Welfare Act 2002 – General Inspector	
DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	No	
POLICY REFERENCE:			SUB-DELEGATED TO:	NA	
LEGAL (PARENT): <i>Animal Welfare Act 2002 – s33(2)(a)(v)</i>			LEGAL (SUBSIDIARY):		
Conditions	<i>General Inspectors must be employees. General Inspectors are only able to issue infringement notices and cannot be appointed as both General Inspectors and Authorised Persons.</i>				

POWER OR DUTY DELEGATED

Pursuant to s33(2)(a)(v) Animal Welfare Act 2002 the Chief Executive Officer is appointed as a General Inspector.

REVIEW REQUIREMENTS

Although these Delegations are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Appointment/Authorisation No: 2 Act 1995 – Authorised Persons

Caravan Parks and Camping Grounds

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Operations Manager Administration Assistant
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
PREVIOUS APPOINTMENT / AUTHORISATION:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Caravan Parks and Camping Grounds Act 1995 –s17(1)</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>Employees appointed under s17(1) must have an identity card in accordance with s17(1)(b).</i>		

APPOINTMENT

The Chief Executive Officer, Operations Manager, Administration Assistant are appointed as an Authorised Person pursuant to s17(1) *Caravan Parks and Camping Grounds Act 1995*.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Appointment/Authorisation No: 3 Caravan Parks and Camping Grounds Act 1995 - Enforcement

DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO Operations Manager
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA
POLICY REFERENCE:			SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Caravan Parks and Camping Grounds Act 1995 –s22; s23(2), (5), (7), (11)</i>			LEGAL (SUBSIDIARY): <i>Caravan Parks and Camping Grounds Regulations 1997</i>	
Conditions	<i>Employees appointed under s23(2) cannot be appointed under s23(3), (5) or (7).</i> <i>Employees appointed under s23(2) must hold a certificate stating the person is authorised in accordance with s23(12).</i> <i>In accordance with r11(2) (c) any approval must be in writing.</i>			

APPOINTMENT

1. The Chief Executive Officer is appointed an Authorised Person under s22, 23(5), 23(7), 23(11) *Caravan Parks and Camping Grounds Act 1995*.
1. The Operations Manager is appointed as an Authorised Person under s23(2) *Caravan Parks and Camping Grounds Act 1995*.
2. The Operations Manager is appointed as an Authorised Person to undertake all functions of the local government for the purposes of r6 and r11(2)(c) of the *Caravan Parks and Camping Grounds Regulations 1997*.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Appointment/Authorisation No: 4 Act 1978

Control of Vehicles (Off Road Areas)

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Operations Manager
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
PREVIOUS APPOINTMENT / AUTHORISATION:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Control of Vehicles (Off Road Areas) Act 1978 – s38(3)</i>		LEGAL (SUBSIDIARY): <i>Control of Vehicles (Off-Road Areas) Regulations 1979</i>	
Conditions	<i>In accordance with s38(4)(d) each authorised person appointed must have a certificate stating the employee is an authorised person for the purpose of this Act.</i>		

APPOINTMENT

Pursuant to s38(3) of *Control of Vehicles (Off Road Areas) Act 1978* and the *Control of Vehicles (Off-road Areas) Regulations 1979*, the Chief Executive officer and Operations Manager are appointed as Authorised Officers to perform all functions of the local government under the Act.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Appointment/Authorisation No:5				Control of Council Property and Facilities	
DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA	
POLICY REFERENCE:			SUB-DELEGATED TO:	NA	
LEGAL (PARENT): <i>Criminal Code Act Compilation Act 1913 – S70A(1)(a))</i>			LEGAL (SUBSIDIARY):		
Conditions					

APPOINTMENT

The Chief Executive Officer is deemed to be the person in authority of local government property and facilities, including the Council Chambers during Council and Committee meetings

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Ph: (08) 6828 1800

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Appointment/Authorisation No: 6		FOI Act 1992 – Internal Review Officer		
DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA
POLICY REFERENCE:			SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Freedom of Information Act 1992 – s41</i>			LEGAL (SUBSIDIARY):	
Conditions				

APPOINTMENT

Pursuant to s41 *Freedom of Information Act 1992* the Chief Executive Officer is designated Internal Review Officer

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

22 Watts Street, Wandering WA 6308

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Appointment/Authorisation No: 7 FOI Act 1992 - Information Coordinator & Principal Decision Maker

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Operations Manager
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Freedom of Information Act 1992 – s11, 12, 100</i>		LEGAL (SUBSIDIARY):	
Conditions			

APPOINTMENT

1. The Operations Manager is appointed as the Freedom of Information Coordinator to undertake the duties and functions associated with the lodgement and collation of an application for information in accordance with s11, 12, of the *Freedom of Information Act 1992*
2. In accordance with s100 of the *Freedom of Information Act 1992* the Principal Decision Maker is the Chief Executive Officer or an employee directed by the Chief Executive Officer to undertake the duties and functions. The Chief Executive Officer has determined that the Executive Manager Technical Services will be the Principal Decision Maker.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Appointment/Authorisation No 8 Local Government Act 1995 - Authorised Person – Legal Proceedings, Infringements and Enforcements

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Local Government Act 1995 - s9.10(1), (2); s9.11; s9.13; s9.16; s9.17; s9.19; s9.20; s9.24</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>Appointed Authorised Persons are to hold a Certificate of Appointment in accordance with s9.10(2).</i>		

APPOINTMENT

The Chief Executive Officer is appointed an authorised person for the purposes of s9.10(1), 9.11, 9.13, 9.16, 9.17, 9.19, 9.20 and 9.24 of the *Local Government Act 1995*.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Appointment/Authorisation No:9 of Authorised Officers

Public Health Act 2016 – Appointment

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Contract Environmental Health Officer
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Public Health Act 2016</i> <i>Health (Miscellaneous Provisions) Act 1911</i>		LEGAL (SUBSIDIARY):	
Conditions	<p><i>A list of all officers designated as authorised officers must be kept and maintained in accordance with S27 of the Public Health Act 2016.</i></p> <p><i>Each person who is designed as an authorised officer must be issued with certificate of authority as an authorised officer in accordance with S30 of the Public Health Act 2016.</i></p>		

APPOINTMENT

1. The Chief Executive Officer and Contract Environmental Health Officer are appointed as an authorised officer under s24 of the *Public Health Act 2016*.
2. Pursuant to s26 *Health (Miscellaneous Provisions) Act 1911* the Chief Executive Officer and Contract Environmental Health Officer, are appointed as Authorised Persons under the Health Local Law.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

22 Watts Street, Wandering WA 6308

Ph: (08) 6828 1800

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Appointment/Authorisation No: 10 Public Interest Disclosure Act 2003 - Public Interest Disclosure Officer

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Public Interest Disclosure Act 2003 – s23(1)(a)</i>		LEGAL (SUBSIDIARY):	
Conditions			

APPOINTMENT

Pursuant to s23(1)(a) *Public Interest Disclosure Act 2003* the Principal Executive Officer (Chief Executive Officer) designates the occupant of a specified position within the authority as the person responsible for receiving disclosures of public interest information.

The Chief Executive Officer of the Shire of Wandering is designated accordingly.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 11 Rates and Charges (Rebates and Deferments) Regulation Act 1992 - Review Officer and Determination Officer

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Finance Officer
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Rates and Charges (Rebates and Deferments) Regulation Act 1992 – s12; s13; s32</i>		LEGAL (SUBSIDIARY):	
Conditions			

APPOINTMENT

1. The Chief Executive Officer is the Pensioner Rates Review Officer, as defined by the Act.
2. The Finance Officer is the Pensioner Rates Determination Officer as defined by the Act.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Appointment/Authorisation No: 12 Health (Asbestos) Regulations 1992 - Authorised Officers

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Operations Manager
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Health (Asbestos) Regulations 1992</i> <i>Pt 2 Criminal Procedure Act 2004</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>The approved officer cannot be appointed as an authorised officer.</i> <i>Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].</i>		

APPOINTMENT

1. The Operations Manager be authorised pursuant to the *Health (Asbestos) Regulations 1992* for the issuing of infringement notices.
2. The Chief Executive Officer be appointed as an Approved Officer pursuant to the *Health (Asbestos) Regulations 1992* and the *Criminal Procedure Act 2004* for the withdrawal or extension to a period to pay an infringement notice.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 13 Bush Fires Act – Issue of Infringement and Prosecution

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Bush Fires Act 1954 – s59(1), (3); s59A(2)</i>		LEGAL (SUBSIDIARY):	
Conditions	<p><i>Only the Chief Executive Officer may institute legal proceedings.</i></p> <p><i>Only the Chief Executive Officer or the Shire President may withdraw infringement notices pursuant to s59A (3) Bush Fires Act 1954 and r4 Bush Fires (Infringements) Regulations 1958.</i></p>		

APPOINTMENT

The Chief Executive Officer is authorised to issue infringement notices under s59(1), (3) and s59A (2) of *Bush Fires Act 1954*.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 14 Environmental Protection Act 1986 - Referral of Proposals

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Environmental Protection Act 1986 – s38</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>Only the Chief Executive Officer may institute legal proceedings.</i>		

APPOINTMENT

Pursuant to s38 of the *Environmental Protection Act 1986* the Chief Executive Officer is authorised to refer Proposals to the Environmental Protection Authority.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 15 Equal Employment Opportunity Management Plans

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Equal Employment Opportunity Act 1984 –s145</i>		LEGAL (SUBSIDIARY):	
Conditions			

APPOINTMENT

The Chief Executive Officer is to prepare and implement equal employment opportunity management plans pursuant to s145 *Equal Employment Opportunity Act 1984*.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

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Appointment/Authorisation No: 16				Liquor Control Act 1988 – Various	
DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA	
POLICY REFERENCE:			SUB-DELEGATED TO:	NA	
LEGAL (PARENT): <i>Liquor Control Act 1988 – s39; s40; s61(1)(d), (2;) s69(7), (8</i>			LEGAL (SUBSIDIARY):		
Conditions	<i>The Chief Executive Officer cannot recommend approval or refusal for first time applications for Extended Trading Permits to the relevant State Government authority. Such applications must be considered and determined by the Council.</i> <i>The Chief Executive Officer may recommend approval or refusal for subsequent applications.</i>				

APPOINTMENT

1. Pursuant to s39 (Health), s40 (Planning) *Liquor Control Act 1988* the Chief Executive Officer is authorised to issue Certificates for grant, change or removal of liquor licences.
2. Pursuant to s61(1)(d), (2) *Liquor Control Act 1988* the Chief Executive Officer is authorised to provide comment and make recommendations on Applications for Extended Trading Permits.
3. Pursuant to s69(7), (8) of the *Liquor Control Act 1988* the Chief Executive Officer is authorised to intervene in Applications.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 17				Litter Act 1979 – Authorised Officers	
DATE ADOPTED:	15/08/2019		APPOINTEE:	All council members, CEO and all employees	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA	
POLICY REFERENCE:			SUB-DELEGATED TO:	NA	
LEGAL (PARENT): <i>Litter Act 1978 – s26(1)(c)(i), (ii)</i>			LEGAL (SUBSIDIARY):		
Conditions	<i>Council members and Employees appointed under s26(1)(c)(i), (ii) must hold a certificate stating the person is authorised, in accordance with s26(4)(c).</i>				

APPOINTMENT

s26(1)(c)(i), (ii) prescribes that all elected members and employees are Authorised Persons by virtue of their office.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 18 Litter Act 1979 – Withdrawal of Infringement Notices

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Shire President
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Litter Act 1978 – s30(4a)</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>Council members and Employees appointed under s26(1)(c)(i), (ii) must hold a certificate stating the person is authorised, in accordance with s26(4)(c).</i>		

APPOINTMENT

Pursuant to s30(4a) *Litter Act 1979* the Chief Executive Officer is authorised to withdraw infringement notices.

If the Chief Executive Officer has issued the relevant infringement notice, the Shire President is authorised to withdraw such a notice.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 19				Building Act 2011 – General Duties		
DATE ADOPTED:		15/08/2019			APPOINTEE:	CEO
DATE LAST REVIEWED:		16/09/2021			SUB-DELEGATED:	NA
POLICY REFERENCE:					SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Building Act 2011</i>					LEGAL (SUBSIDIARY):	
Conditions						

APPOINTMENT

The Chief Executive Officer is authorised to undertake duties pursuant to the *Building Act 2011* and is an Authorised Person for all relevant purposes under the Act

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 20		Cat Act 2011 – Authorised persons	
DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Shire Administration Officers Contract Ranger
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Cat Act 2011 – s9; s10; s11; s12; s13; s26; s27; s37; s38; s39; s40; s48; s49; s62; s63; s64.,</i>		LEGAL (SUBSIDIARY): <i>Cat Act 2011 – s45</i>	
Conditions	<i>In accordance with s48(5) each authorised person appointed below, must have a certificate stating the employee is an authorised person for the purpose of this Act. Pursuant to s48(2) only an employee of the Shire can be appointed under s62.</i>		

APPOINTMENT

Pursuant to s45 of the *Cat Act 2011* the following employees are appointed:

1. Chief Executive Officer is a Registration Officer and Authorised Person for all purposes of the *Cat Act 2011*
2. All Shire Administration Officers as Registration Officers to perform the functions for Registration related matters in accordance with s9, 10, 11, 12, 13 of the *Cat Act 2011*.
3. The Contract Ranger as an Authorised Person for the purposes of s48, 49, 62, 63 of the *Cat Act 2011*.

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

22 Watts Street, Wandering WA 6308

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Appointment/Authorisation No: 21				Dog Act 1976 – Authorised Persons	
DATE ADOPTED:	15/08/2019		APPOINTEE:	CEO Contract Ranger Shire Administration Officers	
DATE LAST REVIEWED:	16/09/2021		SUB-DELEGATED:	NA	
POLICY REFERENCE:			SUB-DELEGATED TO:	NA	
LEGAL (PARENT): Dog Act 1976 – s12A; s14; s29; s38; s39; s43; s47; s12A; s14; s16(2); s16(3A); s16(3); s16(3C); s16(6); s26; s33E; s33F; s33G; s33H; s39; s43A;			LEGAL (SUBSIDIARY): Cat Act 2011 – s45		
Conditions	Must comply with relevant policies Cannot delegate authority to commence enforcement proceedings at S44 of the Dog Act 1976.				

APPOINTMENT

- The Chief Executive Officer and Contract Ranger as Authorised Persons, and to exercise delegations under the following sections of the Dog Act 1976:
 - s12A Entry to premises;
 - s14 Registration;
 - s29 Power to seize dogs;
 - s33G Seizure and destruction;
 - s38 Nuisance dogs;
 - s39 Dogs causing injury or damage may be destroyed;
 - s43A Name and address to be supplied for an offence; and
 - s47 Recovery of veterinary service expenses.
- The Chief Executive Officer and Contract Ranger to undertake the powers of an authorised person under the Dog Act 1976 and the Dog Regulations 2013 for all sections not mentioned in 1 above or 3 below.
- The Chief Executive Officer and Contract Ranger as a specifically Authorised Persons:
 - s33E Dangerous dogs;
 - s33F Dangerous dogs;
 - s33G Dangerous dogs;
 - s33H Dangerous dogs;
 - s39 Dogs causing injury or damage may be destroyed; and
 - s43A Name and address to be supplied for an offence.
- The Chief Executive Officer, Contract Ranger, and Shire Administration Officers as Registration Officers under the following sections of the Dog Act 1976:
 - s14 Register of dogs; and
 - s16(2), s16(3A), s16(3), s16(3c), s16(6) Registration.

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 22 Fines, Penalties and Infringements Notices Enforcement Act 1994 – Appointments

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>s13 Fines Penalties and Infringement Notices Enforcement Act 1994.</i>		LEGAL (SUBSIDIARY): <i>Cat Act 2011 – s45</i>	
Conditions	<p><i>For the purposes of this Part, the Registrar may approve a prosecuting authority as a prosecuting authority to which this Part applies.</i></p> <p><i>The Registrar is not to approve a prosecuting authority unless the authority gives the Registrar written notice of those officers of the authority that are designated as prosecuting officers for the purposes of and in accordance with sections 16 and 22.</i></p>		

APPOINTMENT

The Chief Executive Officer is authorised to provide written notice to the Registrar designating those officers that are prosecution officers for the purposes of sections 16 and 22 of the Fines, Penalties and Infringement Notices Enforcement Act 1994.s33H

REVIEW REQUIREMENTS

At least once every financial year.

SHIRE OF WANDERING

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Appointment/Authorisation No: 23				Food Act - Authorised Persons	
DATE ADOPTED:		15/08/2019		APPOINTEE:	
DATE LAST REVIEWED:		16/09/2021		CEO	
POLICY REFERENCE:				Contract EHO	
LEGAL (PARENT):				SUB-DELEGATED:	
Food Act 2008 – s38; s56; s62; s65; s66; s67; s110; s112; s122; s125; s126				NA	
				SUB-DELEGATED TO:	
				NA	
				LEGAL (SUBSIDIARY):	
				Food Act 2008:	
				s.118Functions of enforcement agencies and delegation	
				(2)(b) Enforcement agency may delegate a function conferred on it	
				(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]	
				(4) Sub-delegation permissible only if expressly provided in regulations	
Conditions		Copies of all decisions made are to be retained on the appropriate file or record			

APPOINTMENT

Pursuant to s118 of the Food Act 2008 the Council:

- Appoints the Chief Executive Officer and Contract Environmental Health Officer, as Authorised Persons and to undertake duties and functions in relation to:
 - s38 Powers of Authorised Officers;
 - s.54 Cost of destruction or disposal of forfeited item
 - s62 Grounds for servicing Notices;
 - s65 Prohibition Orders;
 - s110 Registration of food premises;
 - s112 Food businesses – conditions and cancellations.;
 - s122 Authorised officers;
 - s.125 Institution of proceedings
 - s126 Infringement Notices.
 - s.65(1) Prohibition orders
 - s66, 67 Requests for re-inspection.
- Appoints the Chief Executive Officer as an Authorised Person to undertake duties and functions in relation to:
 - s125 Instituting proceedings and
 - s126(13) The Chief Executive Officer is to be the Designated Officer.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.



Appointment/Authorisation No: 24 Graffiti Vandalism Act 2016 – Authorised Persons

DATE ADOPTED:	15/08/2019	APPOINTEE:	CEO Operations Manager
DATE LAST REVIEWED:	16/09/2021	SUB-DELEGATED:	NA
POLICY REFERENCE:		SUB-DELEGATED TO:	NA
LEGAL (PARENT): <i>Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016].</i>		LEGAL (SUBSIDIARY):	
Conditions	<i>Cannot determine Objections or Suspension of effect in relation to Notice issued by the employee - s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice Must comply with relevant Council Policies</i>		

APPOINTMENT

The Chief Executive Officer is appointed an Authorised Person to deal with Objections and Suspension of effects of Notices and for all other relevant purposes under the Act

The Chief Executive Officer appoints the Operations Manager as authorised person for the other purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016] and to have all the powers and duties of Chief Executive Officer, except as otherwise provided.

REVIEW REQUIREMENTS

Although these Appointments are not required to be reviewed annually, Council has determined that they will be reviewed at least once every financial year.

12.3 Shire of Wandering Policy Manual Review – Policies 10 ,14, 22 and 84

File Reference:	11.111.11101
Author:	Lisa Boddy, Executive Assistant
Authorising Officer	Dr Alistair Pinto, Chief Executive Officer
Date:	21 October 2025
Disclosure of Interest:	Nil
Attachments:	Policy 10 – Investments and Borrowings Policy 14 – Record Keeping Policy 22 – Use of Common Seal Policy 84 – Complaints Management
Previous Reference:	Item 12.1 Ordinary Council Meeting 21 August 2025

Summary:

To continue with the process of reviewing all Council policies to ensure they are still relevant and correct for the day to day workings of the Shire.

Background:

At the Ordinary Council Meeting held on 18 August 2022 Council resolved to adopt Policy 83 – Policy Manual which states that:

All policies within the Policy Manual are to be reviewed by Council every three years, being one third of Council's policies each year in a three year period. Council may review an individual policy at any time before the next review date if it determines it to be necessary.

There are currently 94 Shire policies. It is proposed that each month policies are reviewed by Council. This will ensure that all policies are reviewed in the stated three year period.

Comment:

Four policies are to be reviewed this month:

- Policy 10 – Investments and Borrowings
- Policy 14 – Record Keping
- Policy 22 – Use of Common Seal
- Policy 84 – Complaints Management

These were tabled at the October General Planning Forum and no changes and/or updates were deemed necessary to be made to these existing policies.

Consultation:

Chief Executive Officer
Councillors

Statutory Environment:

Local Government Act 1995 S.2.7(2)(b)

Policy Implications:

As reviewed.

Financial Implications:

Nil.

Strategic Implications: Provide Strong Leadership

Our Goals	Our Strategies
A well informed Community	Foster Opportunities for connectivity between Council and the Community
We plan for the future and are strategically focused	Ensure accountable, ethical and best practice governance Service Level Plans detail operational roles, responsibilities and resources.

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Not regularly updating the Shire's Policy manual poses a reputable risk with a medium risk rating. In order to maintain transparency and to facilitate appropriate decision making processes, it is imperative that policy statements reflect the current position of Council and work practices at the Shire as well as best practice approaches.

Risk	Medium (6)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Impact / Consequence	Minor (2)
Risk Rating (Prior to Treatment or Control)	Medium (6)
Principal Risk Theme	Medium (6)
Risk Action Plan (Controls or Treatment Proposed)	Medium (6)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of six (6) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register to ensure Local Government Act and Regulations compliance.

Voting Requirements:

Simple Majority

041025 Moved: Cr A Price Seconded: Cr G Hansen

Recommendation and Council Decision:

That Council adopts the following policies with any amendments made.

- Policy 10 – Investments and Borrowings
- Policy 14 – Record Keeping
- Policy 22 – Use of Common Seal
- Policy 84 – Complaints Management

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson

Against: Nil

POLICY TYPE:	LEGISLATIVE
DATE ADOPTED:	18/07/2019

POLICY NO:	10
DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/10/2022

LEGAL (PARENT):	<i>Local Government Act 1995</i>
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LEGAL (SUBSIDIARY):	
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DELEGATION OF AUTHORITY APPLICABLE:	Yes
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DELEGATION NO.	14
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ADOPTED POLICY	
TITLE:	Investments and Borrowings
OBJECTIVE:	<ul style="list-style-type: none"> To adopt a prudent approach to investments, in full compliance with all statutory requirements.

POLICY STATEMENT

1. CONSIDERATION

While exercising the power to invest, consideration is to be given in preservation of capital, liquidity, and the return of investment.

- Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of investment.
- The investment is expected to achieve a predetermined market average rate of return that considers the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

2. APPROVED INVESTMENTS

With approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds with a term of maturity not exceeding three years;
- Fixed term deposits placed with an authorised institution for a term not exceeding 12 months;
- Interest bearing deposits placed with an authorised institution.

3. PROHIBITED INVESTMENTS

This Policy prohibits any investment carried out for speculative purposes including the following:

- Derivative based instruments;
- Principle only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forward contracts and swaps of any kind.
- The use of leverage (borrowing to invest) of any investment.
- Deposits with any institution other than an authorised institution.
- Deposits for a fixed term of more than 12 months.
- Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
- Investment in bonds with a term of maturity of more than three years.
- Investment in a foreign currency.

4. INVESTMENT RISK MANAGEMENT

Investments obtained are to comply with the following three criteria:

4.1 OVERALL PORTFOLIO LIMITS

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any credit rating category:

S&P LONG TERM RATING	S&P SHORT-TERM RATING	DIRECT INVESTMENT MAXIMUM
AAA	A-1+	100%
AA	A-1	100%
A	A-2	100%

4.2 COUNTERPARTY CREDIT FRAMEWORK

The Shire of Wandering will invest funds with authorised financial institutions that provide a service to the local community by establishing branches or agencies in the Shire of Wandering. Such institutions must maintain a minimum Standard and Poors rating of A for short term investments.

4.3 TERM TO MATURITY FRAMEWORK

OVERALL PORTFOLIO TERM TO MATURITY LIMITS	
Portfolio % < 1 Year	100% maximum, 40% minimum
Portfolio % 1-3 Years	60%

4.4 PERFORMANCE MANAGEMENT

Performance benchmarks will be as follows:

INVESTMENT	PERFORMANCE BENCHMARK
Cash	Cash Rate
Enhanced/Direct investments	UBSWA Bank Bill Rate
Diversified Funds	CPI + appropriate margin over rolling 3 year periods (depending on composition of fund)

4.5 REPORT AND REVIEW COMPLIANCE REQUIREMENTS

- A monthly report will be provided to Council in support of the monthly Statement of Financial Activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio and maturity date.
- Documentary evidence must be held for each investment and details thereof maintained in the Investment Register.
- Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Council's behalf as at 30 June each year and reconciled to the Investment Register.

6. BORROWING (Excluding Overdraft Facilities)

The Shire of Wandering will exercise its borrowing power in a financially responsible and prudent way to promote equity amongst current and future ratepayers.

In general, the Shire will not borrow to fund operating expenditure.

The Council will consider its forecast borrowing requirements as part of its:

- The Shire's long term financial plan,
- The adoption of the annual budget.

POLICY TYPE:	LEGISLATIVE
DATE ADOPTED:	18/07/2019

POLICY NO:	14
DATE LAST REVIEWED:	17/09/2020 16/09/2021 20/10/2022

LEGAL (PARENT):	<i>Local Government Act 1995</i>
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LEGAL (SUBSIDIARY):	<i>State Records Act 2000</i>
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DELEGATION OF AUTHORITY APPLICABLE:
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DELEGATION NO.

ADOPTED POLICY	
TITLE:	Record Keeping
OBJECTIVE:	<ul style="list-style-type: none"> To provide guidance to Council members and employees regarding their record keeping responsibilities in line with current legislative requirements

POLICY STATEMENT

The Shire of Wandering is committed to making and keeping full and accurate records of its business transactions and its official activities.

Records created and received by Shire personnel and contractors, irrespective of format, are to be managed in accordance with the Shire's Record Keeping Plan and this Records Management Policy.

Records will not be destroyed except by reference to the General Disposal Authority for Local Government Records.

1. RECORDS CREATION

All Council members, employee and contractors will create full and accurate records, in the appropriate format, of the Shire's business decisions and transactions to meet all legislative, business, administrative, financial, evidential historical requirements.

2. RECORDS CAPTURE AND CONTROL

All records created and received in the course of Shire business are to be captured at the point of creation, regardless of format, with required metadata, into appropriate record keeping and business systems that are managed in accordance with sound record keeping principles.

3. SECURITY AND PROTECTION OF RECORDS

The Shire of Wandering is responsible for the security and protection of all records created or captured as part of the Shire's day to day operations. All Shire employee and contractors have a responsibility to apply the following security and protection measures to all records created or received when carrying out the Shire's business.

4. ACCESS TO RECORDS

Access to the Shire's records by employee and contractors will be in accordance with designated access and security classifications.

Access to the Shire's records by the general public will be in accordance with the Freedom of Information Act 1992.

Access to the Shire's records by Council members will be through the Chief Executive Officer in accordance with the Local Government Act 1995.

5. LOCAL GOVERNMENT COUNCIL MEMBERS

In relation to the recordkeeping requirements of Local Government council members, records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision-making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of Local government and other communications and transactions of council members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Local Governments must ensure that appropriate practises are established to facilitate the ease of capture and management of council members' records up to and including the decision-making processes of Council.

6. APPRAISAL, RETENTION AND DISPOSAL OF RECORDS

Records will only be destroyed or otherwise disposed of by reference to the General Disposal Authority for Local Government Records issued by the State Records Office and following authorisation from the responsible Officer and the Chief Executive Officer. Records identified as a State Archive should be transferred to the State Records Office in accordance with the requirements of the General Disposal Authority for Local Government Records.

ASSOCIATED DOCUMENTS

- *State Records Act 2000*
- *s2.7 - Local Government Act 1995*
- *Freedom of Information Act 1992*

POLICY TYPE:	GOVERNANCE AND COUNCIL MEMBERS
DATE ADOPTED:	18/07/2019

POLICY NO:	22
DATE LAST REVIEWED:	17/09/2020 16/09/2021 15/09/2022

LEGAL (PARENT):	<i>S9.49A Local Government Act 1995</i>
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LEGAL (SUBSIDIARY):	
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DELEGATION OF AUTHORITY APPLICABLE:	Yes
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DELEGATION NO.	05
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ADOPTED POLICY	
TITLE:	Use of Common Seal
OBJECTIVE:	<ul style="list-style-type: none"> To establish the circumstances under which the official Council Common Seal may be affixed to documents. The application of this policy is to be by Council members and the CEO and any legislative requirements of the Local Government Act 1995 that may be enforced.

POLICY STATEMENT

1. AFFIXING THE COMMON SEAL

The *Local Government Act 1995 s9.49A* specifies the circumstances and conditions for affixing the Common Seal.

2. DOCUMENTS REQUIRING THE COMMON SEAL TO BE AFFIXED

The Common Seal is to be affixed only to documents required by Legislation to be executed using the Common Seal e.g., *Transfer of Land Act 1893*.

3. PROCEDURES FOR THE USE OF THE COMMON SEAL

The Chief Executive Officer is responsible for the security and proper use of the Common Seal.

4. WORDING OF THE COMMON SEAL CLAUSE

If the legislation is silent on the wording of the Common Seal clause then the following shall apply: Example - Where the Common Seal is Affixed by Resolution of Council

DATED: 20_

The Common Seal of the Shire of [name] was affixed by authority of a resolution of the Council in the presence of:

[INSERT NAME OF PRESIDENT]

PRESIDENT

[INSERT NAME OF CEO]

CHIEF EXECUTIVE OFFICER

5. COMMON SEAL REGISTER

Entries in the register are to indicate;

- The document to which the seal was affixed;
- The date the seal was affixed;
- The people who have attested to the seal being affixed to the document;
- The date on which the Council resolved to make the decision or enter into the contract to which the document relates; and the date on which the Council resolved to grant authorisation for the seal to be affixed to the relevant document

6. SECURITY OF THE COMMON SEAL

The CEO is to make appropriate arrangements for:

- Keeping the seal in a safe and secure location; and
- The appointment of a person who is to have custody of the seal.

POLICY TYPE:	POLICY NO: 84
DATE ADOPTED: 15 September 2022	DATE LAST REVIEWED:
LEGAL (PARENT): <i>Local Government Act 1995</i>	LEGAL (SUBSIDIARY):
DELEGATION OF AUTHORITY APPLICABLE:	DELEGATION NO.

ADOPTED POLICY	
TITLE:	Complaints Management
OBJECTIVE:	To provide the highest level of service to the Shire of Wandering's customers and establish a framework to guide the Shire in its management and handling of complaints.

The Shire of Wandering (the 'Shire') is committed to managing complaints in a consistent and unbiased manner that complies with Australian Standard Guidelines and the WA Ombudsman thus ensuring an open and responsive complaints handling process.

This policy applies to all Elected Members, staff and contractors of the Shire that receive and manage customer feedback relating to products and services delivered by or on behalf of the Shire.

For the purposes of this policy, the following is not classified as a complaint:

- Requests for Shire services;
- Requests for information or explanations of policies, procedures or decisions of Council
- Reports of damaged or faulty infrastructure (eg damaged footpath, potholes in road);
- Reports of hazards;
- Reports concerning neighbours or neighbouring property (ie noise or unauthorised building works);
- Issues over twelve months old; or
- The lodging of an appeal in accordance with policy or procedure.

DEFINITIONS

Complaint: The Australian Standard for Complaints Management (ISO 10002:2014) defines a complaint as any "Expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required".

Malicious Complaint: A complaint made for the purpose of hurting another person (their career, their reputation or their livelihood).

Frivolous Complaint: A complaint that has no serious purpose or value. It may have little merit and be trivial; investigating would be out of proportion to the seriousness of the issue complained about.

Vexatious Complaint: A complaint that is not supported by any evidence and there is other evidence to suggest that the complaint was made primarily for the purpose of causing annoyance.

POLICY STATEMENT

The Shire recognises that customers have a right to expect that principles of efficiency, effectiveness, fairness, impartiality and responsiveness will underpin service delivery. When customers believe that their expectations have not been met, they have the right to expect that the Shire will deal with their concerns in a professional, respectful, satisfactory and timely manner.

The Shire welcomes customer service complaints as a form of feedback, and will use this feedback to:

- 1) Provide opportunities for system and process improvement;
- 2) Provide equitable redress to the customer for poor service or processes; and
- 3) Provide an opportunity to actively resolve service complaints and reduce the incidence of recurring complaints.

COMPLAINTS HANDLING

The Shire will endeavour to resolve issues that are the subject of complaints at the first point of contact or within a reasonable timeframe. Complaints may be lodged with the Shire in the following ways:

- In writing;
- By telephone;
- In person; or
- Completing a Complaint Report available at the Shire Office or on the Shire's website.

Complainants are encouraged to include their name, address and contact number and a brief description of the issue.

ANONYMOUS COMPLAINTS AND CONFIDENTIALITY

An anonymous complaint will only be investigated where reasonable and sufficient information is provided and which, in the opinion of Shire staff, constitutes:

- a breach of statutory provisions;
- a breach of an approval, licence or permit;
- a matter for which the Shire is obliged to act, prescribed in the Local Government Act 1995, Corruption, Crime and Misconduct Act 2003 or under any other written law;
- a matter which if not attended to could reasonably constitute a risk to public health and safety or persons, animals or the environment; and
- a matter which is deemed to be capable of investigation and resolution without assistance from the complainant.

The Shire encourages complainants to provide full contact information when lodging complaints, however where a complainant requests their identity and complaint details remain confidential; the Shire will ensure to the best of its ability that disclosure of any personal information to third parties is not made. The Shire however cannot guarantee that they will not be identified during investigation, and as such, it is the complainants right to decide if they would like to proceed with the complaint.

MALICIOUS, FRIVOLOUS AND VEXATIOUS COMPLAINTS

While there is currently no legislative provision to deal with Vexatious complaints, the Department of Local Government has advised that it is within the local government's administrative responsibility to take whatever action it considers necessary.

Every endeavour will be made by the Shire to deal with complaints with the utmost seriousness, however the Shire may refuse to investigate a complaint if:

- the complainant behaves in an ongoing actively hostile manner;
- the complaint is considered to be trivial and/or frivolous; or
- the complainant is consistently making complaints of trivial and/or frivolous matters.

The Shire may consider it appropriate to determine that vexatious questions, complaints and repetitive communications are not given priority or that no further action will be taken regarding the complaint as the complaint may divert a substantial and unreasonable portion of the Shire's resources away from its other functions.

The Shire may, at its discretion, seek legal advice with respect to implications of the suspected malicious, frivolous or vexatious complaint.

UNREASONABLE CONDUCT BY COMPLAINANTS

Unreasonable Persistence: In some instances, the Shire will encounter complainants who refuse to accept the decision of the complaint handler solely on the fact that the decision was not in the complainants favour. Complainants may also make persistent and repeated contact with the Shire to the point that the complaint or complainant diverts a substantial and unreasonable portion of resources away from the Shire's other functions.

Unreasonable Behaviour: In some instances, the Shire will encounter complainants whose behaviour is aggressive or threatening, consistently rude, abusive or the complainant makes threats to oneself, staff or third parties (whilst using Council services or on Council premises) or in general.

Under the above circumstances, details of complaints are to be provided to the Chief Executive Officer who will recommend that:

- 1) further correspondence and/or telephone contact with the complainant be restricted;
- 2) further discussions, interviews etc will not be granted that relate to the same matter;
- 3) access to Council premises be restricted for a specified period of time.

The Chief Executive Officer (CEO) will consider all facts and issues of the individual case prior to acting on any recommendation/s. If a decision is made to endorse the recommendation, the CEO will write to the complainant explaining the decision.

All threats made to staff or third parties will be reported to the WA Police.

COMPLAINTS THAT WILL NOT BE INVESTIGATED

The Shire may determine that a complaint will not be investigated where that complaint:

- is considered malicious, frivolous or vexatious or not made in good faith or concerns trivial matters;
- involves a matter where an adequate remedy or right of appeal already exists, whether or not the complainant uses the remedy or right of appeal;
- where a matter is subject to an existing mediation process;
- relates to a decision made by a meeting of Council;
- relates to conduct before a court, coroner or tribunal;
- relates to a matter under investigation by the Minister for Local Government, Corruption and Crime Commission, the WA Ombudsman's office, a Minister of the Crown or Government Department or the WA Police Service;
- relates to the appointment or dismissal of an employee or an industrial or disciplinary issue;
- relates to a decision, recommendation, act or omission which is more than one year old;
- relates to actions or conduct of private individuals;
- involves a matter where the complainant declines or refuses to provide further information and/or there are threats made against the Shire and/or its staff.

Should the Shire decide not to investigate a complaint, the complainant will be advised of the reason for the decision.

COMPLAINTS REGARDING ELECTED MEMBERS

The Local Government (Rules of Conduct) Regulations 2007 provides a disciplinary framework to address matters of misconduct by local government council members. Any person may make a formal complaint about an elected member for a minor or serious breach under these Regulations.

Conduct of elected members is covered by "Code of Conduct - Elected Members". Complaints about conduct can also be made through this document which can be found on the Shire's website at www.wandering.wa.gov.au

ALLEGATIONS OF MISCONDUCT

Allegations concerning criminal, corrupt or seriously improper conduct will be dealt with independent of the Shire's complaint handling process. The Shire has appointed Principal Officers who are required by legislation to assess and if required notify the Public Sector Commission (PSC) or the Corruption and Crime Commission (CCC) for instances of minor or serious misconduct.

Misconduct by Elected Members

Any allegations of misconduct, whether minor or serious in nature, will in the first instance be referred to the Chief Executive Officer and/or Shire President for determination including whether there are reasonable grounds for the compulsory notification to the CCC or the Police.

Misconduct by Employees/Public Officers

Allegations of misconduct of a minor nature, will be referred to the PSC if the misconduct could constitute a disciplinary offence providing reasonable grounds for termination of a person's employment.

In circumstances of serious misconduct, where misconduct involves corrupt intent and/or criminal conduct, these matters will be referred to the CCC.

Further information is available from the Commissions website - www.ccc.wa.gov.au

THE PUBLIC INTEREST DISCLOSURE ACT 2003 (PID ACT)

The PID Act is designed to facilitate the disclosure of allegations or complaints about persons who are government officials, or public authorities and their contractors. This legislation specifically covers improper conduct, corruption, irregular or unauthorised use of public resources, conduct involving a substantial and specific risk or injury to public health, prejudice to public safety or harm to the environment.

Before making a disclosure it is important that you are aware of the rights and responsibilities imposed on you and others under the Act. Further information is available through the Shire's website at www.wandering.wa.gov.au

COMPLAINTS TO THE OMBUDSMAN AND THIRD PARTY AGENCIES

The Ombudsman can investigate complaints about most Western Australian public authorities, including local governments.

Generally the Ombudsman will investigate actions or decision where the decision maker has:

- Acted outside their legal authority;
- Not followed policy, or applied its policy inconsistently;
- Did not consider all the relevant information, or considered irrelevant information;
- Unreasonably delayed making a decision or informing the complainant of the decision; or
- Failed to notify the complainant of the decision or did not provide reasons for a decision.

Complaints in this category will be dealt with independent of the Shire's Complaint Handling process.

REVIEW PROCESS

Where a complainant is dissatisfied with the way in which a complaint has been dealt with and/or the final determination of the complaint by the Shire, the following is to occur:

- 1) The complaint is to be referred to the relevant Director to investigate the matter and review the action and steps taken to resolve the complaint;
- 2) A report will be provided to the CEO detailing the history of the complaint and the actions taken to resolve the issue/s;
- 3) The CEO will determine the appropriate resolution of the outstanding complaint and the review of the service complaint handling process.

Should the CEO consider appropriate, an independent review of the complaint will be carried out.

In circumstances where internal processes are unable to resolve a complaint or satisfy the complainant, the Shire may refer the complainant to appropriate external agencies, such as the State Administrative Tribunal or State Ombudsman Office, for review.

All complaints received by the Shire will be recorded in the mandated records management system as a 'complaint'.

12.4 Transfer of Asset – Water Corp Dam 1 and 2

File Reference:	32.1.2
Location:	Shire of Wandering
Applicant:	N/A
Author:	Lisa Boddy, Executive Assistant
Authorising Officer	Dr Alistair Pinto, Chief Executive Officer
Date:	23 October 2025
Disclosure of Interest:	Nil.
Attachments:	Asset Transfer Deed - Shire of Wandering
Previous Reference:	Item 12.2 Ordinary Council Meeting 21 March 2024
	Item 10.3 Ordinary Council Meeting 18 July 2019
	Item 10.1.4 Ordinary Council Meeting 21 March 2019

Summary:

To formalise the transfer of ownership of Water Corp Dams 1 and 2 to the Shire of Wandering.

Background:

The Water Corporation have been working with the Shire on transferring ownership of two dams in Wandering, since 2019.

The subdivision and transfer of land to the Shire, via Department of Parks Lands & Heritage (DPLH), was completed in May this year.

The team at Water Corporation has now prepared an Asset Transfer Deed to formally transfer ownership of the dams for the Shire's ongoing use. This is attached for your reference.

Water Corporation are seeking Council support for the CEO to sign this asset deed on behalf of the Shire of Wandering.

Comment:

Water Corporation is planning to install fencing around the tanks and chlorinator via the easement. This can be discussed further at a later date with Water Corporation as part of the asset transfer arrangements.

Consultation:

Water Corporation
CEO
Councillors

Statutory Environment:

Water Corporations Act 1995
Water Services Act 2012

Policy Implications:

Nil.

Financial Implications:

Nil

Strategic Implications: Provide Strong Leadership

Our Goals	Our Strategies
We plan for the future and are strategically focused	Engage with local, regional, state and federal stakeholders to grow mutually beneficial relationships

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Unlikely (2)
Risk Impact / Consequence	Insignificant (1)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of two (2) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register.

Voting Requirements:

Simple Majority

051025 Moved: Cr D Jennings

Seconded: Cr G Hansen

Recommendation and Council Decision:

That Council authorise:

- the CEO to sign this asset deed on behalf of the Shire of Wandering
- the CEO to finalise plans with the Water Corporation to install fencing around the tanks and chlorinator via the easement at their cost.

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson

Against: Nil

Asset Transfer Deed

Water Corporation

and

Shire of Wandering

LEGAL SERVICES BUSINESS UNIT
FINANCE GROUP
WATER CORPORATION
629 NEWCASTLE STREET
LEEDERVILLE
WESTERN AUSTRALIA 6007

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Inquiries should be addressed to General Counsel

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ASSET TRANSFER DEED

Parties

WATER CORPORATION (ABN: 28 003 434 917) a statutory body corporate established under the *Water Corporation Act 1995* (WA) of 629 Newcastle Street, Leederville, Western Australia 6007 ("**Corporation**")

AND

SHIRE OF WANDERING (ABN: 27 552 059 809) of 22 Watts Street, Wandering, Western Australia 6308 ("**Assignee**")

Background

- A. The Corporation currently owns the Assets.
- B. The Corporation no longer requires the Assets and has agreed to transfer ownership of the Assets to the Assignee on the terms and conditions set out in this agreement.

Operative provisions

1. Definitions and Interpretations

1.1 Definitions

In this Contract, except where the context otherwise requires:

Assets	means Wandering Dam 1 and Wandering Dam 2 (including associated catchments, pipelines and other appurtenances), located on Reserve 54245 under management orders to the Assignee as shown in annexure 1 of this Deed. For clarity, the Assets do not include the drinking water storage, treatment and conveyance facilities located directly east of Dam 1.
Encumbrance	means <ul style="list-style-type: none"> (a) every caveat, mortgage, pledge, charge, lien, assignment, hypothecation, security interest, title retention, hire, hire purchase agreement, bill of sale, chattel lease, chattel security, preferential right or trust arrangement; and (b) every other security agreement or arrangement of any kind given or created, in each case, by way of security.
GST	Has the same meaning as in the <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth).
Transfer Date	means the date the last party to this deed signs the deed or any other date the parties agree in writing.

1.2 Interpretation

In the Deed the following rules apply unless the context expressly requires otherwise:

- (a) a reference to a person includes a company, partnership, joint venture, association, corporation or other body corporate and any governmental agency and includes that person's successors,

permitted assigns, substitutes, executors, administrators and any person claiming under or through the party;

- (b) specifying anything in this Deed after the words 'including', 'includes' or 'for example' or similar expressions does not limit what else is included unless there is express wording to the contrary;
- (c) if a word is defined, another part of speech or grammatical form of that word has a corresponding meaning;
- (d) words in the singular include the plural and words in the plural include the singular, according to the requirements of the context;
- (e) the clause headings in the Deed are for convenience only and do not affect interpretation of the Deed;
- (f) if the time for giving any notice, making any payment or doing any other act required or permitted by the Deed, falls on a day which is not a Business Day, then the time for giving the notice, making the payment or doing the other act shall be deemed to be on the next Business Day;
- (g) unless otherwise provided, prices are in Australian dollars;
- (h) communications between the Corporation and the Assignee shall be in the English language;
- (i) the Corporation may exercise the rights conferred by the Deed in addition to any other rights or remedies that the Corporation is or may be entitled to against the Assignee, whether at law or under the Deed;
- (j) the rights, duties and remedies granted or imposed under the terms of the Deed operate to the extent not excluded by law;
- (k) in the interpretation of the Deed, no rule of construction applies to the disadvantage of one Party on the basis that that Party put forward or drafted the Deed or any provision in it; and
- (l) a reference to a part, clause, party, schedule or annexure is a reference to a part, clause, party, schedule or annexure to the Deed and a reference to the Deed includes any schedule or annexure.

2. Corporation's obligations

- (a) The Corporation must own and operate the Assets until the Transfer Date.
- (b) The Corporation agrees and acknowledges that prior to the Transfer Date, the Assignee has no responsibility for:
 - (i) the operation, repair or maintenance of the Assets; or
 - (ii) any liability to any person that arises as a result of any failure to operate, repair or maintain the Assets.
- (c) Immediately upon execution of this agreement, the Corporation must grant to the Assignee full use of and, to the extent possible, access to the Assets.

3. Assignee's obligations

- (a) On and from the Transfer Date, the Assignee will be responsible for the operation, maintenance and repair of the Assets.

- (b) For the avoidance of doubt, the Assignee acknowledges that on and from the Transfer Date, the Corporation will have no responsibility for, or liability arising from, the operation, maintenance and repair of the Assets.

4. Transfer of the Assets

4.1. Disengagement notice

In consideration of the payment of \$1 (including GST) by the Assignee to the Corporation (receipt of which is acknowledged by the Corporation), the Corporation agrees to transfer and assign, and the Assignee agrees to accept such transfer and assignment, the Assets free of all Encumbrances and other third party rights with effect from the Transfer Date and on the terms and conditions of this agreement.

4.2. Title and risk

Title to and risk in respect of the Assets passes to the Assignee on the relevant Transfer Date.

4.3. Further assistance

The Assignee must (at no cost to the Corporation) execute or deliver to the Corporation any document reasonably required by the Corporation to transfer the Assets to the Assignee.

5. Warranties

5.1. Corporation's warranties

- (a) The Corporation gives the following warranties in favour of the Assignee as at the date of this agreement and on each day up to and including the relevant Transfer Date:
 - (i) The Corporation is the legal and beneficial owner of the Assets;
 - (ii) The Assets are free and clear of all Encumbrances; and
 - (iii) The Corporation has not granted or created or agreed to grant or create any Encumbrance or third-party interest in respect of the Assets.
- (b) The Corporation gives the following warranties in favour of the Assignee as at the date of this agreement:
 - (i) the execution, delivery and performance by the Corporation of this agreement does not constitute a breach of any law or obligation, or cause or result in a default under any agreement, or Encumbrance, by which it is bound and which would prevent it from entering into and performing its obligations under this agreement; and
 - (ii) the Corporation has full power and authority to enter into and perform its obligations under this agreement.
- (c) Except as otherwise expressly stated in this agreement, the Assets are transferred, assigned or delivered to the Assignee by the Corporation on an 'as is,' 'where is' basis and the Corporation makes no representation, warranty or promise of any kind in relation to the Assets.

5.2. Assignee's warranties

the Assignee gives the following warranties in favour of the Corporation as at the date of this agreement:

- (a) The execution, delivery and performance by the Assignee of this agreement does not constitute a breach of any law or obligation, or cause or result in a default under any agreement, or Encumbrance, by which it is bound and which would prevent it from entering into and performing its obligations under this agreement;

- (b) the Assignee has full power and authority to enter into and perform its obligations under this agreement;
- (c) the Assignee acknowledges that it has inspected the Assets and agrees to take the Assets on an 'as is,' 'where is' basis;
- (d) the Assignee warrants that it has not entered into this agreement in reliance on any express or implied representation, warranty, promise or statement made by the Corporation.

6. Indemnities

On and from the Transfer Date, the Assignee indemnifies and releases and must keep indemnified the Corporation against any loss, damage or claim arising on or after the Transfer Date that the Corporation may pay, suffer or incur, or that may be made against the Corporation arising from or in connection with the use, operation, maintenance and/or repair of the Assets, except to the extent any loss, damage or claim arises (directly or indirectly) as a result of any negligent or unlawful act or omission or default of the Corporation, its servants, agents, contactors or consultants.

7. General

7.1. Costs and duty

Each party must pay its own costs and expenses in respect of the negotiation, preparation, execution and delivery of this Deed.

7.2. Notices

A notice or other communication including, but not limited to, a request, demand, claim, consent, approval or authority, to or by a party under this Deed must be in writing and addressed as shown at the beginning of this Deed or to any other address specified by any party to the sender by notice.

7.3. Governing law and jurisdiction

- (a) This Deed is governed by the laws of Western Australia.
- (b) Each party irrevocably submits to the exclusive jurisdiction of the courts of Western Australia.

7.4. Severance

Where a clause in this Deed is void, illegal or unenforceable, it may be severed without affecting the enforceability of the other provisions in this Deed.

7.5. Variation

A variation of any term of this Deed must be in writing and executed by the parties.

7.6. Assignment

Neither party can assign its rights and obligations under this agreement without the other party's prior written consent.

7.7. Entire agreement

This Deed replaces all previous agreements in respect of its subject matter and contains the entire agreement between the parties.

Executed as a Deed

Signed for and on behalf of the
WATER CORPORATION (ABN: 28 003 434 917)
 by its duly authorised representative

 Signature

 Print Name

 Title

 Date

 Signature of Witness

 Print Witness's Name

 Title

 Date

Signed, sealed and delivered for and on behalf of
SHIRE OF WANDERING (ABN: 27 552 059 809)
 by its duly authorised representative

 Signature of Authorised
 Representative

 Print Name

 Title

 Date

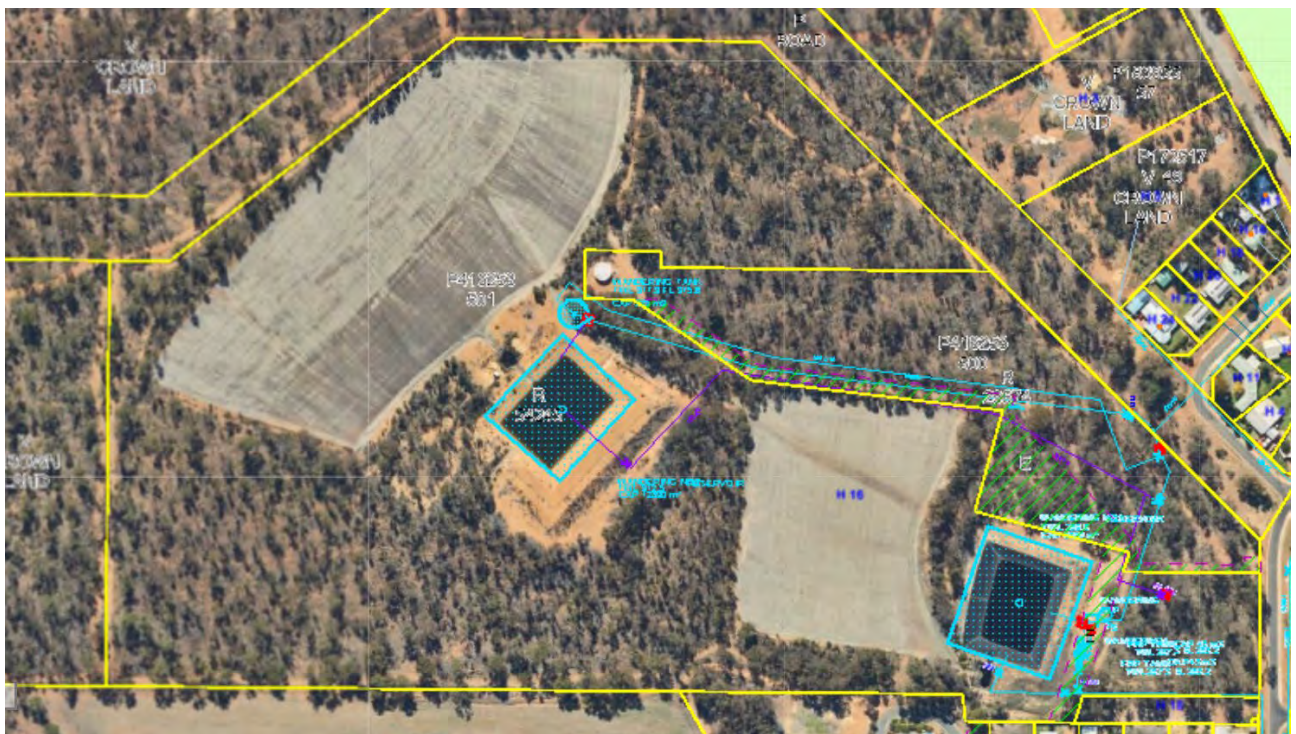
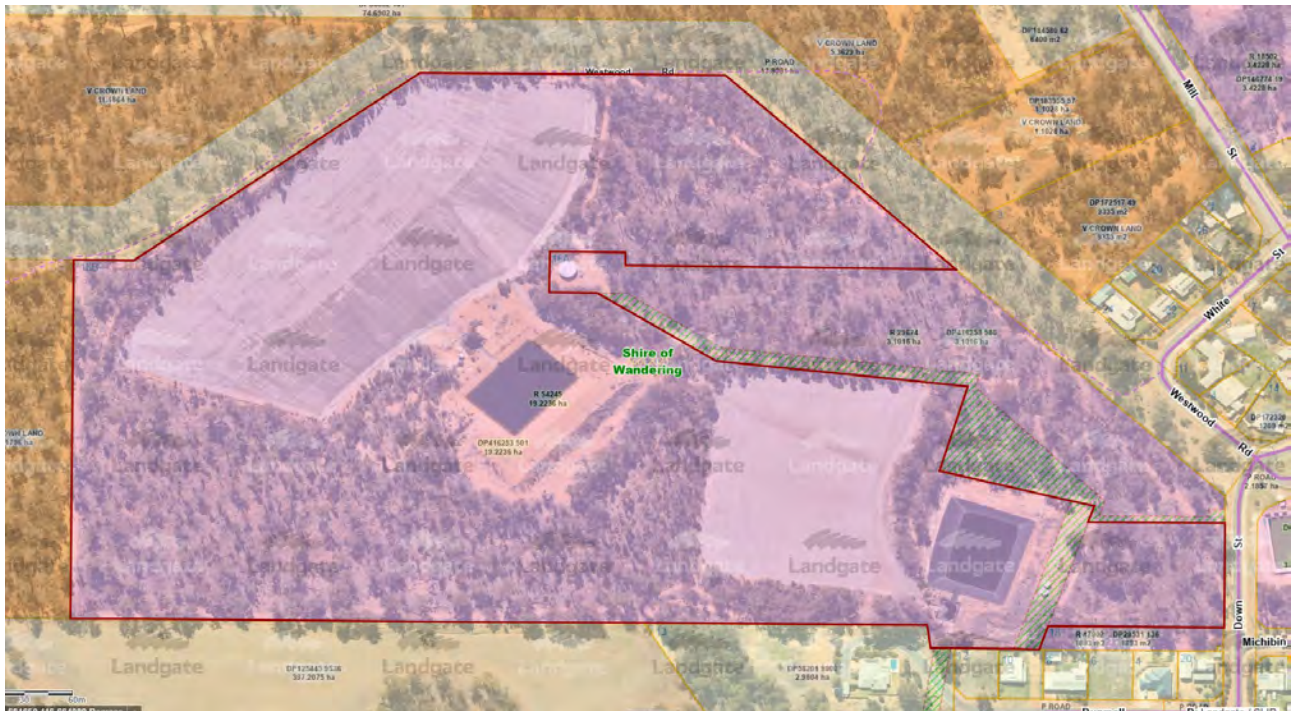
 Signature of Witness

 Print Witness's Name

 Title

 Date

Annexure 1:



13. Finance

13.1 Financial Report 30 September 2025

File Reference:	N/A
Location:	N/A
Applicant:	N/A
Author:	Bob Waddell
Authorising Officer	Dr Alistair Pinto – Chief Executive Officer
Date:	11 October 2025
Disclosure of Interest:	N/A
Attachments:	September 2025 Financial Statements
Previous Reference:	Nil

Summary:

Consideration of the financial report for the period ending 30 September 2025.

Background:

The financial report is included as an attachment for Council information.

Comment:

If you have any questions regarding details in the financial report, please contact the office prior to the Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

Consultation:

Not applicable.

Statutory Environment:

Section 34 (1) (a) of the *Local Government (Financial Management) Regulations 1996* states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

Policy Implications:

Not applicable.

Financial Implications:

Not applicable.

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	<ul style="list-style-type: none"> • Improve accountability and transparency • Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs • Prudently manage our financial resources to ensure value for money • Reduce reliance on operational grants

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	<ul style="list-style-type: none"> • Improve accountability and transparency • Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs • Prudently manage our financial resources to ensure value for money • Reduce reliance on operational grants

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of two (2) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register to ensure Local Government Act and Regulations compliance.

Voting Requirements:

Simple Majority

061025 Moved: Cr G Hansen Seconded: Cr P Latham

Recommendation and Council Decision:

That the financial report for the period ending 30 September 2025 as presented be accepted.

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr ThompsonAgainst: Nil



SHIRE OF WANDERING

MONTHLY FINANCIAL REPORT (Containing the Statement of Financial Activity) FOR THE PERIOD ENDED 30 SEPTEMBER 2025

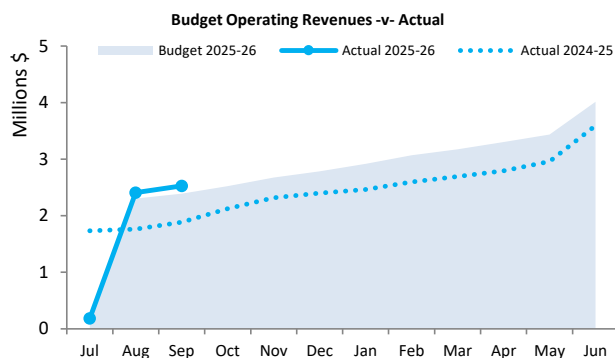
LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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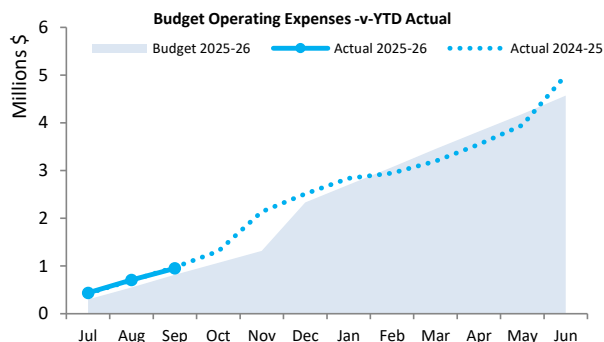
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OPERATING ACTIVITIES

OPERATING REVENUE

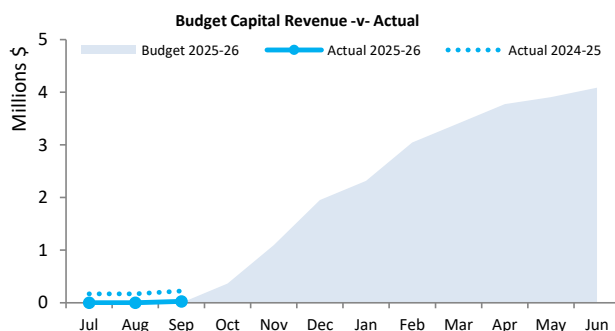


OPERATING EXPENSES

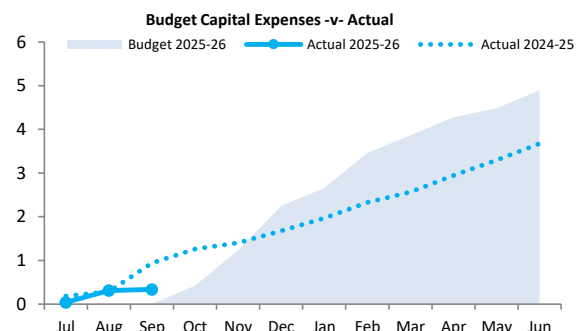


INVESTING ACTIVITIES

CAPITAL REVENUE

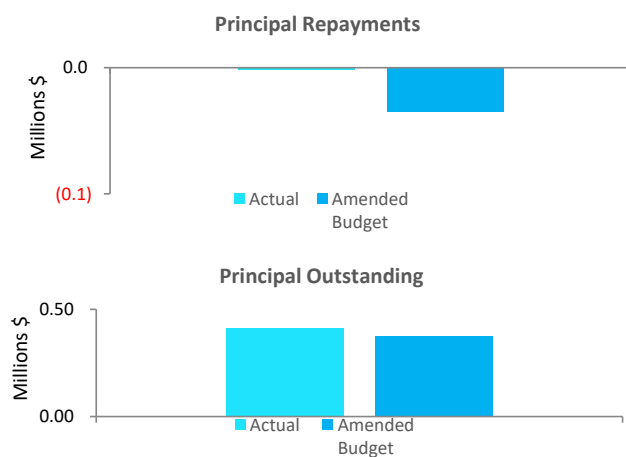


CAPITAL EXPENSES

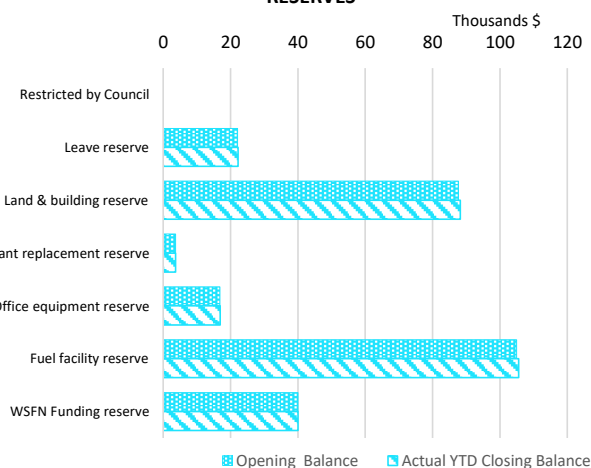


FINANCING ACTIVITIES

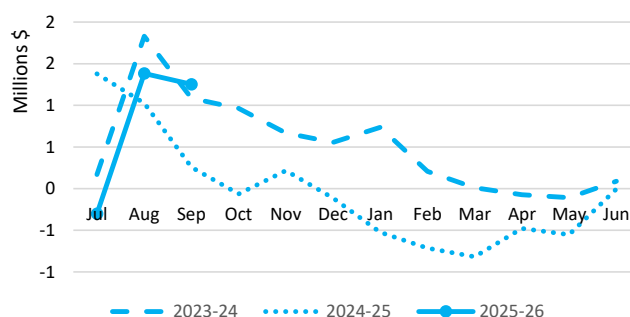
BORROWINGS



RESERVES



Closing funding surplus / (deficit)



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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025

BY NATURE

	Ref Note	Adopted Annual Budget (a)	Amended Annual Budget (d)	YTD Budget (b)	YTD Actual (c)	Variance \$ (c) - (b)	Variance % ((c) - (b))/(b)	Var. ▲▼
		\$	\$	\$	\$	\$	%	
OPERATING ACTIVITIES								
Revenue from operating activities								
Rates		2,051,418	2,051,418	2,051,418	2,051,418	0	0.00%	
Operating grants, subsidies and contributions	11	691,632	691,632	95,724	225,303	129,579	135.37%	▲
Fees and charges		731,720	731,720	185,877	241,754	55,877	30.06%	▲
Interest revenue		31,500	31,500	7,872	7,348	(524)	(6.66%)	
Other revenue		352,725	352,725	8,652	1,985	(6,667)	(77.05%)	
Profit on disposal of assets	5	155,402	155,402	38,850	0	(38,850)	(100.00%)	▼
Fair value adjustments to financial assets at fair value through profit or loss		0	0	0	0	0	0.00%	
		4,014,397	4,014,397	2,388,393	2,527,809	139,416	5.84%	
Expenditure from operating activities								
Employee costs		(1,391,354)	(1,391,354)	(347,709)	(466,906)	(119,197)	(34.28%)	▼
Materials and contracts		(1,457,832)	(1,457,832)	(371,764)	(394,210)	(22,446)	(6.04%)	
Utility charges		(56,900)	(56,900)	(14,193)	(13,740)	453	3.19%	
Depreciation on non-current assets		(1,475,545)	(1,475,545)	(12,702)	0	12,702	100.00%	▲
Finance costs		(29,496)	(29,496)	(7,368)	1,215	8,583	116.49%	
Insurance expenses		(105,025)	(105,025)	(48,407)	(72,570)	(24,163)	(49.92%)	▼
Other expenditure		(54,984)	(54,984)	(13,744)	(3,340)	10,404	75.70%	▲
Loss on disposal of assets	5	0	0	0	0	0	0.00%	
		(4,571,136)	(4,571,136)	(815,887)	(949,551)	(133,664)	16.38%	
Non-cash amounts excluded from operating activities	1(a)	1,321,107	1,321,107	(25,185)	139	25,324	(100.55%)	
Amount attributable to operating activities		764,367	764,367	1,547,321	1,578,396	31,075	2.01%	
INVESTING ACTIVITIES								
Inflows from investing activities								
Proceeds from capital grants, subsidies and contributions	12	3,642,725	3,642,725	0	27,267	27,267	0.00%	▲
Proceeds from disposal of assets	5	264,000	264,000	0	0	0	0.00%	
		3,906,725	3,906,725	0	27,267	27,267	0.00%	▲
Outflows from investing activities								
Payments for inventories, property, plant and equipment and infrastructure	6	(4,531,964)	(4,531,964)	(4,746)	(335,304)	(330,558)	(6964.98%)	▼
		(4,531,964)	(4,531,964)	(4,746)	(335,304)	(330,558)	6964.98%	
Amount attributable to investing activities		(625,239)	(625,239)	(4,746)	(308,037)	(303,291)	6390.45%	
FINANCING ACTIVITIES								
Inflows from financing activities								
Proceeds from new debentures	7	0	0	0	0	0	0.00%	
Transfer from reserves	9	180,000	180,000	0	0	0	0.00%	
		180,000	180,000	0	0	0	0.00%	
Outflows from financing activities								
Repayment of borrowings	7	(34,779)	(34,779)	0	(1,647)	(1,647)	0.00%	
Payments for principal portion of lease liabilities	8	(43,751)	(43,751)	(10,935)	(11,434)	(499)	(4.56%)	
Transfer to reserves	9	(330,086)	(330,086)	0	(1,476)	(1,476)	0.00%	
		(408,616)	(408,616)	(10,935)	(14,556)	(3,621)	33.12%	
Amount attributable to financing activities		(228,616)	(228,616)	(10,935)	(14,556)	(3,621)	33.12%	
MOVEMENT IN SURPLUS OR DEFICIT								
Surplus or deficit at the start of the financial year	1(c)	89,488	89,488	89,488	(3,823)	(93,311)	(104.27%)	▼
Amount attributable to operating activities		764,367	764,367	1,547,321	1,578,396	31,075	2.01%	
Amount attributable to investing activities		(625,239)	(625,239)	(4,746)	(308,037)	(303,291)	6390.45%	
Amount attributable to financing activities		(228,616)	(228,616)	(10,935)	(14,556)	(3,621)	33.12%	
Surplus or deficit at the end of the financial year	1(c)	0	0	1,621,128	1,251,980	(369,148)	(22.77%)	▼

KEY INFORMATION

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

Refer to Note 2 for an explanation of the reasons for the variance.

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

STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025

BY PROGRAM

	Note	Adopted Annual Budget	Amended Annual Budget (d)	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	\$	%	▲▼
OPERATING ACTIVITIES								
Revenue from operating activities								
Governance		0	0	0	0	0	0.00%	
General Purpose Funding - Rates	6	2,051,418	2,051,418	2,051,418	2,051,418	0	0.00%	
General Purpose Funding - Other		396,054	396,054	52,421	84,380	31,959	60.97%	▲
Law, Order and Public Safety		81,528	81,528	15,285	(6,823)	(22,108)	(144.64%)	▼
Health		1,000	1,000	623	166	(457)	(73.40%)	
Education and Welfare		0	0	0	0	0	0.00%	
Housing		33,480	33,480	8,367	11,540	3,173	37.92%	
Community Amenities		57,370	57,370	14,325	51,180	36,855	257.28%	▲
Recreation and Culture		3,000	3,000	747	982	235	31.52%	
Transport		246,902	246,902	38,850	84,988	46,138	118.76%	▲
Economic Services		789,420	789,420	197,330	248,345	51,015	25.85%	▲
Other Property and Services		354,225	354,225	9,027	1,633	(7,394)	(81.91%)	▼
		4,014,397	4,014,397	2,388,393	2,527,809	139,416	5.84%	
Expenditure from operating activities								
Governance		(302,732)	(302,732)	(85,222)	(84,448)	774	0.91%	
General Purpose Funding		(104,631)	(104,631)	(26,151)	(25,012)	1,139	4.35%	
Law, Order and Public Safety		(215,684)	(215,684)	(38,152)	(26,758)	11,394	29.87%	▲
Health		(17,286)	(17,286)	(4,317)	(7,550)	(3,233)	(74.90%)	
Education and Welfare		(6,453)	(6,453)	(1,605)	(2,045)	(440)	(27.43%)	
Housing		(52,643)	(52,643)	(13,116)	(9,893)	3,223	24.58%	
Community Amenities		(290,594)	(290,594)	(73,058)	(70,575)	2,483	3.40%	
Recreation and Culture		(332,828)	(332,828)	(65,608)	(66,228)	(620)	(0.94%)	
Transport		(2,181,392)	(2,181,392)	(293,356)	(303,848)	(10,492)	(3.58%)	
Economic Services		(995,718)	(995,718)	(246,063)	(305,551)	(59,488)	(24.18%)	▼
Other Property and Services		(71,175)	(71,175)	30,761	(47,643)	(78,404)	(254.88%)	▼
		(4,571,136)	(4,571,136)	(815,887)	(949,551)	(133,664)	(16.38%)	▼
Non-cash amounts excluded from operating activities	1(a)	1,321,107	1,321,107	(25,185)	139	25,324	(100.55%)	
Amount attributable to operating activities		764,367	764,367	1,547,321	1,578,396	31,075	2.01%	
INVESTING ACTIVITIES								
Inflows from investing activities								
Proceeds from capital grants, subsidies and contributions	12	3,642,725	3,642,725	0	27,267	27,267	0.00%	▲
Proceeds from Disposal of Assets	5	264,000	264,000	0	0	0	0.00%	
		3,906,725	3,906,725	0	27,267	27,267	0.00%	▲
Outflows from investing activities								
Payments for inventories, property, plant and equipment and infrastructure	6	(4,531,964)	(4,531,964)	(4,746)	(335,304)	(330,558)	(6964.98%)	▼
		(4,531,964)	(4,531,964)	(4,746)	(335,304)	(330,558)	(6964.98%)	▼
Amount attributable to investing activities		(625,239)	(625,239)	(4,746)	(308,037)	(303,291)	6390.45%	
FINANCING ACTIVITIES								
Inflows from financing activities								
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Transfer from Reserves	9	180,000	180,000	0	0	0	0.00%	
		180,000	180,000	0	0	0	0.00%	
Outflows from financing activities								
Payments for principal portion of lease liabilities	8	(43,751)	(43,751)	(10,935)	(11,434)	(499)	(4.56%)	
Repayment of Debentures	7	(34,779)	(34,779)	0	(1,647)	(1,647)	0.00%	
Transfer to Reserves	9	(330,086)	(330,086)	0	(1,476)	(1,476)	0.00%	
		(408,616)	(408,616)	(10,935)	(14,556)	(3,621)	(33.12%)	
Amount attributable to financing activities		(228,616)	(228,616)	(10,935)	(14,556)	(3,621)	33.12%	
MOVEMENT IN SURPLUS OR DEFICIT								
Surplus or deficit at the start of the financial year	1	89,488	89,488	89,488	(3,823)	(93,311)	(104.27%)	▼
Amount attributable to operating activities		764,367	764,367	1,547,321	1,578,396	31,075	2.01%	
Amount attributable to investing activities		(625,239)	(625,239)	(4,746)	(308,037)	(303,291)	6390.45%	
Amount attributable to financing activities		(228,616)	(228,616)	(10,935)	(14,556)	(3,621)	33.12%	
Surplus or deficit at the end of the financial year	1	0	0	1,621,128	1,251,980	(369,148)	(22.77%)	▼

KEY INFORMATION

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

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

SHIRE OF WANDERING
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 SEPTEMBER 2025

	30 June 2025	30 September 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	876,141	1,685,374
Trade and other receivables	105,828	1,494,989
Inventories	70,753	62,500
Other assets	51,482	(6,958)
TOTAL CURRENT ASSETS	1,460,018	3,444,208
NON-CURRENT ASSETS		
Trade and other receivables	22,828	22,828
Other financial assets	19,905	19,905
Inventories	145,291	145,291
Property, plant and equipment	9,006,192	9,006,192
Infrastructure	88,802,599	89,137,903
Right-of-use assets	144,630	144,630
TOTAL NON-CURRENT ASSETS	98,141,445	98,476,749
TOTAL ASSETS	99,601,463	101,920,957
CURRENT LIABILITIES		
Trade and other payables	315,166	112,188
Other liabilities	664,382	1,594,410
Lease liabilities	43,751	32,317
Borrowings	34,853	33,206
Employee related provisions	231,100	231,100
TOTAL CURRENT LIABILITIES	1,289,252	2,003,221
NON-CURRENT LIABILITIES		
Lease liabilities	107,501	107,501
Borrowings	378,154	378,154
Employee related provisions	49,724	49,724
TOTAL NON-CURRENT LIABILITIES	535,379	535,379
TOTAL LIABILITIES	1,824,631	2,538,600
NET ASSETS	97,776,832	99,382,357
EQUITY		
Retained surplus	22,633,556	24,237,605
Reserve accounts	275,290	276,766
Revaluation surplus	74,867,986	74,867,986
TOTAL EQUITY	97,776,832	99,382,357

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

(a) Non-cash items excluded from operating activities

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

	Notes	Adopted Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)
Non-cash items excluded from operating activities		\$	\$	\$	\$
Adjustments to operating activities					
Less: Profit on asset disposals	5	(155,402)	(155,402)	(38,850)	0
Less: Movement in liabilities associated with restricted cash		963	963	963	139
Add: Depreciation on assets		1,475,546	1,475,545	12,702	0
Total non-cash items excluded from operating activities		1,321,107	1,321,107	(25,185)	139

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

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

		Adopted Budget Opening 30 June 2025	Amended Budget Opening 30 June 2025	Last Year Closing 30 June 2025	Year to Date 30 September 2025
Adjustments to net current assets					
Less: Reserves - restricted cash	9	(275,290)	(275,290)	(275,290)	(276,766)
Add: Borrowings	7	34,779	34,779	34,853	33,206
Add: Lease liabilities	8	43,751	43,751	43,751	32,317
Add: Current portion of employee benefit provisions held in reserve		22,097	22,097	22,097	22,236
Total adjustments to net current assets		(174,663)	(174,663)	(174,589)	(189,006)

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

Current assets					
Cash and cash equivalents	3	876,141	876,141	876,141	1,685,374
Rates receivables	4	26,007	26,007	26,007	1,381,440
Receivables	4	67,370	67,370	79,821	113,549
Other current assets	5	478,049	478,049	478,049	263,845
Less: Current liabilities					
Payables	6	(203,362)	(203,362)	(315,166)	(112,188)
Borrowings	7	(34,779)	(34,779)	(34,853)	(33,206)
Contract and Capital Grant/Contribution liabilities	10	(670,424)	(670,424)	(664,382)	(1,594,410)
Lease liabilities	8	(43,751)	(43,751)	(43,751)	(32,317)
Provisions	10	(231,100)	(231,100)	(231,100)	(231,100)
Less: Total adjustments to net current assets	1(b)	(174,663)	(174,663)	(174,589)	(189,006)
Closing funding surplus / (deficit)		89,488	89,488	(3,823)	1,251,980

CURRENT AND NON-CURRENT CLASSIFICATION

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDED 30 SEPTEMBER 2025

NOTE 1

STATEMENT OF FINANCIAL ACTIVITY INFORMATION (ALTERNATE PRESENTATION)

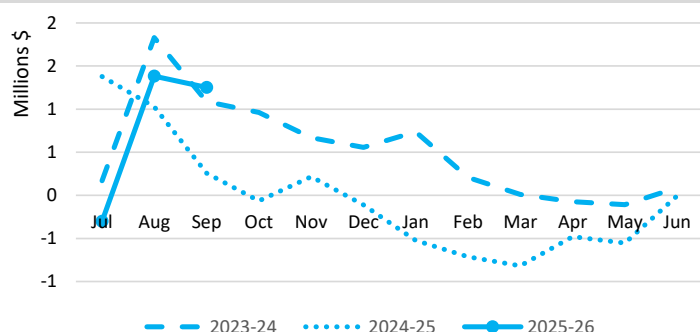
Adjusted Net Current Assets	Note	Last Years Closing 30/06/2025	This Time Last Year 30/09/2024	Year to Date Actual 30/09/2025
		\$	\$	\$
Current Assets				
Cash Unrestricted	3	600,851	836,247	1,408,609
Cash Restricted - Reserves	3	275,290	633,899	276,766
Cash Restricted - Bonds & Deposits	3	0	0	0
Receivables - Rates	4	26,007	336,204	1,381,440
Receivables - Other	4	79,821	184,770	113,549
Other Assets Other Than Inventories	5	407,295	125,147	201,345
Inventories	5	70,753	68,506	62,500
		1,460,018	2,184,773	3,444,208
Less: Current Liabilities				
Payables	6	(307,481)	(82,565)	(104,703)
Contract and Capital Grant/Contribution Liabilities	10	(664,382)	(1,026,226)	(1,594,410)
Bonds & Deposits	6	(7,685)	(9,409)	(7,485)
Loan Liability	7	(34,853)	(4,779)	(33,206)
Lease Liability	8	(43,751)	(30,285)	(32,317)
Provisions	10	(231,100)	(196,434)	(231,100)
		(1,289,252)	(1,349,698)	(2,003,221)
Less: Cash Reserves	9	(275,290)	(633,899)	(276,766)
Add Back: Component of Leave Liability not Required to be funded		22,097	21,681	22,236
Add Back: Loan Liability		34,853	4,779	33,206
Add Back: Lease Liability		43,751	30,285	32,317
Less : Loan Receivable - clubs/institutions		0	0	0
Less : Trust Transactions Within Muni		0	0	0
Net Current Funding Position		(3,823)	257,921	1,251,980

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD

Surplus(Deficit)

\$1.25 M

Last Year YTD

Surplus(Deficit)

\$.26 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025**

**NOTE 2
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.
The material variance adopted by Council for the 2025-26 year is \$10,000 or 10.00% whichever is the greater.

Nature or type	Var. \$	Var. %	Explanation of positive variances		Explanation of negative variances	
			Timing	Permanent	Timing	Permanent
Surplus or deficit at the start of the financial year	\$ (93,311)	% (104.27%)	▼			Budgeted closing position estimate higher than currently at year end. NB: The Shire's accounts are still not closed off or audited so the closing position may yet change.
Revenue from operating activities						
Operating grants, subsidies and contributions	129,579	135.37%	▲	The MRWA Direct grant and CRC operational grant funding received ahead of budget.		
Fees and charges	55,877	30.06%	▲	Refuse collection fees and fuel sales ahead of budget phasing.		
Profit on disposal of assets	(38,850)	(100.00%)	▼			Asset disposals have not yet eventuated but have been budgeted for.
Expenditure from operating activities						
Employee costs	(119,197)	(34.28%)	▼			Various employee costs are running ahead of budget at this point in time.
Depreciation on non-current assets	12,702	100.00%	▲	Asset depreciation has not been run for 2025/26. Depreciation will be run on completion of the audit of the 2024/25 Annual Financial Report.		
Insurance expenses	(24,163)	(49.92%)	▼			Insurance premiums have been paid ahead of budget phasing.
Other expenditure	10,404	75.70%	▲	Payments to Members currently behind budget.		
Investing activities						
Proceeds from capital grants, subsidies and contributions	27,267	0.00%	▲	Recognition of revenue which is tied to capital projects is currently ahead of budget.		
Payments for inventories, property, plant and equipment	(330,558)	(6964.98%)	▼			Expenditure on capital expenditure projects is occurring ahead of budget phasing. Refer to Note 6 for further details.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025

OPERATING ACTIVITIES
NOTE 4
RATE REVENUE

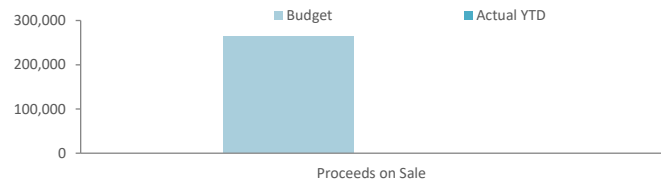
General rate revenue	Budget						YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE				\$	\$	\$	\$	\$	\$	\$
Gross rental value										
GRV Residential	0.15320	34	406,640	62,297	0	62,297	62,297	0	0	62,297
GRV Special Use	0.15320	2	127,920	19,597	0	19,597	19,597	0	0	19,597
GRV Rural Residential	0.15320	57	771,170	118,143	0	118,143	118,143	0	0	118,143
GRV Industrial	0.15320	2	35,360	5,417	0	5,417	5,417	0	0	5,417
UV Rural, Rural Residential and Mining Tenements					0	0	0	0	0	0
Non Rateable					0	0	0	0	0	0
Unimproved value										
UV Rural, Rural Residential and Mining Tenements	0.00516	133	298,629,000	1,540,329	0	1,540,329	1,540,328	0	0	1,540,328
Non Rateable										
Non Rateable	0.00000	0	0	0	0	0	0	0	0	0
Sub-Total		228	299,970,090	1,745,783	0	1,745,783	1,745,783	0	0	1,745,783
Minimum payment	Minimum \$									
Gross rental value										
GRV Residential	1,600	46	247,768	73,600	0	73,600	73,600	0	0	73,600
GRV Special Use	1,600	2	14,133	3,200	0	3,200	3,200	0	0	3,200
GRV Rural Residential	1,600	45	200,504	72,000	0	72,000	72,000	0	0	72,000
Unimproved value										
UV Rural, Rural Residential and Mining Tenements	1,600	95	18,438,335	152,000	0	152,000	152,000	0	0	152,000
Sub-total		188	18,900,740	300,800	0	300,800	300,800	0	0	300,800
		416	318,870,830	2,046,583	0	2,046,583	2,046,583	0	0	2,046,583
Discount						0				0
Concession						0				0
Amount from general rates						2,046,583				2,046,583
Rates Written Off		0	0	0	0	0	0	0	0	(0)
Ex-gratia rates		0	0	0	0	4,835	4,835	0	0	4,835
Total		416				2,051,418				2,051,418

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2021 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		Value							
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Transport								
		0	0	0	0	0	0	0	0
647	2016 Isuzu Crew Cab Truck - WD.6	6,585	55,000	48,415	0	0	0	0	0
693	2024 Isuzu MU-X 4X4 LSU Auto 3.0L (OM) WD001	17,393	51,500	34,107	0	0	0	0	0
692	2024 Isuzu MU-X 4X4 SUV Wagon Auto 3.0L (CEO) OWD	20,079	54,000	33,921	0	0	0	0	0
	Isuzu MU-X 0 WD (Second Changeover)	43,500	54,000	10,500	0	0	0	0	0
695	2024 Isuzu D-MAX RG1 C/CAB SX Auto 3.0L (WS)	21,042	49,500	28,458	0	0	0	0	0
		108,598	264,000	155,402	0	0	0	0	0

The Shire has no assets budgeted for disposal in 2023/24.



Capital acquisitions	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Actual Variance
	\$	\$	\$	\$	\$
Land held for resale - cost	50,000	50,000	0	0	0
Buildings	9,000	9,000	2,247	0	(2,247)
Furniture and equipment	22,000	22,000	2,499	0	(2,499)
Plant and equipment	409,000	409,000	0	0	0
Infrastructure - roads	2,884,651	2,884,651	0	335,304	335,304
Infrastructure - bridges	1,151,411	1,151,411	0	0	0
Infrastructure - footpaths	5,902	5,902	0	0	0
Payments for Capital Acquisitions	4,531,964	4,531,964	4,746	335,304	330,558
Capital Acquisitions Funded By:					
	\$	\$	\$	\$	\$
Capital grants and contributions	3,642,725	3,642,725	0	27,267	27,267
Other (disposals & C/Fwd)	264,000	264,000	0	0	0
Cash backed reserves					
Plant replacement reserve	145,000	145,000	0	0	0
WSFN Funding reserve	35,000	35,000	0	0	0
Contribution - operations	445,239	445,239	4,746	308,037	303,291
Capital funding total	4,531,964	4,531,964	4,746	335,304	330,558

SIGNIFICANT ACCOUNTING POLICIES

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

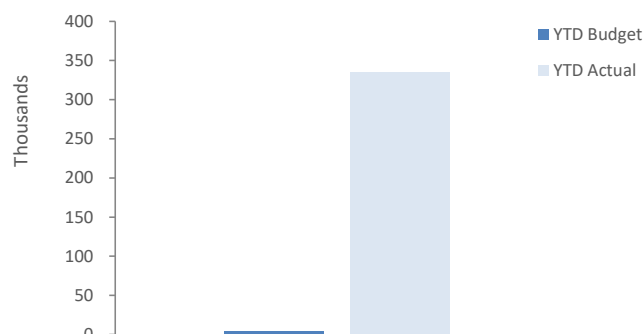
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

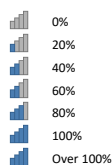
Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



Capital expenditure total
Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

Level of completion indicator, please see table at the end of this note for further detail.

	Account Number	Job Number	Balance Sheet Category	Account/Job Description	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	Variance (Under)/Over
					\$	\$	\$	\$	\$
	Land Held for Resale								
	Other Property & Services								
	E14761		511	Land Held for Resale - Industrial Estate & Lot 801	(50,000)	(50,000)	0	0	0
	Total - Other Property & Services				(50,000)	(50,000)	0	0	0
	Total - Land Held for Resale				(50,000)	(50,000)	0	0	0
	Buildings								
	Economic Services								
	E13260		521	Purchase Buildings-Tourism	(9,000)	(9,000)	(2,247)	0	2,247
	Total - Economic Services				(9,000)	(9,000)	(2,247)	0	2,247
	Total - Buildings				(9,000)	(9,000)	(2,247)	0	2,247
	Plant & Equipment								
	Transport								
	E12360		525	Purchase Plant & Equipment-Plant	(409,000)	(409,000)	0	0	0
	Total - Transport				(409,000)	(409,000)	0	0	0
	Total - Plant & Equipment				(409,000)	(409,000)	0	0	0
	Furniture & Equipment								
	Economic Services								
	E13450		523	CRC - Purchase Furniture & Equipment*	(10,000)	(10,000)	(2,499)	0	2,499
	Total - Economic Services				(10,000)	(10,000)	(2,499)	0	2,499
	Other Property & Services								
	E14560		523	Purchase Furniture & Equipment-Administration	(12,000)	(12,000)	0	0	0
	Total - Other Property & Services				(12,000)	(12,000)	0	0	0
	Total - Furniture & Equipment				(22,000)	(22,000)	(2,499)	0	2,499
	Infrastructure - Roads								
	Transport								
	E12102	RRG007	541	RRG - York William Rd Final Seal SLK 0.00-3.00(10mm CRM)	(220,500)	(220,500)	0	(7,358)	(7,358)
	E12102	RRG242	541	RRG - York Williams Road Reconstruct from SKL 3.00.6.00	(676,960)	(676,960)	0	(218)	(218)
	E12103	RTR56	541	R2R - North Bannister Wandering and Wandering Pingelly road Seal Repairs	(86,447)	(86,447)	0	0	0
	E12105	WSFN241	541	North Bannister Wandering Road-Upgrade and Overlay Pavement SLK9.10 to SLK13.37	(297,672)	(297,672)	0	(310,728)	(310,728)
	E12105	WSFN0055	541	WSFN - Wandering Bannister Rd SLK 9.10-13.60 (4.5km)	(1,603,072)	(1,603,072)	0	(17,000)	(17,000)
	Total - Transport				(2,884,651)	(2,884,651)	0	(335,304)	(335,304)
	Total - Infrastructure - Roads				(2,884,651)	(2,884,651)	0	(335,304)	(335,304)
	Infrastructure - Footpaths								
	Transport								
	E12140	BN03	543	Bike Network - Cheetaning St Shared Path (Design)	(5,902)	(5,902)	0	0	0
	Total - Transport				(5,902)	(5,902)	0	0	0
	Total - Infrastructure - Footpaths				(5,902)	(5,902)	0	0	0
	Infrastructure - Bridges								
	Transport								
	E12120	BR0424	550	Bridge replacment 0424A Wandering Pingelly RD	(1,151,411)	(1,151,411)	0	0	0
	Total - Transport				(1,151,411)	(1,151,411)	0	0	0
	Total - Infrastructure - Bridges				(1,151,411)	(1,151,411)	0	0	0
	Grand Total				(4,531,964)	(4,531,964)	(4,746)	(335,304)	(330,558)

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025**

FINANCING ACTIVITIES

NOTE 7

BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Loan No.	1 July 2025	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Other property and services														
Industrial Estate Development	10	63,008	0	0	0	(1,647)	(6,626)	(6,626)	61,361	56,382	56,382	(701)	(2,795)	(2,795)
Industrial Estate Development	11	350,000	0	0	0	0	(28,153)	(28,153)	350,000	321,847	321,847	4,041	(16,106)	(16,106)
Total		413,008	0	0	0	(1,647)	(34,779)	(34,779)	411,361	378,229	378,229	3,340	(18,901)	(18,901)
Current borrowings		34,853							33,206					
Non-current borrowings		378,154							378,154					
		413,008							411,361					

All debenture repayments were financed by general purpose revenue.

The Shire has no unspent debenture funds as at 30th June 2025, nor is it expected to have unspent funds as at 30th June 2026.

KEY INFORMATION

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025**

**FINANCING ACTIVITIES
NOTE 8
LEASE LIABILITIES**

Repayments - leases

Information on leases			New Leases			Principal Repayments			Principal Outstanding			Interest Repayments		
Particulars	Lease No.	1 July 2025	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget	Actual	Adopted Budget	Amended Budget
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Transport														
JCB Excavator	1	151,252	0	0	0	(11,434)	(43,751)	(43,751)	139,818	107,501	107,501	(2,125)	(7,095)	(7,095)
Total		151,252	0	0	0	(11,434)	(43,751)	(43,751)	139,818	107,501	107,501	(2,125)	(7,095)	(7,095)
Current lease liabilities		43,751							32,317					
Non-current lease liabilities		107,501							107,501					
		151,252							139,818					

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

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

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

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2025

OPERATING ACTIVITIES
NOTE 9
RESERVE ACCOUNTS

Reserve accounts

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Council									
Leave reserve	22,096.97	963.00	138.58	0.00	0.00	0.00	0.00	23,059.97	22,235.55
Land & building reserve	87,729.28	3,824.00	550.19	0.00	0.00	0.00	0.00	91,553.28	88,279.47
Plant replacement reserve	3,662.28	160.00	22.97	318,086.00	0.00	(145,000.00)	0.00	176,908.28	3,685.25
Office equipment reserve	16,859.57	735.00	105.73	0.00	0.00	0.00	0.00	17,594.57	16,965.30
Fuel facility reserve	104,941.97	4,574.00	658.15	0.00	0.00	0.00	0.00	109,515.97	105,600.12
WSFN Funding reserve	40,000.00	1,744.00	0.00	0.00	0.00	(35,000.00)	0.00	6,744.00	40,000.00
	275,290.07	12,000.00	1,475.62	318,086.00	0.00	(180,000.00)	0.00	425,376.07	276,765.69

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

GL/JOB Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Budget adoption			\$	\$	\$	\$
			Opening Surplus(Deficit)			0	0
							0
							0
							0
				0	0	0	0

13.2 Accounts for Payment 30 September 2025

File Reference:	N/A
Location:	N/A
Applicant:	N/A
Author:	Dr Alistair Pinto – Chief Executive Officer
Authorising Officer	Dr Alistair Pinto – Chief Executive Officer
Date:	10 October 2025
Disclosure of Interest:	N/A
Attachments:	Payment Listing and Credit Card Statement 30 September 2025
Previous Reference:	Nil

Summary:

Council to note payments of accounts as presented.

Background:

The schedule of accounts is included as an attachment for Council information.

Comment:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

Consultation:

There has been no consultation.

Statutory Environment:

Section 12 of the *Local Government (Financial Management) Regulations 1996* states that

12 (1) A list of creditors is to be compiled for each month showing –

- (a) The payee's name;
- (b) The amount of the payment;
- (c) Sufficient information to identify the transaction; and
- (d) The date of the meeting of the council to which the list is to be presented.

Policy Implications:

There are no policy implications.

Financial Implications:

There are no financial implications.

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	<ul style="list-style-type: none"> • Improve accountability and transparency • Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs • Prudently manage our financial resources to ensure value for money • Reduce reliance on operational grants

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Risk	Low (2)
Risk Likelihood (based on history and with existing controls)	Low (2)
Risk Impact / Consequence	Low (2)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	Low (2)
Risk Action Plan (Controls or Treatment Proposed)	Low (2)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of two (2) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register to ensure Local Government Act and Regulations compliance.

Voting Requirements:

Simple Majority

Shire of Wandering**Certificate of Expenditure –30 September 2025**

This Schedule of Accounts to be passed for payment covering:

Payment Method	Cheque/EFT/DD Number	Amount
Municipal Fund:		
Electronic Funds Transfers	EFT 10614 – EFT 10692	\$579,797.15
Direct Debits	DD 5462.6 – DD 5462.5	\$ 34,829.09
	TOTAL	\$614,626.24

to the Municipal and Trust Accounts, totalling \$614,626.24 which were submitted to each member of the Council on 30 October 2025 have been checked and fully supported by vouchers and invoices which are submitted herewith, have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings.

Dr Alistair Pinto
Chief Executive Officer

071025 Moved: Cr G Hansen Seconded: Cr R Cowan

Recommendation and Council Decision:

That in accordance with Section 13 of the Financial Management Regulations of the *Local Government Act 1995* and in accordance with delegation, payment of Municipal Fund vouchers, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$614,626.24 (attached) be noted as approved for payment and credit card statement be noted.

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson

Against: Nil

Shire of Wandering
List of Accounts for Payments for September 2025

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10614	11/09/2025	De Lage Landen Pty Ltd	Equipment Lease		-\$ 4,660.94
JCB LEASE	11/08/2025	De Lage Landen Pty Ltd	Loan No. JCB Lease Principal payment & Interest payment -	\$ 4,660.94	
EFT10615	01/09/2025	A to Z Signs	Signage for CRC		-\$ 1,615.46
00004610	25/08/2025	A to Z Signs	Signage for CRC as per DIPIRD, Artwork & set up	\$ 1,615.46	
EFT10616	01/09/2025	Allwest Plant Hire	WORKS - Equipment Hire		-\$ 4,620.00
43138	31/08/2025	Allwest Plant Hire	Roller Hire 01/08/25-31/08/2025	\$ 4,620.00	
EFT10617	01/09/2025	Altus Planning	Town Planning		-\$ 2,103.75
AP4111	31/08/2025	Altus Planning	August 2025	\$ 2,103.75	
EFT10618	01/09/2025	Australian Taxation Office	BAS July 2025		-\$ 86,488.00
BAS JULY	31/07/2025	Australian Taxation Office	GST on Sales, Group Tax Clearing, Quarterly FBT Instalment, GST on Purchases, Fuel Credits, Rounding, Tax Withheld	\$ 86,488.00	
EFT10619	01/09/2025	BOC	Container Service		-\$ 33.82
5006718850	29/08/2025	BOC	Container Service, Oxygen, Acetylene, Medical Oxygen, Medical Oxygen	\$ 33.82	
EFT10620	01/09/2025	Best Office Systems	Copier Contract		-\$ 556.45
649906	25/08/2025	Best Office Systems	Copier Contract - Shire , B&W copies, Colour copies	\$ 117.87	
649944	26/08/2025	Best Office Systems	Copier contract - CRC, B&W Copies, Colour Copies, Echo - 75% of colour	\$ 438.58	
EFT10621	01/09/2025	Bob Waddell & Associates	Accounting Services		-\$ 2,948.00
4718	25/08/2025	Bob Waddell & Associates	Monthly Finance- July & August,	\$ 220.00	
4725	31/08/2025	Bob Waddell & Associates	Budget Profiles,24/25 AFR	\$ 2,728.00	
EFT10622	01/09/2025	Boddington IGA	Cafe Expense		-\$ 26.74
012336	18/08/2025	Boddington IGA	Cafe Expense	\$ 26.74	
EFT10623	01/09/2025	Boddington News	Boddington News		-\$ 12.00
642	15/08/2025	Boddington News	Boddington News, Edition # 765	\$ 12.00	
EFT10624	01/09/2025	Boddington RRR	Community Garden - Garden Grant		-\$ 850.00
WANDSHIRE	31/08/2025	Boddington RRR	Park Bench for Community Garden	\$ 850.00	
EFT10625	01/09/2025	Bookeasy Australia Pty Ltd	Online booking system fee		-\$ 242.00
00006880	31/08/2025	Bookeasy Australia Pty Ltd	Caravan Park, August 2025	\$ 242.00	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10626	01/09/2025	Department of Fire & Emergency Services	2025/26 ESL		-\$ 44,923.00
159804	21/08/2025	Department of Fire & Emergency Services	ESL In Accordance with Department of Fire and Emergency Services of WA Act - Option B	\$ 44,820.00	
159804A	21/08/2025	Department of Fire & Emergency Services	ESL In Accordance with Department of Fire and Emergency Services of WA Act - Option B	\$ 103.00	
EFT10627	01/09/2025	Down To Earth Training & Assessing	Staff Training		-\$ 5,550.00
00044304	22/08/2025	Down To Earth Training & Assessing	BWTM Training for staff 3 days	\$ 5,550.00	
EFT10628	01/09/2025	Fuel Distributors of WA	Works - Truck Wash		-\$ 229.15
00687571	02/09/2025	Fuel Distributors of WA	Truck Wash	\$ 229.15	
EFT10629	01/09/2025	Great Southern Fuel Supplies	Fuel Card Usage & Fees		-\$ 101.08
AUST2025	31/08/2025	Great Southern Fuel Supplies	Fuel card purchases, WD.001	\$ 101.08	
EFT10630	01/09/2025	ITR Pacific	Works - Equipment Repairs		-\$ 4,125.00
816285	28/08/2025	ITR Pacific	Grader Blades x2	\$ 4,125.00	
EFT10631	01/09/2025	JEB Cleaning Services	Cleaning Contract		-\$ 2,616.00
0026	18/08/2025	JEB Cleaning Services	Cleaning contract, 18/08/25-31/08/2025	\$ 2,616.00	
EFT10632	01/09/2025	Key Civil Pty Ltd	Works		-\$ 283,246.52
00000299	31/08/2025	Key Civil Pty Ltd	Culvert Replacement of 1800 pipes @ SLK9.58 on the North Bannister Road	\$ 142,175.11	
00000311	31/08/2025	Key Civil Pty Ltd	Traffic Management for installation of culverts, Variation for installation of culverts works for supply of plant and operators	\$ 141,071.41	
EFT10633	01/09/2025	LG Best Practices Pty Ltd	Financial Assistance		-\$ 1,100.00
22988	27/08/2025	LG Best Practices Pty Ltd	End of year rates assistance	\$ 1,100.00	
EFT10634	01/09/2025	Station motors 1974 Pty Ltd T/a Edwards	Equipment		-\$ 770.00
36349	28/07/2025	Station motors 1974 Pty Ltd T/a Edwards	Seat covers WD0	\$ 770.00	
EFT10635	01/09/2025	WA Contract Ranger Services	Contract Ranger Service		-\$ 808.50
00006527	24/08/2025	WA Contract Ranger Services	Contract Ranger Service, Labour & travel - - 31/07/25-12/08/25	\$ 808.50	
EFT10636	01/09/2025	WALGA	Staff Training		-\$ 385.00
SI-015627	31/08/2025	WALGA	Webinar for CEO - Induct your Council Effectively	\$ 385.00	
EFT10637	01/09/2025	WD Auto Repairs	Works- Equipment Service		-\$ 966.68
00002238	14/04/2025	WD Auto Repairs	Roller Service - WD.182	\$ 966.68	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10638	10/09/2025	Shire of Wandering Christmas Club	Payroll Deduction		-\$ 165.00
DEDUCTION	09/09/2025	Shire of Wandering Christmas Club	Payroll Deduction	\$ 165.00	
EFT10639	10/09/2025	Shire of Wandering Staff Lotto	Payroll Deduction		-\$ 65.00
DEDUCTION	09/09/2025	Shire of Wandering Staff Lotto	Payroll Deduction	\$ 65.00	
EFT10640	10/09/2025	Wandering Smash Repairs	Payroll Deduction		-\$ 600.00
DEDUCTION	09/09/2025	Wandering Smash Repairs	Payroll Deduction	\$ 600.00	
EFT10641	17/09/2025	Graeme Parsons	Rates Refund		-\$ 2,023.29
A561	16/09/2025	Graeme Parsons	Rates refund for assessment A561 2392 WANDERING PINGELLY ROAD WANDERING 6308	\$ 2,023.29	
EFT10642	17/09/2025	Armadale Mower World & Service Co	Works - Equipment Service		-\$ 2,243.20
64759 #1	08/08/2025	Armadale Mower World & Service Co	Chainsaw Stihl MSA200C Cordless skin, Polesaw Stihl HTA86 cordless skin, battery Stihl AP300S LI-ON, battery charger Stihl AL500	\$ 2,156.00	
647657	11/08/2025	Armadale Mower World & Service Co	Workshop Supplies- Spring leg, Trigger interlock	\$ 87.20	
EFT10643	17/09/2025	Australia Post	Various Postal Stock Requirements		-\$ 295.12
1014211788	03/09/2025	Australia Post	Stamps , Envelopes, Shire - Printing, Stationery & Postage Expenses, CRC - Printing, Stationery & Postage Expenses	\$ 295.12	
EFT10644	17/09/2025	Avon Waste	Domestic & commercial general waste services		-\$ 5,888.09
00071656	31/08/2025	Avon Waste	Domestic & commercial general waste services,	\$ 5,888.09	
EFT10645	17/09/2025	Bill & Ben's Hot Bread Shop	CAFÉ & Event Supplies		-\$ 130.00
062497553	04/09/2025	Bill & Ben's Hot Bread Shop	Apple Slice for CRC CAFE, Event - Mens Night Bread Rolls	\$ 130.00	
EFT10646	17/09/2025	Bob Waddell & Associates	Accounting Services		-\$ 3,872.00
4736	08/09/2025	Bob Waddell & Associates	Ass with 24/25 Ann Fin Report & Ass with August Finance Statment with Roll over asset	\$ 2,948.00	
4748	15/09/2025	Bob Waddell & Associates	Accounting Services	\$ 924.00	
EFT10647	17/09/2025	Boddington News	Boddington News		-\$ 12.00
648	29/08/2025	Boddington News	Boddington News, Edition #766	\$ 12.00	
EFT10648	17/09/2025	Boral Construction Materials	Works - Road Supplies		-\$ 2,508.00
WA19175483	09/09/2025	Boral Construction Materials	6 tonne of pre-mix for patching	\$ 2,508.00	
EFT10650	17/09/2025	City of Kalamunda	Building Services		-\$ 388.68
38359	02/09/2025	City of Kalamunda	Planning Services provided for the month of Feb 2025-July 2025	\$ 388.68	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10651	17/09/2025	Focus Networks	Managed Computer Services		-\$ 9,258.54
MPSD-15053	08/09/2025	Focus Networks	Managed Computer /Server Services and Support-Rates CRC, Works Admin, t-General Administration	\$ 3,480.40	
11491GA	11/09/2025	Focus Networks	Managed Recovery Service	\$ 3,012.13	
11497G	15/09/2025	Focus Networks	1 Year SSL Wildcard Certificate	\$ 1,292.50	
SAAS-15084	16/09/2025	Focus Networks	Monthly Managed Services (SAAS) Firewall/Remote Services and Antivirus Software Management-Rates Services, CRC, Works Admin, Admin	\$ 1,473.51	
EFT10652	17/09/2025	JEB Cleaning Services	Shire Cleaning Contract		-\$ 2,076.48
0028	01/09/2025	JEB Cleaning Services	Cleaning contract 01/09/2025-14/09/2025	\$ 2,002.32	
0027	05/09/2025	JEB Cleaning Services	Cleaning contract - Fire Station	\$ 74.16	
EFT10653	17/09/2025	LG Best Practices Pty Ltd	Payroll Assistance		-\$ 3,036.00
23028	02/09/2025	LG Best Practices Pty Ltd	Payroll Assistance for FO	\$ 3,036.00	
EFT10654	17/09/2025	Mental Health, Public Health and Dental Services North Metropolitan Health	Cabin Accommodation		-\$ 1,287.00
CARAVANSHIR OFWAND	08/08/2025	Mental Health, Public Health and Dental Services North Metropolitan Health Service	Refund for cancelled cabin accommodation	\$ 1,287.00	
EFT10655	17/09/2025	Officeworks	Office Supplies		-\$ 1,049.37
623801983	09/09/2025	Officeworks	Stationery	\$ 158.89	
623802169	10/09/2025	Officeworks	Display Board, Display Board Feet, Stationery, Freight	\$ 326.95	
623820322	10/09/2025	Officeworks	Milk 150mL 32pack, Toilet Paper, Hand Towel, Toilet Paper, Bin Liners, Milk 1L 10pack, Coffee, Shipping, extra gst	\$ 563.53	
EFT10656	17/09/2025	RingCentral	Phone system Administration		-\$ 662.00
CD_001214166	06/09/2025	RingCentral	Phone system Harvest Ban Line, Phone system Council Chambers, Phone system Engineering and Works, Phone system	\$ 662.00	
EFT10657	17/09/2025	Seek Limited	Advertisement		-\$ 598.95
701418415	08/09/2025	Seek Limited	Advertisement - Grader Driver Final Trim	\$ 598.95	
EFT10658	17/09/2025	WA Contract Ranger Services	Contract Ranger Service		-\$ 721.87
00006567	13/09/2025	WA Contract Ranger Services	Contract Ranger Service, Labour & Travel 27/08/25 - 10/09/25	\$ 721.87	
EFT10659	17/09/2025	WD Auto Repairs	Works - Equipment Purchase		-\$ 61.60
00002503	08/09/2025	WD Auto Repairs	Supply of Trailer Plugs Connections	\$ 61.60	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10660	17/09/2025	Wandering Camp Out Weekend	Collective Sales		-\$ 48.00
0065	14/10/2024	Wandering Camp Out Weekend	Collective Sales	\$ 48.00	
EFT10661	17/09/2025	Wandering Rural	Parks & Gardens - Equipment Supplies		-\$ 218.00
11611	16/09/2025	Wandering Rural	2 x round up 20Lt	\$ 218.00	
EFT10662	17/09/2025	Wandering Smash Repairs	CRC - Event Supplies & WORK - Insurance		-\$ 805.75
6559	03/09/2025	Wandering Smash Repairs	Meat Purchased for Mens Night	\$ 505.75	
6561	03/09/2025	Wandering Smash Repairs	Excess for insurance for new window.	\$ 300.00	
EFT10663	17/09/2025	Wandering Tavern	Entertainment		-\$ 453.80
00000073	09/09/2025	Wandering Tavern	Councillor's Meals 21/08/2025	\$ 233.00	
00000074	09/09/2025	Wandering Tavern	Men's night Refreshments	\$ 220.80	
EFT10664	17/09/2025	Yahava Kaffeeworks Wholesale	Coffee & Freight		-\$ 450.50
1-00028634	11/09/2025	Yahava Kaffeeworks Wholesale	Coffee & Freight	\$ 450.50	
EFT10665	24/09/2025	Shire of Wandering Christmas Club	Payroll Deduction		-\$ 165.00
DEDUCTION	23/09/2025	Shire of Wandering Christmas Club	Payroll Deduction	\$ 165.00	
EFT10666	24/09/2025	Shire of Wandering Staff Lotto	Payroll Deduction		-\$ 65.00
DEDUCTION	23/09/2025	Shire of Wandering Staff Lotto	Payroll Deduction	\$ 65.00	
EFT10667	30/09/2025	AMPAC	Debt collections costs		-\$ 462.00
122904	30/09/2025	AMPAC	Debt collections costs	\$ 462.00	
EFT10668	30/09/2025	Alana Karen Rosenthal	CRC - Event Supplies		-\$ 207.32
COLES02.10	29/09/2025	Alana Karen Rosenthal	Coles Order - Pre/harvest-Council event	\$ 207.32	
EFT10669	30/09/2025	BOC	Container Service		-\$ 33.71
5006740198	28/09/2025	BOC	Container Service, Oxygen, Acetylene, Argoshield, Medical	\$ 33.71	
EFT10670	30/09/2025	Best Office Systems	Copier contract - CRC		-\$ 379.04
651199	26/09/2025	Best Office Systems	B&W Copies, Colour Copies, Echo - 75% of colour	\$ 379.04	
EFT10671	30/09/2025	Bob Waddell & Associates	Accounting Services-		-\$ 2,420.00
4757	22/09/2025	Bob Waddell & Associates	Assistance with 24/25 Annual Financial Report	\$ 2,244.00	
4771	29/09/2025	Bob Waddell & Associates	Accounting Services	\$ 176.00	
EFT10672	30/09/2025	Boddington Electrical Services Pty Ltd	Carvan Park Expense		-\$ 659.23
INV0306	13/07/2025	Boddington Electrical Services Pty Ltd	Isolate caravan bollard next to kitchen	\$ 659.23	
EFT10673	30/09/2025	Boddington News	Boddington News		-\$ 24.00
INV649	12/09/2025	Boddington News	Edition #767	\$ 12.00	
680	26/09/2025	Boddington News	Edition #768	\$ 12.00	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10674	30/09/2025	Boddington Plumbing and Gas	Community Centre Expense		-\$ 814.41
0327	20/09/2025	Boddington Plumbing and Gas	Retic Repair @community Centre	\$ 424.79	
0334	29/09/2025	Boddington Plumbing and Gas	Replaced faulty basin set	\$ 389.62	
EFT10675	30/09/2025	Bunnings Trade	Shire Supplies		-\$ 94.74
2432/01555827	09/07/2025	Bunnings Trade	Globes for outside of building, Tarp to cover patching material.	\$ 94.74	
EFT10676	30/09/2025	Day Dreamer Face Painting	Community Centre Re-opening		-\$ 173.32
0002	01/08/2025	Day Dreamer Face Painting	Face Painting - Community Centre Re-opening	\$ 173.32	
EFT10677	30/09/2025	Ecowater Services	Property Maintenance		-\$ 558.60
L5964	12/09/2025	Ecowater Services	5 Dunmall water system	\$ 226.50	
L5965	14/09/2025	Ecowater Services	19 Humes Way water system	\$ 332.10	
EFT10678	30/09/2025	Focus Networks	Managed Computer /Server Services		-\$ 52.80
15099	26/09/2025	Focus Networks	Remote b/H 05/08/25 TICKET 180678	\$ 52.80	
EFT10679	30/09/2025	Fuel Distributors of WA	Fuel Facility Purchase		-\$ 49,297.05
53104948	18/09/2025	Fuel Distributors of WA	Diesel, ULP	\$ 49,297.05	
EFT10680	30/09/2025	G & D Lyster	WORKS - Supplies		-\$ 18,700.00
511	19/09/2025	G & D Lyster	Pushing gravel for North Bannister Wandering Road around 10,000cm	\$ 18,700.00	
EFT10681	30/09/2025	JEB Cleaning Services	Shire Cleaning Contract		-\$ 2,224.80
0029	14/09/2025	JEB Cleaning Services	15/09/2025-28/09/2025	\$ 2,224.80	
EFT10682	30/09/2025	Larrikin House Pty Ltd	Library Supplies		-\$ 180.00
131464	15/09/2025	Larrikin House Pty Ltd	10 Library Books	\$ 180.00	
EFT10683	30/09/2025	Mcpest Pest Control	Shire Property Maintenance		-\$ 4,345.00
02499	14/08/2025	Mcpest Pest Control	Termite and ant treatment - Caravan Walk way & 13 Dunmall	\$ 1,705.00	
02771	23/09/2025	Mcpest Pest Control	Termite and ant treatment - 14 Dunmall Drive	\$ 2,640.00	
EFT10684	30/09/2025	OMG - Omnicom Media Group Australia Pty Ltd	Advertisement West Australian Newspaper - Final Trim Grader Operator 13/9/25		-\$ 2,966.66
1884974	30/09/2025	OMG - Omnicom Media Group Australia Pty	Advertisement Narrogin Observer - Final Trim grader Operator	\$ 1,285.86	
1884975	30/09/2025	OMG - Omnicom Media Group Australia Pty Ltd	Advertisement West Australian Newspaper - Final Trim Grader Operator 13/9/25	\$ 1,680.80	
EFT10685	30/09/2025	Officeworks	Works & Office Equipment		-\$ 980.20
624076708	24/09/2025	Officeworks	Go-Pro & accessories for Fence work, Index Cards & Holder for Aust Post, Laminate Pouches, Freight	\$ 980.20	

Chq/EFT	Date	Name	Description	Amount	Amount
EFT10686	30/09/2025	Quest Payment Systems	Fuel Facility		-\$ 418.00
62733	16/09/2025	Quest Payment Systems	Monthly maintenance fee -September 2025	\$ 418.00	
EFT10687	30/09/2025	WALGA	Staff & Councillor Training		-\$ 1,914.00
LGC25-334	28/08/2025	WALGA	Registration for LG Convention - Cr A Price	\$ 330.00	
SI015885	25/09/2025	WALGA	Emergency Management for Local Government Leaders Training	\$ 1,584.00	
EFT10688	30/09/2025	Wandering Rural	Works - Supplies		-\$ 105.00
10697	04/06/2025	Wandering Rural	Rapid set for signs	\$ 105.00	
EFT10692	11/09/2025	De Lage Landen Pty Ltd	Equipment Lease		-\$ 4,660.94
JCB Lease	14/10/2025	De Lage Landen Pty Ltd	Loan No. JCB Lease Principal & Interest payment -	\$ 4,660.94	
DD5462.6	25/09/2025	Easi Fleet PTY LTD-DD	Novated Lease Payments- PAYROLL DEDUCTION		-\$ 1,611.22
238465	25/09/2025	Easi Fleet PTY LTD-DD	Novated Lease Payments	\$ 1,611.22	
DD5462.7	24/09/2025	Synergy	Street lighting Usage		-\$ 911.01
2086478676	24/09/2025	Synergy	Street lighting, Usage	\$ 911.01	
DD5462.8	26/09/2025	Telstra	Tims Messaging Councillors		-\$ 450.65
T311SEP2025	26/09/2025	Telstra	Tims Messaging, Councillors, Fire Control, Fuel facility	\$ 450.65	
DD5462.9	02/09/2025	Telstra	Administration Phone/Internet		-\$ 1,101.57
SHIRESEPT2025	02/09/2025	Telstra	Administration Phone/Internet,	\$ 1,101.57	
DD5420.1	09/09/2025	Australian Super	Superannuation contributions		-\$ 1,884.41
SUPER	09/09/2025	Australian Super	Payroll Deductions	\$ 1,486.04	
DEDUCTION	09/09/2025	Australian Super	Payroll Deductions	\$ 316.14	
DEDUCTION	09/09/2025	Australian Super	Payroll Deductions	\$ 82.23	
DD5420.2	09/09/2025	Aware Super	Superannuation contributions		-\$ 5,999.03
DEDUCTION	09/09/2025	Aware Super	Payroll Deductions	\$ 881.97	
SUPER	09/09/2025	Aware Super	Payroll Deductions	\$ 5,117.06	
DD5420.3	09/09/2025	MLC Masterkey	Superannuation contributions		-\$ 531.11
DEDUCTION	09/09/2025	MLC Masterkey	Payroll Deductions	\$ 75.04	
SUPER	09/09/2025	MLC Masterkey	Payroll Deductions	\$ 456.07	
DD5420.4	09/09/2025	ANZ OnePath Masterfund	Superannuation contributions		-\$ 141.20
DEDUCTION	09/09/2025	ANZ OnePath Masterfund	Payroll Deductions	\$ 32.09	
SUPER	09/09/2025	ANZ OnePath Masterfund	Payroll Deductions	\$ 109.11	
DD5420.5	09/09/2025	The Trustee for Keith Bowen Super	Superannuation contributions		-\$ 337.09
SUPER	09/09/2025	The Trustee for Keith Bowen Super	Payroll Deductions	\$ 337.09	

Chq/EFT	Date	Name	Description	Amount	Amount
DD5420.6	09/09/2025	Australian Retirement Trust Super Savings	Superannuation contributions		-\$ 239.61
SUPER	09/09/2025	Australian Retirement Trust Super Savings	Payroll Deductions	\$ 239.61	
DD5420.7	09/09/2025	HUB24 Super Fund	Superannuation contributions		-\$ 276.51
SUPER	09/09/2025	HUB24 Super Fund	Payroll Deductions	\$ 276.51	
DD5420.8	09/09/2025	HostPlus Super Fund	Superannuation contributions		-\$ 259.31
SUPER	09/09/2025	HostPlus Super Fund	Payroll Deductions	\$ 259.31	
DD5431.1	23/09/2025	Australian Super	Superannuation contributions		-\$ 1,891.34
SUPER	23/09/2025	Australian Super	Payroll Deductions	\$ 1,491.39	
DEDUCTION	23/09/2025	Australian Super	Payroll Deductions	\$ 317.72	
DEDUCTION	23/09/2025	Australian Super	Payroll Deductions	\$ 82.23	
DD5431.2	23/09/2025	MLC Masterkey	Superannuation contributions		-\$ 531.11
DEDUCTION	23/09/2025	MLC Masterkey	Payroll Deductions	\$ 75.04	
SUPER	23/09/2025	MLC Masterkey	Payroll Deductions	\$ 456.07	
DD5431.3	23/09/2025	Aware Super	Superannuation contributions		-\$ 5,989.68
SUPER	23/09/2025	Aware Super	Payroll Deductions	\$ 5,102.52	
DEDUCTION	23/09/2025	Aware Super	Payroll Deductions	\$ 887.16	
DD5431.4	23/09/2025	The Trustee for Keith Bowen Super	Superannuation contributions		-\$ 348.61
SUPER	23/09/2025	The Trustee for Keith Bowen Super	Payroll Deductions	\$ 348.61	
DD5431.5	23/09/2025	Australian Retirement Trust Super Savings	Superannuation contributions		-\$ 267.51
SUPER	23/09/2025	Australian Retirement Trust Super Savings	Payroll Deductions	\$ 267.51	
DD5431.6	23/09/2025	HUB24 Super Fund	Superannuation contributions		-\$ 513.78
SUPER	23/09/2025	HUB24 Super Fund	Payroll Deductions	\$ 513.78	
DD5441.1	04/09/2025	Commonwealth Bank	Licence Rego - Fleet Schedule for Shire Cars/Equipment		-\$ 6,884.40
B1610	04/09/2025	Commonwealth Bank	0.WD ,WD 1949-1TZM686 - 1TZM687 - WD.000 - WD001- WD.011-WD0- 1BZM096- WD1948 - 1TRH694-- 1TUE993 r- WD1003- WD.1056- WD1098- - WD.1142 - WD1151- -WD1152 -- WD.1169- WD1182-- WD1183 - WD.141- - WD.182- WD.1827 - WD 1884 - - WD1917 -r- WD1919 - WD.229- - WD.300-- WD3018- - WD.422-- WD.458- WD548, WD.6 -- WD.821- - WD.908-- WD548, WD.6 -- WD.821- - WD.908--	\$ 6,884.40	
DD5444.1	03/09/2025	Commonwealth Bank	Parking Fees		-\$ 14.00
4916026	02/09/2025	Commonwealth Bank	Parking Fees - CEO	\$ 14.00	

Chq/EFT	Date	Name	Description	Amount	Amount
DD5444.2	04/09/2025	Commonwealth Bank	CAFE EXPENSE- CRC		-\$ 146.80
229673819	01/09/2025	Commonwealth Bank	CAFE EXPENSE, Supplies for Council Chambers, Mens Night	\$ 146.80	
DD5444.3	10/09/2025	Commonwealth Bank	Accommodation		-\$ 455.00
51326609	10/09/2025	Commonwealth Bank	Back up Broadband for Council office	\$ 89.00	
59263	10/09/2025	Commonwealth Bank	Accommodation - Cr A Price - WALGA Conference, Accommodation - CEO A Pinto - WALGA Conference	\$ 366.00	
DD5444.4	25/09/2025	Commonwealth Bank	Accommodation -LG Convention		-\$ 273.54
59261	25/09/2025	Commonwealth Bank	Accommodation - Cr A Price - WALGA Conference	\$ 273.54	
DD5462.1	30/09/2025	Aussie Broadband	Broadband		-\$ 79.00
51824513	30/09/2025	Aussie Broadband	19 Humes Way	\$ 79.00	
DD5462.2	22/09/2025	Water Corporation	Water Usage		-\$ 293.25
13DUNMALL	22/09/2025	Water Corporation	13 Dunmall Dr, Water use, Service charge	\$ 59.88	
14DOWN ST	22/09/2025	Water Corporation	14 Down St, Water use, Service charge	\$ 66.04	
19HUMES	22/09/2025	Water Corporation	19 Humes Wy, Water use, Service chare	\$ 68.09	
1DOWSETT	22/09/2025	Water Corporation	1 Dowsett St, Water use, Service charge	\$ 49.62	
5DUNMAL	22/09/2025	Water Corporation	5 Dunmall Dr, Service charge	\$ 49.62	
DD5462.3	26/09/2025	Water Corporation	Water Usage		-\$ 436.74
18WATTS	26/09/2025	Water Corporation	CRC & Public Conveniences, Water use - Public Conveniences 80%, Water use - CRC 20%	\$ 42.17	
22WATTS	26/09/2025	Water Corporation	Administration building, Water use	\$ 9.04	
32WATTS	26/09/2025	Water Corporation	Depot & standpipe, Water use, Standpipe, Water use	\$ 186.74	
CARAVAN	26/09/2025	Water Corporation	Caravan Park, Water Use	\$ 171.68	
11DOWNST	26/09/2025	Water Corporation	Community Centre, Water use	\$ 27.11	
DD5462.4	30/09/2025	DOT Licencing	Transport WADO SEPT 2025		-\$ 2,943.90
DOTSEP25	30/09/2025	DOT Licencing	Transport WADO	\$ 2,943.90	
DD5462.5	22/09/2025	ClickSuper	Transaction fee		-\$ 17.71
DD25090393	22/09/2025	ClickSuper	Sep 2025	\$ 17.71	

Credit Card Breakdown 27/08/2025-26/09/2025

Date	Supplier	Description	Amount	GST
3/09/2025	SP Railway - Leederville	Parking CEO	\$ 14.00	\$ 1.27
4/09/2025	Coles Online	CRC Café Supplies	\$ 146.80	\$ 13.35
10/09/2025	Quay West Perth	Accommodation for Cr Price and A Pinto for WALGA Conference	\$ 366.00	\$ 33.27
11/09/2025	Aussie Broadband	Shire Back Up Internet	\$ 89.00	\$ 8.09
25/09/2025	Quay West Perth	Accommodation for Cr A Price for WALGA Conference	\$ 273.54	\$ 24.87
	Total		\$ 889.34	\$ 80.85

13.3 Request for Donation of Wood Chips – Wandering Primary School

File Reference: 08.084.08406
Location: N/A
Applicant: Wandering Primary School
Author: Lisa Boddy, Executive Assistant
Authorising Officer: Dr Alistair Pinto, Chief Executive Officer
Date: 23 October 2025
Disclosure of Interest: Nil
Attachments: Letter from Wandering Primary School
Previous Reference: N/A

Summary:

Wandering Primary School are seeking a donation of wood chips for their garden beds.

Background:

Wandering Primary School have written to the Shire asking for a donation of a truck load of wood chips and delivery to the school, to use in their garden beds.

Comment:

The wood chips are currently located at the Wandering Refuse Site.

Consultation:

CEO
 Operations Manager

Statutory Environment:

Local Government Act 1995
Waste Avoidance and Resource Recovery Act 2007 (WARR Act)
Environmental Protection Act 1986

Policy Implications:

Nil.

Financial Implications:

The wood chips are sold at \$11 per cubic metre and truck contains 12 cubic metres = \$132.
 Truck hire, loader and labour cost are \$204.
 The total cost of the wood chips would be \$336.

Strategic Implications:

Retain and Grow our Population

Our Goals	Our Strategies
Our permanent and transient population grows	We assist with retaining the Wandering Primary School

Provide Strong Leadership

Our Goals	Our Strategies
A well informed Community	Foster Opportunities for connectivity between Council and the Community

Sustainability Implications:

- Environmental: There are no known significant environmental considerations.
- Economic: There are no known significant economic considerations.
- Social: There are no known significant social considerations.

Risk Implications:

Risk	Low (4)
Risk Likelihood (based on history and with existing controls)	Unlikely (2)
Risk Impact / Consequence	Minor (2)
Risk Rating (Prior to Treatment or Control)	Low (4)
Principal Risk Theme	Low (4)
Risk Action Plan (Controls or Treatment Proposed)	Low (4)

Risk Matrix:

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of four (4) has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register.

Voting Requirements:

Simple Majority

081025 Moved: Cr P Latham Seconded: Cr A Thompson

Recommendation and Council Decision:

That Council approves the donation of 12 cubic metres of wood chips to be delivered to the Wandering Primary School at a cost of \$336.

Carried by Simple Majority 7/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Jennings, Cr Latham, Cr Thompson**Against: Nil**

21st October 2025

Dr Alistair Pinto
Chief Executive Officer
Shire of Wandering

Dear Alistair,

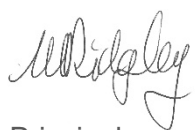
Wandering Primary School is seeking some wood chips for our garden beds. We have noticed a large pile of wood chips at the Wandering Refuse Site and were wondering if the Shire would be able to donate a truckload for use in our school gardens.

If possible, we would appreciate it if the load could be delivered to the back of the school, near the sheds.

Thank you for your consideration and ongoing support of our school.

Regards

Merrill Ridgley



Principal.

14. Planning and Technical Services

Nil.

15. Elected Members Motions of Which Previous Notice Has Been Given

Nil.

16. New Business or Urgent Business Introduced by Decision of the Meeting

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

16.1 Elected Members

16.2 Officers

17. Matters Behind Closed Doors

18. Closure of Meeting

The Presiding Member declared the meeting closed at 4.15pm.