



# AGENDA

## For the Ordinary Council Meeting

To be held on the 29<sup>th</sup> August 2025

### Notice of Meeting

The next Ordinary Council Meeting for the Shire of Yalgoo will be held on Friday 29<sup>th</sup> August 2025 in the Paynes Find Community Centre, Paynes Find, commencing at 11:00am.



**Ian Holland**

CHIEF EXECUTIVE OFFICER

12<sup>th</sup> August 2025

#### Disclaimer:

The Shire of Yalgoo gives notice to members of the public that any decisions made at the meeting, can be revoked, pursuant to the Local Government Act 1995. Therefore members of the public should not rely on any decisions until formal notification in writing by Council has been received. Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

## Contents

1	DECLARATION OF OPENING .....	4
2	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE.....	4
3	DISCLOSURE OF INTERESTS .....	4
4	PUBLIC QUESTION TIME .....	5
5	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS .....	5
6	NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS.....	5
7	APPLICATIONS FOR LEAVE OF ABSENCE .....	5
8	ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED .....	5
9	CONFIRMATION OF MINUTES.....	5
9.1	Minutes of the Ordinary Council Meeting – 25 <sup>th</sup> July 2025 .....	5
10	MINUTES OF COMMITTEE MEETINGS .....	6
11	TECHNICAL REPORTS.....	6
11.2	TECHNICAL SERVICES REPORT .....	6
12	DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH REPORTS	9
13	FINANCIAL REPORTS .....	9
13.1	LIST OF ACCOUNTS .....	9
13.2	INVESTMENT REPORT.....	11
13.3	MONTHLY FINANCIAL STATEMENTS.....	12
13.4	2025/2026 Annual Budget and Fees and Charges.....	14
14	ADMINISTRATION REPORTS .....	17
14.1	GENERAL REPORT.....	17
14.2	Paynes Find State Battery Museum.....	20
14.3	Regional Development Australia (RDA) – Services Agreement.....	22
14.4	Proposal to Lease a portion of the Yalgoo Caravan Park .....	23
14.5	Heavy Vehicle Network Application Morawa-Yalgoo Road.....	26
14.6	State Heritage Register Application – Jokers Tunnel.....	27
14.7	Purchase of the Yalgoo Hotel .....	28
14.8	Rates Letter and Firebreak Notice .....	30
14.9	Meeting Fees and Superannuation .....	31
14.10	Disability Access and Inclusion Plan.....	34
14.11	Sundry Debtor #20010 – Write Off.....	35
14.12	Review of Delegations Register .....	36
14.13	CEO Performance Review Independent Person .....	38
15	NOTICE OF MOTIONS .....	40
16	URGENT BUSINESS .....	40

17	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	40
18	NEXT MEETING .....	40
19	MEETING CLOSURE.....	40

**1 DECLARATION OF OPENING**

The Shire President welcomed those in attendance and declared the meeting open at.

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

In accordance with section 14 of the Local Government (Administration) Regulations 1996 "Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))", the President to declare that this Meeting may take place via instantaneous communication. All Councillors and staff are to be available either via telephone (teleconference) or in person.

**President**

**Deputy President**

**Councillors**

**Chief Executive Officer**

**Deputy CEO**

**Executive Assistant**

**Works Foreman**

**APOLOGIES**

**LEAVE OF ABSENCE**

**3 DISCLOSURE OF INTERESTS**

Councillors and Officers are reminded of the requirements of s5.65 of the Local Government Act 1995, to verbally disclose any interest during the meeting before the matter is discussed or to provide in writing the nature of the interest to the CEO before the meeting.



**4 PUBLIC QUESTION TIME**

**REPONSES TO QUESTIONS TAKEN ON NOTICE**

**QUESTIONS TAKEN WITHOUT NOTICE**

**5 PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

**6 NOTICE OF MATTERS TO BE DISCUSSED BEHIND CLOSED DOORS**

**7 APPLICATIONS FOR LEAVE OF ABSENCE**

**8 ANNOUNCEMENTS CONCERNING MEETINGS ATTENDED**

**9 CONFIRMATION OF MINUTES**

9.1 Minutes of the Ordinary Council Meeting – 25<sup>th</sup> July 2025

**OFFICERS RECOMMENDATION**

That the minutes of the Council Meeting held on the 25<sup>th</sup> July 2025, as attached, be confirmed as a true and correct record.

## 10 MINUTES OF COMMITTEE MEETINGS

### 11 TECHNICAL REPORTS

#### 11.2 TECHNICAL SERVICES REPORT

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	30 August 2025
<b>Reporting Officer:</b>	Luke Works Foreman
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	NIL

### SUMMARY

That Council receive the Technical Services Report as at the 30 August 2025

### COMMENT

#### Road Construction and Capital

- E-quote for the sealing of Ninghan RD is out to market 2 companies are interested.

#### Road Maintenance

- Maintenance grading Gabyon RD
- Preparing for heavy maintenance grading for 2025/2026

#### Other Infrastructure

- Nill

#### Parks, Reserves and Properties

- Nill

#### 4.1 Art & Culture Centre

- Nill

#### 4.2 Community Town Hall

- Renovations are still ongoing.
- Internal wall sheeted and flushed.
- Cornice installed around the main area of the Hall.
- Painting interior underway
- Exterior sheeting complete
- Paint colour picked for the exterior Vivid White

**4.3 Community Town Oval**

- Nil

**4.4 Community Park, Gibbons Street**

- General gardening maintenance conducted on a weekly basis mowing, pruning and watering.

**4.5 Community Park, Shamrock Street**

- General gardening maintenance conducted on a weekly basis – Mowing, pruning & watering.

**4.6 Water Park**

- Closed.

**4.7 Yalgoo Caravan Park**

- General gardening maintenance and repairs conducted on a weekly basis – Mowing, pruning & watering.

**4.8 Paynes Find Tip**

- General clean & tidy.

**4.9 Railway Station**

- Painting front veranda and doors. Repairs to footings.
- Amenities finished and are open.

**4.10 Staff Housing**

- NIL.

**4.11 Yalgoo Rubbish Tip**

- Pushed over on a weekly basis.

**4.12 Yalgoo & Paynes Find Airstrip**

- Paynes Find Airstrip – checked and all good.
- Yalgoo Airstrip – checked and all good.

**5. Staff**

- NIL.

## **6. Purchasing**

- Auction on the following
- Batching plant, Aggy Truck, Work Manager Truck (YA1000), Hilux 2x4 (YA804) 2 x Water pumps (not in working order), 1 x Kubota generator and 1 x Yellow generator on trailer
- Purchase of Works manager Ute and new Hilux dual cab SR

### **VOTING REQUIREMENT**

Simple Majority

### **OFFICERS RECOMMENDATION**

That Council receive the Technical Services Report as of 30 August 2025.

## 12 DEVELOPMENT, PLANNING AND ENVIRONMENTAL HEALTH REPORTS

NIL

## 13 FINANCIAL REPORTS

### 13.1 LIST OF ACCOUNTS

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	20 August 2025
<b>Reporting Officer:</b>	Glenn Boyes
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	List of Accounts

### SUMMARY

The attached list of accounts paid during the month of July 2025, under Delegated Authority, is provided for Council's information and endorsement.

### COMMENT

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 requires the Chief Executive Officer to present a list of accounts paid and/or payable to Council and to record those accounts in the minutes of the meeting.

### STATUTORY ENVIRONMENT

Local Government Act 1995

#### 6.10 Financial Management regulations

Regulations may provide for –

- a. The security and banking of money received by a local government' and
- b. The keeping of financial records by a local government; and
- c. The management by a local government of its assets, liabilities and revenue; and
- d. The general management of, and the authorisation of payments out of –
  - I. The municipal fund; and
  - II. The trust fund, of a local government.

Local Government (Financial Management) Regulations 1996

#### 13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –
  - I. The payee's name; and
  - II. The amount of the payment; and
  - III. The date of the payment; and
  - IV. Sufficient information to identify the transaction.
2. A list of accounts for approval to be paid is to be prepared each month showing –
  - a. For each account which requires council authorisation in that month
    - i. The payee's name; and
    - ii. The amount of the payment; and
    - iii. Sufficient information to identify the transaction; and

- b. The date of the meeting of the council to which the list is to be presented.
- 3. A list prepared under sub regulation (1) or (2) is to be –
  - a. Presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - b. Recorded in the minutes of that meeting.

**13A. Payments by employees via purchasing cards**

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment;
  - (d) sufficient information to identify the payment.
- (2) A list prepared under sub regulation (1) must be —
  - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
  - (b) recorded in the minutes of that meeting.

**POLICY/FINANCIAL IMPLICATIONS**

NIL

**VOTING REQUIREMENT**

Simple Majority

**OFFICERS RECOMMENDATION**

That Council receive the schedule of accounts paid during July 2025 as listed covering Credit Card transactions, direct debits including payroll and EFT's totalling \$592,963.52 from the municipal bank accounts.

**List of Accounts Paid**

**CEO Credit Card**

**July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
1	DD5821.1	29/05/25	IGA and Ritgers	Reconciliation Week breakfast for Admin	(148.22)	1	CSH
2	DD5821.1	29/05/25	IGA and Ritgers	DFES meeting at Depot	(148.23)	1	CSH
3	DD5821.1	02/06/25	Adobe	Adobe Subscription x 3	(113.98)	1	CSH
4	DD5821.1	12/06/25	Microsoft	Microsoft Subscription	(33.00)	1	CSH
5	DD5821.1	18/06/25	Easypark	Parking for meeting with Civic Legal	(11.47)	1	CSH
6	DD5821.1	21/06/25	Quay Hotel	Accommodation for CESM and President	(1,674.89)	1	CSH
7	DD5821.1	23/06/25	ACT Cabs	Travel for Conference	(38.64)	1	CSH
8	DD5821.1	24/06/25	Starlink	Starlink Subscription	(80.00)	1	CSH
9	DD5821.1	24/06/25	Zoom	Zoom monthly subscription	(23.06)	1	CSH
10	DD5821.1	24/06/25	Remarkable	Remarkable monthly subscription	(5.14)	1	CSH
11	DD5821.1	29/06/25	Novotel	Meals and refreshments for attendees at ALGA	(363.41)	1	CSH
12	DD5821.1	29/06/25	Bendigo	Bank Fee	(4.00)	1	CSH
					<b>(2,644.04)</b>		

**List of Accounts Paid****Direct Debit and Bpay****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
13	4	31/07/25	Fee - Bank Fees	Bank Fees	(10.00)	3	FEE
14	89	01/07/25	Fee - Bank Fees	Bank Fees	(465.21)	1	FEE
15	DD5801.1	03/07/25	Horizon Power	Usage Charges for 46 Street Lights - June 2025	(1,014.57)	1	CSH
16	DD5809.1	09/07/25	Shire of Yalgoo Municipal Fund	Pay Run #139	(51,702.11)	1	CSH
17	DD5809.1	09/07/25	Shire of Yalgoo Municipal Fund	Superannuation for Payrun #139	(13,596.71)	1	CSH
18	DD5816.1	08/07/25	Department of Transport	B1300 - Fleet Licensing 30/06/2025 to 30/06/2026	(10,017.35)	1	CSH
19	DD5820.1	06/07/25	Paywise Pty Ltd	Payroll Deductions/Contributions	(1,497.28)	1	CSH
20	DD5820.1	23/07/25	Shire of Yalgoo Municipal Fund	Pay Run 140	(51,331.87)	1	CSH
21	DD5830.1	23/07/25	Shire of Yalgoo Municipal Fund	Superannuation in Pay Run 140	(14,782.31)	1	CSH
22	DD5834.1	28/07/25	Horizon Power	Electricity Usage from 22/05/2025 to 21/07/2025	(13,084.21)	1	CSH
					<b>(157,501.62)</b>		



**List of Accounts Paid****EFT****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
23	EFT3233	02/07/25	Beachlands Plumbing Pty Ltd	Various Plumbing Jobs done to Shire Buildings and Houses	(4,190.23)	1	CSH
24	EFT3234	02/07/25	G.T. Movers W.A.	Freight Charges from Perth to Yalgoo and Freight Charges from Perth to Yalgoo	(935.00)	1	CSH
25	EFT3235	02/07/25	Paywise Pty Ltd	Novated Finance Lease - Pre Tax 000014 Ian	(1,497.28)	1	CSH
26	EFT3236	02/07/25	BOC Limited	Oxygen and Assorted Gas Supply - June 2025	(123.91)	1	CSH
27	EFT3237	02/07/25	Canine Control	Ranger Services - 30th June 2025	(1,530.38)	1	CSH
28	EFT3238	02/07/25	Pemco Diesel Pty Ltd	Repairs to YA 809	(8,456.44)	1	CSH
29	EFT3239	02/07/25	Winc Australia Pty Limited	Office Stationery Supplies	(13.13)	1	CSH
30	EFT3240	02/07/25	Veolia Environmental Services	Domestic and Commercial Waste Collection - June 2025	(4,031.39)	1	CSH
31	EFT3241	02/07/25	Lo-Go Appointments	Contracting Services - H St George Cooper W.E 28/06/2025	(3,369.50)	1	CSH
32	EFT3242	02/07/25	Cekas Asset Maintenance	Repairs to Shire Staff Housing and Yalgoo Town Hall Restoration	(3,434.76)	1	CSH
33	EFT3243	02/07/25	I.T. Vision Software	Rate Services - May 2025 and Rate Services - June 2025	(9,147.60)	1	CSH
34	EFT3244	02/07/25	Message4U Pty Ltd	Monthly Access Fee - July 2025	(119.90)	1	CSH
35	EFT3245	02/07/25	Bridged Group Pty Ltd	Windows 11 Licenses for Library Computers	(660.00)	1	CSH
36	EFT3246	02/07/25	Thinkproject Australia Pty Ltd	Asset Support and Maintenance Annual Fee 01/07/25-01/06/26	(9,203.11)	1	CSH
37	EFT3247	02/07/25	Cloud Payment Group	Debt Collection Expenses - June 2025	(730.00)	1	CSH
38	EFT3248	02/07/25	Local Government Professionals	2025-2026 Full Membership - Glenn Boyes	(560.00)	1	CSH
39	EFT3249	09/07/25	LG Best Practices Pty Ltd	Various Rate Services - June 2025 and Rates Modelling 2025/2026	(2,574.00)	1	CSH

**List of Accounts Paid****EFT (Continued)****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
40	EFT3250	09/07/25	Refuel Australia	June 2025 Fuel Usage	(21,478.00)	1	CSH
41	EFT3251	09/07/25	Landgate	Valuation Expenses - M2025/6	(181.00)	1	CSH
42	EFT3252	09/07/25	Datacom Solutions (AU) Pty Ltd	Easi Payroll Services - June 2025	(151.33)	1	CSH
43	EFT3253	09/07/25	Shire Of Mt Magnet	Building and Health Services - June 2025	(2,194.50)	1	CSH
44	EFT3254	09/07/25	Cloud Payment Group	Debt Collection Expenses - June 2025	(1,306.36)	1	CSH
45	EFT3255	09/07/25	Kieran Thomas Payne	Cr Sitting Fees and Allowances - June 2025	(894.58)	1	CSH
46	EFT3256	09/07/25	Angus Troup Nichols	Cr Sitting Fees and Allowances - June 2025	(626.68)	1	CSH
47	EFT3257	09/07/25	Gail Trenfield	Deputy President Sitting Fees and Allowances May/June 2025	(1,230.34)	1	CSH
48	EFT3258	09/07/25	Raul Valenzuela	President Sitting Fees and Allowances - June 2025	(1,879.39)	1	CSH
49	EFT3259	09/07/25	Tamisha Hodder	Cr Sitting Fees and Allowances - June 2025	(1,484.11)	1	CSH
50	EFT3260	09/07/25	Stanley Willock	Cr Sitting Fees and Allowances - June 2025	(527.67)	1	CSH
51	EFT3261	10/07/25	Url Networks Pty Ltd	Admin Phone Charges June 2025	(115.18)	1	CSH
52	EFT3262	11/07/25	Bridged Group Pty Ltd	Monthly Billing for July Sophos Costs	(346.50)	1	CSH
53	EFT3263	11/07/25	Market Creations Agency Pty Ltd	Annual subscription to Councilconnect and Userway Accessibility Tool for 25/26	(11,319.00)	1	CSH
54	EFT3264	11/07/25	Pivotel Satellite Pty Limited	Satellite Phone Fees to July 2025	(196.94)	1	CSH
55	EFT3265	11/07/25	Mcdonalds Wholesalers	Items for Resale at Caravan Park	(664.50)	1	CSH
56	EFT3266	11/07/25	Stewart & Heaton Clothing Co	Protective Clothing - Rick Ryan	(1,786.26)	1	CSH
57	EFT3267	11/07/25	Bai Communications Pty Ltd	Self Help RCP Radio Re-Broadcasting Maintenance Operations 01/07/2025 - 30/06/2026	(1,439.21)	1	CSH
58	EFT3268	11/07/25	Local Government Professionals	2025 - 2026 Bronze Subscription - LG Professionals	(660.00)	1	CSH

**List of Accounts Paid****EFT (Continued)****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
59	EFT3269	11/07/25	Fleet Complete Australia Pty Ltd	Iridium Failover June 2025	(569.94)	1	CSH
60	EFT3270	11/07/25	Gail Pilmoor	Reimbursement for Purchase of New Boots for Paynes Find Fire Brigade	(269.95)	1	CSH
61	EFT3271	11/07/25	Canine Control	Ranger Services for Shire of Yalgoo	(1,606.89)	1	CSH
62	EFT3272	11/07/25	Civic Legal	Legal expenses in Wardens Court and Legal expenses for Disaster Funding	(39,753.81)	1	CSH
63	EFT3273	11/07/25	Dominic Carbone & Associates	Accounting Consultant	(1,457.50)	1	CSH
64	EFT3274	11/07/25	Murchison Country Zone WALGA	Murchison Country Zone of WALGA Annual Charge 2025	(2,800.00)	1	CSH
65	EFT3275	11/07/25	IPEC Pty Ltd	DFES Protective Clothing Rick Ryan	(35.71)	1	CSH
66	EFT3276	11/07/25	Cleverpatch Pty Ltd	Art Supplies for NAIDOC and Seniors Morning Tea	(1,186.30)	1	CSH
67	EFT3277	11/07/25	Lo-Go Appointments	Recruitment Service Fees	(4,235.00)	1	CSH
68	EFT3278	11/07/25	Cekas Asset Maintenance	Repairs and Maintenance to Shire Staff House 27 Stanley Street	(2,485.89)	1	CSH
69	EFT3279	11/07/25	Cloud Payment Group	Solicitor Fee - Letter of Demand	(84.70)	1	CSH
70	EFT3280	17/07/25	Australian Taxation Office	BAS Lodgement for June 2025	(26,043.00)	1	CSH
71	EFT3281	17/07/25	JLT Risk Solutions Pty Ltd	Marine Cargo Insurance - Renewal 30/06/2025 to 30/06/2026	(346.50)	1	CSH
72	EFT3282	17/07/25	LGISWA	50% Annual Member Contribution 30/06/2025 to 30/06/2026 Instalment 1	(172,824.49)	1	CSH
73	EFT3283	17/07/25	One Music Australia	Councils Music Rural 01/07/2025-30/06/2026	(387.64)	1	CSH
74	EFT3284	17/07/25	Ian Scott	Everlasting Flower Seeds	(220.00)	1	CSH

**List of Accounts Paid****EFT (Continued)****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
75	EFT3285	17/07/25	Beachlands Plumbing Pty Ltd	Various Works on Shire Properties	(4,406.88)	1	CSH
76	EFT3286	17/07/25	LG Best Practices Pty Ltd	Rates End of Year 2024-2025	(2,376.00)	1	CSH
77	EFT3287	17/07/25	TKPH Pty Ltd t/as OTR Tyres	225/70R17C Goodyear Wrangler AT Silentrac and wheel alignment	(1,925.00)	1	CSH
78	EFT3288	17/07/25	Richard Ryan	Reibursement for purchase of Starlink	(949.95)	1	CSH
79	EFT3289	17/07/25	Glenn Boyes	Items for Mystery Boxes and Caravan Park ASIC License	(175.75)	1	CSH
80	EFT3290	17/07/25	Local Health Authorities Analytical Committee	LHAAC Analytical Services 25/26	(414.93)	1	CSH
81	EFT3291	17/07/25	M & B Sales P/L	Pine H3 MGPIO Treated 90x45x4.8	(292.95)	1	CSH
82	EFT3292	17/07/25	Seivy'S Mechanical Services	Various Works on YA898	(2,574.00)	1	CSH
83	EFT3293	17/07/25	Shire of Perenjori	CESM Shared Costs	(6,600.63)	1	CSH
84	EFT3294	17/07/25	Mcdonalds Wholesalers	Various Items for Caravan Park	(258.10)	1	CSH
85	EFT3295	17/07/25	Lo-Go Appointments	Contract - Corporate Services - WALGA Preferred - 6 months - H St George Cooper	(1,513.77)	1	CSH
86	EFT3296	17/07/25	Cekas Asset Maintenance	Yalgoo Town Hall Restoration	(5,871.25)	1	CSH
87	EFT3297	24/07/25	Clean Pak Total Solutions	Foil Trays for Naidoc day As Per PO 16313	(12.85)	1	CSH
88	EFT3298	24/07/25	Bunnings Building Supplies	Toilet Seat for Caravan Park Toilets	(36.50)	1	CSH
89	EFT3299	24/07/25	Geraldton Toyota	Replace drivers side mirror on 1IEE.929	(599.04)	1	CSH
90	EFT3300	24/07/25	Winc Australia Pty Limited	Meter Charges for June 2025	(851.74)	1	CSH
91	EFT3301	24/07/25	Super Retail Group t/a BCF	Prizes for bingo night on the 12th of June on PO 11458	(564.93)	1	CSH

**List of Accounts Paid****EFT (Continued)****July 2025**

#	Reference	Date	Supplier	Description	Amount	Bank	Type
92	EFT3302	28/07/25	Paywise Pty Ltd	Payroll Deductions/Contributions	(1,497.28)	1	CSH
93	EFT3303	28/07/25	JLT Risk Solutions Pty Ltd	25/26 Salary Continuance insurance for CEO	(1,680.03)	1	CSH
94	EFT3304	28/07/25	G.T. Movers W.A.	Deliveries to Yalgoo from Balcatta and Malaga	(577.50)	1	CSH
95	EFT3305	28/07/25	TKPH Pty Ltd t/as OTR Tyres	Supply, Fit New Tyre and Disposal of Old Tyre	(227.45)	1	CSH
96	EFT3306	28/07/25	Bunnings Building Supplies	Paint Ext Dulux Weathershield x 2 on PO 11836, Mini Roller Set and 2 x Paint Ext Dulux Weathershield, Various Items for Maintenance at Office and Caravan Park and Full Boar 1000A Jump Starter & Power Bank FBJS-800	(1,051.40)	1	CSH
97	EFT3307	28/07/25	Canine Control	Ranger Services - Regular Townsite Patrol	(1,530.38)	1	CSH
98	EFT3308	28/07/25	Pemco Diesel Pty Ltd	50000KLM Service for 1IEE 930 4 x 4 Toyota Hilux	(783.41)	1	CSH
99	EFT3309	28/07/25	Grants Empire	Payment 1 to prepare graphics for 22/23, 23/24 and 24/25 Annual Reports	(3,600.00)	1	CSH
100	EFT3310	28/07/25	Mcdonalds Wholesalers	Various Items for Resale at Caravan Park	(745.95)	1	CSH
101	EFT3311	28/07/25	Shire Of Mt Magnet	Contribution to the Murchison Geotourism Development Project 2025/2026	(21,350.00)	1	CSH
102	EFT3312	28/07/25	Cekas Asset Maintenance	Various Works 14/07/25 to 18/07/25	(7,667.43)	1	CSH
103	EFT3313	28/07/25	Local Government Professionals	25/26 LG Professional membership for CEO	(560.00)	1	CSH
104	EFT3314	28/07/25	XL2 (Professional PC Support)	New Monitors for Office x 14	(5,929.00)	1	CSH
105	EFT3315	31/07/25	Kieran Thomas Payne	CR Sitting Fees and Allowances Jul 2025	(602.91)	1	CSH
106	EFT3316	31/07/25	Angus Troup Nichols	CR Sitting Fees and Allowances Jul 2025	(626.68)	1	CSH
107	EFT3317	31/07/25	Raul Valenzuela	PR Sitting Fees and Allowances Jul 2025	(1,598.67)	1	CSH
					<b>(432,817.86)</b>		

### 13.2 INVESTMENT REPORT

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	20 August 2025
<b>Reporting Officer:</b>	Glenn Boyes
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	Investment Register
<b>Page:</b>	9

#### **SUMMARY**

That Council receive the investment report as at 31 July 2025.

#### **COMMENT**

Money held in the Municipal Fund of the Shire of Yalgoo that is not required for the time being may be invested under the Trustee Act 1962 Part III.

#### **STATUTORY ENVIRONMENT**

*Local Government Act 1995.*

6.14 Power To Invest.

Local Government (Financial Management) Regulations 1996

19 Investments, control procedures for

19C Investment of money, restrictions on (Act s6.14(2)(a))

Shire Delegated Authority

#### **POLICY/FINANCIAL IMPLICATIONS**

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council Receive the Investment Report as at 31 July 2025.

2,582.30

		Opening	Jul-25			
Reserve #	Description	Interest	Interest	Transfers In	Transfers Out	Closing
9673101	Employee Entitlement (Leave) Reserve	56,747.13	0.00	45.00	0.00	56,792.13
9673201	Plant Replacement Reserve	854,911.53	0.00	681.00	0.00	855,592.53
9673301	Sports Complex Reserve	110,328.89	0.00	88.00	0.00	110,416.89
9673401	Buildings Construction Reserve	186,878.17	0.00	149.00	0.00	187,027.17
9673501	Yalgoo Ninghan Road Reserve	1,059,393.96	0.00	845.30	0.00	1,060,239.26
9673601	Buildings Maintenance Reserve	141,953.71	0.00	113.00	0.00	142,066.71
9673701	General Road Reserve	0.00	0.00	0.00	0.00	0.00
9673801	Community Amenities Reserve	312,804.53	0.00	249.00	0.00	313,053.53
9673901	HCP Reserve	163,273.44	0.00	130.00	0.00	163,403.44
9674001	Yalgoo Morawa Road Reserve	335,250.39	0.00	267.00	0.00	335,517.39
9674101	Superannuation Back Pay Reserve	0.00	0.00	0.00	0.00	0.00
9674201	Office Equipment & ICT Reserve	4,199.62	0.00	3.00	0.00	4,202.62
9674301	Natural Disaster Triggerpoint Reserve	14,749.63	0.00	12.00	0.00	14,761.63
9674401	Emergency Road Repairs Reserve	0.00	0.00	0.00	0.00	0.00
		3,240,491.00	0.00	2,582.30	0.00	3,243,073.30
					Check	0.00

Reference	Amount	Bank	Opening	Interest	Maturity	Interest at Maturity	Total
No term deposits							
	<hr/>					<hr/>	
	0.00					0.00	

### 13.3 MONTHLY FINANCIAL STATEMENTS

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	20 August 2025
<b>Reporting Officer:</b>	Glenn Boyes
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	Monthly Report

#### SUMMARY

The Financial Statements for the month ended 31 July 2025 is presented to Council in accordance with *Regulation 34 of the Local Government (Financial Management) regulations 1996*.

Note: The budget figures are based on the original 24/25 adopted budget and YTD budget calculated as 1/12 of the annual budget figures.

#### COMMENT

The Financial Statements for the period ending July 2025 includes the following statements and notes:

- Statement of Financial Activity
- Statement of Financial Position
- Net Funding Position
- Cash Position
- Reserves
- Receivables
- Asset Disposals
- Capital Acquisitions
- Rates
- Grants, Subsidies and Contributions
- Variance Reporting

#### STATUTORY ENVIRONMENT

Local Government Act 1995 - Section 6.4

Local Government (Financial Management) Regulations 1996 - Regulation 34

#### POLICY/FINANCIAL IMPLICATIONS

The adoption of the Statements of Financial Activity is retrospective. Accordingly, the financial implications associated with adopting this are nil.

#### VOTING REQUIREMENT

Simple Majority

#### RISK IMPLICATIONS

The Financial Activity report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer (CEO) has implemented internal control measures such as regular



Council and Management reporting and a quarterly process to monitor financial performance against budget estimates.

Materiality reporting thresholds have been established by Council of \$10,000 and 10% for budget operating and capital items to alert management prior to there being irreversible impacts.

It should be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud.

The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the control of the CEO as laid out in the *Local Government (Financial Management) Regulations 1996 regulation 5*, seek to mitigate the possibility of this occurring.

These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

### **OFFICERS RECOMMENDATION**

That Council receive the Statement of Financial Activity for the period ended 31 July 2025 in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.



## **SHIRE OF YALGOO**

### **MONTHLY FINANCIAL REPORT**

**For the Period Ending 31 Jul 2025**

**Budget Figures based on 24/25 Annual Budget**

**Shire of Yalgoo**  
**Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

Ordinary Council Meeting Agenda Friday 29 August 2025

23

	Note	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var* \$	Var* %
Opening Surplus / (Deficit)	1	4,009,195	4,009,195	7,167,036		
<b>Operating Revenue</b>						
Rates	7	3,206,893	267,241	0	(267,241)	(100%)
Grants, Subsidies and Contributions	8(a)	5,298,501	441,542	249,618	(191,924)	(43%)
Fees and Charges	9(a)	253,035	21,086	31,771	10,685	51%
Interest Earnings	9(b)	203,430	16,953	3,220	(13,732)	(81%)
Other Revenue	9(c)	9,000	750	417	(333)	(44%)
Profit on Asset Disposals	5	160,694	13,391	0	(13,391)	(100%)
		<b>9,131,553</b>	<b>760,963</b>	<b>285,026</b>		
<b>Operating Expenditure</b>						
Employee Costs	10(a)	(2,383,772)	(198,648)	(113,607)	85,041	(43%)
Materials and Contracts	10(b)	(6,664,856)	(555,405)	(113,602)	441,803	(80%)
Utility Charges	10(c)	(98,350)	(8,196)	(4,296)	3,900	(48%)
Depreciation	10(d)	(1,333,372)	(111,114)	(110,452)	662	(1%)
Insurance	10(e)	(351,558)	(29,297)	(1,527)	27,769	(95%)
Other Expenditure	10(f)	(227,480)	(18,957)	(4,032)	14,925	(79%)
Loss on Asset Disposals	5	0	0	0	0	0%
		<b>(11,059,388)</b>	<b>(921,616)</b>	<b>(347,516)</b>		
<b>Excluded Non-cash Activities</b>						
Depreciation		1,333,372	111,114	110,452		
(Profit) / Loss on Asset Disposals		(160,694)	(13,391)	0		
Movement in current employee provisions		1,595	0	0		
<b>Net Amount from Operating Activities</b>		<b>(753,562)</b>	<b>(62,930)</b>	<b>47,962</b>		
<b>Capital Revenue and Expenditure</b>						
Grants, Subsidies and Contributions	8(b)	2,655,793	221,316	80,000	(141,316)	(64%)
Proceeds from Disposal of Assets	5	305,000	25,417	0	(25,417)	(100%)
Land and Buildings	6(a)	(1,280,000)	(106,667)	(13,104)	93,562	(88%)
Plant and Equipment	6(b)	(1,365,000)	(113,750)	0	113,750	(100%)
Furniture and Equipment	6(c)	0	0	0	0	0%
Road Infrastructure	6(d)	(2,891,999)	(241,000)	(25,249)	215,750	(90%)
Other Infrastructure	6(e)	(659,000)	(54,917)	0	54,917	(100%)
<b>Net Amount from Capital Activities</b>		<b>(3,235,206)</b>	<b>(269,601)</b>	<b>41,646</b>		
<b>Financing Revenue and Expenditure</b>						
Transfers from Reserves	3	1,322,802	110,234	0	(110,234)	(100%)
Transfers to Reserves	3	(1,343,229)	(111,936)	(2,582)	109,353	(98%)
<b>Net Amount from Financing Activities</b>		<b>(20,427)</b>	<b>(1,702)</b>	<b>(2,582)</b>		
<b>Closing Surplus / (Deficit)</b>	1	<b>0</b>	<b>3,674,963</b>	<b>7,254,062</b>		

\* - the material variance adopted by Council for 2024 - 2025 is \$10,000 and 10% whichever is greater.

**Shire of Yalgoo**  
**Statement of Financial Position**  
**As at 31 Jul 2025**

Ordinary Council Meeting Agenda Friday 29 August 2025

24

	31 Jul 25	30 Jun 25
	\$	\$
<b>Current Assets</b>		
Cash and Cash Equivalents	1,770,541	1,930,864
Cash Reserves	3,243,073	3,240,491
Rates Receivables	112,513	121,129
Other Receivables	6,168,507	6,039,415
	<b>11,294,635</b>	<b>11,331,900</b>
<b>Non-current Assets</b>		
Receivables and Other Assets	19,905	19,905
Property, Plant and Equipment	13,638,427	13,625,322
Infrastructure	75,939,945	75,914,696
	<b>89,598,277</b>	<b>89,559,923</b>
<b>Total Assets</b>	<b>100,892,912</b>	<b>100,891,822</b>
<b>Current Liabilities</b>		
Trade and Other Liabilities	(157,400)	(269,308)
Income Received in Advance	(44,653)	(41,185)
Contract Liabilities	(309,844)	(309,844)
Employee Related Provisions	(285,604)	(304,036)
	<b>(797,500)</b>	<b>(924,373)</b>
<b>Non-current Liabilities</b>		
Employee Related Provisions	(78,535)	(78,535)
	<b>(78,535)</b>	<b>(78,535)</b>
<b>Total Liabilities</b>	<b>(876,035)</b>	<b>(1,002,908)</b>
<b>Net Assets</b>	<b>100,016,877</b>	<b>99,888,915</b>
<b>Equity</b>		
Accumulated Surplus	(41,619,980)	(41,494,600)
Cash Reserves	(3,243,073)	(3,240,491)
Revaluation Surplus	(55,153,824)	(55,153,824)
	<b>(100,016,877)</b>	<b>(99,888,915)</b>

## 1. Financial Position

### Current Assets

	31 Jul 25	30 Jun 25
	\$	\$
Cash and Cash Equivalents	1,770,541	1,930,864
Cash Reserves	3,243,073	3,240,491
Rates Receivables	112,513	121,129
Other Receivables	6,168,507	6,039,415
	<b>11,294,635</b>	<b>11,331,900</b>

### Current Liabilities

Trade and Other Liabilities	(157,400)	(269,308)
Income Received in Advance	(44,653)	(41,185)
Contract Liabilities	(309,844)	(309,844)
Employee Related Provisions	(285,604)	(304,036)
	<b>(797,500)</b>	<b>(924,373)</b>

Less: Cash Reserves	(3,243,073)	(3,240,491)
---------------------	-------------	-------------

### Net Funding Position

<b>7,254,062</b>	<b>7,167,036</b>
------------------	------------------

## 2. Cash and Financial Assets

### (a) Cash and Cash Equivalents

#### Unrestricted

	As at 31 Jul 25	Interest Rate	Maturity Date
	\$	%	
Municipal Account	1,381,730	0.00% - 0.95%	N/A
Cash on Hand	400	N/A	N/A
Investment Account	0	N/A	N/A
Term Deposits	0	N/A	N/A
	<b>1,382,130</b>		

#### Restricted

Municipal Account	388,411	0.00% - 0.95%	N/A
Reserves Cash	3,243,073	0.95%	N/A
	<b>3,631,484</b>		

### Total Cash and Cash Equivalents

<b>5,013,615</b>
------------------

### (b) Trust Funds

There are currently no funds held in Trust.

### 3. Cash Reserves

	Balance 01 Jul 25 \$	Transfer from \$	Interest Received \$	Transfer to \$	Balance 31 Jul 25 \$
<b>YTD Actual</b>					
Employee Entitlement (Leave) Reserve	56,747	0	45	0	56,792
Plant Replacement Reserve	854,912	0	681	0	855,593
Sports Complex Reserve	110,329	0	88	0	110,417
Buildings Construction Reserve	186,878	0	149	0	187,027
Yalgoo Ninghan Road Reserve	1,059,394	0	845	0	1,060,239
Buildings Maintenance Reserve	141,954	0	113	0	142,067
Community Amenities Reserve	312,805	0	249	0	313,054
HCP Reserve	163,273	0	130	0	163,403
Yalgoo Morawa Road Reserve	335,250	0	267	0	335,517
Office Equipment and ICT Reserve	4,200	0	3	0	4,203
Natural Disaster Triggerpoint Reserve	14,750	0	12	0	14,762
	<u>3,240,491</u>	<u>0</u>	<u>2,582</u>	<u>0</u>	<u>3,243,073</u>

### 4. Receivables

	31 Jul 25 \$		31 Jul 25 \$
<b>Rates Receivable</b>		<b>General Receivables</b>	
Current	3,184	Current	43,116
Previous Year	45,453	30 Days	5,750
Second Previous Year	26,089	60 Days	0
Third Previous Year or Greater	<u>37,787</u>	90+ Days	<u>0</u>
	<u>112,513</u>		<u>48,866</u>

### 5. Disposal of Assets

	Annual Budget Profit \$	Annual Budget Loss \$	YTD Proceeds on Disposal \$	YTD Actual Profit \$	YTD Actual Loss \$
<b>Plant and Equipment</b>					
Grader	90,000	0	0	0	0
Drop Deck Float	50,000	0	0	0	0
Toyota RAV 4	8,700	0	0	0	0
Toyota Fortuna	2,987	0	0	0	0
Mitsubishi Pajero	975	0	0	0	0
Prime Mover (YA 807)	<u>8,032</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>160,694</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

## Notes to the Statement of Financial Activity

For the Period Ending 31 Jul 2025

## 6. Capital Acquisitions

## (a) Land and Buildings

	Annual Budget	YTD Budget	YTD Actual	Var \$	Var %	Explanation of Variance and Project Update
	\$	\$	\$			
Town Hall	300,000	25,000	12,699	(12,301)	(49%)	Expenditure less than expected
Other Recreation Land	150,000	12,500	0	(12,500)	(100%)	Not started
Anthropology Report Cemetery	35,000	2,917	0	(2,917)	(100%)	
Depot Storage Shed	295,000	24,583	0	(24,583)	(100%)	Not started
Economic Development Building	500,000	41,667	0	(41,667)	(100%)	Not started
Administration Building	0	0	405	405	0%	
	<b>1,280,000</b>	<b>106,667</b>	<b>13,104</b>			

## Notes to the Statement of Financial Activity

For the Period Ending 31 Jul 2025

## 6. Capital Acquisitions

## (b) Plant and Equipment

	Annual Budget	YTD Budget	YTD Actual	Var	Var %	Explanation of Variance and Project Update
	\$	\$	\$	\$		
DFES Tank	35,000	2,917	0	(2,917)	(100%)	
Law, Order and Public Safety Equipmen	250,000	20,833	0	(20,833)	(100%)	Not purchased
Grader	450,000	37,500	0	(37,500)	(100%)	Not purchased
Box Top Trailer	10,000	833	0	(833)	(100%)	
Satellite Phones and Vehicle Tracking	10,000	833	0	(833)	(100%)	
2 x Cranes	15,000	1,250	0	(1,250)	(100%)	
Drop Deck Float	150,000	12,500	0	(12,500)	(100%)	Not purchased
Pole Mounted Camera	20,000	1,667	0	(1,667)	(100%)	
Other Plant and Equipment	60,000	5,000	0	(5,000)	(100%)	
RAV 4 Replacement	70,000	5,833	0	(5,833)	(100%)	
Motor Vehicle	50,000	4,167	0	(4,167)	(100%)	
Computer Systems Upgrades	135,000	11,250	0	(11,250)	(100%)	Not purchased
Conference Equipment	35,000	2,917	0	(2,917)	(100%)	
External Monitor Display	25,000	2,083	0	(2,083)	(100%)	
Used 12 Seater Bus or Van	50,000	4,167	0	(4,167)	(100%)	
	<b>1,365,000</b>	<b>113,750</b>	<b>0</b>			

## (c) Furniture and Equipment

There are no budget items

0	0	0
<b>0</b>	<b>0</b>	<b>0</b>



## Notes to the Statement of Financial Activity

For the Period Ending 31 Jul 2025

## 6. Capital Acquisitions (Continued)

## (d) Road Infrastructure

	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance and Project Update
Piesse St	100,000	8,333	0	(8,333)	(100%)	
Paynes Find Town Rd	150,000	12,500	0	(12,500)	(100%)	Completed at 30 Jun 25
LRCI - Yalgoo Ninghan Rd	592,977	49,415	6,969	(42,445)	(86%)	Works just started
LRCI - Morawa - Yalgoo Rd	60,000	5,000	0	(5,000)	(100%)	
Jokers Mine Rd	40,000	3,333	0	(3,333)	(100%)	
Other Road Construction	835,000	69,583	0	(69,583)	(100%)	Not started
Roads to Recovery	664,022	55,335	0	(55,335)	(100%)	Not started
Regional Roads Group	450,000	37,500	18,280	(19,220)	(51%)	Preliminary work done
	<b>2,891,999</b>	<b>241,000</b>	<b>25,249</b>			

## (e) Other Infrastructure

Tennis Court	100,000	8,333	0	(8,333)	(100%)	
Water Treatment Railway Bore	100,000	8,333	0	(8,333)	(100%)	
Tourist Projects	50,000	4,167	0	(4,167)	(100%)	
Paynes Find Entry Statement	19,000	1,583	0	(1,583)	(100%)	
TOUR - Infrastructure Other	200,000	16,667	0	(16,667)	(100%)	Not started
Drainage Outside BUA	100,000	8,333	0	(8,333)	(100%)	
Street Lighting	50,000	4,167	0	(4,167)	(100%)	
ADMIN - Infrastructure Other	40,000	3,333	0	(3,333)	(100%)	
	<b>659,000</b>	<b>54,917</b>	<b>0</b>			

## Total Capital Expenditure

<b>6,195,999</b>	<b>516,333</b>	<b>38,354</b>
------------------	----------------	---------------

**Notes to the Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

**7. Rating Information**

	Rateable Value	Rate in \$	Number of Properties	Annual Budget Revenue \$	YTD Actual Revenue \$	Var \$	Var %	Explanation of Variance
<b>General Rates</b>								
GRV - Townsites Improved	389,033	0.08067	36	31,383	0	(31,383.29)	(100%)	Rates not raised
GRV - Townsites Improved Vacant	0	0.08067	0	0	0	0.00	0%	
GRV - Mining Infrastructure	1,473,400	0.30643	8	451,487	0	(451,487.00)	(100%)	Rates not raised
UV - Pastoral / Rural	937,583	0.07115	23	66,710	0	(66,710.03)	(100%)	Rates not raised
UV - Mining / Mining Tenements	6,945,833	0.32960	141	2,289,347	0	(2,289,346.56)	(100%)	Rates not raised
UV - Exploration / Prospecting	1,493,482	0.21672	213	323,666	0	(323,666.42)	(100%)	Rates not raised
				<b>3,162,593</b>	<b>0</b>			
<b>Minimum Payment</b>								
GRV - Townsites Improved	6,462	300	5	1,500	0	(1,500.00)	(100%)	Rates not raised
GRV - Townsites Improved Vacant	1,570	300	12	3,600	0	(3,600.00)	(100%)	Rates not raised
GRV - Mining Infrastructure	20	300	1	300	0	(300.00)	(100%)	Rates not raised
UV - Pastoral / Rural	10,008	300	8	2,400	0	(2,400.00)	(100%)	Rates not raised
UV - Mining / Mining Tenements	5,949	300	10	3,000	0	(3,000.00)	(100%)	Rates not raised
UV - Exploration / Prospecting	80,531	300	95	28,500	0	(28,500.00)	(100%)	Rates not raised
				<b>39,300</b>	<b>0</b>			
<b>Total General and Minimum Rates</b>				<b>3,201,893</b>	<b>0</b>			
<b>Other Rate Revenue</b>								
Rates Written-off				0	0	0.00	0%	
Interim and Back Rates				5,000	0	(5,000.00)	(100%)	No interim or back rates
<b>Total Funds Raised from Rates</b>				<b>3,206,893</b>	<b>0</b>			

**Notes to the Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

**8. Grants, Subsidies and Contributions**

**(a) Operating Revenue**

	<b>Annual Budget \$</b>	<b>YTD Budget \$</b>	<b>YTD Actual \$</b>	<b>Var \$</b>	<b>Var %</b>	<b>Explanation of Variance</b>
Reimbursement of Debt Collection Costs	2,750	229	0	(229)	(100%)	
Financial Assistance Grant - General	274,572	22,881	0	(22,881)	(100%)	Quarterly funds not received
Financial Assistance Grant - Roads	40,551	3,379	0	(3,379)	(100%)	
Fire Grants	38,123	3,177	12,308	9,131	287%	
Health Reimbursements	2,750	229	0	(229)	(100%)	
Road Use Agreement EMR	150,000	12,500	0	(12,500)	(100%)	Raise debtor / update RUA
Road Use Agreement Rothsay Deflector	80,000	6,667	0	(6,667)	(100%)	
Direct Road Grant (MRWA)	224,255	18,688	229,282	210,594	1,127%	Budget profile
Healthy Community Projects - Silverlake	4,000	333	0	(333)	(100%)	
Admin Reimbursements	2,500	208	0	(208)	(100%)	
Fuel Tax Credits	25,000	2,083	3,070	987	47%	
Tourism Contributions and Donations	54,000	4,500	0	(4,500)	(100%)	
Flood Damage reimbursements	4,400,000	366,667	0	(366,667)	(100%)	Budget profile. No Flood Damage
Insurance Recoveries	0	0	412	412	0%	
Event Contributions	0	0	4,545	4,545	0%	
	<b>5,298,501</b>	<b>441,542</b>	<b>249,618</b>			

**(b) Capital Revenue**

	<b>Annual Budget \$</b>	<b>YTD Budget \$</b>	<b>YTD Actual \$</b>	<b>Var \$</b>		
General Purpose Grant Funding	1,359,771	113,314	0	(113,314)	(100%)	Audit to complete
Roads to Recovery	664,022	55,335	0	(55,335)	(100%)	Work not started
Fire Grants	32,000	2,667	0	(2,667)	(100%)	
Regional Road Group Grants (MRWA)	300,000	25,000	80,000	55,000	220%	Budget profile. Timing of claims
Halls Contributions and Donations	300,000	25,000	0	(25,000)	(100%)	Received in 24/25
	<b>2,655,793</b>	<b>221,316</b>	<b>80,000</b>			

**Notes to the Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

**9. Operating Revenue**

**(a) Fees and Charges**

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
3030120	RATES - Instalment Admin Fee	2,000	167	0	(167)	(100%)	
3030121	RATES - Account Enquiry Charges	500	42	45	4	9%	
3050221	ANIMAL - Animal Registration Fees	250	21	250	229	1,100%	
3050240	ANIMAL - Fines and Penalties	1,000	83	0	(83)	(100%)	
3070421	HEALTH - Health Regulatory Licenses	185	15	0	(15)	(100%)	
3090101	STF HOUSE - Staff Rental Reimbursements	16,000	1,333	1,600	267	20%	
3090235	OTH HOUSE - Other Income	0	0	2,608	2,608	0%	
3100120	SAN - Domestic Refuse Collection Charges	11,150	929	0	(929)	(100%)	
3100200	SAN OTH - Commercial Collection Charge	3,500	292	0	(292)	(100%)	
3100321	SEW - Septic Tank Inspection Fees	500	42	0	(42)	(100%)	
3100623	PLAN - Fees & Charges	2,000	167	0	(167)	(100%)	
3100720	COM AMEN - Cemetery Fees	1,500	125	1,327	1,202	962%	
3100723	COM AMEN - Community Bus Fees	2,000	167	0	(167)	(100%)	
3110120	HALLS - Town Hall Hire	0	0	73	73	0%	
3110320	REC - Fees & Charges	150	13	0	(13)	(100%)	
3110321	REC - Core Stadium Hire	500	42	0	(42)	(100%)	
3110322	REC - Oval/Reserve Hire	500	42	0	(42)	(100%)	
3110324	REC - Mens Shed Hire Fees	200	17	0	(17)	(100%)	
3110620	HERITAGE - Sale of History Books	100	8	0	(8)	(100%)	
3110720	OTH CUL - Sales Arts and Cultural Centre	2,500	208	0	(208)	(100%)	
3110721	OTH CUL - Chapel and Museum Fees	1,000	83	36	(47)	(56%)	
3130221	TOUR - Caravan Park Tourism Sales (Shirts ar	500	42	0	(42)	(100%)	
3130222	TOUR - Caravan Park Chalet Revenue	140,000	11,667	7,309	(4,358)	(37%)	
3130223	TOUR - Caravan Park Shop Sales	5,000	417	414	(3)	(1%)	
3130224	TOUR - Prospecting Permits	1,000	83	45	(38)	(45%)	
3130225	TOUR - Caravan Park Camp Site Fees	55,000	4,583	18,063	13,480	294%	Budget profile spread evenly
3130302	BUILD - Commissions - BSL & CTF	500	42	0	(42)	(100%)	
3130320	BUILD - Fees & Charges (Licences)	2,500	208	0	(208)	(100%)	
3140120	PRIVATE - Private Works Income	3,000	250	0	(250)	(100%)	
		<b>253,035</b>	<b>21,086</b>	<b>31,771</b>			

## Notes to the Statement of Financial Activity

For the Period Ending 31 Jul 2025

## 9. Operating Revenue (Continued)

## (b) Interest Earnings

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
3030145	RATES - Penalty Interest Received	20,000	1,667	599	(1,068)	(64%)	
3030245	GEN PUR - Interest Earned - Reserve Funds	173,430	14,453	2,582	(11,870)	(82%)	Interest will be less than 24/25
3030246	GEN PUR - Interest Earned - Municipal Funds	10,000	833	39	(794)	(95%)	
		<b>203,430</b>	<b>16,953</b>	<b>3,220</b>			

## (c) Other Revenue

3050502	ESL BFB - Admin Fee/Commission	4,000	333	0	(333)	(100%)	
3110702	OTH CUL - Commissions	500	42	0	(42)	(100%)	
3120502	LICENSING - Transport Licensing Commission	4,500	375	362	(13)	(3%)	
3140235	ADMIN - Other Administration Income	0	0	55	55	0%	
		<b>9,000</b>	<b>750</b>	<b>417</b>			

## (d) Profit on Asset Disposals

3120390	PLANT - Profit on Disposal of Assets	148,032	12,336	0	(12,336)	(100%)	Timing of disposals
3140290	ADMIN - Profit on Disposal of Assets	12,662	1,055	0	(1,055)	(100%)	
		<b>160,694</b>	<b>13,391</b>	<b>0</b>			

## 10. Operating Expenditure

### (a) Employee Costs

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2090189	STF HOUSE - Staff Housing Building Mtce	0	0	(347)	(347)	0%	
2100117	SAN - General Tip Maintenance	(7,000)	(583)	(392)	191	(33%)	
2100711	COM AMEN - Cemetery Maintenance	(2,500)	(208)	(436)	(228)	109%	
2100789	COM AMEN - Public Conveniences Mtce	(20,000)	(1,667)	(1,886)	(219)	13%	
2110189	HALLS - Town Halls and Public Bldg Mtce	(4,000)	(333)	(98)	236	(71%)	
2110300	REC - Employee Costs	0	0	(333)	(333)	0%	
2110360	REC - Recreation Grounds Maintenance	(111,400)	(9,283)	(3,431)	5,852	(63%)	
2110365	REC - Parks & Gardens Maintenance	0	0	0	0	0%	
2110389	REC - Other Rec Facilities Building Mtce	(57,000)	(4,750)	(8,508)	(3,758)	79%	
2110689	HERITAGE - Building Maintenance	(1,800)	(150)	(176)	(26)	17%	
2110700	OTH CUL - Employee Costs	(128,509)	(10,709)	(10,678)	31	(0%)	
2110725	OTH CUL - Festival & Events	0	0	0	0	0%	
2110789	OTH CUL - Building Maintenance	(3,500)	(292)	(533)	(241)	83%	
2120211	ROADM - Road Maintenance	(60,000)	(5,000)	0	5,000	(100%)	
2120212	ROADM - Road Maintenance - Sealed	(500,000)	(41,667)	(11,418)	30,249	(73%)	Expenditure less than expected
2120214	ROADM - Road Maintenance - Formed	0	0	(1,146)	(1,146)	0%	
2120221	ROADM - Road Maintenance Flood Damage	0	0	0	0	0%	
2120236	ROADM - Street Trees and Watering	(1,200)	(100)	0	100	(100%)	
2120288	ROADM - Depot Building Operations	(2,200)	(183)	0	183	(100%)	
2120289	ROADM - Depot Building Maintenance	(3,500)	(292)	(14,886)	(14,594)	5,004%	Incorrect allocation. Need to investigate
2120504	LICENSING - Training & Development	0	0	0	0	0%	
2120665	AERO - Airstrip & Grounds Mtce	(7,000)	(583)	(244)	340	(58%)	
2120689	AERO - Building Maintenance	(7,000)	(583)	(59)	525	(90%)	
2130200	TOUR - Employee Costs	(112,670)	(9,389)	(7,783)	1,606	(17%)	
2130204	TOUR - Training & Development	0	0	0	0	0%	

10. Operating Expenditure (Continued)

(a) Employee Costs (Continued)

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2130213	TOUR - Jokers Tunnel Maintenance	(750)	(63)	(156)	(94)	150%	
2130214	TOUR - Yalgoo Lookout Maintenance	(500)	(42)	0	42	(100%)	
2130267	TOUR - Caravan Park General Operation	(3,500)	(292)	0	292	(100%)	
2130288	TOUR - Building Operations	0	0	0	0	0%	
2130289	TOUR - Building Maintenance	(20,000)	(1,667)	(96)	1,571	(94%)	
2130855	OTH ECON - Community Bus	0	0	0	0	0%	
2140187	PRIVATE - Other Expenses	(1,000)	(83)	0	83	(100%)	
2140200	ADMIN - Employee Costs	(752,500)	(62,708)	(20,785)	41,923	(67%)	Staffing levels
2140202	ADMIN - Superannuation	0	0	(6,934)	(6,934)	0%	
2140204	ADMIN - Training & Development	(25,000)	(2,083)	0	2,083	(100%)	
2140205	ADMIN - Recruitment	0	0	0	0	0%	
2140206	ADMIN - Fringe Benefits Tax (FBT)	(40,000)	(3,333)	(8,352)	(5,019)	151%	
2140209	ADMIN - Travel & Accommodation	(5,000)	(417)	(35)	382	(92%)	
2140263	ADMIN - Courses Seminars & Conference	(7,500)	(625)	(221)	404	(65%)	
2140289	ADMIN - Building Maintenance	(32,000)	(2,667)	(532)	2,135	(80%)	
2140300	PWO - Employee Costs	(245,220)	(20,435)	(2,607)	17,828	(87%)	Staffing levels
2140304	PWO - Training & Development	(10,000)	(833)	0	833	(100%)	
2140307	PWO - Protective Clothing	0	0	0	0	0%	
2140308	PWO - Other Employee Expenses	(3,500)	(292)	(1,207)	(915)	314%	
2140309	PWO - Travel & Accommodation	(3,500)	(292)	0	292	(100%)	
2140323	PWO - Sick Pay	(18,525)	(1,544)	(4,365)	(2,822)	183%	
2140324	PWO - Annual Leave	(108,822)	(9,069)	0	9,069	(100%)	
2140325	PWO - Public Holidays	(37,046)	(3,087)	0	3,087	(100%)	
2140326	PWO - Long Service Leave	0	0	0	0	0%	
2140328	PWO - Supervision	0	0	(2,209)	(2,209)	0%	
2140344	PWO - Superannuation	(165,000)	(13,750)	(10,235)	3,515	(26%)	
2140366	PWO - Insurance Workers Compensation	0	0	0	0	0%	
2140400	POC - Internal Plant Repairs	(1,500)	(125)	(451)	(326)	260%	
Multiple	Labour Overheads (exc Capex)	126,371	10,531	6,931	(3,600)	(34%)	
Multiple	Staff Housing and Admin Allocations	0	0	0	0	0%	
		(2,383,772)	(198,648)	(113,607)			

10. Operating Expenditure (Continued)

(b) Materials and Contracts

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2030112	RATES - Valuation Expenses	(7,500)	(625)	0	625	(100%)	
2030113	RATES - Title/Company Searches	(5,000)	(417)	0	417	(100%)	
2030114	RATES - Debt Collection Expenses	(15,000)	(1,250)	(77)	1,173	(94%)	
2030152	RATES - Consultants	(42,500)	(3,542)	(2,160)	1,382	(39%)	
2030187	RATES - Other Expenses Relating To Rates	(500)	(42)	0	42	(100%)	
2030211	GEN PUR - Bank Fees & Charges	0	0	0	0	0%	
2030260	MEMBERS - Conference Expenses	0	0	0	0	0%	
2040101	MEMBERS - Conferences and Accommodatic	(25,000)	(2,083)	(110)	1,974	(95%)	
2040104	MEMBERS - Training & Development	(20,000)	(1,667)	0	1,667	(100%)	
2040115	MEMBERS - Printing and Stationery	0	0	0	0	0%	
2040116	MEMBERS - Election Expenses	(7,500)	(625)	0	625	(100%)	
2040141	MEMBERS - Subscriptions & Publications	(36,000)	(3,000)	0	3,000	(100%)	
2040152	MEMBERS - Consultants	(100,000)	(8,333)	0	8,333	(100%)	
2040187	MEMBERS - Other Expenses	(5,000)	(417)	(20)	396	(95%)	
2040193	MEMBERS - Receptions & Refreshments.	(7,500)	(625)	(139)	486	(78%)	
2050109	FIRE - Travel & Accommodation	0	0	(666)	(666)	0%	
2050113	FIRE - Fire Prevention and Planning	0	0	(1,902)	(1,902)	0%	
2050117	FIRE - CESM	0	0	423	423	0%	
2050165	FIRE - Maintenance/Operations	(25,000)	(2,083)	(260)	1,823	(88%)	
2050187	FIRE - Other Expenditure	0	0	0	0	0%	
2050189	FIRE - Building Maintenance	0	0	0	0	0%	
2050266	ANIMAL - Contract Ranger Services	(42,000)	(3,500)	(2,852)	648	(19%)	
2050267	ANIMAL - Sterilisation Program	0	0	0	0	0%	
2050269	ANIMAL - Sterilisation Program.	(7,500)	(625)	0	625	(100%)	
2050287	ANIMAL - Other Expenditure	(5,000)	(417)	0	417	(100%)	
2070411	HEALTH - Contract EHO	(5,000)	(417)	0	417	(100%)	
2070412	HEALTH - Analytical Expenses	(1,000)	(83)	(377)	(294)	353%	
2070487	HEALTH - Other Expenses	(1,000)	(83)	0	83	(100%)	
2070553	PEST - Pest Control Programs	0	0	0	0	0%	
2070554	PEST - Mosquito Control Expenses	(3,500)	(292)	0	292	(100%)	
2070766	OTH HEALTH - Dental Services Expenses	(500)	(42)	0	42	(100%)	
2070789	OTH HEALTH - Building Maintenance	(500)	(42)	0	42	(100%)	
2080254	OTHER ED - Community Development Fund	(2,500)	(208)	0	208	(100%)	
2090165	STF HOUSE - Maintenance/Operations	0	0	0	0	0%	



**Notes to the Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

**10. Operating Expenditure (Continued)**

**(b) Materials and Contracts (Continued)**

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2090189	STF HOUSE - Staff Housing Building Mtce	(55,000)	(4,583)	(5,494)	(911)	20%	
2100111	SAN - Waste Collection	(20,000)	(1,667)	0	1,667	(100%)	
2100117	SAN - General Tip Maintenance	(4,000)	(333)	0	333	(100%)	
2100118	SAN - Purchase of Bins (Sulo and Other)	(2,000)	(167)	0	167	(100%)	
2100211	SAN OTH - Waste Collection	(20,000)	(1,667)	0	1,667	(100%)	
2100650	PLAN - Contract Town Planning	(7,500)	(625)	0	625	(100%)	
2100652	PLAN - Consultants	(10,000)	(833)	0	833	(100%)	
2100687	PLAN - Other Expenses	0	0	0	0	0%	
2100711	COM AMEN - Cemetery Maintenance	(2,500)	(208)	0	208	(100%)	
2100789	COM AMEN - Public Conveniences Mtce	(5,000)	(417)	(1,271)	(855)	205%	
2110188	HALLS - Town Halls and Public Bldg Ops	0	0	(352)	(352)	0%	
2110189	HALLS - Town Halls and Public Bldg Mtce	(3,500)	(292)	0	292	(100%)	
2110360	REC - Recreation Grounds Maintenance	(230,500)	(19,208)	0	19,208	(100%)	Expenditure less than expected
2110365	REC - Parks & Gardens Maintenance	0	0	(220)	(220)	0%	
2110387	REC - Other Expenses	0	0	0	0	0%	
2110389	REC - Other Rec Facilities Building Mtce	(15,500)	(1,292)	0	1,292	(100%)	
2110465	TV RADIO - Re-Broadcasting Maintenance	(5,000)	(417)	(1,308)	(892)	214%	
2110516	LIBRARY - Postage and Freight	(500)	(42)	0	42	(100%)	
2110587	LIBRARY - Other Expenses	(1,500)	(125)	0	125	(100%)	
2110689	HERITAGE - Building Maintenance	(11,750)	(979)	0	979	(100%)	
2110652	HERITAGE - Consultants	(50,000)	(4,167)	0	4,167	(100%)	
2110717	OTH CUL - Community Arts	(20,000)	(1,667)	0	1,667	(100%)	
2110724	OTH CUL - Artwork Purchases	(2,500)	(208)	0	208	(100%)	
2110725	OTH CUL - Festival & Events	(70,000)	(5,833)	(1,145)	4,688	(80%)	
2110741	OTH CUL - Subscriptions & Memberships	0	0	(2,800)	(2,800)	0%	
2110789	OTH CUL - Building Maintenance	(2,500)	(208)	0	208	(100%)	
2120211	ROADM - Road Maintenance	(12,597)	(1,050)	0	1,050	(100%)	
2120221	ROADM - Road Maintenance Flood Damage	(4,400,000)	(366,667)	0	366,667	(100%)	Budget profile. No Flood Damage
2120236	ROADM - Street Trees and Watering	(5,000)	(417)	0	417	(100%)	
2120237	ROADM - Signs Repaired /Replaced	(5,000)	(417)	0	417	(100%)	
2120239	ROADM - Road Mtce - Vegetation and Weeds	(15,000)	(1,250)	0	1,250	(100%)	
2120241	ROADM - Road Inspections after rain	(5,000)	(417)	0	417	(100%)	
2120242	ROADM - Roman Expenses	(8,500)	(708)	0	708	(100%)	
2120252	ROADM - Consultants	(20,000)	(1,667)	0	1,667	(100%)	

10. Operating Expenditure (Continued)

(b) Materials and Contracts (Continued)

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2120289	ROADM - Depot Building Maintenance	(11,750)	(979)	0	979	(100%)	
2120516	LICENSING - Postage and Freight	0	0	0	0	0%	
2120665	AERO - Airstrip & Grounds Maintenance	(8,000)	(667)	0	667	(100%)	
2120687	AERO - Expenses Relating To Aerodromes	(1,500)	(125)	0	125	(100%)	
2120689	AERO - Building Maintenance	(1,000)	(83)	0	83	(100%)	
2130112	RURAL - Dog Bounty	0	0	0	0	0%	
2130211	TOUR - Tourism Promotion	(35,000)	(2,917)	(21,350)	(18,433)	632%	Geotourism Paid. Budget profile
2130213	TOUR - Jokers Tunnel Maintenance	(2,000)	(167)	0	167	(100%)	
2130214	TOUR - Yalgoo Lookout Maintenance	(1,000)	(83)	0	83	(100%)	
2130265	TOUR - Maintenance/Operations	0	0	(93)	(93)	0%	
2130266	TOUR - Caravan Park General Maintenance	0	0	0	0	0%	
2130267	TOUR - Caravan Park General Operation	(37,500)	(3,125)	(1,552)	1,573	(50%)	
2130270	TOUR - Website Development	(12,000)	(1,000)	0	1,000	(100%)	
2130286	TOUR - Expensed Minor Asset Purchases	0	0	0	0	0%	
2130289	TOUR - Building Maintenance	(5,000)	(417)	(178)	238	(57%)	
2130293	TOUR - Healthy Community Activities Others	(20,000)	(1,667)	0	1,667	(100%)	
2130242	TOUR - Festivals & Events	(50,000)	(4,167)	0	4,167	(100%)	
2130296	TOUR - Healthy Community Projects	0	0	0	0	0%	
2130350	BUILD - Contract Building Services	(5,000)	(417)	0	417	(100%)	
2130640	ECON DEV - Advertising & Promotion	(5,000)	(417)	0	417	(100%)	
2130642	ECON DEV - Projects	(185,000)	(15,417)	0	15,417	(100%)	No work done
2130652	ECON DEV - Consultants	(50,000)	(4,167)	0	4,167	(100%)	
2140201	ADMIN - Salaries & Wages	(110,000)	(9,167)	(688)	8,479	(92%)	
2140204	ADMIN - Training & Development	0	0	0	0	0%	
2140205	ADMIN - Recruitment	(5,000)	(417)	0	417	(100%)	
2140209	ADMIN - Travel & Accommodation	0	0	0	0	0%	
2140215	ADMIN - Printing and Stationery	(7,500)	(625)	0	625	(100%)	
2140216	ADMIN - Postage and Freight	(2,500)	(208)	0	208	(100%)	
2140217	ADMIN - Computer Maintenance and Support	(65,000)	(5,417)	(1,019)	4,398	(81%)	
2140220	ADMIN - Communication Expenses	0	0	(109)	(109)	0%	
2140221	ADMIN - Information Technology	0	0	0	0	0%	
2140223	ADMIN - Bank Charges	(5,000)	(417)	(480)	(63)	15%	
2140226	ADMIN - Office Equipment Mtce	(13,500)	(1,125)	(5,790)	(4,665)	415%	
2140227	ADMIN - Records Management	(45,000)	(3,750)	0	3,750	(100%)	

10. Operating Expenditure (Continued)

(b) Materials and Contracts (Continued)

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2140229	ADMIN - Software Licencing	(47,500)	(3,958)	0	3,958	(100%)	
2140240	ADMIN - Advertising and Promotion	(4,000)	(333)	0	333	(100%)	
2140241	ADMIN - Subscriptions and Memberships	0	0	(11,943)	(11,943)	0%	Councilconnect Subscription
2140252	ADMIN - Consultants	(85,000)	(7,083)	(4,598)	2,485	(35%)	
2140263	ADMIN - Courses Seminars & Conference	0	0	(10)	(10)	0%	
2140264	ADMIN - License & Permits	(1,500)	(125)	0	125	(100%)	
2140265	ADMIN - Maintenance/Operations	0	0	0	0	0%	
2140276	ADMIN - Occupational Health & Safety	(5,000)	(417)	0	417	(100%)	
2140279	ADMIN - Telephone & Internet	(40,000)	(3,333)	0	3,333	(100%)	
2140284	ADMIN - Audit Fees	(60,000)	(5,000)	0	5,000	(100%)	
2140285	ADMIN - Legal Expenses	(75,000)	(6,250)	(36,144)	(29,894)	478%	Budget profile
2140286	ADMIN - Expensed Minor Asset Purchases	0	0	0	0	0%	
2140287	ADMIN - Other Expenses	(15,000)	(1,250)	0	1,250	(100%)	
2140289	ADMIN - Building Maintenance	(7,500)	(625)	(11)	614	(98%)	
2140304	PWO - Training & Development	(17,500)	(1,458)	0	1,458	(100%)	
2140305	PWO - Recruitment	(10,000)	(833)	(3,850)	(3,017)	362%	
2140307	PWO - Protective Clothing	(1,100)	(92)	0	92	(100%)	
2140309	PWO - Travel & Accommodation	(7,500)	(625)	0	625	(100%)	
2140316	PWO - Postage and Freight	0	0	0	0	0%	
2140330	PWO - OHS and Toolbox Meetings	(15,000)	(1,250)	(28)	1,222	(98%)	
2140362	PWO - Asset Management	0	0	(8,366)	(8,366)	0%	
2140364	PWO - Satellite Phone & Tracking Expenses	(2,500)	(208)	(627)	(419)	201%	
2140365	PWO - Maintenance/Operations	0	0	0	0	0%	
2140387	PWO - Other Expenses	(5,000)	(417)	0	417	(100%)	
2140401	POC - Blades & Tynes	(12,000)	(1,000)	0	1,000	(100%)	
2140411	POC - External Parts & Repairs	(140,000)	(11,667)	(4,931)	6,736	(58%)	
2140412	POC - Fuels and Oils	(175,000)	(14,583)	0	14,583	(100%)	Expenditure less than expected
2140413	POC - Tyres and Tubes	(20,000)	(1,667)	(207)	1,460	(88%)	
2140415	POC - Workshop Consumables	(10,000)	(833)	0	833	(100%)	
2140416	POC - Licences/Registrations	(25,000)	(2,083)	(9,176)	(7,092)	340%	
2140418	POC - Expendable Tools / Consumables	(15,000)	(1,250)	0	1,250	(100%)	
Multiple	Plant Recoveries (exc Capex)	189,841	15,820	18,280	2,460	16%	
		(6,664,856)	(555,405)	(113,602)			

## 10. Operating Expenditure (Continued)

### (c) Utility Charges

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2050189	FIRE - Building Maintenance	0	0	(56)	(56)	0%	
2070789	OTH HEALTH - Building Maintenance	(1,250)	(104)	0	104	(100%)	
2090189	STF HOUSE - Staff Housing Building Mtce	(16,550)	(1,379)	(899)	481	(35%)	
2100789	COM AMEN - Public Conveniences Mtce	(7,500)	(625)	(130)	495	(79%)	
2110189	HALLS - Town Halls and Public Bldg Mtce	(6,050)	(504)	(201)	304	(60%)	
2110360	REC - Recreation Grounds Maintenance	(9,750)	(813)	(133)	679	(84%)	
2110388	REC - Building Operations	0	0	0	0	0%	
2110389	REC - Other Rec Facilities Building Mtce	(10,200)	(850)	(660)	190	(22%)	
2110689	HERITAGE - Building Maintenance	(4,050)	(338)	(64)	274	(81%)	
2120234	ROADM - Street Lighting	(12,000)	(1,000)	0	1,000	(100%)	
2120289	ROADM - Depot Building Maintenance	(4,850)	(404)	(426)	(22)	5%	
2130267	TOUR - Caravan Park General Operation	(19,500)	(1,625)	0	1,625	(100%)	
2130289	TOUR - Building Maintenance	0	0	(1,476)	(1,476)	0%	
2140231	ADMIN - Electricity	(3,500)	(292)	0	292	(100%)	
2140280	ADMIN - Water	(1,500)	(125)	0	125	(100%)	
2140289	ADMIN - Building Maintenance	(1,650)	(138)	(252)	(114)	83%	
		<b>(98,350)</b>	<b>(8,196)</b>	<b>(4,296)</b>			

### (d) Depreciation

2040192	MEMBERS - Depreciation	(549)	(46)	(45)	0	(1%)	Asset Register closed
2050192	FIRE - Depreciation	(1,718)	(143)	(142)	1	(1%)	Asset Register closed
2050292	ANIMAL - Depreciation	(151)	(13)	(13)	0	(1%)	Asset Register closed
2050392	OLOPS - Depreciation	(719)	(60)	(60)	0	(1%)	Asset Register closed
2070692	PREV OTH - Depreciation	(1,553)	(129)	(129)	1	(1%)	Asset Register closed
2090192	STF HOUSE - Depreciation	(37,451)	(3,121)	(3,102)	19	(1%)	Asset Register closed
2090292	OTH HOUSE - Depreciation	(4,569)	(381)	(378)	2	(1%)	Asset Register closed
2100792	COM AMEN - Depreciation	(21,575)	(1,798)	(1,787)	11	(1%)	Asset Register closed
2110192	HALLS - Depreciation	(14,541)	(1,212)	(1,205)	7	(1%)	Asset Register closed
2110392	REC - Depreciation	(76,118)	(6,343)	(6,305)	38	(1%)	Asset Register closed
2110692	HERITAGE - Depreciation	(10,464)	(872)	(867)	5	(1%)	Asset Register closed
2110792	OTH CUL - Depreciation	(91,471)	(7,623)	(7,577)	45	(1%)	Asset Register closed
2120292	ROADM - Depreciation	(595,730)	(49,644)	(49,348)	296	(1%)	Asset Register closed
2120692	AERO - Depreciation	(24,597)	(2,050)	(2,038)	12	(1%)	Asset Register closed
2130292	TOUR - Depreciation	(85,259)	(7,105)	(7,063)	42	(1%)	Asset Register closed

**Shire of Yalgoo**  
**Notes to the Statement of Financial Activity**  
**For the Period Ending 31 Jul 2025**

Ordinary Council Meeting Agenda Friday 29 August 2025

41

**10. Operating Expenditure (Continued)**

**(d) Depreciation (Continued)**

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2140292	ADMIN - Depreciation	(35,688)	(2,974)	(2,956)	18	(1%)	Asset Register closed
2140492	POC - Depreciation	(331,219)	(27,602)	(27,437)	165	(1%)	Asset Register closed
		<b>(1,333,372)</b>	<b>(111,114)</b>	<b>(110,452)</b>			

**(e) Insurance**

2040130	MEMBERS - Insurance Expenses	(1,107)	(92)	0	92	(100%)	
2050130	FIRE - Insurance Expenses	(2,977)	(248)	0	248	(100%)	
2050189	FIRE - Building Maintenance	(1,217)	(101)	0	101	(100%)	
2070789	OTH HEALTH - Building Maintenance	(3,750)	(313)	0	313	(100%)	
2090189	STF HOUSE - Staff Housing Building Mtce	(16,682)	(1,390)	0	1,390	(100%)	
2100117	SAN - General Tip Maintenance	(171)	(14)	0	14	(100%)	
2100711	COM AMEN - Cemetery Maintenance	(419)	(35)	0	35	(100%)	
2100789	COM AMEN - Public Conveniences Mtce	(2,754)	(230)	0	230	(100%)	
2110189	HALLS - Town Halls and Public Bldg Mtce	(3,552)	(296)	0	296	(100%)	
2110360	REC - Recreation Grounds Maintenance	(19,249)	(1,604)	0	1,604	(100%)	
2110389	REC - Other Rec Facilities Building Mtce	(20,514)	(1,710)	0	1,710	(100%)	
2110487	TV RADIO - Other Expenses	(160)	(13)	0	13	(100%)	
2110689	HERITAGE - Building Maintenance	(4,491)	(374)	0	374	(100%)	
2110700	OTH CUL - Employee Costs	(4,781)	(398)	0	398	(100%)	
2110789	OTH CUL - Building Maintenance	(4,200)	(350)	0	350	(100%)	
2120665	AERO - Airstrip & Grounds Maintenance	(6,016)	(501)	0	501	(100%)	
2130200	TOUR - Employee Costs	(4,867)	(406)	0	406	(100%)	
2130213	TOUR - Jokers Tunnel Maintenance	(41)	(3)	0	3	(100%)	
2130214	TOUR - Yalgoo Lookout Maintenance	(41)	(3)	0	3	(100%)	
2130267	TOUR - Caravan Park General Operation	(2,295)	(191)	0	191	(100%)	
2130290	TOUR - Healthy Community Activities	(1,528)	(127)	0	127	(100%)	
2130602	ECON DEV - Fuel Station Maintenance	(303)	(25)	0	25	(100%)	
2130630	ECON DEV - Insurance Expenses	(16,879)	(1,407)	0	1,407	(100%)	
2140230	ADMIN - Insurance Expenses (Other)	(71,835)	(5,986)	(1,527)	4,459	(74%)	
2140300	PWO - Employee Costs	(46,643)	(3,887)	0	3,887	(100%)	
2140365	PWO - Maintenance/Operations	(3,479)	(290)	0	290	(100%)	
2140417	POC - Insurance Expenses	(107,185)	(8,932)	0	8,932	(100%)	
2140760	UNCLASS - Unclassified Expenditure	(4,422)	(369)	0	369	(100%)	
		<b>(351,558)</b>	<b>(29,297)</b>	<b>(1,527)</b>			

## Notes to the Statement of Financial Activity

For the Period Ending 31 Jul 2025

## 10. Operating Expenditure (Continued)

## (f) Other Expenditure

COA	Description	Annual Budget \$	YTD Budget \$	YTD Actual \$	Var \$	Var %	Explanation of Variance
2030111	RATES - Rates Incentive Scheme	(1,000)	(83)	0	83	(100%)	
2030119	RATES - Refund	(5,000)	(417)	0	417	(100%)	
2040109	MEMBERS - Members Travel and Accom	(12,000)	(1,000)	(1,183)	(183)	18%	
2040111	MEMBERS - Presidents Allowance	(14,000)	(1,167)	(822)	345	(30%)	
2040112	MEMBERS - Deputy Presidents Allowance	(3,500)	(292)	0	292	(100%)	
2040113	MEMBERS - Members Sitting Fees	(30,480)	(2,540)	(957)	1,583	(62%)	
2040114	MEMBERS - Communications Allowance	(21,000)	(1,750)	(875)	875	(50%)	
2040116	MEMBERS - Election Expenses	0	0	0	0	0%	
2040129	MEMBERS - Donations to Community Groups	(10,000)	(833)	0	833	(100%)	
2040194	MEMBERS - Contribution to Murchison Zone	(3,500)	(292)	0	292	(100%)	
2050117	FIRE - CESM	(27,500)	(2,292)	0	2,292	(100%)	
2050187	FIRE - Other Expenditure	0	0	0	0	0%	
2130101	RURAL - Contribution - Southern Rangelands	(10,000)	(833)	0	833	(100%)	
2130112	RURAL - Dog Bounty	(2,000)	(167)	0	167	(100%)	
2130165	RURAL - MRVC	(40,000)	(3,333)	0	3,333	(100%)	
2130187	RURAL - Other Expenses	(10,000)	(833)	0	833	(100%)	
2130289	TOUR - Building Maintenance	(2,500)	(208)	(195)	14	(7%)	
2140411	POC - External Parts & Repairs	0	0	0	0	0%	
2130271	TOUR - Yalgoo Races Contribution	(35,000)	(2,917)	0	2,917	(100%)	
		<b>(227,480)</b>	<b>(18,957)</b>	<b>(4,032)</b>			

## (g) Loss on Asset Disposals

2120391	PLANT - Loss on Disposal of Assets	0	0	0	0	0%	
		<b>0</b>	<b>0</b>	<b>0</b>			



### 13.4 2025/2026 Annual Budget and Fees and Charges

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	20 August 2024
<b>Reporting Officer:</b>	Glenn Boyes Deputy CEO
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	NIL

#### Summary

That Council consider and adopt the 2025/2026 Annual Budget, Fees and Charges and Materiality, pending Ministerial approval for differential rating is received by the meeting.

#### Background

The Draft 2025/2026 Annual Budget has been compiled based on the objectives contained in the Strategic Community Plan and the Corporate Business Plan and to reflect Councils priorities in the coming year.

The proposed differential rates as proposed by Council and approved by the Minister for Local Government.

#### Comment

The budget has been prepared with a 8% increase in the rate in the dollar for all rating categories. A 5% discount will also be applied to ratepayers who pay in full on or before the first payment date. A \$15 discount will be applied to the rate record for ratepayers who pay instalments on time.

Fees and Charges mostly remained the same as last year except for some items which saw a small increase. Plant rates increased to account for the increase in fuel and insurance costs.

One significant change to Fees and Charges relates to a new item under Staff Housing (see second page of Fees and Charges). The Shire will charge pro-rata market rent to employees and subsidise it based on days worked and authorised leave. For example, if full days are worked or all leave is authorised, the employee will pay \$50 per fortnight rent. If the employee works no days or no leave is authorised they will pay full market rent at \$750 per fortnight.

The estimated brought forward balance is \$7,136,089 which includes the repayment of flood damage from DFES. This amount is unaudited and will change as the Annual Report is completed.

The opening cash balance is \$1,930,864 which is low due to fund being held back by DFES. Therefore, the 2025/2026 budget was tightened as much as possible to maintain cashflow during the year. Many capital projects were cancelled and budgeted projects likely will not commence unless DFES reimburses us our money. A cashflow forecast has been prepared to monitor our cash balances as the year progresses.

The main construction focus for this year will be purchasing the Yalgoo Hotel, completing the LRCIP project on Yalgoo-Ningham Rd, RRG and RTR roadworks, the Town Hall and surfacing the Tennis Court.

Administration will continue to go paperless where possible and begin the process of moving to a new accounting system. There will also be many business processes

and controls to implement based on appropriate accounting practices and recommendations from the Office of the Auditor General.

### Statutory Environment

Local Government Act 1995, Section 6.2 – Local Governments to prepare annual budget.

Local Government (Financial Management) Regulations 1996 Part 3

### Policy Implications

NIL

### Financial Implications

The 2025 - 2026 Budget provides Council with the opportunity to continue to provide the current level of services to the community.

### Voting Requirements

Absolute Majority

## OFFICERS RECOMMENDATION

*That Council:*

1. *That pursuant to the provisions of section 6.2 of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, Council adopts the attached 2025 - 2026 Annual Budget, which includes the following:*

- *Statement of Comprehensive Income*
- *Statement by Cash Flow*
- *Statement of Financial Activity*
- *Notes to the Annual Budget*
- *Updated Fees and Charges for 2025/2026*

2. *Impose the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed pursuant to sections 6.32, 6.33, 6.34 and 6.35 of the Local Government Act 1995*

<i>Land Category</i>	<i>Rate in \$</i>	<i>Minimum Payment</i>
<i>GRV Townsite Improved</i>	8.7121	\$300
<i>GRV Townsite Vacant</i>	8.7121	\$300
<i>GRV Mining Infrastructure</i>	33.0939	\$300
<i>UV Mining Tenements</i>	35.5968	\$300
<i>UV Exploration/Prospecting</i>	23.4057	\$300
<i>UV Pastoral Rural</i>	7.6843	\$300



1. *Adopt the following due dates for the payment in full and by instalments, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996.*

<i>Full Payment or 1<sup>st</sup> Instalment due date</i>	<i>10 Oct 2025</i>
<i>2<sup>nd</sup> Instalment due date</i>	<i>12 Dec 2025</i>
<i>3<sup>rd</sup> Instalment Due Date</i>	<i>13 Feb 2026</i>
<i>4<sup>th</sup> Instalment Due date</i>	<i>17 Apr 2026</i>

2. *Adopts an instalment administration charge where an owner has elected to pay rates through an instalment option of \$15 for each instalment after the initial instalment is paid, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 67 of the Local Government (Financial Management) Regulations 1996.*
3. *Adopt an interest rate of 3% where an owner has elected to pay through an instalment option, pursuant to section 6.45 of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996.*
4. *Adopt discount of 5% for rates payments made in full on or before the due date and a \$15 discount to be applied to the rate record for ratepayers who pay instalments payments on time.*
5. *Adopt an interest rate of 11% for rates and service charges (and any debt outstanding) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable, pursuant to section 6.51(1) and section 6.51(4) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996.*
6. *Adopts the 2025/2026 Schedule of Fees and Charges for the Shire of Yalgoo which also contain the removal and/or deposit of Domestic and Commercial waste pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007.*
7. *Endorse that the level to be used in the Statement of Financial Activity in 2025/2026 for the reporting of material variances shall be whichever is greater of 10% and \$10,000 in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 and AASB 1031 Materiality.*



## **SHIRE OF YALGOO**

### **ANNUAL STATUTORY BUDGET**

**For the Year Ending 30 June 2026**

#### **Community Vision**

The Shire is inclusive, peaceful, prosperous and strong

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996*

Refer to last audited Annual Report for information on Basis of Preparation and Accounting Standards

**SHIRE OF YALGOO**  
**STATEMENT OF COMPREHENSIVE INCOME**  
**FOR THE YEAR ENDING 30 JUNE 2026**

Ordinary Council Meeting Agenda Friday 29 August 2025

47

		<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
<b>Operating revenue</b>				
Rates	1(a)	3,312,501	3,087,906	3,206,893
Grants, subsidies and contributions	9(a)	4,921,000	7,491,829	5,298,501
Fees and charges	8	306,220	406,046	253,035
Interest	10(a)	51,000	189,714	203,430
Other revenue		35,500	32,654	9,000
		<b>8,626,221</b>	<b>11,208,148</b>	<b>8,970,859</b>
<b>Operating expenditure</b>				
Employee costs		(2,496,030)	(2,001,655)	(2,383,772)
Materials and contracts		(5,368,710)	(6,793,879)	(6,664,856)
Utility charges		(119,550)	(121,370)	(98,350)
Depreciation	6	(1,325,400)	(1,325,424)	(1,333,372)
Insurance		(260,000)	(292,036)	(351,558)
Other expenditure		(179,500)	(86,814)	(227,480)
		<b>(9,749,190)</b>	<b>(10,621,178)</b>	<b>(11,059,388)</b>
<b>Subtotal</b>		<b>(1,122,969)</b>	<b>586,970</b>	<b>(2,088,529)</b>
Fair Value adjustment to financial assets at fair value through profit or loss		0	(888)	0
Fair value gain on acquisition of non-financial assets		0	908,512	0
Capital grants, subsidies and contributions	9(b)	1,900,450	1,003,449	2,655,793
Profit on disposal of assets	5	244,500	110,223	160,694
Loss on disposal of assets	5	(39,900)	0	0
		<b>2,105,050</b>	<b>2,021,295</b>	<b>2,816,487</b>
<b>Net result</b>		<b>982,081</b>	<b>2,608,265</b>	<b>727,958</b>
<b>Other comprehensive income</b>				
Items that will not be reclassified subsequently to profit or loss:				
Changes in asset revaluation surplus		0	0	0
		<b>0</b>	<b>0</b>	<b>0</b>
<b>Total comprehensive income</b>		<b>982,081</b>	<b>2,608,265</b>	<b>727,958</b>

**SHIRE OF YALGOO**  
**STATEMENT OF CASH FLOWS**  
**FOR THE YEAR ENDING 30 JUNE 2026**

Ordinary Council Meeting Agenda Friday 29 August 2025

48

**Cash Flows from Operating Activities**

**Receipts**

	<b>Note</b>	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Rates		3,312,501	3,089,383	3,271,893
Grants, subsidies and contributions		10,912,237	2,534,477	5,647,824
Fees and charges		306,220	345,465	253,035
Interest		51,000	189,714	203,430
Other revenue		35,500	32,654	9,000
GST receipts on revenue		0	98,932	0
GST receipts from taxation authority		0	0	0
		<b>14,617,458</b>	<b>6,290,624</b>	<b>9,385,182</b>

**Payments**

Employee costs		(2,521,030)	(1,952,928)	(2,383,772)
Materials and contracts		(5,368,710)	(7,281,832)	(6,664,856)
Utility charges		(119,550)	(121,370)	(98,350)
Insurance		(260,000)	(292,036)	(351,558)
Other expenditure		(179,500)	(86,814)	(227,480)
GST payments on purchases		0	0	0
GST payments to taxation authority		0	0	0
		<b>(8,448,790)</b>	<b>(9,734,979)</b>	<b>(9,726,016)</b>

**Net cash provided by (used in) operating activities** 3(b) **6,168,668 (3,444,355) (340,834)**

**Cash Flows from Investing Activities**

Capital grants, subsidies and contributions		1,590,606	1,159,268	2,655,793
Proceeds from sale of property, plant and equipment	5	403,000	134,091	305,000
Purchase of property, plant and equipment		(2,011,000)	(408,290)	(2,645,000)
Purchase of infrastructure		(2,420,000)	(364,405)	(3,550,999)
<b>Net cash provided by (used in) investing activities</b>		<b>(2,437,394)</b>	<b>520,663</b>	<b>(3,235,206)</b>

**Cash Flows from Financing Activities**

Proceeds/(Payments) from financial assets at amortised cost		(8,451,461)	4,420,623	0
<b>Net cash provided by (used in) financing activities</b>		<b>(8,451,461)</b>	<b>4,420,623</b>	<b>0</b>

<b>Net increase / (decrease) in cash held</b>		(4,720,187)	1,496,931	(3,576,040)
Cash at beginning of year		5,171,355	3,674,424	8,130,502
<b>Cash and cash equivalents at the end of the year</b>	3(a)	<b>451,168</b>	<b>5,171,355</b>	<b>4,554,462</b>

**SHIRE OF YALGOO**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE YEAR ENDING 30 JUNE 2026**

Ordinary Council Meeting Agenda Friday 29 August 2025

49

		<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Opening Surplus / (Deficit)	Note 2	7,136,089	3,626,421	4,009,195
<b>Operating revenue</b>				
Grants, subsidies and contributions	9(a)	4,921,000	7,491,829	5,298,501
Fees and charges	8	306,220	406,046	253,035
Interest	10(a)	51,000	189,714	203,430
Other revenue		35,500	32,654	9,000
Profit on disposal of assets	5	244,500	110,223	160,694
		<b>5,558,220</b>	<b>8,230,465</b>	<b>5,924,660</b>
<b>Operating expenditure</b>				
Employee costs		(2,496,030)	(2,001,655)	(2,383,772)
Materials and contracts		(5,368,710)	(6,793,879)	(6,664,856)
Utility charges		(119,550)	(121,370)	(98,350)
Depreciation	6	(1,325,400)	(1,325,424)	(1,333,372)
Insurance		(260,000)	(292,036)	(351,558)
Other expenditure		(179,500)	(87,701)	(227,480)
Loss on disposal of assets	5	(39,900)	0	0
		<b>(9,789,090)</b>	<b>(10,622,066)</b>	<b>(11,059,388)</b>
<b>Excluded non-cash activities</b>				
Fair Value adjustment to financial assets at fair value through profit or loss		0	888	0
Depreciation		1,325,400	1,325,424	1,333,372
(Profit) / Loss on disposal of assets		(204,600)	(110,223)	(160,694)
Movement in non-current employee provisions		0	(1,406)	0
Movement in current employee provisions		0	0	1,595
<b>Net amount from operating activities</b>		<b>(3,110,070)</b>	<b>(1,176,918)</b>	<b>(3,960,455)</b>
<b>Capital revenue and expenditure</b>				
Capital grants, subsidies and contributions	9(b)	1,900,450	1,003,449	2,655,793
Proceeds from disposal of assets	5	403,000	134,091	305,000
Fair value gain on acquisition of non-financial assets		0	908,512	0
Purchase of property, plant and equipment	4	(2,011,000)	(1,316,802)	(2,645,000)
Purchase of infrastructure	4	(2,420,000)	(364,405)	(3,550,999)
<b>Net amount from capital activities</b>		<b>(2,127,550)</b>	<b>364,844</b>	<b>(3,235,206)</b>
<b>Financing revenue and expenditure</b>				
Transfers from reserves	7	1,854,030	1,548,942	1,322,802
Transfers to reserves	7	(7,065,000)	(315,106)	(1,343,229)
<b>Net amount from financing activities</b>		<b>(5,210,970)</b>	<b>1,233,836</b>	<b>(20,427)</b>
Budgeted deficiency before general rates		(3,312,501)	4,048,184	(3,206,893)
Estimated amount to be raised from general rates	1(a)	3,312,501	3,087,906	3,206,893
<b>Net current assets at 30 Jun - surplus/(deficit)</b>	2	<b>0</b>	<b>7,136,089</b>	<b>0</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE YEAR ENDING 30 JUNE 2026**

**1. RATES**

**(a) Rating Information**

	Rate in	Rateable	Number of	2025/26	2024/25	2024/25
	\$	Value	Properties	Budget	Actual	Budget
<b>General Rates</b>						
GRV - Townsites Improved	0.087124	392,673	37	34,211	31,382	31,383
GRV - Townsites Improved Vacant	0.087124	0	0	0	0	0
GRV - Mining Infrastructure	0.330944	1,473,400	8	487,613	451,487	451,487
UV - Pastoral / Rural	0.076842	937,583	146	72,046	66,710	66,710
UV - Mining / Mining Tenements	0.355968	7,003,999	220	2,493,200	2,289,346	2,289,347
UV - Exploration / Prospecting	0.234058	1,483,112	23	347,134	323,666	323,666
		11,290,767	434	3,434,204	3,162,591	3,162,593
<b>Minimum Payment</b>						
GRV - Townsites Improved	300	2,642	3	900	1,200	1,500
GRV - Townsites Improved Vacant	300	1,810	14	4,200	3,600	3,600
GRV - Mining Infrastructure	300	20	1	300	300	300
UV - Pastoral / Rural	300	3,785	7	2,100	2,400	2,400
UV - Mining / Mining Tenements	300	80,355	98	29,400	3,000	3,000
UV - Exploration / Prospecting	300	10,008	8	2,400	28,500	28,500
		98,620	131	39,300	39,000	39,300
<b>Total General and Minimum Rates</b>		<b>11,389,387</b>	<b>565</b>	<b>3,473,504</b>	<b>3,201,591</b>	<b>3,201,893</b>
<b>Other Rate Revenue</b>						
Rates Written-off				(10,003)	(20,320)	0
Discounts				(156,000)	0	0
Interim and Back Rates				5,000	(93,366)	5,000
<b>Total Funds Raised from Rates</b>				<b>3,312,501</b>	<b>3,087,906</b>	<b>3,206,893</b>

## 1. RATES (Continued)

### (b) Interest Charges and Instalments

The following instalment options are available to ratepayers for the payment of rates.

Instalment options	Date due
Option one	10 Oct 2025
Option two	12 Dec 2025
Option three	13 Feb 2026
Option four	17 Apr 2026

The instalment plan administration charge is \$15 with an interest rate of 3.0%.

The interest rate on unpaid rates is 11.0%.

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
Instalment plan admin charge	2,000	4,014	2,000
Instalment plan interest earned	6,000	5,635	0
Interest on unpaid rates	15,000	9,222	20,000
	<b>23,000</b>	<b>18,871</b>	<b>22,000</b>

### (c) Specified Area Rate

No Specified Area Rates are expected to be levied in the year ending 30 June 2026.

### (d) Service Charges

No Service Charges are expected to be levied in the year ending 30 June 2026.

### (e) Rates Discounts

	Discount \$ or %	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
5% Discount	5%	155,000	0	0
Instalment Discount	\$15	1,000	0	0
		<b>156,000</b>	<b>0</b>	<b>0</b>

#### Circumstances in which discounts are granted

##### 5% Discount

A 5% discount will be provided on rates payments paid in full on or before the first payment date.

##### Instalment Discount

A \$15 discount will be applied to the rates record, as long as, the annual instalment payments are made on time.

### (f) Waivers or concessions

The Shire does not anticipate any waivers or concessions for the year ending 30 June 2026.

## **1. RATES (Continued)**

### **(g) Objectives and Reasons for Differential Rating**

All rateable properties within the district used predominately for non-rural purposes are rated according to its Gross Rental Value (GRV), all other properties are rated according to their Unimproved Value (UV).

The general rates detailed for the current financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget, the estimated revenue to be received from all sources other than rates, as well as considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of local government services/facilities.

Further information regarding the adopted objects and reasons for the differential rating categories are outlined below.

#### **Gross Rental Value (GRV)**

##### **Town Improved**

This category consists of properties located within the townsite boundaries with a predominate residential, commercial and industrial use. This category is considered by Council to be the base rate by which all other GRV properties are assessed and have a different demand and requirement on shire services and infrastructure.

##### **Townsite Vacant**

This category consists of vacant properties located within the townsite boundaries that are vacant (no residential commercial or industrial structures built on the land). The rate in the dollar is the same as the Town Improved category however the minimum rate was resolved by Council at its Ordinary Council Meeting held on the 26 June 2020 from \$620 to \$290 per annum.

##### **Mining Infrastructure**

This category consists of particular improvements such as accommodation, recreation and administrative facilities, associates' buildings and maintenance workshops that are erected permanently. The object of the GRV rates associated with mining is to ensure that mining operators contribute to the maintenance of the Shire's assets and services to the extent that they use them and form a sector of ratepayers that essentially are transitory.

#### **Unimproved Value (UV)**

##### **Pastoral / Rural**

This rating applies to all pastoral leases and land with a predominate rural land use. The proposed rate is comparatively lower when compared to the mining / mining tenement and exploration / prospecting categories on the basis that the pastoral industry has minimum impact or requirement on the shire services and infrastructure.

##### **Mining / Mining Tenement**

This category applies to all mining leases located within the Shire. The proposed rate is comparatively higher when compared to the Pastoral / Rural category on the basis that mining operations require additional ongoing maintenance of the roads network that services this land use along with additional costs associated with the administration of mining

##### **Exploration / Prospecting**

This rating category applies to exploration, prospecting and other general-purpose leases located within the Shire. The proposed rate is comparatively higher when compared to the pastoral/rural category and lower than the mining tenement category on the basis that the mining operations require additional and ongoing maintenance of the road network that services the land use, the additional cost associated with the administration of exploration and prospecting leases and the shire wishes to encourage exploration.



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE YEAR ENDING 30 JUNE 2026**

**2. NET FINANCIAL POSITION**

**Current Assets**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Cash and Cash Equivalents	451,168	1,930,864	4,554,462
Cash Reserves	8,451,461	3,240,491	0
Rates Receivables	121,129	121,129	0
Other Receivables	15,878	6,007,115	674,294
	<u>9,039,637</u>	<u>11,299,600</u>	<u>5,228,756</u>

**Current Liabilities**

Trade and Other Liabilities	(267,955)	(267,955)	(786,535)
Income Received in Advance	(41,185)	(41,185)	0
Contract Liabilities	0	(309,844)	263
Employee Related Provisions	(279,036)	(304,036)	(481,831)
	<u>(588,175)</u>	<u>(923,019)</u>	<u>(1,268,103)</u>

Less: Cash Reserves	(8,451,461)	(3,240,491)	(4,494,753)
Add: Current liabilities not expected to be cleared	0	0	477,887
Add: Current portion of employee benefit provisions	0	0	56,213
<b>Net financial position</b>	<b>0</b>	<b>7,136,089</b>	<b>0</b>

**3. RECONCILIATION OF CASH**

**(a) Cash and Cash Equivalents**

	<b>Unrestricted / Restricted</b>	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Cash at bank and on hand	Unrestricted	417,554	1,587,406	42,342
Deposits and bonds	Restricted	33,614	33,614	17,367
Unspent grants, subsidies and contributions	Restricted	0	309,844	0
Term Deposits	Unrestricted	0	3,240,491	4,494,753
<b>Total cash and cash equivalents</b>		<b>451,168</b>	<b>5,171,355</b>	<b>4,554,462</b>

**(b) Reconciliation of Cash**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Net result	982,081	2,608,265	727,958
Depreciation	1,325,400	1,325,424	1,333,372
Non-operating grants, subsidies and contributions	(1,900,450)	(1,003,449)	(2,655,793)
(Profit)/loss on sale of asset	(204,600)	(110,223)	(160,694)
Adjustments to fair value of financial assets	0	888	0
Fair value gain on acquisition of non-financial assets	0	(908,512)	0
(Increase)/decrease in receivables	5,991,237	(4,907,599)	568,611
Increase/(decrease) in payables	0	(498,112)	(154,288)
Increase/(decrease) in provisions	(25,000)	48,963	0
<b>Net cash from operating activities</b>	<b>6,168,668</b>	<b>(3,444,355)</b>	<b>(340,834)</b>

**(c) Trust Funds**

There are currently no funds held in Trust.

#### 4. CAPITAL ACQUISITIONS

##### (a) Land and Buildings

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
Yalgoo Hotel / Pub	650,000	0	0
Town Hall	250,000	216,978	300,000
Staff Housing	80,000	24,412	0
Fireproof Storage Shed	50,000	0	0
Other Recreation Land	0	0	150,000
Railway Station	0	52,554	0
Anthropology Report Cemetery	0	0	35,000
Depot Storage Shed	0	0	295,000
Economic Development Building	0	0	500,000
	<b>1,030,000</b>	<b>293,945</b>	<b>1,280,000</b>

##### (b) Plant and Equipment

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
Grader	500,000	0	450,000
12T Excavator	160,000	0	0
Hino Dual Cab Truck (Road Crew)	110,000	0	0
Toyota SR Dual Cab Ute (Road Crew and Fire Vehicle)	73,000	0	0
Toyota SR5 Dual Cab Ute (Works Manager)	68,000	0	0
Other Town and Road Equipment	40,000	26,213	0
DFES Tank	0	57,088	35,000
Law, Order and Public Safety Equipment	0	0	250,000
Used 12 Seater Bus or Van	0	0	50,000
Box Top Trailer	0	0	10,000
Satellite Phones and Vehicle Tracking	0	0	10,000
3 x Cranes	0	0	15,000
Slasher with Catcher	0	31,045	0
Drop Deck Float	0	0	150,000
Pole Mounted Camera	0	0	20,000
RURAL - Plant and Equipment	0	0	60,000
RAV 4 Replacement	0	0	70,000
Other Administration Vehicles	0	0	50,000
Computer Systems Upgrades	0	0	135,000
Conference Equipment	0	0	35,000
External Monitor Display	0	0	25,000
2 x Iveco Daily Fire Trucks	0	908,512	0
	<b>951,000</b>	<b>1,022,857</b>	<b>1,365,000</b>

##### (c) Furniture and Equipment

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
Internet Upgrade / Conference Equipment / External Monitor	30,000	0	0
	<b>30,000</b>	<b>0</b>	<b>0</b>
<b>Total Property, Plant and Equipment</b>	<b>2,011,000</b>	<b>1,316,802</b>	<b>2,645,000</b>

**4. CAPITAL ACQUISITIONS (Continued)**

**(d) Road Infrastructure**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
Regional Roads Group	900,000	0	450,000
Roads to Recovery	600,000	0	664,022
LRCI - Yalgoo Ninghan Rd Sealing	440,000	0	592,977
Other Road Construction - Council Funded	150,000	214,405	835,000
LRCI - Morawa - Yalgoo Rd Grids	60,000	0	60,000
Grids and Seal Approaches	35,000	0	0
Piesse St	0	0	100,000
Paynes Find Town Rd	0	150,000	150,000
Jokers Mine Rd	0	0	40,000
	<b>2,185,000</b>	<b>364,405</b>	<b>2,891,999</b>

**(e) Other Infrastructure**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
CCTV and WiFi Network	150,000	0	0
Tennis Court	80,000	0	100,000
Paynes Find Entry Statements	5,000	0	0
Water Treatment Railway Bore	0	0	100,000
Tourist Projects	0	0	50,000
Paynes Find Entry Statement	0	0	19,000
TOUR - Infrastructure Other	0	0	200,000
Various Flood Stabilisation and Mitigation	0	0	100,000
Street Lighting	0	0	50,000
ADMIN - Infrastructure Other	0	0	40,000
	<b>235,000</b>	<b>0</b>	<b>659,000</b>

**Total Infrastructure**

**2,420,000      364,405      3,550,999**

**Total Capital Expenditure**

**4,431,000      1,681,207      6,195,999**

## 5. DISPOSAL OF ASSETS

### (i) 2025/26 Budget

	Net Book Value \$	Proceeds on Disposal \$	Profit on Disposal \$	Loss on Disposal \$
<b>Plant and Equipment</b>				
John Deere Grader	0	150,000	150,000	0
Mitsubishi Pajero	25,000	38,000	13,000	0
Hino Truck - Works Manager	102,000	80,000	0	(22,000)
Toyota Single Cab Ute (YA 894)	52,000	35,000	0	(17,000)
Toyota Single Cab Ute (YA 804)	3,500	15,000	11,500	0
Hino Dual Cab Truck - Road Crew	13,000	35,000	22,000	0
Cement Truck	0	15,000	15,000	0
Cement Batching Plant	0	30,000	30,000	0
Kubota Generator	2,900	2,000	0	(900)
Airman Trailer Mounted Generator	0	2,000	2,000	0
2 x Framed Water Pumps	0	1,000	1,000	0
	<b>198,400</b>	<b>403,000</b>	<b>244,500</b>	<b>(39,900)</b>

### (ii) 2024/25 Actual

	Net Book Value \$	Proceeds on Disposal \$	Profit on Disposal \$	Loss on Disposal \$
<b>Plant and Equipment</b>				
Prime Mover (YA 807)	0	45,455	45,455	0
Bomag BW211D Drum Roller	18,303	56,136	37,833	0
Kubota Front Deck	0	12,727	12,727	0
Kubota Mid Deck	5,565	19,773	14,208	0
	<b>23,868</b>	<b>134,091</b>	<b>110,223</b>	<b>0</b>

### (iii) 2024/25 Budget

	Net Book Value \$	Proceeds on Disposal \$	Profit on Disposal \$	Loss on Disposal \$
<b>Plant and Equipment</b>				
Grader	0	90,000	90,000	0
Drop Deck Float	0	50,000	50,000	0
Toyota RAV 4	21,300	30,000	8,700	0
Toyota Fortuna	27,012	30,000	2,988	0
Mitsubishi Pajero	29,025	30,000	975	0
Prime Mover (YA 807)	66,968	75,000	8,032	0
	<b>144,305</b>	<b>305,000</b>	<b>160,695</b>	<b>0</b>

## 6. DEPRECIATION

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
<b>By Program</b>			
Governance	500	547	549
Law, order, public safety	2,600	2,582	2,588
Health	1,500	1,550	1,553
Housing	44,800	44,718	42,020
Community amenities	21,500	21,535	21,575
Recreation and culture	192,200	192,240	192,594
Transport	664,700	664,598	620,327
Economic services	85,100	85,103	85,259
Other property and services	312,500	312,551	366,907
	<b>1,325,400</b>	<b>1,325,424</b>	<b>1,333,372</b>
<b>By Class</b>			
Land and buildings	284,700	284,776	282,301
Furniture and equipment	4,400	4,448	4,445
Plant and equipment	285,500	285,412	359,209
Road Infrastructure	612,900	612,911	568,884
Other Infrastructure	137,900	137,877	118,533
	<b>1,325,400</b>	<b>1,325,424</b>	<b>1,333,372</b>

## 7. CASH BACKED RESERVES

### (i) 2025/26 Budget

Reserve Name	Balance 01 Jul 25 \$	Transfer from \$	Interest Received \$	Transfer to \$	Balance 30 Jun 26 \$
(a) Leave Reserve	56,747	(56,747)	0	0	0
(b) Plant Replacement	854,912	(854,912)	0	0	0
(c) Sports Complex	110,329	(110,329)	0	0	0
(d) Building Construction	186,878	(186,878)	0	0	0
(e) Yalgoo Ninghan Road	1,059,394	(8,183)	10,500	0	1,061,711
(f) Buildings Maintenance	141,954	(141,954)	0	0	0
(g) Community Amenities	312,805	(312,805)	0	0	0
(h) HCP	163,273	(163,273)	0	0	0
(i) Yalgoo Morawa Road	335,250	0	3,500	200,000	538,750
(j) Office Equipment and ICT	4,200	(4,200)	0	0	0
(k) Natural Disaster Triggerpoint	14,750	(14,750)	0	0	0
(l) General Purpose	0	0	6,000	6,845,000	6,851,000
	<b>3,240,491</b>	<b>(1,854,030)</b>	<b>20,000</b>	<b>7,045,000</b>	<b>8,451,461</b>

### (ii) 2024/25 Actual

Reserve Name	Balance 01 Jul 24 \$	Transfer from \$	Interest Received \$	Transfer to \$	Balance 30 Jun 25 \$
(a) Leave Reserve	54,618	0	2,129	0	56,747
(b) Plant Replacement	822,837	0	32,075	0	854,912
(c) Sports Complex	106,188	0	4,140	0	110,329
(d) Building Construction	179,868	0	7,011	0	186,878
(e) Yalgoo Ninghan Road	2,102,348	(1,124,904)	81,949	0	1,059,394
(f) Buildings Maintenance	136,626	0	5,328	0	141,954
(g) Community Amenities	301,070	0	11,735	0	312,805
(h) HCP	157,148	0	6,126	0	163,273
(i) Yalgoo Morawa Road	443,315	(125,344)	17,279	0	335,250
(j) Office Equipment and ICT	4,016	0	183	0	4,200
(k) Natural Disaster Triggerpoint	14,197	0	553	0	14,750
(m) Emergency Road Repairs	9,293	(155,893)	3,824	142,775	0
(n) General Roads Reserve	142,775	(142,775)	0	0	0
(o) Superannuation Back Pay	27	(27)	0	0	0
	<b>4,474,327</b>	<b>(1,548,942)</b>	<b>172,331</b>	<b>142,775</b>	<b>3,240,491</b>

### (iii) 2024/25 Budget

Reserve Name	Balance 01 Jul 24 \$	Transfer from \$	Interest Received \$	Transfer to \$	Balance 30 Jun 25 \$
(a) Leave Reserve	54,618	0	2,187	50,556	107,361
(b) Plant Replacement	822,837	(680,000)	32,946	108,384	284,167
(c) Sports Complex	106,188	0	4,252	1,082	111,522
(d) Building Construction	179,868	0	7,202	1,832	188,902
(e) Yalgoo Ninghan Road	2,102,348	0	84,176	120,114	2,306,638
(f) Buildings Maintenance	136,626	0	5,470	1,393	143,489
(g) Community Amenities	301,070	(500,000)	12,055	503,067	316,192
(h) HCP	157,148	0	6,292	1,601	165,041
(i) Yalgoo Morawa Road	443,315	0	17,750	84,517	545,582
(j) Office Equipment and ICT	4,016	0	161	50,068	54,245
(k) Natural Disaster Triggerpoint	14,197	0	568	50,145	64,910
(m) Emergency Road Repairs	9,293	0	371	197,040	206,704
(n) General Roads Reserve	142,775	(142,775)	0	0	0
(o) Superannuation Back Pay	27	(27)	0	0	0
	<b>4,474,326</b>	<b>(1,322,802)</b>	<b>173,430</b>	<b>1,169,799</b>	<b>4,494,753</b>

## **7. CASH BACKED RESERVES (Continued)**

In accordance with Council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

### **Purpose of the reserve**

**(a) Employee Entitlement (Leave)**

To be used to fund annual and long service leave requirements

**(b) Plant Replacement**

To be used for the purchase of major plant

**(c) Sports Complex**

To be used for the replacement of council properties including housing and other properties

**(d) Building Construction**

To be used to maintain the sealed Yalgoo Ninghan Road

**(e) Yalgoo Ninghan Road**

For the development of new recreational facilities

**(f) Buildings Maintenance**

For the maintenance of staff and other housing owned by the Shire

**(g) Community Amenities**

For the maintenance of community amenities

**(h) HCP**

For future community projects operating expenditure

**(i) Yalgoo Morawa Road**

To be used to maintain the sealed Yalgoo Morawa Road

**(j) Office Equipment and ICT**

For the purpose of purchase of new office equipment and the maintenance of existing equipment

**(k) Natural Disaster Triggerpoint**

To be used to fund the Shire mandatory contribution when the Shire receives funding for reparation after natural disaster events

**(l) General Purpose**

To be used for any operational, capital or investing activities

**(m) Emergency Road Repairs**

To be used to fund emergency repairs to roads that are damaged by unfunded events (storm damages, vehicular etc.)

**(n) General Road**

For the maintenance of grids etc. on roads in the Shire

**(o) Superannuation Back Pay**

For the purpose of paying any superannuation and back pay costs

Reserves are anticipated to be used as required.

Transfers to reserves are dependent on funds being reimbursed by DFES.

## 8. FEES AND CHARGES

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
<b>By Program</b>			
General purpose funding	2,500	4,296	2,500
Law, order, public safety	990	263	1,250
Health	180	418	185
Housing	43,450	47,962	16,000
Community amenities	21,000	23,789	20,650
Recreation and culture	1,550	3,596	4,950
Economic services	206,550	296,894	204,500
Other property and services	30,000	28,827	3,000
	<b>306,220</b>	<b>406,046</b>	<b>253,035</b>

## 9. GRANT REVENUE

### (a) Operating Grants, Subsidies and Contributions

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
Reimbursement from debt collection	0	0	2,750
Financial Assistance Grant - General	1,050,000	1,520,717	274,572
Financial Assistance Grant - Roads	375,000	507,299	40,551
Bush Fire grants	38,000	38,123	38,123
Other Health reimbursements	0	0	2,750
Event Contributions	5,000	0	0
Road Use Agreement - EMR	120,000	124,398	150,000
Road Use Agreement - Rothsay Deflector	80,000	80,627	80,000
Flood Damage reimbursements	3,000,000	4,849,534	4,400,000
MRWA Direct Road grant	229,000	224,255	224,255
Community contributions and donations	0	54,000	54,000
Healthy Community Projects grant - Silverlake	4,000	4,000	4,000
Other reimbursements	0	72,235	2,500
Fuel Tax Credits	20,000	16,641	25,000
	<b>4,921,000</b>	<b>7,491,829</b>	<b>5,298,501</b>

### (b) Capital Grants, Subsidies and Contributions

	2025/26 Budget \$	2024/25 Actual \$	2024/25 Budget \$
LRCIP funding	260,000	703,449	1,359,771
Lotterywest Town Hall grant	20,450	300,000	300,000
Regional Roads Group	520,000	0	300,000
Roads to Recovery	1,100,000	0	664,022
Bush Fire grant	0	0	32,000
	<b>1,900,450</b>	<b>1,003,449</b>	<b>2,655,793</b>



## 10. OTHER INFORMATION

### (a) Operating Revenue

	2025/26 Budget	2024/25 Actual	2024/25 Budget
<b>Interest Earnings</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Investments - Reserve funds	20,000	172,304	173,430
Investments - Other funds	10,000	2,552	10,000
Other interest revenue (Refer Note 1(b))	21,000	14,857	20,000
	<b>51,000</b>	<b>189,714</b>	<b>203,430</b>

### (b) Operating Expenditure

	2025/26 Budget	2024/25 Actual	2024/25 Budget
<b>Auditors Remuneration</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Audit services	150,000	0	60,000

**11. ELECTED MEMBERS REMUNERATION**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
<b>Elected Member 1</b>			
President's allowance	15,500	10,553	14,000
Meeting attendance fees	10,000	6,219	7,600
Telecommunications allowance	3,500	3,500	3,500
Travelling expenses and reimbursements	3,200	7,643	2,000
	<b>32,200</b>	<b>27,916</b>	<b>27,100</b>
<b>Elected Member 2</b>			
Deputy President's allowance	4,000	2,638	3,500
Meeting attendance fees	5,000	2,756	4,572
Telecommunications allowance	3,500	3,500	3,500
Travelling expenses and reimbursements	3,160	0	2,000
	<b>15,660</b>	<b>8,894</b>	<b>13,572</b>
<b>Elected Member 3</b>			
Meeting attendance fees	5,000	2,506	4,572
Telecommunications allowance	3,500	3,500	3,500
Travelling expenses and reimbursements	3,160	1,610	2,000
	<b>11,660</b>	<b>7,616</b>	<b>10,072</b>
<b>Elected Member 4</b>			
Meeting attendance fees	5,000	2,756	4,572
Telecommunications allowance	3,500	3,500	3,500
Travelling expenses and reimbursements	3,160	1,440	2,000
	<b>11,660</b>	<b>7,696</b>	<b>10,072</b>
<b>Elected Member 5</b>			
Meeting attendance fees	5,000	1,798	4,572
Telecommunications allowance	3,500	3,792	3,500
Travelling expenses and reimbursements	3,160	1,006	2,000
	<b>11,660</b>	<b>6,596</b>	<b>10,072</b>
<b>Elected Member 6</b>			
Meeting attendance fees	5,000	2,520	4,572
Telecommunications allowance	3,500	3,208	3,500
Travelling expenses and reimbursements	3,160	1,762	2,000
	<b>11,660</b>	<b>7,491</b>	<b>10,072</b>
<b>Total Elected Member Remuneration</b>	<b>94,500</b>	<b>66,208</b>	<b>80,960</b>
President's allowance	15,500	10,553	14,000
Deputy President's allowance	4,000	2,638	3,500
Meeting attendance fees	35,000	18,555	30,460
Telecommunications allowance	21,000	21,000	21,000
Travelling expenses and reimbursements	19,000	13,461	12,000
	<b>94,500</b>	<b>66,208</b>	<b>80,960</b>

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE YEAR ENDING 30 JUNE 2026**

**12. COMPREHENSIVE INCOME BY PROGRAM**

	<b>2025/26 Budget \$</b>	<b>2024/25 Actual \$</b>	<b>2024/25 Budget \$</b>
<b>Operating revenue</b>			
General purpose funding	4,793,701	5,317,359	3,730,696
Law, order, public safety	42,990	42,386	43,373
Health	2,180	418	2,935
Housing	43,450	47,962	16,000
Community amenities	21,000	23,789	20,650
Recreation and culture	7,050	20,362	5,450
Transport	3,433,500	5,390,575	5,006,787
Economic services	220,850	354,911	262,500
Other property and services	306,000	120,607	43,162
	<b>8,870,721</b>	<b>11,318,371</b>	<b>9,131,553</b>
<b>Operating expenditure</b>			
General purpose funding	(245,700)	(195,741)	(301,408)
Governance	(393,500)	(493,867)	(630,190)
Law, order, public safety	(233,420)	(204,209)	(237,045)
Health	(49,500)	(80,383)	(87,439)
Education & Welfare	(12,780)	(23,373)	(27,480)
Housing	(128,800)	(91,464)	(4,569)
Community amenities	(240,730)	(219,651)	(260,235)
Recreation and culture	(1,372,630)	(1,189,174)	(1,477,228)
Transport	(5,969,860)	(7,479,314)	(6,994,464)
Economic services	(1,065,170)	(628,418)	(990,525)
Other property and services	(77,000)	(15,582)	(48,805)
	<b>(9,789,090)</b>	<b>(10,621,178)</b>	<b>(11,059,388)</b>
<b>Subtotal</b>	<b>(918,369)</b>	<b>697,193</b>	<b>(1,927,835)</b>

**13. MAJOR LAND TRANSACTIONS**

It is not anticipated any major land transactions will occur in 2025/26.

**14. TRADING UNDERTAKINGS AND MAJOR TRADING UNDERTAKINGS**

It is not anticipated any major trading undertakings will occur in 2025/26.

**15. INTERESTS IN JOINT ARRANGEMENTS**

It is not anticipated the Shire will be party to any joint venture arrangements during 2025/26.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE YEAR ENDING 30 JUNE 2026****16. KEY TERMS AND DEFINITIONS - REPORTING PROGRAMS**

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

**OBJECTIVE and ACTIVITIES****Governance**

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

Administration and operation facilities and services to the members of the Council. Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern other specific functions/activities of the Shire are also recorded here.

**General purpose funding**

To collect revenue to allow for the provision of services.

Rates, general purpose government grants and interest revenue.

**Law, order, public safety**

To provide services to help ensure a safer and environmentally conscious community.

Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.

**Health**

To provide an operational framework for environmental and community health.

Food quality, pest control and immunisation services.

**Education and welfare**

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

To promote education services through the education initiatives.

**Housing**

To provide housing for Shire of Yalgoo staff.

Provision and maintenance of staff, rental and Joint Venture Housing.

**Community amenities**

To provide services required by the community.

Rubbish collection services, operation of rubbish disposal sites, noise control, litter control, administration of town planning schemes, strategic planning, maintenance of the cemetery, public conveniences and town storm water

**Recreation and culture**

To establish and effectively manage infrastructure and resources which will help the social well being of the community.

Maintenance of public halls, water park, recreation grounds and various reserves. The operation of library and maintenance of cultural heritage assets and TV/radio transmission services.

**Transport**

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

Construction and maintenance of roads, streets, footpaths, drainage works, lighting of streets, maintenance of the depot and airstrips.

**Economic services**

To help promote the shire and its economic wellbeing.

Regulation and provision of tourism services including the caravan park, area promotion, community activities, building control, noxious weeds and vermin control.

**Other property and services**

To monitor and control Shire's overheads operating accounts.

Private works operation, plant repair and operation costs and engineering operation costs.

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
CARE - If providing an estimate quote, particularly Private Works, always quote the amount EXCLUDING GST, since some figures have GST and some don't. GST will be automatically calculate on the invoice, so of the inclusive figure is quoted, then invoiced, the person pays GST twice. It is essential that you write on the quote/estimate that the amount is EX GST.			
Administration Charges			
Photocopy / Printing			
Single side A4 page - B&W	0.55	0.05	0.60
Single sided A3 page - B&W	0.64	0.06	0.70
Double sided - additional per page - B&W	0.73	0.07	0.80
Single side A4 page - Colour	1.09	0.11	1.20
Single sided A3 page - Colour	1.55	0.15	1.70
Double sided - additional per page - Colour	3.00	0.30	3.30
Minutes & Agendas			
Residents, Ratepayers, News Media (per annum)	72.73	7.27	80.00
Others (per annum)	290.91	29.09	320.00
Single items charged at normal photocopy rates			
Yalgoo Bulldust			
Each edition	No charge		
Advertising Commercial - full page (B&W)	No charge		
Advertising Commercial - half page (B&W)	No charge		
Advertising Commercial - quarter page (B&W)	No charge		
Advertising Community (B&W)	No charge		
Advertising Commercial - full page (Colour)	No charge		
Advertising Commercial - half page (Colour)	No charge		
Advertising Commercial - quarter page (Colour)	No charge		
Advertising Community (Colour)	No charge		
Research			
Per half hour or part thereof	40.91	4.09	45.00
Administration Charge			
CEO	109.09	10.91	120.00
Freedom of Information			
Other fees may apply – refer FOI co-ordinator	As set by Regulation		
Non personal application	27.27	2.73	30.00
Research - per hour or part thereof	27.27	2.73	30.00
Rates / Account Enquiries			
Standard enquiry (half hour - minimum fee)	45.45	4.55	50.00
If additional time - per half hour or part thereof after first half hour	27.27	2.73	30.00
Interest on instalment plans	3.0%		
Debt Recovery			
Days until interest will be charged - 35 days			
Chargeable costs	At cost		
Interest Rate	11.0%		

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Library</b>			
Students only - Photocopy library study materials for school	No charge		
Replacement library card	No charge		
Lost Books - Cost of each book as per LISWA	Cost +20%		
<b>Merchandise Sales</b>			
"Paynes Find" (Alex Palmer) Book	22.73	2.27	<b>25.00</b>
"Yalgoo" (Alex Palmer) Book-2nd Edition(colour)	22.73	2.27	<b>25.00</b>
Book "Fields of Gold"	10.00	1.00	<b>11.00</b>
Book "Architectural Gems of John Hawes"	22.73	2.27	<b>25.00</b>
"Yalgoo" Promotional Polo Shirt	Cost +20%		
"Yalgoo" Polo Shirt	Cost +20%		
"Yalgoo" Peak Caps	Cost +20%		
Postcards	2.73	0.27	<b>3.00</b>
Stubbie Holders (old)	7.27	0.73	<b>8.00</b>
Stubbie Holders	Cost +20%		
Tourist Maps - eg: The Mid West - Outback Gascoyne - Murchison	Cost +20%		
New Items Stocked during the Year	Cost +20%		
<b>Staff Housing</b>			
Housing to be charged at market rent			
Housing to be subsidised on a pro rata basis (rounded to nearest \$1)			
Subsidy applied on days worked and on authorised leave only			
	8 day Fortnight	9 day Fortnight	10 day Fortnight
Market Rent per Week	375	375	375
Rent Owed per Days worked or Approved Leave taken			
0 days subsidized	750	750	750
1 days subsidized	663	672	680
2 days subsidized	575	594	610
3 days subsidized	488	517	540
4 days subsidized	400	439	470
5 days subsidized	313	361	400
6 days subsidized	225	283	330
7 days subsidized	138	206	260
8 days subsidized	50	128	190
9 days subsidized		50	120
10 days subsidized			50
	4 day Fortnight		
Rent Owed per Days worked or Approved Leave taken			
0 days subsidized	750		
1 days subsidized	575		
2 days subsidized	400		
3 days subsidized	225		
4 days subsidized	50		

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Animal Related Charges</b>			
<b>Animal trap</b>			
Trap hire - per week	No charge		
Trap deposit	30.00	0.00	<b>30.00</b>
<b>Dog control fees</b>			
<b>Ranging services</b>			
Seizure and impounding of dog	120.00	0.00	<b>120.00</b>
Maintenance of a dog in pound - per day or part thereof	27.27	2.73	<b>30.00</b>
Return of impounded dog within normal hours	No charge		
Return of impounded dog outside normal hours	145.45	14.55	<b>160.00</b>
- Dogs will not be released unless registered and microchipped			
Destruction of a dog or cat	No charge		
<b>Replacement dog tag</b>			
Council administration fee	No charge		
<i>Unsterilised</i>			
As set by Regulation			
- 1 Year	50.00		<b>50.00</b>
- 3 Years	120.00		<b>120.00</b>
- Life Time	250.00		<b>250.00</b>
<i>Sterilized</i>			
As set by Regulation			
- 1 Year	20.00		<b>20.00</b>
- 3 Years	42.50		<b>42.50</b>
- Life Time	100.00		<b>100.00</b>
<i>Concessions</i>			
Pensioner discount	50% of fee otherwise payable		
6 months or less (after 31 May)	50% of fee otherwise payable		
Dogs used for droving or tending stock (or Aust Tax Office definition)	25% of fee otherwise payable		
<b>Replacement cat tag</b>			
Council administration fee	No charge		
<i>Unsterilised</i>			
As set by Regulation			
- 1 Year	50.00		<b>50.00</b>
- 3 Years	120.00		<b>120.00</b>
- Life Time	250.00		<b>250.00</b>
<i>Sterilised</i>			
- 1 Year			
- 3 Years	42.50		<b>42.50</b>
- Life Time	100.00		<b>100.00</b>
<i>Concessions</i>			
Pensioner discount	50% of fee otherwise payable		
6 months or less (after 31 May)	50% of fee otherwise payable		
Cat Breeding License (Per Breed)	100.00		<b>100.00</b>
Annual Renewal	100.00		<b>100.00</b>

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Caravan Park and Accommodation</b>			
<b>General Charges</b>			
"Yalgoo" Tea towels	10.91	1.09	<b>12.00</b>
Merchandise and Shop Sales	Minimum - cost +20%		
Shire Employees (Caravan Site) per week	50.00	5.00	<b>55.00</b>
Caravan Storage Fee per day - Off Season	9.09	0.91	<b>10.00</b>
Caravan Storage Fee per day - Tourist Season	27.27	2.73	<b>30.00</b>
Showers - Non-park Resident per person	4.55	0.45	<b>5.00</b>
Any enquiries regarding availability of accommodation for Government Departments wishing to block book instead of online	1,000.00	100.00	<b>1,100.00</b>
<b>Laundry Fees</b>			
Dryer per load	4.55	0.45	<b>5.00</b>
Washing Machine per load	4.55	0.45	<b>5.00</b>
<b>Unpowered Sites</b>			
Daily - 2 Adults and 2 Kids	27.27	2.73	<b>30.00</b>
Weekly - 2 Adults and 2 Kids	136.36	13.64	<b>150.00</b>
Daily - Extra Persons - per adult	9.09	0.91	<b>10.00</b>
Daily - Extra Persons - per child under 12 years	4.55	0.45	<b>5.00</b>
<b>Powered Sites</b>			
Daily - 2 Adults and 2 Kids	36.36	3.64	<b>40.00</b>
Weekly - 2 Adults and 2 Kids	181.82	18.18	<b>200.00</b>
Daily - Extra Persons - per adult	9.09	0.91	<b>10.00</b>
Daily - Extra Persons - per child under 12 years	4.55	0.45	<b>5.00</b>
<b>Pensioner and Senior Discount (Unpowered Sites)</b>			
Daily - 2 Adults and 2 Kids	22.73	2.27	<b>25.00</b>
Weekly - 2 Adults and 2 Kids	113.64	11.36	<b>125.00</b>
Daily - Extra Persons - per adult	9.09	0.91	<b>10.00</b>
Daily - Extra Persons - per child under 12 years	4.55	0.45	<b>5.00</b>
<b>Pensioner and Senior Discount (Powered Sites)</b>			
Daily - 2 Adults and 2 Kids	31.82	3.18	<b>35.00</b>
Weekly - 2 Adults and 2 Kids	159.09	15.91	<b>175.00</b>
Daily - Extra Persons - per adult	9.09	0.91	<b>10.00</b>
Daily - Extra Persons - per child under 12 years	4.55	0.45	<b>5.00</b>
<b>Pull Through Bays</b>			
Daily - 2 Adults and 2 Kids	45.45	4.55	<b>50.00</b>
Weekly - 2 Adults and 2 Kids	227.27	22.73	<b>250.00</b>
Daily - Extra Persons - per adult	9.09	0.91	<b>10.00</b>
Daily - Extra Persons - per child under 12 years	4.55	0.45	<b>5.00</b>
<b>Rammed Earth Units</b>			
Rammed Earth Unit - Self Contained 2 Bedroom - per night	181.82	18.18	<b>200.00</b>
Rammed Earth Unit - Ensuite - per night	127.27	12.73	<b>140.00</b>
Rammed Earth Unit - No Ensuite - per night	81.82	8.18	<b>90.00</b>



**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
Cemetery Charges			
Burial in Open or Private Ground			
Sinking new grave 2.8x1.5x1.8m (includes land)	1,327.27	132.73	1,460.00
Extra depth - for each additional 300 mm	118.18	11.82	130.00
Re-opening grave - second interment	1,327.27	132.73	1,460.00
Other Cemetery Charges			
Burial without due notice - additional	290.91	29.09	320.00
Permission to erect a headstone, monument, kerbing, plaque	No charge		
Permission for alterations to headstone etc	No charge		
For interment of ashes in a grave	118.18	11.82	130.00
Exhumation fee	1,454.55	145.45	1,600.00
Grave reservation fee - valid for 25 years		0.00	0.00
Grave number plate		0.00	0.00
Grant of Right of Burial	53.00	no	53.00
For certified copy of right of burial	23.64	2.36	26.00
Search and certified copy of register	23.64	2.36	26.00
Paynes Find Cemetery - additional for travel	1,500.00	150.00	1,650.00
All other cemeteries closed to further use			
Niche Wall			
Interment of Ashes in Niche Wall - Single	232.00	23.20	255.20
Interment of Ashes in Niche Wall - Double	236.36	23.64	260.00
Niche Wall Plaque (if not supplied by family)	Cost +20%		
Community Amenities			
Sanitation Household			
Replacement bin	Cost +20%		
Rubbish collection 1 x 240 litre bin (52 pickups) For Rateable Properties	275.00	0.00	275.00
Rubbish collection 1 x 240 litre bin (52 pickups) For Rate Exempt Properties	600.00	0.00	600.00
Chapel and Museum Entrance Fees			
Admission - per group	Gold coin request (\$1 or \$2)		
Septic Tanks / Aerobic Treatment Units			
Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulation 1974			
Application fee	As set by Regulation		
Food Businesses as per the Food Act			
LG Act 1995 Part 6 Division 5 Subdivision 2	As set by Regulation:		
Notification of a Food Business	54.55	5.45	60.00
Application for a Food Business License	290.00	29.00	319.00
Issuing of Food Business License (up to three (3) inspections annually)	170.00	17.00	187.00
Variation Conditions or Cancellation of Registration of Food Businesses	81.82	8.18	90.00
Provision of information and inspections in excess of the three (3) per annum as an enforcement agency for first hour then in equal increments of 15 minutes	150.91	15.09	166.00

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Building Hire</b>			
<i>Buildings</i>			
Yalgoo - Town Hall, Railway Building, Core Stadium, Art Centre and Mens Shed			
Paynes Find - Community Centre			
Hire includes most facilities and equipment			
Fees are to be charged for each day reserved / booked, whether used or not			
Charges and Bonds can be waived at CEO discretion			
<b>Bonds</b>			
Key, Cleaning and Security Bond - No Alcohol	150.00	0.00	<b>150.00</b>
Key, Cleaning and Security Bond - Alcohol	1,150.00	0.00	<b>1,150.00</b>
<b>Hire Charges per Day</b>			
Commercial use - sales, promotions, events, meetings etc	136.36	13.64	<b>150.00</b>
Private use - weddings, balls, dances, meetings etc.	72.73	7.27	<b>80.00</b>
<b>Hire Charges per Half Day</b>			
Commercial use - sales, promotions, events, meetings etc	68.18	6.82	<b>75.00</b>
Private use - weddings, balls, dances, meetings etc.	36.36	3.64	<b>40.00</b>
<b>Other Charges</b>			
Replacement or Repairs to Building / Equipment / Infrastructure	Cost +20%		
Cleaning charge - Shire of Yalgoo Policy 5.2 - "the person hiring the facility is required to do any major cleaning", else a fee can be charged	454.55	45.45	<b>500.00</b>
<b>Liquor Consumption Permit</b>			
Refer to conditions of hire. Note that Police approval is also required if alcohol is to be sold.			
The Police Station to be advised of every liquor permit issued by the Shire.			
Permission for liquor to be consumed (fee may be waived in application by Community Group/Not for Profit organisation)	136.36	13.64	<b>150.00</b>
<b>Hire of chairs / furniture off-site</b>			
No furniture is available for hire			

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Plant Hire / Private Works</b>			
<b>Plant Hire per Hour</b>			
Hire without operator is not permitted			
Hire does not include labour rates			
Hire time commences from mobilisation of plant item			
Minimum hire - 2 hours			
Graders	254.55	25.45	<b>280.00</b>
Loader	263.64	26.36	<b>290.00</b>
Truck - Prime mover	218.18	21.82	<b>240.00</b>
Truck - 3 tonne Tipper (Isuzu)	145.45	14.55	<b>160.00</b>
Water Tanker (water charges separate)	159.09	15.91	<b>175.00</b>
Semi Side Tipper	272.73	27.27	<b>300.00</b>
Roller	181.82	18.18	<b>200.00</b>
Backhoe with Attachments	200.00	20.00	<b>220.00</b>
Loader	181.82	18.18	<b>200.00</b>
Slasher (with operator)	118.18	11.82	<b>130.00</b>
Forklift	63.64	6.36	<b>70.00</b>
Compactor	63.64	6.36	<b>70.00</b>
Cement mixer	59.09	5.91	<b>65.00</b>
<b>Labour Charges per Hour</b>			
Minimum charge - 2 hours			
Per man hour - Ordinary Hours	109.09	10.91	<b>120.00</b>
Per man hour - Time and a Half	163.64	16.36	<b>180.00</b>
Per man hour - Double Time	218.18	21.82	<b>240.00</b>
<b>Community Bus</b>			
Bond - community purpose, 250km and less	200.00	0.00	<b>200.00</b>
Bond - greater than 250 kms from Yalgoo	600.00	0.00	<b>600.00</b>
Daily rate	75.00	7.50	<b>82.50</b>
Replacements or Repairs	Cost +20%		
Fuel Charges (if tank not filled upon return)	Cost +20%		
Cleaning charge - Shire of Yalgoo Policy 5.2 - "the person hiring the facility is required to do any major cleaning", else a fee can be charged	454.55	45.45	<b>500.00</b>
<b>Materials used</b>			
Delivery per hour	Based on plant hire charges		
Purchased items - pipes, aggregate, builders sand, cement etc.	Cost +20%		
Non-Purchased items - topsoil, rock, river sand etc.	Cost +20%		

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
<b>Building Charges</b>			
<b>Building Inspections etc</b>			
EHO - where providing services on request	Cost +20%		
Travelling - where providing services on request	Cost +20%		
Re-inspection - minimum of 1 hour EHO	Cost +20%		
External costs incurred as result of a request -	Cost +20%		
<b>Building Development Fees</b>			
Building Development Applications will be charged in accordance with the appropriate fees stated in the Building Act and Regulations at the time of any application - consult Building Surveyor			
New Building or alterations/additions: Building Demolition Applications will be charged in accordance with the appropriate fees stated in the Building Act and Regulations at the time of the application - consult Building Surveyor			
Certificate of Design Compliance issued by Shire Building	0.2% of value of building work with		
<b>Statutory Building Levies</b>			
Building and Construction Industry Training Fund			
Levy - % of value over \$20,000 of building	As set by Regulation		
Builder's Registration Board			
Levy - per building	As set by Regulation		
<b>Town Planning</b>			
<b>Town Planning Scheme Amendments</b>			
The cost of a Scheme Amendment is payable by the applicant	As set by Regulation		
<b>Development Application</b>			
The cost of a Development Application is set by Regulations.	As set by Regulation		
<b>Subdivision Clearance</b>			
The cost of Subdivision Clearance is set by Regulations.	As set by Regulation		
<b>Advertising when required</b>			
In Yalgoo Bulldust / local newsletter	No Charge		
In West Australian	Cost +20%		
<b>Planning Consent Applications</b>			
1. Determination development application (other than for an extractive industry) where the estimated cost of the development			
(a) not more than \$50,000	147.00	0.00	<b>147.00</b>
(b) more than \$50,000 but not more than \$500,000	0.32% of the estimated cost of the development. (GST Exempt)		
(c) more than \$500,000 but not more than \$2.5 million	1,700.00 + 0.257% for every \$1 in excess of \$500,000. (GST Exempt)		
(d) more than \$2.5 million but not more than \$5 million	7,161.00 + 0.206% for every \$1 in excess of \$2.5 million. (GST Exempt)		
(e) more than \$5 million but not more than \$21.5 million	12,633.00 + 0.123% for every \$1 in excess of \$5 million. (GST Exempt)		
(f) more than \$21.5 million	34,196.00		

and, if the development has commenced or been carried out, an additional amount, by way of penalty, that is twice the amount of the maximum fee payable for determination of the

**SHIRE OF YALGOO**  
**2025-2026 SCHEDULE OF FEES AND CHARGES**  
**EFFECTIVE FROM 1 JULY 2025**

DESCRIPTION	2025 - 26		
	RATE	GST	TOTAL
application under paragraph (a), (b), (c), (d), (e) or (f).			
2. Determination of development application for an extractive industry and, if the development has commenced or been carried out, an additional amount of \$2,217 by way of penalty.	739.00		<b>739.00</b>
3. Provision of a subdivision clearance:-			
(a) not more than 5 lots (per Lot)	73.00		<b>73.00</b>
(b) more than 5 lots but not more than 195 lots (first 5 Lots at \$73.00 plus \$35 per lot after that)			
(c) more than 195 lots	7,393.00		<b>7,393.00</b>
4. Application for approval of home occupation:-			
(a) initial fee	222.00		<b>222.00</b>
and, if the home occupation has commenced, an additional amount of \$444 by way of penalty.	666.00		<b>666.00</b>
(b) renewal fee	73.00		<b>73.00</b>
and, if their the approval to be renewed has expired, an additional amount of \$146 by way of penalty.	219.00		<b>219.00</b>
5. Application for change of use or for alteration or extension or change of a non-conforming use to which item 1 does not apply and, if the change of use or the alteration or extension or change of the non-conforming use has commenced, an additional amount of \$590 by way of penalty.	295.00		<b>295.00</b>
6. Issue of zoning certificate	73.00		<b>73.00</b>
7. Reply to property settlement questionnaire	73.00		<b>73.00</b>
8. Issue of written planning advice	73.00		<b>73.00</b>
Part 2 - Maximum Fees (Scheme amendments and Structural plans per hr)			
1. Director / City/ Shire Planner	88.00		<b>88.00</b>
2. Manager/ Senior Planner	66.00		<b>66.00</b>
3. Planning Officer	36.86		<b>36.86</b>
4. Other Staff eg Environmental Health Officer	36.86		<b>36.86</b>
5. Secretary/ administrative clerk	30.20		<b>30.20</b>

**Other Fees and Charges**

**Fire breaks**

Firebreaks & general clearing (block under 1,020 sq.m)	272.73	27.27	<b>300.00</b>
Firebreaks & general clearing (block over 1,020 sq.m)	Charged as Private Works		

**Standpipe water**

Every kilolitre (or part thereof thereafter)	12.50	0.00	<b>12.50</b>
Minimum charge (admin / handling)	18.18	1.82	<b>20.00</b>

**Prospecting Fee**

Per Person or Couple per week	9.09	0.91	<b>10.00</b>
-------------------------------	------	------	--------------

## 14 ADMINISTRATION REPORTS

### 14.1 GENERAL REPORT

Applicant:	Shire of Yalgoo
Date:	20/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Letter – Minister for Emergency Services Letter - Minister for Health

### SUMMARY

That Council consider the Chief Executive Officers general operation report.

### COMMENT

#### Accounting System

We have reviewed three accounting systems and decided to go with Council First due to the cost of implementation and annual subscription fees. We will spend the next 12 months working with them to implement the software with the goal of going live on 1<sup>st</sup> July 2026.

Part of this move includes a dedicated electronic records management system. Further digitization will improve the turnaround time for Shire processes and allow for documentation to be provided to auditors in a more timely manner.

#### IT Services

The last change to these services saw Telstra as the only option for high speed internet in the townsite. We are currently moving our internet service to Southern Cross Broadband from Telstra. The new service will be \$500 a month for 500Mbps compared to Telstra's \$1,937 a month for 50Mbps. The additional speed will allow us to expand bandwidth at the Caravan Park and prepare the Shire for cloud-based software.

We have also contracted Integrated ICT (Geraldton based) to perform our IT Managed Service and will no longer use Bridged due to costs and service levels. Integrated will begin working with us soon.

#### Industrial Agreement

Administration has sent a proposal to the Australian Services Union that was workshopped with Shire Employees. No response has been received.

#### Office of the Auditor General

As with previous audits once the Shire was able to fully resource this process the OAG redirected its staff to the audit of State Government entities.

#### Hon Shane Love MLA

After the Member for the Mid-West visited Yalgoo on Thursday 31<sup>st</sup> July 2025 his office sent a letter to the Minister for Health regarding the absence of the School Dental Service in the Mid West for the past 2 years. No response has been received from the Dental Health Service however a response was circulated to the Shire this week.

It is extremely disappointing that a single dental position for the Mid West cannot be effectively managed by the State Government. This is particularly concerning when dental complications are the highest preventable form of hospitalization for the Mid West.

### **Flood Damage**

Correspondence has been received from the Minister for Emergency Services relating to ongoing discussions of AGRN962 & AGRN1021.

### **Roadworks**

The Federal Department of Infrastructure has been approached about a Local Roads and Community Infrastructure Program (LRCIP) extension. This will allow already approved and programmed Regional Road Group widening work to continue as planned alongside the sealing of the southern end of Yalgoo-Ningham Road. A response is expected shortly.

### **Mid-West based Rescue Helicopter**

Recent public comments from the State Government show they have no intention of expanding lifesaving services into the Mid West or the rest of the State. The same 91% of the states population that lives within a 30min drive of a hospital are now covered by newer and faster rescue helicopters except when they are working or travelling in regions other than the southwest. This fly's in the face of State Coroner and Chief Health Officer recommendations and Yalgoo will continue to advocate for the expansion of this service.

### **Supreme Court Decision Mt Magnet – Miscellaneous Licenses**

Correspondence has been drafted to the Local Government Minister and Legislative Council calling for measured debate and consideration of this issue.

### **Local Government Convention**

4 Councilors are registered to attend the WA Local Government Association annual convention at the Perth Convention and Exhibition Centre between the 22<sup>nd</sup> and 24<sup>th</sup> September. Motions for debate are available on the WALGA website.

### **WA Local Government Grants Commission 2025 Road Information Return**

As an asset preservation model is used to determine some allocations that make up Financial Assistance Grant payments it is important that up to date information is provided. A road condition and valuation pickup is being conducted this month and the timely provision of this information to the Grants Commission will ensure the local government is not missing out on road funding.

### **Bushfire Training**

Fire Control Officer and other training courses will be attended by a limited number of staff in Perenjori in the first week of September. Other Brigade training will be carried out in Yalgoo through September and October. When we see a change in weather testing of the Shires 1.4 Tankers will be undertaken.

### **Yalgoo Hotel**

As previously authorized by Council an advert has been circulated calling for proposals of a lease/management agreement for the operation of the Yalgoo Hotel.

**Caretaker Period**

The local government sector will enter its first legislated caretaker period on the 4<sup>th</sup> of September until the completion of October Ordinary Elections.

**Yalgoo Hall**

AI has been used to provide an example of red trimming on the Yalgoo Hall as part of the ongoing work.

**October Elections Key Dates**

Nominations for candidates open - 28/08/2025

Nominations for candidates close - 4/09/2025

Election Day if required – 18/10/2025

**External CEO Movements August**

14/8 – WALGA Road and Transport Forum

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY/FINANCIAL IMPLCATIONS**

NIL

**VOTING REQUIREMENT**

Simple Majority

**OFFICERS RECOMMENDATION**

That Council receive the Chief Executive Officers General Report.





**MINISTER FOR EMERGENCY SERVICES; CORRECTIVE SERVICES;  
DEFENCE INDUSTRIES; VETERANS; RACING AND GAMING**

Our Ref: 70-48322

Mr Ian Holland  
Chief Executive Officer

[ceo@yalgoo.wa.gov.au](mailto:ceo@yalgoo.wa.gov.au)

Dear Mr Holland

I refer to your correspondence to the Premier of Western Australia dated 18 March 2025 regarding a range of issues you feel are significant to the Shire of Yalgoo (the Shire). As the Minister for Emergency Services, I can only comment on those issues that fall under my portfolio of responsibilities.

I understand the former Minister for Emergency Services wrote to you on 24 January 2025 regarding the Shire's application for Essential Public Asset Reconstruction funding through the Disaster Recovery Funding Arrangements Western Australia (DRFAWA). I am advised a meeting took place with the Department of Fire and Emergency Services (DFES) to better understand why the Shire's application for Australian Government Reference Number (AGRN) 962 and AGRN1021 was unsuccessful.

I am also aware of correspondence from the Fire and Emergency Services Commissioner's Counsel dated 5 May 2025 addressed to you and the Shire President stating the deficiencies in the Shire's DRFA application and subsequent letter to Civic Legal dated 20 May 2025 proposing a potential path forward that may avoid the need for Court action but does not deprive the Shire of its rights in that regard. I support the proposal to attempt to resolve this matter without the need for Court action.

Should there be sufficient grounds to constitute exceptional circumstances to apply to the Australian Government for additional time relating to your DRFAWA application, DFES will take those actions.

In relation to your concerns on the 1.4 Tankers, I understand both appliances have been returned to the Shire.

Thank you for taking the time to voice your concerns on the issues affecting your community.

Yours sincerely



**HON PAUL PAPALIA CSC MLA  
MINISTER FOR EMERGENCY SERVICES**

**7 JUL 2025**

cc – Hon Roger Cook MLA, Premier  
Level 10, Dumas House, 2 Havelock Street, West Perth, Western Australia, 6005  
Telephone: +61 8 6552 5600 Email: [minister.papalia@dpc.wa.gov.au](mailto:minister.papalia@dpc.wa.gov.au)



**Hon Meredith Hammat MLA**  
**Minister for Health; Mental Health**

---

Our ref: 85-02735

Mr Shane Love MLA  
Member for Mid-West

Via email: [Mid-West@mp.wa.gov.au](mailto:Mid-West@mp.wa.gov.au)

Dear Mr Love

Thank you for your correspondence of 5 August 2025 to the Minister for Health in relation to the Murchison Regional School Dental Service and the current situation of the new mobile dental van. The Minister has asked that I respond on her behalf.

As noted in previous correspondence to you from the office of the former Minister for Health, a newly built mobile dental van was commissioned to replace the previous unit and enhance service delivery in the Murchison region. While the van was scheduled for completion in late 2024, Dental Health Services ultimately took delivery in March 2025 and proceeded to complete the installation and compliance testing of the dental equipment.

During the fit-out period, a manufacturing defect was encountered which will require the van be returned to the manufacturer for rectification works. Upon satisfactory completion of these remediation works, Dental Health Services will undertake further testing in the metropolitan area, prior to its deployment in regional Western Australia.

As is the case for other healthcare providers, Dental Health Services continue to experience challenges in the recruitment of clinical staff. This has been an ongoing challenge involving metropolitan, outer metropolitan and regional centres in Western Australia, including Murchison. We understand the unfortunate impact that this has on remote communities and assure you that every effort is being made to resolve this situation, including ongoing state and national recruitment strategies.

Dental Health Services continue to actively recruit to vacant dental officer positions within rural areas, including the Murchison position. Dental Health Service also continue to investigate the availability of Perth-based agency dentists willing and available to deploy to the location.

Should you wish to make further enquiries regarding the new dental van or dental services to the Murchison region, please feel free to contact Dr Paul Candy Manager, Community Dental Services on (08) 9313 0555.

Thank you for bringing this matter to the Minister's attention. I trust this information will be of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sherrie Wilson', with a long horizontal flourish extending to the right.

Sherrie Wilson  
**CHIEF OF STAFF**  
25 August 2025



## Salaries and Allowances Tribunal

### 2025 Local Government Survey

We thank you for your time spent taking this survey.  
Your response has been recorded.

## 2025 Local Government Survey

Welcome to the 2025 Local Government Survey, conducted by the Salaries and Allowances Tribunal.

Your participation in this survey is essential in ensuring the Tribunal's decisions are informed by accurate, current data from across the local government sector. The information you provide will contribute to a comprehensive review of the Local Government determination.

To assist with completing the survey, guidance notes are available [HERE](#)

Please note the following before you begin:

- Most questions must be answered before proceeding to the next question.
- As questions are completed, the progress bar will update.
- You can navigate Back to previously answered questions at any time.
- Your survey may be completed in multiple sittings as responses are automatically saved when you click the Next or Back button at the bottom of each page.
- If you cannot locate the Next button on any page, please scroll down until it is visible.
- Please take care to provide accurate information and ensure all survey questions are answered to the best of your ability.
- All sections of the survey must be completed before you submit.
- Text based answers have varying word limits, to provide additional information above any limits, email [submissions@sat.wa.gov.au](mailto:submissions@sat.wa.gov.au) and include your local government name and the question(s) your information relates to.

When you're ready to begin, click the Next button below.

## LOCAL GOVERNMENT DETAILS

Ordinary Council Meeting Agenda Friday 29 August 2025

81

*Note: the following details will be automatically populated based on your unique local government link.*

This survey link is specific for the Shire of Yalgoo

The current classification band for this local government is Band 4

If the above details are incorrect, please contact the Salaries and Allowances Tribunal via [submissions@sat.wa.gov.au](mailto:submissions@sat.wa.gov.au) before proceeding with the survey.

### TOTAL REWARD PACKAGE

*The following questions relate to the Total Reward Package (TRP) provided to your CEO*

Q1. Please indicate whether the TRP details that will be provided in this survey are for your:

- ☒ Current CEO
- ☐ Previous CEO

Q2. Please select the components of your CEO's TRP from the options below:

Ordinary Council Meeting Agenda Friday 29 August 2025

82

**Please note: 2.1(3) of the determination lists typical components of a TRP. Any motor vehicle or motor vehicle allowance provided as a tool of trade and the Regional/Isolation Allowance should not be included in the TRP.**

- ☒ **Base salary**
- ☐ Annual leave loading
- ☐ Motor vehicle (NOT if provided as a tool of trade)
- ☐ Cash in lieu of a motor vehicle (NOT if provided as a tool of trade)
- ☐ Personal benefit value of provision of motor vehicle for private use
- ☐ Associated FBT accrued
- ☒ **Association membership fees**
- ☐ Attraction and/or retention allowance (NOT the Regional/Isolation Allowance)
- ☐ Cash bonus and performance incentives (including loyalty payments)
- ☐ Fitness club fees
- ☐ Grooming/clothing allowance
- ☐ School fees and children's uniforms
- ☒ **Mandatory employer contribution to superannuation**
- ☒ **Non-mandatory employer contribution to superannuation**
- ☐ Travel or any other benefit taken in lieu of salary
- ☐ Travel for spouse or any other member of family
- ☐ Unrestricted entertainment allowance
- ☒ **Utilities allowance (water, power or any other utility subsidy)**
- ☐ Other forms of cash payment or non-monetary reward or benefit, please provide details:

**Q3. Where does your CEO's Total Reward Package sit within your band 4 range? Please select the option that best reflects your CEO's remuneration level in relation to the minimum and maximum values of your assigned band**

- ☐ Above the 75th percentile – \$228,272 to \$250,012
- ☒ **Between the 50th and 75th percentile – \$206,532 to \$228,271**
- ☐ Between the 25th and 50th percentile – \$184,792 to \$206,531
- ☐ At or below the 25th percentile – \$163,051 to \$184,791
- ☐ Other, please provide details:

**Q4. Does your local government have a formal policy or established practice that guides the CEO's TRP positioning within the band range?**

- ☒ **Yes**
- ☐ No

Performance review and set within band

**Q5. Please indicate the key factors that are considered with reviews of the CEO's TRP:**  
***(Select all that apply)***

- ☒ CEO qualifications, experience, and leadership capability
- ☒ Comparative remuneration offered by similar-sized or neighbouring local governments
- ☒ Complexity and scope of the CEO's responsibilities
- ☒ Performance outcomes and achievement of strategic objectives
- ☐ Market competitiveness and retention considerations
- ☒ Regional or remote location challenges
- ☐ Cost of living or housing pressures in the local government area
- ☒ Community expectations and budgetary constraints
- ☐ Advice or benchmarking from external remuneration consultants
- ☒ Historical remuneration trends within the organisation
- ☒ Legislative or regulatory changes impacting CEO responsibilities
- ☐ Confidential and do not wish to disclose
- ☐ Other, please provide details:

**Q6. Has your local government experienced challenges attracting or retaining key personnel (i.e. CEO or Executives) due to more competitive conditions or remuneration being offered by neighbouring local governments, local industries or other organisations?**

- ☒ Yes
- ☐ No

**Q6A. Please indicate the key contributing factors:**

*(select all that apply)*

- ☒ Geographic location
- ☒ Limited access to local services and amenities
- ☒ Lack of suitable schooling options for children
- ☐ Inadequate housing availability or quality
- ☐ High crime rates or community safety concerns
- ☒ Unfavourable or challenging climate conditions
- ☒ CEO/Executive left for another local government, state/federal government, or local industry/private sector
- ☒ TRP and allowances not competitive, please specify an estimated TRP that would have improved competitiveness:

\$350,000

- ☒ Other, please provide details:

The level of responsibilities and compliance are significantly higher than any other industry, including state and federal bodies. A CEO, DCEO and Works Manager are responsible for compliance, finance, administration, airports, roads, youth, animal control, projects, housing, community issues, rubbish tips, caravan parks, buildings, funding, policy/regulation changes, council, private works due to lack of tradesman, town water, septic, EHO, town planning, strategic planning, pest control, pastoral stations (dog fence), internet services, mining issues, events, state services within townsites, health, emergency services, bush fire brigades, volunteer work, local businesses (pub/groceries) amongst other things

**Q6B. Please provide specific details, including:**

- key position/s affected
- recruitment difficulties
- reasons why CEO/Executive separated from your local government
- how long the role/s were substantially vacant
- remuneration required to retain services (if relevant)

- Deputy CEO/Works Manager - Location can make it hard to recruit but mainly its the significant volume of responsibilities assigned to the roles for the same or less pay which can be earned on a minesite or in state/federal role with much less responsibility - as above - it can take more than 7 months - Minimum \$200,000 base salary for DCEO/Works Manager. \$350,000 TRP for CEOs

**Q7. Does your local government consider that its current classification (4) under the determination should be reviewed/reclassified?**

- ☐ Yes
- ☒ No

**REGIONAL/ISOLATION ALLOWANCE**

*The following questions relate to the Regional/Isolation Allowance that may be provided to CEOs*



If this populated figure is incorrect, please email the Tribunal at [submissions@sat.wa.gov.au](mailto:submissions@sat.wa.gov.au).

**Q8. Does your local government currently provide a Regional/Isolation Allowance to your CEO?**

☐ Yes, please specify the amount provided (\$XX,XXX):

☒ No, please briefly explain why a RIA is not currently provided:

## HOUSING ALLOWANCE

*The following questions relate to the Housing Allowance that may be payable to the CEO*

**Q11. Does your local government provide housing (i.e. local government-owned or leased property) for your CEO's use?**

☒ Yes

☐ No

**Q11A. What is the annual value of this accommodation (either the gross rental value if owned or the actual lease costs if leased)?**

**Q11B. Does the CEO contribute to the cost of the housing?**

☐ Yes, please provide details of the annual CEO contribution:

☒ No

**Q13. Is the current housing arrangement in your local government adequate to meet the needs of your CEO?**

☒ Yes

☐ No, please provide a brief explanation of the issues:

## MOTOR VEHICLES

Ordinary Council Meeting Agenda Friday 29 August 2025

86

*The following questions relate to the provision of a Motor Vehicle to the CEO*

☐ Yes, please detail the approximate annual cost:

☒ No

**Q15. If relevant, please detail any local factors that influence the need for a particular type of motor vehicle (i.e. regional road conditions, long travel distances)?**

Road conditions require a 4x4, travel distances require safety features and storage for bringing things back to town from regional centres

### ELECTED COUNCIL MEMBERS

*The following questions relate to the fees and allowances payable to elected council members for attendance at council and other meetings.*

**Q16. Do your elected council members receive a per meeting fee or an annual fee to attend council meetings?**

☒ Per meeting fee

☐ Annual fee

**Q16A. Please state the per meeting fees provided for:**

*(Please use this format: \$XX,XXX or \$XXX)*

Mayor / President / Chair -  
Council meetings

\$485

Mayor / President / Chair -  
Committee & Prescribed  
meetings

\$118

Councillors - Council meetings

\$236

Councillors - Committee &  
Prescribed meetings

\$118

**Q17. Please provide details of the process undertaken by your Council and the rationale in determining the *type* (per meeting or annual) and the *amount* of fees for elected council members to attend Council, Committee and Prescribed meetings:**

Per meeting Attendance at meetings, historical method of of doing, review of surrounding Shires Fees Review surrounding Shires, review SAT figures, amount of responsibilities

- ☐ Yes
- ☒ No

Q19. Have you experienced any difficulties in attracting or retaining the services of an independent committee member?

- ☐ Yes
- ☒ No

### ANNUAL ALLOWANCE

*The following questions relate to the Annual Allowance for a Mayor, President, Chair and their deputies that a local government may decide to pay.*

Mayor / President / Chair

Q20. Please indicate whether the Annual Allowance details that will be provided in this survey are for your:

- ☒ Current Mayor / President / Chair
- ☐ Previous Mayor / President / Chair

Q21. What is the amount of the Annual Allowance provided to your Mayor / President / Chair?

*(Note: The current classification provides for a range of \$575 to \$22,470)*

\$9,864

Q22. What factors were considered by your council when determining the Annual Allowance amount for your Mayor / President / Chair?

- ☒ The extent of leadership duties performed by the Mayor / President / Chair
- ☒ The frequency and significance of civic and ceremonial representation (official functions/meetings/events)
- ☒ Responsibilities delegated to the Mayor / President / Chair
- ☐ The size and complexity of the local government (population/budget/service scope)
- ☒ Historical allowance levels or percentage increases previously set by council
- ☒ Benchmarking against similar local governments in the same band
- ☒ Consideration of community expectations/feedback
- ☐ Budgetary capacity and financial sustainability
- ☐ Other, please provide details:

**Q23. Is the current maximum Annual Allowance for your band sufficient?**

- ☒ Yes
- ☐ No, please state amount that would be sufficient (\$XX,XXX):

**Deputy Mayor / President / Chair**

**Q24. Please indicate whether the Deputy Annual Allowance details that will be provided in this survey are for your:**

- ☒ Current Deputy Mayor / President / Chair
- ☐ Previous Deputy Mayor / President / Chair

**Q25. Is an Annual Allowance provided to you Deputy Mayor / President / Chair?**

**Note: the current maximum Annual Allowance rate for the Deputy is set at 25% of the Mayor / President / Chair Annual Allowance**

- ☒ Yes, please state what percentage rate is provided:

- ☐ No

**Q25A. What factors were considered by your council when determining the percentage rate for your Deputy?**

- ☒ The extent to which the Deputy is expected to perform leadership duties in the absence of the Mayor / President / Chair
- ☒ The frequency and significance of civic and ceremonial representation (official functions/meetings/events) required of the Deputy
- ☒ Responsibilities delegated to the Deputy
- ☐ The size and complexity of the local government (population/budget/service scope)
- ☒ Historical percentage rates set by the council for the Deputy allowance
- ☒ Benchmarking against similar councils in the same band
- ☒ Consideration of community expectations or feedback
- ☐ Budgetary capacity and financial sustainability
- ☐ Other, please provide details:

**Q26. Is the current maximum Annual Allowance percentage for a Deputy Mayor / President / Chair sufficient?**

- ☐ Yes
- ☒ No, please detail percentage that would be sufficient:

## REIMBURSEMENT OF EXPENSES

Ordinary Council Meeting Agenda Friday 29 August 2025

90

*The following questions relate to Expenses to be reimbursed for elected council members and Annual Allowances in Lieu of Reimbursement of Expenses that a local government may decide to pay.*

**Q27. Can you please provide details of the 3 most common expenses that are claimed by elected council members, and their approximate annual costs:**

Expense 1

Travel at \$14,000

Expense 2

N/A

Expense 3

N/A

**Q28. Do you provide an annual ICT allowance in lieu of reimbursement of expenses for elected council members?**

☒ Yes, please detail how much is provided (Note: Min \$500 / Max \$3,500)

\$3,500

☐ No

**Q28A. Has your council established a formal policy or consistent practice regarding the amount of the annual ICT allowance for elected council members?**

☒ Yes, please provide details:

Based on SAT figures

☐ No

- ☒ The expected cost of ICT equipment and services (e.g. mobile phone, internet, software)
- ☐ The frequency and nature of ICT use by elected council members
- ☐ Benchmarking against other local governments
- ☐ Feedback/consultation with elected council members
- ☐ Administrative efficiency and cost-effectiveness compared to reimbursement models
- ☐ The need to ensure equitable access to ICT resources for all members
- ☐ Historical expenditure patterns on ICT claims
- ☐ Availability of internal ICT support and infrastructure
- ☐ Other, please specify:

**Q29. Does your local government provide ICT hardware and equipment to elected council members as well as an annual ICT allowance (max \$3,500)?**

- ☒ Yes
- ☐ No

**Q29A. Please provide details of the ICT hardware and equipment (including the approximate value) that is provided to elected council members:**

ICT hardware and equipment details:

iPads

Approximate value:

\$5,000

**Q29B. If ICT hardware and equipment is provided to elected council members, what is the annual ICT allowance compensating for?**

They can have separate internet or phones (buy a separate phone) etc.

**Q30. Is the annual ICT allowance range of \$500 to \$3,500 sufficient to cover reimbursements/ICT requirements?**

- ☒ Yes
- ☐ No, please provide details:

## LOCAL GOVERNMENT FEATURES

Ordinary Council Meeting Agenda Friday 29 August 2025

92

*This section seeks to capture the unique characteristics, responsibilities, and challenges faced by your local government. The information provided from this section will assist the Tribunal in understanding the diversity of local government operations across Western Australia.*

This section is mandatory for any local government requesting a review of its current classification or seeking assessment to qualify for the Regional/Isolation Allowance. For a reclassification, responses should highlight circumstances or responsibilities that go beyond what is typically expected or that significantly exceed those experienced by other local governments within the same band.

This section is optional but encouraged for all other local governments to support comparative analysis and inform future classification reviews.

Please provide responses to all relevant questions in this section. Responses should be clear, specific, and evidence based. Where possible, include quantitative data, project names, locations, or policy references to support your descriptions. However, if some questions are not relevant for your local government, please enter 'n/a'.

**Q31. Are there any current or planned major developments or infrastructure projects in your local government that involve significant financial investment, technical complexity or strategic risk (e.g. transport hubs, civic precincts, water infrastructure)?**

*Please include project names, estimated costs, timelines, and risk factors.*

Water treatment project, \$200,000, within 5 years, risk of local startup mine contaminated town water Health services due to lack of service provided by State, \$300,000 per year, within 2 years, lack of regional LG funding

**Q32. Has your local government experienced recent or ongoing changes in building or planning activity that has had a substantial operational or community impact?**

*Outline any recent or ongoing changes in development activity that have impacted council operations e.g. rezoning, infill development, high-density approvals. Consider volume, complexity or community impact*

N/A

**Q33. Are there any significant environmental responsibilities within your local government area (e.g. heritage-listed urban precincts, endangered species management, or environmental remediation obligations)?**

*Please include relevant legislation or partnerships if applicable*

Our heritage buildings, native title, rubbish tip rehabilitation, depot remediation contaminated by State government, multiple mining batteries, asbestos removal across the Shire



**Q34. Does your local government deliver services that go beyond what is typically expected for a council of your size (e.g. operating a regional airport, health services, or aged care)?**

Ordinary Council Meeting Agenda Friday 29 August 2025

93

***Explain why these services are necessary and how they are funded or managed.***

After school activities for youth, 2 x airports, rubbish tips, local business (pub closing), health services, elections (non LG), housing, water treatment, emergency services, bush fire brigade with DFES in town

**Q35. Does your local government include any major commercial or industrial precincts that attract significant economic activity from outside your boundaries?**

***Describe any precincts that attract significant external business activity e.g. logistics parks, industrial estates, retail centres. Include data on employment, traffic, or economic contribution.***

No

**Q36. Does your local government experience a significant seasonal increase in population due to tourism or temporary residents?**

***Please provide details on seasonal population changes, including peak periods, estimated visitor numbers, and associated service demands e.g. waste, ranger services, events; and mention any tourism strategies or infrastructure.***

Tourism is busy from April to October and quiet outside these months

**Q37. Are there any notable social or community challenges affecting your local government area (e.g. housing affordability, youth disengagement or community safety concerns)?**

***Please identify key social challenges affecting your community and include relevant statistics, programs, or partnerships.***

Housing options, lack of health services, lack of emergency services, lack of social activities especially for youth, no banking facility, travel distance to get access to common services

**Q38. Please describe any other unique features, responsibilities or circumstances that you believe the Tribunal should take into account when assessing your local government?**

***Use this space to highlight any other aspects that make your local government distinct (e.g. cultural diversity, geographic isolation, historical significance). This is an opportunity to present a holistic picture of your council's context.***

A local government is effectively managing a small country. A regional local government performs many functions which should be provided by State and Federal governments. A regional government does this with only a CEO, DCEO and Works Manager. The responsibilities are significant and not reflected in pay rates. This impacts the pool of applicants and talent that can be attracted to the regions as similar salaries can be earned for roles with minimal responsibilities.

## GENERAL

***The following question is an opportunity for local governments to provide general feedback that has otherwise not been covered in other parts of the survey.***

Most people haven't experienced the difficulties managing areas the size of small countries in remote locations. It would be good to review these areas differently to capital cities and reflect pay accordingly. Capital cities, while they have their own issues, do have access to every service, every emergency service, every type of health care, a massive labour pool, excellent talent and skills etc. Regional local governments must manage these issues on top of normal ones.

## AUTHORISATION


*This section confirms that the survey responses have been reviewed and authorised by the appropriate representatives of the local government.*

- The survey should be authorised by both the Chief Executive Officer (CEO) and the Mayor/President/Chair, where these positions are substantively filled.
- If either role is currently vacant or not occupied, please provide the details of the officer who has been formally authorised by your local government to complete and approve the survey on their behalf.
- Authorisation by both parties ensures the accuracy and integrity of the information provided and confirms that the responses reflect the position of the local government.
- Please also provide a governance contact who can be reached for any follow-up queries or clarifications. This contact should be familiar with the survey content and be able to liaise with the Tribunal secretariat if required.

Approved by Chief Executive Officer (or Authorised Officer)

SIGNATURE:

✕



---

clear

**Chief Executive Officer details (or Authorised Officer):**

Ordinary Council Meeting Agenda Friday 29 August 2025

95

Name	<input type="text" value="Ian Holland"/>
Title	<input type="text" value="CEO"/>
Email	<input type="text" value="ceo@yalgoo.wa.gov.au"/>

**Approved by the Mayor / President / Chair (or Authorised Officer)**

**SIGNATURE:**

×



R.V.E.

clear

**Mayor / President / Chair details (or Authorised Officer):**

Name	<input type="text" value="Raul Valenzuela"/>
Title	<input type="text" value="President"/>
Email	<input type="text" value="threerv@hotmail.com"/>

Name	<input type="text" value="Glenn Boyes"/>
Title	<input type="text" value="DCEO"/>
Email	<input type="text" value="dceo@yalgoo.wa.gov.au"/>
Phone number	<input type="text" value="08 9962 8042"/>

## SUBMISSION

*This section provides information on submitting your survey.*

To review your responses and data before submitting, use the table of contents menu. If you click Submit and proceed to the next page, you cannot go back and edit your responses.

By clicking the Submit button and finalising your submission, you are confirming the data is current and accurate, and that your responses have been approved by the head of your authority.

Once you click the Submit button you are taken to a summary of your finalised responses and can download a PDF version. It is strongly recommended that you download a PDF of your responses and file for record keeping purposes.

---

If you require assistance at any time, please contact the Tribunal on 08 6557 7000 or [submissions@sat.wa.gov.au](mailto:submissions@sat.wa.gov.au)

Powered by Qualtrics 

Protected by reCAPTCHA: [Privacy](#) & [Terms](#)

## 14.2 Paynes Find State Battery Museum

Applicant:	Shire of Yalgoo
Date:	20/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Letter from the Perth Mint

### SUMMARY

That Council consider correspondence received from the Perth Mint who are responsible for the care, control and management of the Paynes Find State Battery Site.

### COMMENT

At the Ordinary Meeting on the 25<sup>th</sup> July 2025 Council Resolved to:

*That Council authorize the development of an itemized report and private works estimate for the removal of advertising (physical and digital) relating to the Paynes Find Battery Museum for consideration at the next Paynes Find Ordinary Meeting.*

While there are a number of instances that describe the Miners Pathway there is only one physical tourism related sign maintained by the local government. This Gold Battery Sign is at the intersection of the Paynes Find Town Road and Paynes Find Battery Road. Removal costs will be minimal and can be covered by the local government.

Other Shire managed publications describing the Gold Battery Museum include:  
Shire Website  
Assorted Tourism Brochures

External affiliates:  
Australia's Golden Outback - Website and Publications  
Murchison GeoRegion - Website and Publications

It is suggested that the Shire remove the physical sign at its cost and amend the Shires Website to describe the history of the battery site. Noting that Gold Corporation hold concerns for visitors.

Brochures including those managed by the GeoRegion project will not be expedited but amended prior to new versions being printed.

### STATUTORY ENVIRONMENT

Local Government Act 1995

### POLICY/FINANCIAL IMPLCATIONS

NIL

## **VOTING REQUIREMENT**

Simple Majority

## **OFFICERS RECOMMENDATION**

That Council authorize the removal of the tourism directional signage at the intersection of Payne Find Town Rd and Paynes Find Battery Road and minor amendments as described to the Shire Website.



Dion Paunich  
Chief Operating Officer  
Gold Corporation  
East Perth, WA 6004

10 June 2025

Ian Holland  
Chief Executive Officer  
Shire of Yalgoo

By email: [ceo@yalgoo.wa.gov.au](mailto:ceo@yalgoo.wa.gov.au)

Cc: [pa@yalgoo.wa.gov.au](mailto:pa@yalgoo.wa.gov.au)

Dear Mr Holland

**Request to Remove Tourism Signage - Paynes Find State Battery Site (R15209)**

As you are aware, The Perth Mint is responsible for the care, control, and management of the Paynes Find State Battery Site (R15209) (**Site**).

The long-term lease over the Site, previously held by Mr and Mrs Taylor, expired on 30 June 2024. Since then, the Taylors have remained on the Site under a periodic tenancy arrangement to support a managed transition off the Site.

Under the terms of this tenancy, the Site is to be used strictly for mineral processing, and tourism activities are not permitted.

Further, as part of our ongoing management responsibilities, a recent preliminary site investigation identified several work health and safety (**WHS**) risks at the Site. These risks make the area unsuitable for tourism-related activities, particularly where members of the public are involved.

However, The Perth Mint has been made aware that tourism activities (museum tours) have continued at the Site.

As such, and in accordance with the provisions of the lease, The Perth Mint issued a formal notice to the Taylors on 20 May 2025 requiring them to immediately cease all tourism operations on the Site.

To support this and to mitigate ongoing risk to the public, we respectfully request that the Shire of Yalgoo remove any road signage and/or tourist information promoting the Site as a tourism attraction.

The health and safety of the community remains our highest priority. We appreciate your cooperation and assistance in ensuring the Site is not presented to the public as an accessible tourist destination.



If you have any queries or require further information, please do not hesitate to contact us at [statebatteryconnect@perthmint.com](mailto:statebatteryconnect@perthmint.com).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dion Paunich', written in a cursive style.

Dion Paunich  
Chief Operating Officer  
Gold Corporation | The Perth Mint



### 14.3 Regional Development Australia (RDA) – Services Agreement

Applicant:	Shire of Yalgoo
Date:	20/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Services Agreement

#### **SUMMARY**

That Council consider a proposal from Regional Development Australia for a shared services agreement.

#### **COMMENT**

Included in the 2025/26 draft budget is a consultation allocation which can be used to carry out similar or strategic projects in conjunction with neighbouring local governments. Building on the Murchison Regions Regional Strategy (2023-2033) research, reports, advocacy and actions plans can be developed in areas of health, housing, industrial land and economic development.

From an example project conducted by Regional Development Australia each administration has a better understanding of duplications in tourism spending that occurs within the region. Supported by the Murchison Executive Group this consulting arrangement would allow for empirical evidence to be collected to support each Shires anecdotal evidence in different areas. This would better inform advocacy or place the region in a better position to apply for grants from different spheres of government.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Absolute Majority

#### **OFFICERS RECOMMENDATION**

That Council endorses the draft agreement and delegates to the Chief Executive Officer the ability to enter into the arrangement given they are satisfied with “buy in” from neighbouring local governments.

**SERVICE AGREEMENT BETWEEN REGIONAL DEVELOPMENT AUSTRALIA MID WEST AND GASCOYNE  
(RDAMW&G) AND MURCHISON EXECUTIVE GROUP (MEG).**

DRAFT

**CONTENTS****Service Agreement Between Regional Development Australia Mid West and Gascoyne (RDAMW&G) and Murchison Executive Group (MEG).** **1****Contents** **2**

1.0	Parties	3
2.0	Purpose	3
3.0	Services Provided (as detailed in the proposal)	3
4.0	Term	3
5.0	Responsibilities	4
5.1	RDAMW&G Responsibilities	4
5.2	MEG responsibilities.	4
6.0	Fees and payment	4
6.1	Fixed Fee:	4
6.2	Variable Fee	4
7.0	Service Guarantee and Value Statement	5
8.0	Insurances	5
9.0	Confidentiality	5
10.	Dispute Resolution	5
11.0	Force Majeure	5
12.0	Amendment	6
13.	Termination	6
14.	Governing Law	6
	Signing Page	7

## 1.0 PARTIES

Regional Development Australia Mid West and Gascoyne (RDAMW&G).

Murchison Executive Group (MEG), represented by:

- Shire of Cue
- Shire of Meekatharra
- Shire of Mt Magnet
- Shire of Murchison
- Shire of Sandstone
- Shire of Yalgoo

## 2.0 PURPOSE

To establish a framework for RDMW&G to provide regional coordination services to MEG, facilitating the implementation of the Murchison Regional Strategy (2023 – 2033).

## 3.0 SERVICES PROVIDED (AS DETAILED IN THE PROPOSAL)

- Strategic Coordination: Establishing a framework to identify regional priorities and drive initiatives.
- Project management: Converting priorities into tangible, result-driven actions that enhance regional growth.
- Financial oversight: Ensuring accountability and transparency in the allocation and management of resources.
- Priority selection: Identify and select initiatives for focused execution each year.
- Action Plan Development: Identifying key issues and opportunities.
- Reporting: Agreed timing and format for project status updates.

## 4.0 TERM

This Agreement shall commence on ### and continue for an initial term of two years, as per section 5.1 of the proposal.

## 5.0 RESPONSIBILITIES

### 5.1 RDAMW&G Responsibilities

- To deliver the services as outlined in Section 3, with a high standard of service delivery and accountability
- Oversee the implementation of the annual action plan, ensuring alignment with strategic priorities.
- Coordinate providers, stakeholders and service delivery to maintain efficiency and quality.
- Ensure transparency in expenditure related to services within the regional framework.
- Provide MEG with clear insights on actions taken and the return on investment
- Identify challenges, troubleshoot problems, determine root causes, and implement resolution actions.
- Deliver regular reports and recommendations including agenda items, recommendations, and progress reports to MEG for informed decision making.
- Prepare reports for the WALGA and Council meetings, enhancing alignment between Council strategies, the regional strategy and the WALGA Murchison zone.

### 5.2 MEG responsibilities.

- Provide necessary information to facilitate service delivery
- Participate in scheduled meetings and workshops
- Ensure timely feedback and information exchange
- Actively participate in the decision-making process to identify regional priorities.

## 6.0 FEES AND PAYMENT

### 6.1 Fixed Fee:

For the management of the Murchison Regional Strategy and regional coordination services as outlined in Section 4 of the proposal, the fixed fee is \$70,000 per annum (excluding GST). The fee will be paid Annually within 14 days of invoice.

### 6.2 Variable Fee

Additional tailored services, as described in Section 5.2 of the proposal (Advocacy, Business Case Development, Specialist Research), will be available on request and charged separately based on an agreed scope of work and hourly/project rate.

## 7.0 SERVICE GUARANTEE AND VALUE STATEMENT

RDAMW&G guarantees the quality of all work undertaken, ensuring a high standard of service delivery and accountability for the Murchison region, as mentioned in section 6.1.

Estimated value of service is as detailed in Section 6.2 of the proposal.

## 8.0 INSURANCES

<i><b>Insurance</b></i>	<i><b>Underwriter</b></i>	<i><b>Limit of Liability</b></i>	<i><b>Date of Renewal</b></i>
Public Liability	QBE	\$20,000,000	20 May 2026
Professional Indemnity	Chubb Insurance	\$10,000,000	31 March 2026
Public and Products Liability	Chubb Insurance	\$20,000,000	31 March 2026
Voluntary Workers	AHI Insurance	\$5,000,000	31 March 2026
Workers Compensation	CGU Insurance	\$50,000,000	30 June 2026

## 9.0 CONFIDENTIALITY

All parties agree to keep confidential all information exchanged during the term of this agreement, unless required by law.

## 10. DISPUTE RESOLUTION

In the event of a dispute, representatives from RDAMW&G and MEG shall meet to resolve the issue through mutual discussion.

## 11.0 FORCE MAJEURE

Neither RDAMW&G nor MEG will be held responsible for failing to do what this agreement says if it's caused by something out of their control. These things include: natural disasters like floods, fires, or earthquakes), war, terrorism, government actions, labour strikes, or major failures of electricity or internet service.

**12.0 AMENDMENT**

This agreement can only be changed if both RDAMW&G and MEG agree to the change in writing. Both parties must sign the written change to show that they agree. The change will take effect on the date written in the change document. If no date is written, the change takes effect when both parties have signed.

**13. TERMINATION**

This agreement may be terminated by either party with 60 days written notice should there be a fundamental breach of terms.

**14. GOVERNING LAW**

This agreement shall be governed by the laws of Western Australia.

DRAFT

## SIGNING PAGE

Organisation	Authorised Representative	Authorised Signature	Date
Regional Development Australia Mid West and Gascoyne			
Shire of Cue			
Shire of Meekatharra			
Shire of Mt Magnet			
Shire of Murchison			
Shire of Sandstone			
Shire of Yalgoo			



#### 14.4 Proposal to Lease a portion of the Yalgoo Caravan Park

Applicant:	Shire of Yalgoo
Date:	20/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	NRMA Proposal and mapping AVA - Valuation

#### SUMMARY

That Council consider a proposal to lease a section of the Yalgoo Caravan Park for usage as an Electric Vehicle Charging Station

#### COMMENT

A proposal has been received from NRMA Electric Highways Pty Ltd for the lease of a portion of Lot 200 DP191385 being approx. 16m x 6m of the northeastern corner of the Yalgoo Caravan Park Reserve.

The proposal and associated mapping is attached and a valuation has been sought allowing for the disposal to be considered under Section 3.58 of the Local Government Act 1995.

For comparison the Shire leases all of the dedicated infrastructure and bowzers of the Yalgoo Fuel Station for \$6000 per year (which would have originally been a large capital outlay for the local government). Profit margins are small for the sale of fuel however there is a strong consistent demand for the product. At this stage most proposed charging infrastructure is heavily subsidized by State Government grants. Overheads would be high for the local government to operate something similar and maintenance would have to be outsourced entirely resulting in significant downtime and mobilization for a lone operator of a single site.

Multiple locations were considered within the townsite and Administration believes this to be optimal for a number of reasons. Proximity to the Caravan Park, Payphone Internet, Yalgoo Store and Public Toilets. It removes the need for foot traffic over the highway if people are charging in town. Land at the Art Centre is limited as the building was constructed up to the road reserve and is far from power infrastructure. As per the proposal all ongoing cost would be the responsibility of the lessee.

The RAC Electric Highway was used by the advocacy body as a way of demonstrating that electric vehicles could be used for long commutes and road trips. In much the same way NRMA appears to be utilizing government incentives to introduce this infrastructure to a region where no other company or organisation has invested any resources.

Any benefit to the Chief Executive Officer would be the same as any public user of this commercial infrastructure – it should however be noted that their ownership/use of an electric vehicle is not similar to the majority of people in the district.

The secondary attachment details a valuation of \$2,200 per annum rent. Based on average fast charger rates an operator would need to sell approximately 6000kWh per year which equates to charging 115 vehicles per year to recover costs for this amount of rent (33c/kWh charged at 70c/kWh). This only accounts for

electricity and does not include any capital cost recovery, maintenance, insurance etc. With this in mind it is suggested that the peppercorn proposal be accepted, Council could however seek rent for the second term. We may not necessarily know if this would impact the viability of the proposal.

Electric vehicles as a percentage of all light vehicles in Western Australia has grown from approximately 0% to 1.58% over the past decade. The Australian Federal Government aims to have 50% of new car sales be electric by 2030. With only 3000 EVs registered outside the Perth metropolitan area more needs to be done to support electrification.

#### Proposed Disposition

Part of 11 Gibbons Street – Yalgoo Caravan Park Reserve

To NRMA Electric Highways Pty Ltd

Lease of northeastern section of Lot 200 on Deposited Plan 191385 detailed in the attached maps for use as an electric vehicle charging station (approximately 80 square meters).

For the Term of ten (10) years comprising of 2 five (5) year options.

A rental valuation describes that \$2200 per annum reflects the market value.

Consideration of \$1 per year (a peppercorn arrangement).

This proposal and any submissions received would then be considered at the next available Council Meeting.

### STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.58

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to:

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

- (a) the names of all other parties concerned; and
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition —
  - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
  - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council agrees to give local public notice of this proposed disposition calling for public submissions as per the requirements of section 3.58 part 3 of the Local Government Act 1995.

proptel.com.au

PO Box 46  
FULLARTON SA 5063

7 August 2025

The Chief Executive Officer  
Shire of Yalgoo  
PO Box 40  
Yalgoo WA 6635

Attn: Ian Holland  
Via email: [ceo@yalgoo.wa.gov.au](mailto:ceo@yalgoo.wa.gov.au)

Our reference: Yalgoo

Dear Ian,

**Heads of Terms for proposed Licence from Shire of Yalgoo to NRMA Electric Highways Pty Ltd**  
**Site: Yalgoo Caravan Park, Lot 200/DP191385, 11 Gibbons Street, Yalgoo WA 6635**  
**Facility: NRMA Charging Station**

NRMA has appointed Proptel to act on its behalf and secure suitable sites for installation and operation of Charging Stations as part of its Electric Vehicle Fast Charging Network.

NRMA is proposing to construct a new EV Charging Station in Yalgoo, as part of a joint-funded initiative between the Australian Government and NRMA, aimed to make regional areas of the country more accessible by raising current and future EV driver confidence through establishing a nation-wide network of chargers.

The property known as 11 Gibbons Street, Yalgoo has been identified as a potentially suitable location for the NRMA EV Charging Station. Should the Council agree to further discussions toward a licence, NRMA would propose terms and conditions as outlined below:

<b>Licensee</b>	NRMA Electric Highways Pty Ltd ABN 35 659 311 163
<b>Licensor</b>	Shire of Yalgoo, under Management Order.  Full Name: Shire of Yalgoo Address: 37 Gibbons Street, Yalgoo WA 6635 Ph: 08 9962 8042 Email: <a href="mailto:shire@yalgoo.wa.gov.au">shire@yalgoo.wa.gov.au</a>
<b>Land</b>	The land contained in Certificate of Crown Land Title Folio Identifier LR3101/129 and known as 11 Gibbons Street, Yalgoo WA 6635
<b>Type of Facility</b>	EV Charging Station comprising 4 EV charging bays and 2 EV charging equipment bays.

<b>Premises</b>	An area of approximately 80 square metres being part of the land situated at 11 Gibbons Street, Yalgoo and shown in the location on the image attached .
<b>Access to Premises</b>	The Licensor will have access to the Licensed Area 24 hours a day, seven days a week to exercise its rights under the Licence.
<b>Permitted Use</b>	Installation, operation, repair and replacement of Charging Stations and ancillary purposes including generating photovoltaic electricity, operating an energy storage system, operating a payment system and installing and operating security monitoring devices.
<b>Term</b>	10 years
<b>Option(s)</b>	2 options of 5 years each
<b>Commencement Date</b>	To be confirmed.
<b>Rent Commencement Date</b>	On the commencement date of the Licence
<b>Licence Fee</b>	\$1 per annum plus GST, if demanded
<b>Electricity</b>	Separately metered supply from the relevant power company. Connection and power usage to be the responsibility of NRMA
<b>Installation &amp; Maintenance</b>	The Licensee is responsible for the installation of the Charging Station on and in the Licensed Area, including all works ancillary to that installation and necessary or desirable (in the opinion of the Licensee) for the on-going operation of the Charging Station.
<b>Legal &amp; Other Costs</b>	Each party must pay its own costs and expenses in connection with the preparation, execution, stamping and any necessary registration of this Licence and any related document.  NRMA will contribute up to \$2,000 + GST to the cost of a Council valuation as required under Section 3.58 of the Local Government Act.
<b>Licence Documentation</b>	NRMA's standard licence for this type of facility will apply to this transaction. A draft licence will be prepared for your review once terms are agreed.

This offer is subject to:

- Licensor approval of preliminary plans;
- NRMA's final approval; and
- NRMA obtaining approval from any statutory authority or other relevant authority to enter into the Licence and construct its facility (if required).

Subject to tenure negotiations, design and power discussions, NRMA is targeting final design delivery by end of 2025 and construction in first half of 2026.

Should the Shire of Yalgoo wish to proceed with this proposal, we would ask that you please confirm your interest by signing and dating the last page of this Heads of Agreement and returning it to us **by email** [tanya@proptel.com.au](mailto:tanya@proptel.com.au) **or by post** PO Box 46, Fullarton SA 5063.

Please do not hesitate to contact me by email or phone on 0414 804487 should any further information be required at this stage, otherwise we look forward to hearing from you in due course.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'Tanya Wood', with a long horizontal flourish extending to the right.

Tanya Wood  
Property Consultant, Proptel  
On behalf of NRMA

---

**Heads of Terms Agreement**

---

**Site Name: Yalgoo**

**Site Address: 11 Gibbons Street, Yalgoo**

**Land Description: Certificate of Crown Title Volume LR 3101 Folio 129**

**Registered Proprietor: Shire of Yalgoo**

As owner/authorised representative of the abovementioned property, I accept the proposed commercial arrangements as detailed in the letter attached dated **7 August 2025**. I understand the agreement is in-principle and is subject to final approval of NRMA and negotiation of the final licence agreement.

SIGNED by

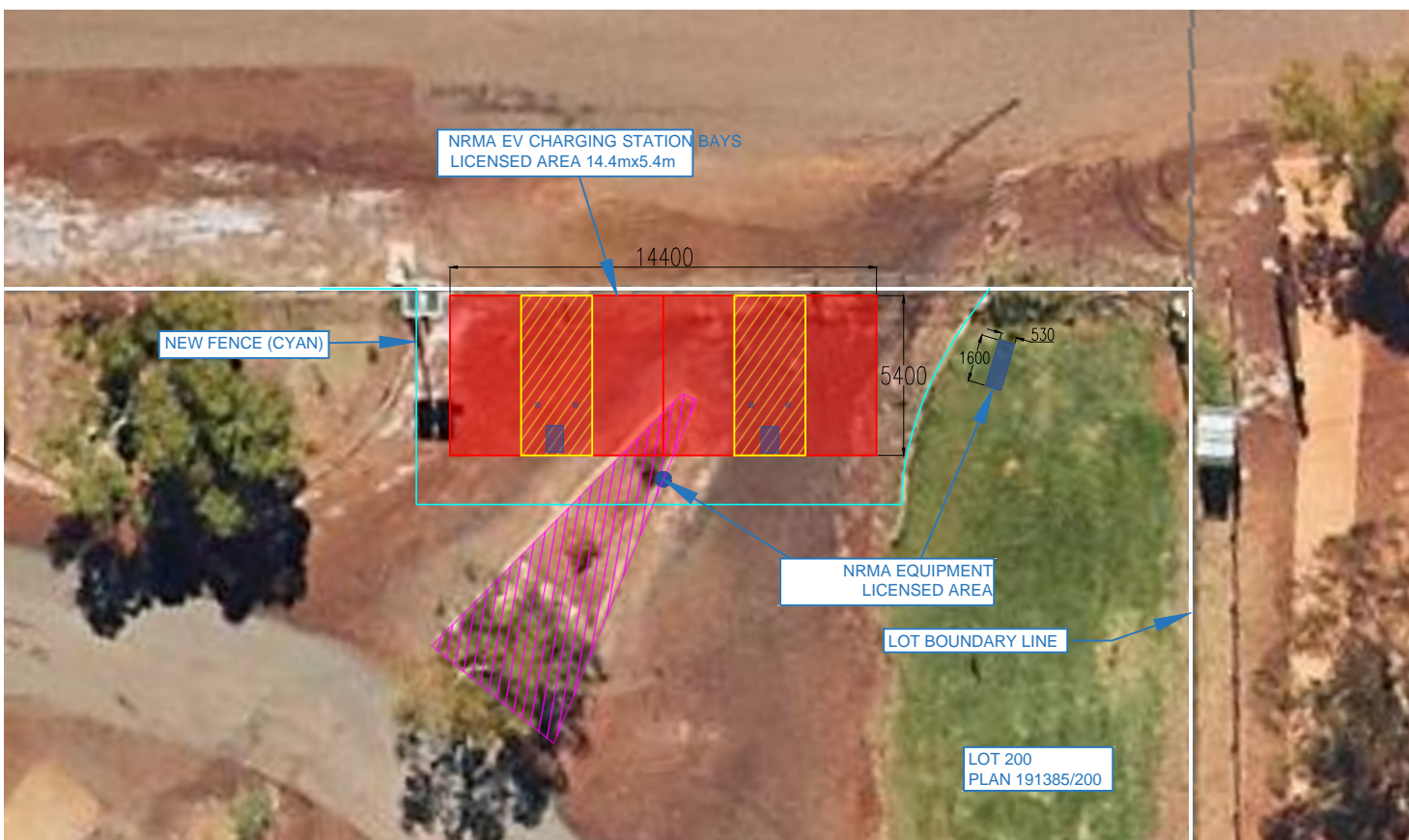
_____ <b>Name</b>	_____ Signature of Party
_____ Position of Signatory (e.g. Landowner / power of attorney)	_____ Date

Please return **all** pages of the Heads of Terms letter to Tanya Wood by email [tanya@proptel.com.au](mailto:tanya@proptel.com.au) or mail to Proptel, PO Box 46 FULLARTON SA 5063





### PROPOSED SITE AERIAL VIEW



## CONCEPT LICENSE PLAN

(WAAHWY037) YALGOO	
TITLE: PROPOSED NRMA EV CHARGING SYSTEM - SITE CONCEPT PLAN	
ALTERNATE DRAWING NUMBER:	DRAWING NUMBER: WAAHWY037-SCP-S01



1		2		3		4		5		6		7		8		9																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
A																	A																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
B																	B																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
C																	C																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
D																	D																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
E																	E																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
F																	F																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
G	<p>EXAMPLE NRMA EV CHARGING SITE: CLUB NSW &amp; HOTEL SITE</p>																G																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
H																	H																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
J																	J																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
K																	K																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
L																	L																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
M																	M																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
N																	N																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
P																	P																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Q	<p>EXAMPLE NRMA EV CHARGING SITE: CONSTRUCTION FENCING</p>																Q																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
R																	R																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
S	<p>EXAMPLE NRMA EV CHARGING SITE: POTENTIALLY UTILISING DEAD SPACE WHERE POSSIBLE</p>																S																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
T																	T																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
U	<p>EXAMPLE NRMA EV CHARGING SITE: CONVERTING EXISTING ANGLED PARKING TO 90 DEGREE PARKING</p>																U																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
V																	V																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
W	<p>EXAMPLE NRMA EV CHARGING SITE: FUEL / SERVICE STATION LOCATION</p>																W																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
X																	X																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Y	<p>EXAMPLE NRMA EV CHARGING SITE: HOLIDAY PARK LOCATION</p>																Y																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Z																	Z																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
<p>EXAMPLE NRMA EV CHARGING SITE: ROAD RESERVE LOCATION (LANDSCAPE AREA REDEVELOPED)</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															
<p>TYPICAL NOTES:</p> <p>1. PROPOSED CHARGING STATION FOR THE NATIONAL HIGHWAYS PROGRAM.</p> <p>2. EV CHARGERS AND ASSOCIATED EQUIPMENT ARE PROPOSED TO BE INSTALLED ON LOT X / PLAN NUMBER X, ADDRESS X</p> <p>3. PROPOSED EV CHARGERS ARE:</p> <p>3.1. 2x ABB TERRA-184, EACH WITH 2x CCS2 OUTLETS.</p> <p>4. SINGLE CHARGER OUTPUT: 150kW-180kW (SUBJECT TO THE AVAILABLE SUPPLY CAPACITY CONSTRAINTS).</p> <p>5. COMBINED STATION CAPACITY: 300kW-360kW (SUBJECT TO THE AVAILABLE SUPPLY CAPACITY CONSTRAINTS).</p> <p>6. THE EV CHARGING AREA REQUIRES SIX (6) EXISTING STANDARD PARKING BAYS, CONSISTING OF FOUR (4) EV CHARGING BAYS AND TWO (2) EV CHARGING EQUIPMENT BAYS. THE NRMA MSB IS PROPOSED TO BE SUITABLY LOCATED WITHIN THE ADJACENT LANDSCAPE AREA.</p> <p>7. SUPPLY STRATEGY IS INDICATIVE ONLY. FINAL SUPPLY STRATEGY, ARRANGEMENT AND CONNECTION ARE TO BE DESIGNED BY THE ELECTRICAL DESIGNER &amp; ASP AND IN COORDINATION WITH THE DNSP AND SITE HOST REQUIREMENTS.</p> <p>8. NO HV OR GRID CONNECTION ASSETS SHOWN AS VERIFIED.</p> <p>9. LICENSED AREA LIMITED TO THE NRMA EQUIPMENT AREA FOOTPRINTS AND EV CHARGING STATION SPACES.</p> <p>10. LAYOUT, POSITIONING AND DIMENSIONS ARE INDICATIVE, PRODUCED FOR SITE CONCEPT PLAN PURPOSES.</p>																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																															



#### 14.5 Heavy Vehicle Network Application Morawa-Yalgoo Road

Applicant:	Shire of Yalgoo
Date:	23/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council consider a application to amend the network capacity (heavy vehicle types) permissible on Morawa-Yalgoo Road.

#### **COMMENT**

Saltbush Contracting who freight ore for the Deflector Minesite (Vault Minerals) have applied through Main Roads WA for the southern 29.91km of Morawa-Yalgoo Rd to be added to the Heavy Vehicle Network for Performance Based Standards (PBS) Tri Drive vehicles PBS3B.3

This road is currently approved for 36.5m Tandem Drive Network 7 and Tri Drive Network 4 Vehicles.

This PBS configuration would result in a decrease in wear and tear by spreading the load more evenly across additional axles however the vehicles would also be longer with a maximum length of 42m.

The number of axles still has an effect on stock grids that were not designed for heavy vehicle traffic and conversations are being held with the freight originator. It should also be noted that there are no overtaking lanes through to Morawa for other road users to pass these longer vehicles.

This application limits the vehicle type from the Shire boundary to the Minesite reducing the ability of other operators to take these sized vehicles on the road.

#### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council supports the application from Saltbush Contracting for Morawa-Yalgoo Road SLK 0 – 29.91 to be added to the Heavy Vehicle Network for PBS 3B.3 vehicles.

#### 14.6 State Heritage Register Application – Jokers Tunnel

Applicant:	Shire of Yalgoo
Date:	23/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Application

**SUMMARY**

That Council endorse for submission an application to add Jokers Tunnel to the State Heritage Register.

**COMMENT**

Based upon previous Council decisions and an overwhelming number of survey results supporting the protection of the site it is proposed that an application be submitted to the Heritage Council of WA for inclusion of Jokers Tunnel on the States Heritage Register.

A draft application is attached for Council consideration.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY/FINANCIAL IMPLCATIONS**

NIL

**VOTING REQUIREMENT**

Simple Majority

**OFFICERS RECOMMENDATION**

That Council supports the attached Heritage Council Place Nomination for the site known as Jokers Tunnel.

## NOMINATION FORM

Any person or organisation can nominate a place to the Heritage Council to be considered for the *State Register under the Heritage Act 2018* (the Act).

Places that have been nominated may be considered for entry in the State Register of Heritage Places (State Register).

**Not all places nominated to the Heritage Council go on to be assessed for the State Register. This is because places on the Register have to make an important contribution to understanding the heritage of Western Australia. Places are assessed against the HERCON factors which are provided at the end of this form.**

If you think the place you want to nominate might be of local significance, you should contact your local government about their heritage provisions.

The information you provide in your nomination will help the Heritage Council decide if the place should be assessed further or if it is not likely to be of State significance so please provide as much information about the place as possible with your nomination. For details about the assessment process please see the State Register of Heritage Places brochure at [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)

Information in your nomination may also be added to the Heritage Council's Historic Heritage Places Database, or passed on to a local government so they can consider the place for their Municipal Heritage Inventory. It may also be used to provide support for a grant application.

The Heritage Council undertakes to keep all personal details regarding you (the nominating party) confidential and will not release any personal details, except to the extent required by law or with your consent.

### Completing this form

Please fill in this form with as much detail as possible and provide specific details of any sources of information such as books or plans.

*The sections marked \* must be filled in for your nomination to be accepted. Incomplete nominations will be returned for further information.*

#### 1. YOUR DETAILS \*

Name:

Address:

Suburb:

Postcode:

Telephone:

Fax:

Email:

Has the owner/occupier been consulted?

☐ Yes ☐ No

Signature:

Date:

**2. PLACE DETAILS AND/OR LAND DESCRIPTION \***

*An adequate description of the location, area or boundary, and/or land parcel you are nominating **MUST** be provided for your nomination to be accepted.*

Name of place:

Any former or other names:

Address/location:

Local Government Authority:

Lot/Location:

Diagram/Plan:

Reserve details No:

Certificate of Title details (Volume/Folio):

Vesting:

Purpose of vesting:

**3. MAPS/PLANS \***

*A sketch plan or map showing the precise area of land you are nominating **MUST** be provided for your nomination to be accepted. If possible, this should indicate where the various elements are located. (Indicate North on the map/plan). Where relevant, please also provide a **brief** description of the place and how to find it below:*



**4. HISTORY AND TYPE OF PLACE**

Construction date:

Design date (if known/relevant):

Architectural style (if known/relevant):

History of the place

Please tell us what you know of the history of the place (attach separate attachment outlining the history of the place if necessary):

Why do you think this place is important to the story of Western Australia?

Reason for nominating place:

Use(s) of place (indicate sources)

Original Use (purpose for which the place was built):

Later and current use(s):

Type of place (tick one or more options)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Individual building   | <input type="checkbox"/> Streetscape                   | <input type="checkbox"/> Garden              |
| <input type="checkbox"/> Group of buildings (eg. school, farm or industrial complex) | <input type="checkbox"/> Urban open space              | <input type="checkbox"/> Tree                |
| <input type="checkbox"/> Historic town   | <input type="checkbox"/> War memorial                  | <input type="checkbox"/> Urban park          |
| <input type="checkbox"/> Historic site   | <input type="checkbox"/> Bridge                        | <input type="checkbox"/> Mine                |
| <input type="checkbox"/> Aboriginal site   | <input type="checkbox"/> Historic district or precinct | <input type="checkbox"/> Geological monument |
| <input type="checkbox"/> Archaeological site   | <input type="checkbox"/> Large conservation area       | <input type="checkbox"/> Monument            |
|  | <input type="checkbox"/> Landscape                     | <input type="checkbox"/> Other structure     |

Associations:

Is the place associated with any significant individuals? e.g.

- ☐ Architect:
- ☐ Designer:
- ☐ Builder:
- ☐ Other:

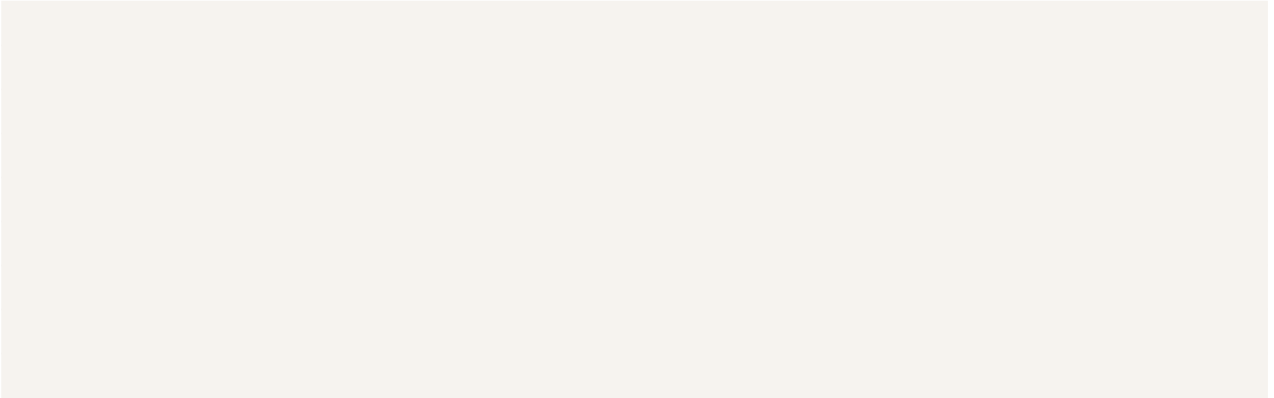
Previous owners or occupants:

## 5. STATE THEMES

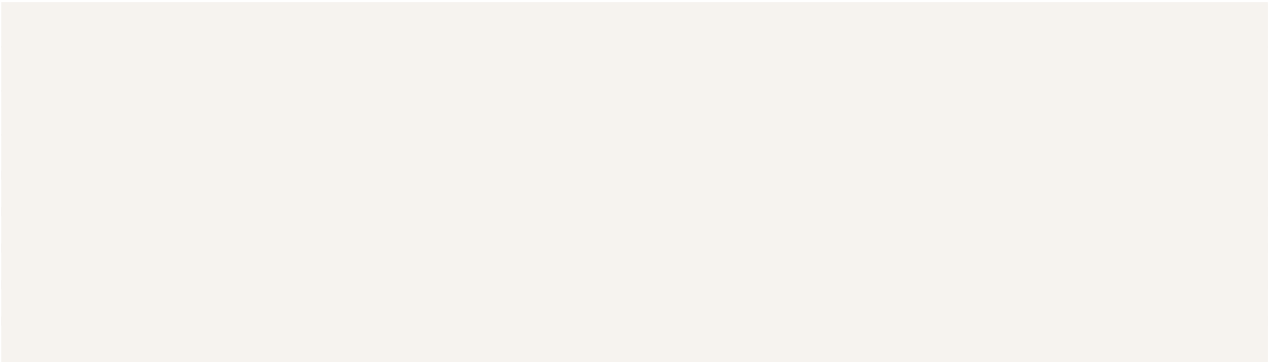
What theme of Western Australian history does this place fit into? The themes can be found on the DPLH website.

## 6. PHYSICAL DESCRIPTION

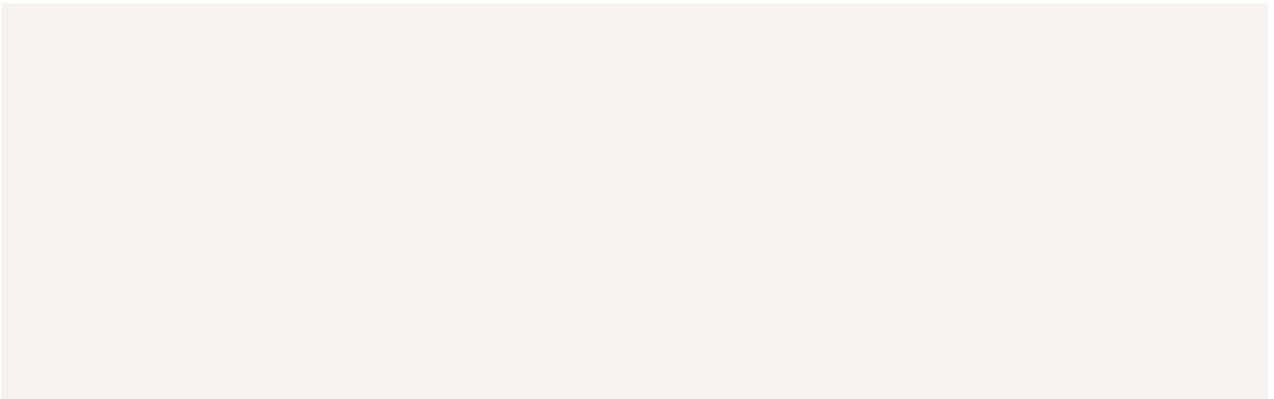
Describe the place and its setting as clearly as possible (including any other associated buildings, gardens, plantings, boundaries, walls, notable features etc.):



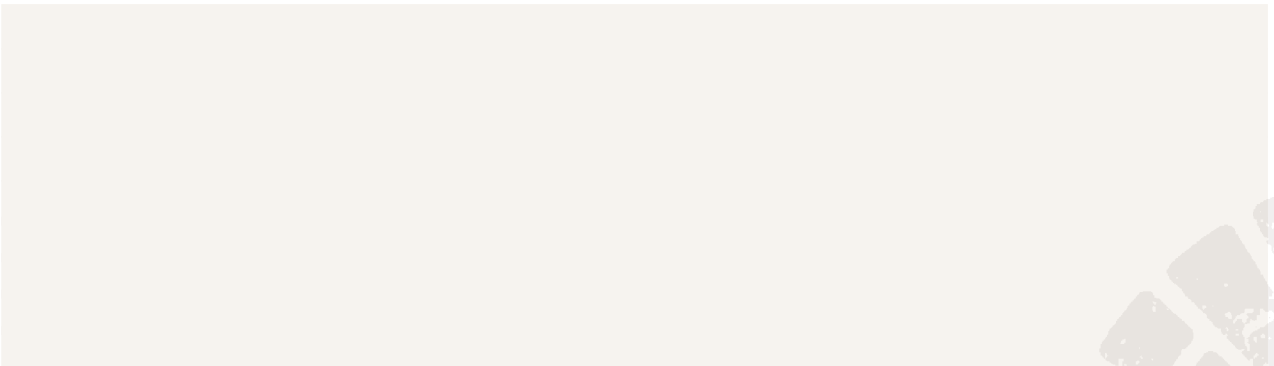
### WHAT OTHER BUILDINGS OR STRUCTURES ARE ASSOCIATED WITH THIS PLACE?



### WHAT PARTS OF THE PLACE ARE ORIGINAL?



### WHAT MAJOR CHANGES HAVE BEEN MADE TO THE PLACE AND WHEN WERE THEY MADE?



What condition is the place in overall? (indicate one) ☐ Good ☐ Fair ☐ Poor

## 7. CONSTRUCTION MATERIALS

Against each material, select where it can be found in the place eg. outside walls, roof, ceilings, fireplaces, footpaths, common brick, corrugated iron, pressed metal, marble, concrete slab

<b>ASBESTOS</b>	<b>METAL</b>	<b>STONE</b>
<input type="checkbox"/> Fibrous Cement, Corrugated	<input type="checkbox"/> Aluminium	<input type="checkbox"/> Donnybrook Sandstone
<input type="checkbox"/> Fibrous Cement, flat	<input type="checkbox"/> Bronze	<input type="checkbox"/> Granite
<input type="checkbox"/> Fibrous Cement, Asbestos Tile	<input type="checkbox"/> Cast Iron	<input type="checkbox"/> Limestone
<input type="checkbox"/> Other Asbestos	<input type="checkbox"/> Chrome	<input type="checkbox"/> Local Stone
<b>BRICK</b>	<input type="checkbox"/> Copper	<input type="checkbox"/> Marble
<input type="checkbox"/> Common Brick	<input type="checkbox"/> Corrugated Iron (CGI)	<input type="checkbox"/> Sandstone, other
<input type="checkbox"/> Face Brick	<input type="checkbox"/> Coloured CGI	<input type="checkbox"/> Slate
<input type="checkbox"/> Handmade Brick	<input type="checkbox"/> Lead	<input type="checkbox"/> Stone Veneer
<input type="checkbox"/> Painted Brick	<input type="checkbox"/> Nickel	<input type="checkbox"/> Terrazzo/Conglomerate
<input type="checkbox"/> Pointed Brick	<input type="checkbox"/> Pressed Metal	<input type="checkbox"/> Other Stone
<input type="checkbox"/> Rendered Brick	<input type="checkbox"/> Steel	<b>GLASS</b>
<input type="checkbox"/> Two-tone Brick	<input type="checkbox"/> Tin	<input type="checkbox"/> Glass
<input type="checkbox"/> Other Brick	<input type="checkbox"/> Wrought Iron	<input type="checkbox"/> Acrylic Sheet
<b>CONCRETE</b>	<input type="checkbox"/> Other Metal	<b>TILE</b>
<input type="checkbox"/> Concrete Block	<b>PLASTER</b>	<input type="checkbox"/> Aluminium Tile
<input type="checkbox"/> Concrete Slab	<input type="checkbox"/> Fibrous Plaster Sheet	<input type="checkbox"/> Cement Tile
<input type="checkbox"/> Pre-cast Concrete Panel	<input type="checkbox"/> Plasterboard	<input type="checkbox"/> Ceramic Tile
<input type="checkbox"/> Reinforced Concrete	<input type="checkbox"/> Plaster, decorative	<input type="checkbox"/> Encaustic Tile
<input type="checkbox"/> Other Concrete	<input type="checkbox"/> Lathe and Plaster	<input type="checkbox"/> Faience Tile
<b>TIMBER</b>	<input type="checkbox"/> Set Plaster	<input type="checkbox"/> Glass Tile
<input type="checkbox"/> Log	<input type="checkbox"/> Other Plaster	<input type="checkbox"/> Terracotta Tile
<input type="checkbox"/> Tongue and Groove	<b>RENDER</b>	<input type="checkbox"/> Tessellated Tile
<input type="checkbox"/> Shingle	<input type="checkbox"/> Bagged	<input type="checkbox"/> Vinyl Tile
<input type="checkbox"/> Slab	<input type="checkbox"/> Cement Dressed	<input type="checkbox"/> Other Tile
<input type="checkbox"/> Weatherboard	<input type="checkbox"/> Pebble Dash	<b>EARTH</b>
<input type="checkbox"/> Other Timber	<input type="checkbox"/> Roughcast	<input type="checkbox"/> Adobe (Mud Brick)
	<input type="checkbox"/> Smooth	<input type="checkbox"/> Pise (Rammed Earth)
	<input type="checkbox"/> Other Render	<input type="checkbox"/> Wattle and Daub
		<input type="checkbox"/> Other Earth

Are there any other features? (eg. fireplaces, stained glass or leadlight windows, floorings):

Are there any features in the garden or landscape? (eg. mature or unusual trees, garden design or layout, outbuildings, plantings, artefact scatters [eg. old bottles]):

Non-built places - other features:



**8. OWNER/OCCUPIER OF THE PLACE (If known)**

Name:

Address:

Suburb:

Postcode:

Telephone:

Fax:

Email:

Occupied ☐ Yes ☐ No**9. COMPARATIVE INFORMATION**

Please list any places in Western Australia which you know of that are similar to the place you are nominating:

**10. SUPPORTING INFORMATION****Photographs\***

Please supply current photographs of key elements/features, with site or building plans or sketches showing where each photograph has been taken. These **must** meet DPLH's Digital Image Standards. At a minimum one image **MUST** be provided but please do not go onto private property without the owner's permission to take photos.

An Image Use Agreement Form must be provided with your nomination.

The *Digital Image Standards* and *Image Use Agreement Form* are available from the DPLH website.

**Maps\***

A map showing the location of the place and the area/boundary of land you are referring **MUST** be provided.

**Bibliography\***

Please supply details of any sources including the author, publisher, title and date and where the source is held e.g. city of Fremantle local history collection.

**11. ENCLOSURE CHECKLIST**

**Your nomination will not be accepted without those marked with an \***

\* Completed Place Nomination Form ..... ☐

Building Plans ..... ☐

Site Plan ..... ☐

\* Map showing area/boundary nominated ..... ☐

\* Photographs (over 500kb) ..... ☐

\* Completed Image Use Agreement Form ..... ☐

Additional material ..... ☐

## 12. FACTORS USED TO ASSESS CULTURAL HERITAGE SIGNIFICANCE

The *Heritage Act 2018* defines cultural heritage significance as aesthetic, historic, scientific, social or spiritual value for individuals or groups within Western Australia. State significance is assessed by considering various factors. Each place has its own unique combination of factors which together establish its contribution to understanding the heritage of Western Australia.

In determining whether a place has State cultural heritage significance the Council considers the following:

- (a) its importance in demonstrating the evolution or pattern of Western Australia's history;
  - (b) its importance in demonstrating rare, uncommon or endangered aspects of Western Australia's heritage;
  - (c) its potential to yield information that will contribute to an understanding of Western Australia's history;
  - (d) its importance in demonstrating the characteristics of a broader class of places;
  - (e) any strong or special meaning it may have for any group or community because of social, cultural or spiritual associations;
  - (f) its importance in exhibiting particular aesthetic characteristics valued by any group or community;
  - (g) any special association it may have with the life or work of a person, group or organisation of importance in Western Australia's history;
  - (h) its importance in demonstrating a high degree of creative or technical achievement;
  - (i) any other characteristic it may have that in the opinion of the Council is relevant to the assessment of cultural heritage significance.
- (2) A place may have cultural heritage significance despite lacking physical material that substantially contributes to its cultural heritage significance.

### For further information contact:

Department of Planning, Lands and Heritage  
140 William Street  
Perth WA 6000

Locked bag 2506  
Perth WA 6001

website: [www.dplh.wa.gov.au](http://www.dplh.wa.gov.au)  
email: [info@dplh.wa.gov.au](mailto:info@dplh.wa.gov.au)

tel: 08 6551 8002  
fax: 08 6551 9001  
National Relay Service: 13 36 77

**14.7 Purchase of the Yalgoo Hotel**

Applicant:	Shire of Yalgoo
Date:	25/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	

**SUMMARY**

That Council finalize the purchase of the Yalgoo Hotel.

**COMMENT**

In 2024 the Shire conducted a survey regarding the purchase and operation of the Yalgoo Hotel. After overwhelming positive feedback this concept was included in the Shires Strategic Community Plan and investigated further.

At the ordinary April Meeting held 2<sup>nd</sup> May 2025 Council resolved the following:

**COUNCIL RESOLUTION – 2025-05-14**

Moved: Cr Kieran Payne

Seconded: Cr Tamisha Hodder

That Council:

1. Forward authorise the spending of and include \$550,000 in the 2025/26 Annual Budget for the purchase of the Yalgoo Hotel including 34-40 Gibbons Street and 33 Campbell Street, Yalgoo WA;
2. Authorise the Chief Executive Officer to present an offer up to \$550,000 for the purchase of the described property upon receipt of the 2025/26 Financial Assistance Grant first installment; and
3. Authorises the Chief Executive Officer to negotiate the sale, with a final contract provided to Council for acceptance.

**CARRIED: 4/0**

As per the resolved authority the Chief Executive Officer presented an offer of \$535,000 which was considered acceptable by the owner. As such a settlement agent was engaged to prepare a final contract of sale which is attached for Councils authorization.

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 3.59

Local Government (Functions and General) Regulations 1996

Regulations 8A & 8

**POLICY/FINANCIAL IMPLCATIONS**

2025/26 Capital Budget Purchase (included in draft budget) – Forward Authorized

**VOTING REQUIREMENT**

Absolute Majority

**OFFICERS RECOMMENDATION**

That Council:

1. approves the as presented contract of sale for the purchase of 33 Campbell Street, 34, 36, 38 & 40 Gibbons Street (Lots 47, 61, 62, 63, 64 on Plan 223238) for \$535,000.00;
2. authorizes the Chief Executive Officer and Shire President to execute the contract of sale and apply the common seal; and
3. is satisfied that the purchase does not constitute a major land transaction or major trading undertaken based on the current financial year and final purchase price.

# contract for sale of land or strata title by offer and acceptance



APPROVED BY  
THE REAL ESTATE INSTITUTE  
OF WESTERN AUSTRALIA (INC.)  
COPYRIGHT © REIWA 2022  
FOR USE BY REIWA MEMBERS

NON-MEMBER

**NOTICE:** Contracts must be lodged with the Office of State Revenue for duty assessment within two (2) months of the date the last person executes the Contract  
**WARNING -** If the Buyer is not an Australian Citizen or Permanent Resident or a New Zealand Citizen then FIRB approval (and a special condition to this Contract) may be required.  
**WARNING -** If the Purchase Price is \$750,000 or more a Withholding Tax may apply to this Contract (see 2022 General Condition 3.7).  
**WARNING -** If GST is relevant to this transaction then the relevant GST provision should be outlined in the Special Conditions or in an attached GST Annexure, which forms part of this Contract.

**THE BUYER**

<b>Name</b>	Shire of Yalgoo		
<b>Address</b>	PO Box 40		
<b>Suburb</b>	YALGOO	<b>State</b>	WA
		<b>Postcode</b>	6635
<b>Name</b>			
<b>Address</b>			
<b>Suburb</b>		<b>State</b>	
		<b>Postcode</b>	

EMAIL: The Buyer consents to Notices being served at: ceo@yalgoo.wa.gov.au

OFFERS TO PURCHASE the Land and Property Chattels set out in the Schedule ("Property") with vacant possession unless stated otherwise in the Special Conditions at the Purchase Price on the terms set out in the Schedule, the Conditions and Special Conditions as:

☒ Sole owner    ☐ Joint Tenants    ☐ Tenants in Common specify the undivided shares

**SCHEDULE**

The Property at:

<b>Address</b>	33 Campbell Street & 33, 34, 36, 38 & 40 Gibbons Street		
<b>Suburb</b>	YALGOO	<b>State</b>	WA
		<b>Postcode</b>	6635
<b>Lot</b>	47,81,82,83,84	<b>Deposited/Survey/Strata/Diagram/Plan</b>	223238
		<b>Whole / Part</b>	Vol 1780
<b>Folio</b>	563		
<b>A deposit of \$</b>	Nil	<b>of which \$</b>	
		<b>is paid now and \$</b>	
		<b>to be paid within</b>	
		<b>days of acceptance</b>	
<b>to be held by</b>			

("the Deposit Holder"). The balance of the Purchase Price to be paid on the Settlement Date.

<b>Purchase Price</b>	\$535,000.00
<b>Settlement Date</b>	On or before 30 September 2025
<b>Property Chattels including</b>	See Annexure B

**GST WITHHOLDING**

1. Is this Contract concerning the taxable supply of new residential premises or potential residential land as defined in the GST Act? ☐ YES ☒ NO
2. If NO is ticked or no box is ticked (in which case the answer is deemed to be NO), then the Buyer is not required to make a payment under section 14-250 of the Taxation Administration Act 1953 (Cth).
3. If YES is ticked, then the 'GST Withholding Annexure' should be attached to this Contract.

**FINANCE CLAUSE IS APPLICABLE**

LENDER

(NB. If blank, can be any Lender)

LATEST TIME: 4pm on:

AMOUNT OF LOAN: N/A

SIGNATURE OF BUYER

**FINANCE CLAUSE IS NOT APPLICABLE**

Signature of the Buyer if Finance Clause IS NOT applicable

**NOTE: IF THIS DOCUMENT IS ON SEPARATE PAGES OR IS TO BE FAXED THEN ALL PARTIES SHOULD SIGN ALL PAGES.**

# contract for sale of land or strata title by offer and acceptance



APPROVED BY  
THE REAL ESTATE INSTITUTE  
OF WESTERN AUSTRALIA (INC.)  
COPYRIGHT © REIWA 2022  
FOR USE BY REIWA MEMBERS

NON-MEMBER

## CONDITIONS

### 1. SUBJECT TO FINANCE

If the Buyer signs the "Finance Clause is not Applicable" box in the Schedule, or if no information is completed in the "Finance Clause is Applicable" box in the Schedule, then this Clause 1 does not apply to the Contract.

If any information is completed in or the Buyer signs the "Finance Clause is Applicable" box in the Schedule then this Clause 1 applies to the Contract.

#### 1.1 Buyer's Obligation to Apply for Finance and Give Notice to the Seller

- (a) The Buyer must:
- (1) immediately after the Contract Date make a Finance Application to a Lender or a Mortgage Broker using, if required by the Lender, the Property as security; and
  - (2) use all best endeavours in good faith to obtain Finance Approval.
- (b) If the Buyer does not comply with Clause 1.1(a) or 1.1(c)(1) then the Contract will not come to an end pursuant to clause 1.2 and the Buyer may not terminate the Contract under Clause 1.3. The rights of the Seller under this Clause 1.1 will not be affected if the Buyer does not comply with Clause 1.1.
- (c) The Buyer must immediately give to the Seller or Seller Agent:
- (1) an Approval Notice if the Buyer obtains Finance Approval; or
  - (2) a Non Approval Notice if the Finance Application is rejected;
- at any time while the Contract is in force and effect.

#### 1.2 No Finance Approval by the Latest Time: Non Approval Notice Given

This Contract will come to an end without further action by either Party if on or before the Latest Time:

- (a) the Finance Application has been rejected; or
- (b) a Non Approval Notice, is given to the Seller or Seller Agent.

#### 1.3 No Finance Approval by the Latest Time: No Notice Given

If by the Latest Time the Seller or Seller Agent has not been given:

- (a) an Approval Notice; or
- (b) a Non Approval Notice;

then this Contract will be in full force and effect unless and until either the Seller gives written Notice of termination to the Buyer or the Buyer terminates this Contract by giving a Non-Approval Notice to the Seller or Seller Agent.

#### 1.4 Finance Approval: Approval Notice Given

If by the Latest Time, or if Clause 1.5 applies, before the Contract is terminated:

- (a) Finance Approval has been obtained; or
  - (b) an Approval Notice has been given to the Seller or Seller Agent;
- then this Clause 1 is satisfied and this Contract is in full force and effect.

#### 1.5 Notice Not Given by Latest Time: Sellers Right to Terminate

If by the Latest Time an Approval Notice or a Non Approval Notice has not been given to the Seller or Seller Agent then at any time until an Approval Notice or a Non Approval Notice is given, the Seller may terminate this Contract by written Notice to the Buyer.

#### 1.6 Buyer Must Keep Seller Informed: Evidence

- (a) If requested in writing by the Seller or Seller Agent the Buyer must:
- (1) advise the Seller or Seller Agent of the progress of the Finance Application; and
  - (2) provide evidence in writing of:
    - (i) the making of a Finance Application in accordance with Clause 1.1 (a) and of any loan offer made, or any rejection; and/or
    - (ii) in the case of any Finance Application made to a Mortgage Broker, any "preliminary assessment" of the suitability of the proposed credit contract provided to the Buyer by the Mortgage Broker pursuant to section 116 of the Credit Protection Act; and
  - (3) if applicable, advise the Seller or Seller Agent of the reasons for the Buyer not accepting any loan offer.
- (b) If the Buyer does not comply with the request within 2 Business Days then the Buyer authorises the Seller or Seller Agent to obtain from the Lender and/or Mortgage Broker the information referred to in Clause 1.6(a).

#### 1.7 Right To Terminate

If a Party has the right to terminate under this Clause 1, then:

- (a) termination must be effected by written Notice to the other Party;
- (b) Clauses 23 and 24 of the 2022 General Conditions do not apply to the right to terminate;
- (c) upon termination the Deposit and any other monies paid by the Buyer must be repaid to the Buyer;
- (d) upon termination neither Party will have any action or claim against the other for breach of this Contract, except for a breach of Clause 1.1 by the Buyer.

#### 1.8 Waiver

The Buyer may waive this Clause 1 by giving written Notice to the Seller or Seller Agent at any time before the Latest Time, or if Clause 1.5 applies, before the Contract is terminated. If waived this Clause is deemed satisfied.

#### 1.9 Definitions

In this Clause:

**Amount of Loan** means the amount referred to in the Schedule, any lesser amount of finance referred to in the Finance Application or any lesser amount of finance acceptable to the Buyer. If the amount referred to in the Schedule is blank, then the amount will be an amount equivalent to the Purchase Price.

**Approval Notice** means a statement in writing given by the Buyer, a Lender or a Mortgage Broker to the Seller, or Seller Agent to the effect that Finance Approval has been obtained.

**Credit Protection Act** means the *National Consumer Credit Protection Act, 2009* (Cwth).

**Finance Application** means an application made by or on behalf of the Buyer:

- (a) to a Lender to lend any monies payable under the Contract; or
- (b) to a Mortgage Broker to facilitate an application to a Lender.

**Finance Approval** means a written approval by a Lender of the Finance Application, a written offer to lend or a written notification of an intention to offer to lend made by a Lender:

- (a) for the Amount of Loan;
- (b) which is unconditional or subject to terms and conditions:
  - (1) which are the Lender's usual terms and conditions for finance of a nature similar to that applied for by the Buyer; or
  - (2) which the Buyer has accepted by written communication to the Lender, but a condition which is in the sole control of the Buyer to satisfy will be treated as having been accepted for the purposes of this definition; or
  - (3) which, if the condition is other than as referred to in paragraphs (1) and (2) above includes:
    - (i) an acceptable valuation of any property;
    - (ii) attaining a particular loan to value ratio;
    - (iii) the sale of another property; or
    - (iv) the obtaining of mortgage insurance;
 and has in fact been satisfied.

**Latest Time** means:

- (a) the time and date referred to in the Schedule; or
- (b) if no date is nominated in the Schedule, then 4pm on the day falling 15 Business Days after the Contract Date.

**Lender** means any bank, building society, credit union or other institution which makes loans and in each case carries on business in Australia.

**Mortgage Broker** means means a holder of an Australian Credit Licence pursuant to section 35 of the Credit Protection Act or a credit representative pursuant to sections 64 or 65 of that legislation.

**Non Approval Notice** means:

- (a) advice in writing given by the Buyer or a Lender to the Seller, or Seller Agent to the effect that the Finance Application has been rejected or Finance Approval has not been obtained; or
- (b) advice in writing from a Mortgage Broker to the Seller or Seller Agent to the effect that:
  - (1) (i) they have made inquiries about the Buyer's requirements and objectives under this Contract;
  - (ii) they have conducted a "preliminary assessment" pursuant to sections 116 and 117 of the Credit Protection Act of the suitability of the credit contract proposed for the Buyer arising from the Finance Application; and
  - (iii) they have assessed that proposed credit contract as being unsuitable for the Buyer; or
- (2) the Finance Application to a Lender has been rejected.

2. Acceptance of an offer by one Party to the other Party will be sufficiently communicated by the accepting Party to the other Party if verbal or written notification is given by the accepting Party or their Representative or Real Estate Agent that the accepting Party has signed the Contract.
3. The 2022 General Conditions are incorporated into this Contract so far as they are not varied by or inconsistent with the Conditions or Special Conditions of this Contract.
4. The parties consent to the information in this Contract being used/disclosed by REIWA and the Seller Agent in accordance with the privacy collection notices pursuant to the Australian Privacy Principles that appear on the REIWA and Seller Agent's websites.

## SPECIAL CONDITIONS

1. Annexure "A" Annexure of Changes to the 2022 General Conditions Caused by Changes to the Transfer of Land Act 1893 forms part of this Contract.
2. Annexure "B" 2024 Plant & Equipment (Contents) Asset Schedule forms part of this Contract.
3. Annexure "C" Certificate of Title search forms part of this Contract.

# contract for sale of land or strata title by offer and acceptance



APPROVED BY  
THE REAL ESTATE INSTITUTE  
OF WESTERN AUSTRALIA (INC.)  
COPYRIGHT © REIWA 2022  
FOR USE BY REIWA MEMBERS

NON-MEMBER

## SPECIAL CONDITIONS - Continued

### BUYER [If a corporation, then the Buyer executes this Contract pursuant to the Corporations Act.]

Signature	Date	Signature	Date
Signature	Date	Signature	Date

### THE SELLER (FULL NAME AND ADDRESS) ACCEPTS the Buyer's offer

<b>Name</b>	Valerie Investments Pty Ltd (ACN 060 499 881)		
<b>Address</b>	PO Box 80		
<b>Suburb</b>	GERALDTON	<b>State</b>	WA
<b>Postcode</b>	6531		
<b>Name</b>			
<b>Address</b>			
<b>Suburb</b>		<b>State</b>	
<b>Postcode</b>			

EMAIL: The Seller consents to Notices being served at:

[If a corporation, then the Seller executes this Contract pursuant to the Corporations Act.]

Signature	Date	Signature	Date
Signature	Date	Signature	Date

#### RECEIPT OF DOCUMENTS

The Buyer acknowledges receipt of the following documents:

1. This offer and acceptance
2. Strata disclosure & attachments (if strata)
3. 2022 General Conditions
- 4.

Signature

Signature

#### RECEIPT OF DOCUMENTS

The Seller acknowledges receipt of the following documents:

1. This offer and acceptance
2. 2022 General Conditions
- 3.

Signature

Signature

### CONVEYANCER (Legal Practitioner/Settlement Agent)

The Parties appoint their Representative below to act on their behalf and consent to Notices being served on that Representative's email address.

BUYER'S REPRESENTATIVE

**Name** Peter Groom Settlements  
**Signature**

SELLER'S REPRESENTATIVE

**Name** Champion Bay Settlements  
**Signature**

## ANNEXURE OF CHANGES TO THE 2022 GENERAL CONDITIONS CAUSED BY CHANGES TO THE TRANSFER OF LAND ACT 1893

LANDGATE WILL NOT ISSUE, OR REQUIRE DUPLICATE CERTIFICATES OF TITLE FOR LAND TO BE PRODUCED,  
FROM THE 7TH AUGUST 2023, CONSEQUENTLY THE PARTIES AGREE TO VARY THE 2022 GENERAL CONDITIONS IN  
THE FOLLOWING MANNER:

	CONDITION	CHANGES
1.	3.10(a)	Delete subclause (1).
2.	3.11	Delete clause 3.11.
3.	26.1 definition of "Duplicate Certificate of Title"	Delete the definition of "Duplicate Certificate of Title".

### Buyer

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

### Seller

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_



## ANNEXURE "B"

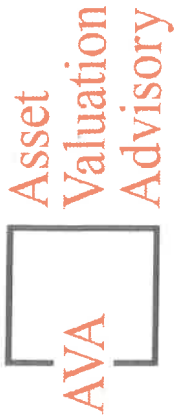


## 2024 Plant &amp; Equipment (Contents) Asset Schedule

Client: Shire of Yalgoo

Location: Yalgoo Hotel

Primary Location	Secondary Location	Primary Description	Qty	Secondary Description	Manufacturer	Model	Serial No.	Market Value (In Situ) @ 15/11/2024	Comments
Yalgoo Hotel	Bar Area	Temprite	1	Twin tap keg beer refrigerated temprite with beer taps	Lancer	R404A Vinservice	-	5,100	-
Yalgoo Hotel	Bar Area	Refrigerator	1	4 door under counter glass display refrigerator	-	-	-	1,300	-
Yalgoo Hotel	Bar Area	Refrigerator	1	2 door display refrigerator	Skope	-	-	1,200	-
Yalgoo Hotel	Bar Area	Glass Washer	1	Single tray glass washer	Watermark	-	-	1,200	-
Yalgoo Hotel	Bar Area	Refrigerator	1	6 door stainless steel under counter refrigerator	-	-	-	800	Not Operational
Yalgoo Hotel	Bar Area	Refrigerator	1	2 door display refrigerator	Skope	-	-	1,200	Ex Coca Cola fridge
Yalgoo Hotel	Bar Area	Pool Table	1	Coin operated pool table	M Federation	-	-	1,500	-
Yalgoo Hotel	Bar Area	Juke Box	1	Coin operated laser juke box with touch screen and 30 inch Soniq TV	Pioneer	-	-	1,800	-
Yalgoo Hotel	Bar Area	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	5,400	-
Yalgoo Hotel	Bar Area	Memorabilia	1	Winchester Rifle Memorabilia	-	-	-	-	Property of Vendor
Yalgoo Hotel	Bar Area	Memorabilia	2	Aboriginal Print	-	-	-	-	Property of Vendor
Yalgoo Hotel	Bar Area	Memorabilia	1	Timber portrait of hotel	-	-	-	-	Property of Vendor
Yalgoo Hotel	Bar Area	Memorabilia	1	Elvis Presley Memorabilia	-	-	-	-	Property of Vendor
Yalgoo Hotel	Cool Room	Cool room	1	Approximately 50m3 capacity sandwich panel cool room with Buffalo Trident 6 fan forced draft chiller & piping	-	-	-	7,500	-

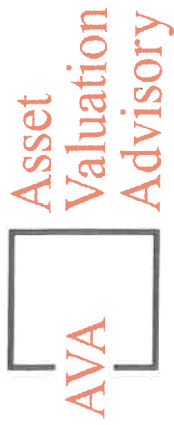


## 2024 Plant &amp; Equipment (Contents) Asset Schedule

Client: Shire of Yalgoo

Location: Yalgoo Hotel

Primary Location	Secondary Location	Primary Description	Qty	Secondary Description	Manufacturer	Model	Serial No.	Market Value (In Situ) @ 15/11/2024	Comments
Yalgoo Hotel	Managers Office	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	3,500	-
Yalgoo Hotel	Dining Room	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	4,300	-
Yalgoo Hotel	Kitchen	Oven	1	5 Burner gas fired oven and hot plate	Westinghouse	-	-	3,000	-
Yalgoo Hotel	Kitchen	Deep Fryer	1	40 Litre capacity twin basket deep fryer	-	-	-	2,500	-
Yalgoo Hotel	Kitchen	Refrigerator	1	2 door display fridge	Bomic	-	-	1,200	-
Yalgoo Hotel	Kitchen	Exhaust Fan	1	Stainless steel overhead exhaust fan with 3 filters	-	-	-	3,200	-
Yalgoo Hotel	Kitchen	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	8,400	-
Yalgoo Hotel	Kitchen	Freezer	1	Upright seven draw freezer	Hisense	-	-	-	Property of Vendor
Yalgoo Hotel	Store	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	4,100	-
Yalgoo Hotel	Hotel Bedrooms	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	14,000	-
Yalgoo Hotel	Owners Quarters	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	6,000	Not Sighted.
Yalgoo Hotel	Owners Quarters	Television	1	Television	-	-	-	-	Property of Vendor. Not Sighted.
Yalgoo Hotel	Passageway/Laundry	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	2,700	-
Yalgoo Hotel	Chef and managers Rooms	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	3,600	Not Sighted.



## 2024 Plant &amp; Equipment (Contents) Asset Schedule

Client: Shire of Yalgoo

Location: Yalgoo Hotel

Primary Location	Secondary Location	Primary Description	Qty	Secondary Description	Manufacturer	Model	Serial No.	Market Value (In Situ) @ 15/11/2024	Comments
Yalgoo Hotel	Patio	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	2,400	-
Yalgoo Hotel	Laundry	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	2,300	-
Yalgoo Hotel	Store	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	1,300	-
Yalgoo Hotel	Workshop	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	1,300	-
Yalgoo Hotel	Workshop	Mower	1	Ride on lawn mower	John Deere	6110	-	-	Property of Vendor
Yalgoo Hotel	Workshop	Cement Mixer	1	120 ltr capacity portable cement mixer	Ozito	-	-	-	Property of Vendor
Yalgoo Hotel	Motel Units F13-F16	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	5,600	-
Yalgoo Hotel	Motel Units F25-F28	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	5,600	-
Yalgoo Hotel	Motel Units 1-3	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	7,000	-
Yalgoo Hotel	Outside	Compressor	1	Refrigeration compressor with 2 fan radiator cooler unit & fittings	Bizer	IS Series	-	8,000	-
Yalgoo Hotel	Outside	Container	1	20' mild steel sea storage container	-	-	-	-	Property of Vendor
Yalgoo Hotel	Outside	Assets under \$ 5,000	Qty	Below reporting threshold	-	-	-	3,000	-
				<b>Total</b>				<b>120,000</b>	

## ANNEXURE "C"

WESTERN



AUSTRALIA

## TITLE NUMBER

Volume Folio

1780 563

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

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

*BGRoberts*  
REGISTRAR OF TITLES

**THIS IS A MULTI-LOT TITLE****LAND DESCRIPTION:**

LOTS 47, 61, 62, 63 &amp; 64 ON DEPOSITED PLAN 223238

**REGISTERED PROPRIETOR:  
(FIRST SCHEDULE)**

VALERIE INVESTMENTS PTY LTD OF POST OFFICE BOX 80, GERALDTON

(T F410459 ) REGISTERED 29/12/1993

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

1. J450042 MORTGAGE TO BENDIGO BANK LTD REGISTERED 29/9/2005.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
Lot as described in the land description may be a lot or location.

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

**STATEMENTS:**

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

SKETCH OF LAND: 1780-563 (47/DP223238), 1780-563 (61/DP223238), 1780-563 (62/DP223238), 1780-563 (63/DP223238), 1780-563 (64/DP223238)  
PREVIOUS TITLE: 1708-658  
PROPERTY STREET ADDRESS: 33 CAMPBELL ST, YALGOO (47/DP223238).  
34 GIBBONS ST, YALGOO (61/DP223238).  
36 GIBBONS ST, YALGOO (62/DP223238).  
38 GIBBONS ST, YALGOO (63/DP223238).  
40 GIBBONS ST, YALGOO (64/DP223238).  
LOCAL GOVERNMENT AUTHORITY: SHIRE OF YALGOO



**14.8 Rates Letter and Firebreak Notice**

Applicant:	Shire of Yalgoo
Date:	25/08/2025
Reporting Officer:	Ian Holland Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	Draft Letter Firebreak Notice – TO BE TABLED

**SUMMARY**

That Council endorse the attached correspondence and adopts the as presented Firebreak Compliance Notice.

**COMMENT**

A draft letter to residential ratepayers is attached calling for fencing repairs and the removal of debris which could impact bushfire volunteers. Fencing appears to be a major issue for dog control as well.

An amended Firebreak Compliance Notice is attached for consideration.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY/FINANCIAL IMPLCATIONS**

NIL

**VOTING REQUIREMENT**

Simple Majority

**OFFICERS RECOMMENDATION**

That Council:

1. endorses the attached draft correspondence to ratepayers citing the need for fence inspections and repairs. Fines and enforcement actions are to be referred to Council; and
2. adopts the as presented Firebreak Compliance Notice effective from the

## 14.9 Meeting Fees and Superannuation

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	21 July 2025
<b>Reporting Officer:</b>	Glenn Boyes – Deputy CEO
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	NIL

### SUMMARY

To determine the fees and allowances payable to members for 2025-2026 and decide if superannuation is to be paid to Councillors.

### COMMENT

#### *Members Fees and Allowances*

The Salaries and Allowances Tribunal released its determination on 04 April 2025 which provided for a 3.5% increase to member's fees and allowances. There was no change to the ICT allowance or the kilometre rates.

The table below shows the proposed fees and allowances to be paid to Councillors for 2025-2026. The increase was calculated at 3.5% then rounded to the nearest \$5. For example, Committee Meeting fees calculated to be \$122.13 which was rounded to \$125.00 causing the percent change to increase from 3.5% to 5.9%.

#### *Superannuation*

The *Local Government Amendment Act 2024* allows local governments to make superannuation contributions to members from 01 February 2025. This is discretionary for Band 4 governments and must be adopted by absolute majority if Council decides to pay superannuation.

Superannuation will be paid on meeting fees and meeting allowances but not on other payments such as the ICT and travel reimbursements.

Councillors are not entitled to receive superannuation under certain circumstances, such as during periods when they are suspended and periods when they are not entitled to receive fees and allowances.

Councillors can opt out of receiving superannuation by providing notice in writing to the Chief Executive Officer.

The current superannuation guarantee rate is 12 percent from 01 July 2025.

Councillors would be required to provide similar details to those of an employee such as their tax file number for inclusion in the Financial System that manages the Shires payroll.

Type	2024-25	2025-26	% Increase	Super
<b>Ordinary Meeting</b>				
President	485.00	500.00	3.1%	60.00
Deputy President	236.00	245.00	3.8%	29.40
Councillor	236.00	245.00	3.8%	29.40
<b>Committee Meeting</b>				
President	118.00	125.00	5.9%	15.00
Deputy President	118.00	125.00	5.9%	15.00
Councillor	118.00	125.00	5.9%	15.00
<b>Allowances</b>				
President	9,864.00	10,200.00	3.4%	1,224.00
Deputy President	2,466.00	2,550.00	3.4%	306.00
ICT	291.67	291.67	0.0%	
<b>Kilometre</b>				
Over 2600cc / km	99.01	99.01	0.0%	
1600cc - 2600cc / km	70.87	70.87	0.0%	
Under 1600cc / km	58.37	58.37	0.0%	

**Expenses**

Approved expenses must be supported by receipts

**STATUTORY ENVIRONMENT**

*Local Government Act 1995 and Local Government Amendment Act 2024*

*Salaries and Allowances Act 1975*

*Salaries and Allowances Tribunal determination on 04 April 2025*

*Local Government Officers' (Western Australia) Award 2021*

*Superannuation Guarantee (Administration) Act 1992*

*Superannuation Guarantee Ruling SGR 2009/02*

**POLICY / FINANCIAL IMPLICATIONS**

Allowance for the payments will be made in the 2025-2026 budget for Councillor meeting fees, allowances and superannuation.

**VOTING REQUIREMENTS**

Absolute Majority

**OFFICERS RECOMMENDATION**

That Council:

1. Adopt the following member's fees and allowances for 2025-2026; and
2. Resolve to pay superannuation to member's

Type	2024-25	2025-26	% Increase	Super
<b>Ordinary Meeting</b>				
President	485.00	500.00	3.1%	60.00
Deputy President	236.00	245.00	3.8%	29.40
Councillor	236.00	245.00	3.8%	29.40
<b>Committee Meeting</b>				
President	118.00	125.00	5.9%	15.00
Deputy President	118.00	125.00	5.9%	15.00
Councillor	118.00	125.00	5.9%	15.00

**Allowances**

President	9,864.00	10,200.00	3.4%	1,224.00
Deputy President	2,466.00	2,550.00	3.4%	306.00
ICT	291.67	291.67	0.0%	

**Kilometre**

Over 2600cc / km	99.01	99.01	0.0%
1600cc - 2600cc / km	70.87	70.87	0.0%
Under 1600cc / km	58.37	58.37	0.0%

**Expenses**

Approved expenses must be supported by receipts



#### 14.10 Disability Access and Inclusion Plan

Applicant:	Shire of Yalgoo
Date:	20/08/2025
Reporting Officer:	Glenn Boyes Deputy CEO
Disclosure of Interest:	NIL
Attachments:	NIL

#### **SUMMARY**

That Council adopt the Disability Access and Inclusion Plan Statement and Standards 2025 – 2030 (DAIP).

#### **COMMENT**

The Shire is required to review its Disability Access and Inclusion Plan every five years, which was done in June 2025. Public notices and an advert in the Bulldust were released in July 2025 informing the public the Shire was reviewing its DAIP and comments could be submitted.

The Shire received no comments from the public. As there is no issue to address the plan was designed as a statement and set of standards. In general, this requires us to provide disability access to any new or renovated building, disability access to be provided at events and to services, and disability access to public information.

#### **STATUTORY ENVIRONMENT**

Western Australia Disability Services Act 1993.

#### **POLICY/FINANCIAL IMPLCATIONS**

NIL

#### **VOTING REQUIREMENT**

Simple Majority

#### **OFFICERS RECOMMENDATION**

That Council adopt the Disability Access and Inclusion Plan Statement and Standards 2025 – 2030 (DAIP).



# **DRAFT DISABILITY ACCESS AND INCLUSION PLAN**

## **Statement and Standards**

**2025 – 2030**

This Disability Access and Inclusion Plan is available in alternative formats upon request and includes in electronic format by email, in hard copy in both large and standard print, in audio on cassette or compact disc and on the website at [www.yalgoo.wa.gov.au](http://www.yalgoo.wa.gov.au).

## Introduction

The Shire of Yalgoo covers approximately 33,257.9 square kilometres of the Murchison Goldfields area of Western Australia's Mid-West region. Yalgoo town itself has a population of around 140 people with 422 people living throughout the Shire.

The main industries of the Shire are mining with more than \$500 million worth of production annually and pastoralism contributing around \$5.5M annually. Types of mining include gold, copper and iron ore.

## Access and Inclusion Policy Statement

The Western Australia Disability Services Act 1993 requires all Local Governments to develop and implement a Disability Access and Inclusion Plan (DAIP). This document is intended to meet the requirement to develop and implement a set of standards to ensure that people with disability have equal access to its facilities and services.

Other legislation underpinning access and inclusion includes the Western Australia Equal Opportunity Act (1984) and the Commonwealth Disability Discrimination Act 1992, both of which make discrimination on the basis of a person's disability unlawful.

The Shire of Yalgoo is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers.

The Shire interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

## Planning for Better Access

The Shire of Yalgoo:

- recognises that people with disability are valued members of the community who make a variety of contributions to local social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life;
- believes that people with disability, their families and carers should be supported to remain in the community;
- is committed to consulting with people with disability, their families and carers and disability organisations in addressing barriers to access and inclusion;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability; and
- is committed to achieving the seven standards of its DAIP (refer to the DAIP standards section below).

## Development, Implementation and Evaluation

### Responsibility for the Planning Process

The Chief Executive Officer has responsibility to oversee the development, implementation, review and evaluation of the plan. The final plan is endorsed by Council and it is the responsibility of all officers to implement the relevant actions.

### Community Consultation

The Shire undertook a review of its plan in consultation with key stakeholders in order to determine further improvements to access and inclusion.

The process included:

- examination of the initial DAIP and subsequent progress reports to see what has been achieved and what still needs work
- consultation with key staff and the community

An public notice was put on our notice boards and an advertisement was placed in the July 2025 edition of the local newsletter advising the community the Shire was reviewing its DAIP and that a draft of the plan was available on the website. The notice stated it aims to address the barriers that people with disability and their families experience in accessing Shire functions, facilities and services, and invited community members to contact the Shire within the next 30 days to discuss and submit comments on the draft DAIP.

### Implementation

The current DAIP will be adopted by Council and then publicly communicated through the Shire's Bulldust and website. Capital works required to align an asset with the DAIP will be performed during renovations or refurbishment.

The Shire is required to report the progress and results to the Department of Communities if any actions arise throughout the year related to the outcomes below.

### DAIP Standards

The following standards have been designed to meet the legislative requirements, to meet the expectations of the community and to communicate the plan with all stakeholders.

#### Standard 1

The Shire will ensure:

- People with disability are provided with an opportunity to comment on access to services
- The objectives of the DAIP are incorporated into the Shire's strategic business planning, budgeting processes and other relevant plans and strategies
- Events are organised which are accessible to people with disability

**Standard 2**

The Shire will ensure:

- People with disability have the same opportunities as other people to access the buildings and other facilities of the Shire
- All future premises leased by the Shire are accessible
- All premises and other infrastructure related to transport facilities are accessible

**Standard 3**

The Shire will ensure:

- People with disability receive information from the Shire of Yalgoo in a format that will enable them to access the information as readily as other people are able to access it
- It raises awareness that information is available in alternative formats upon request
- It provides training to staff regarding accessible information needs and how to obtain information in other formats

**Standard 4**

The Shire will ensure:

- People with disability receive the same level and quality of service from the staff of the Shire as other people would
- It provides training to staff regarding disability and access issues and improve skills to provide a good service to people with disability

**Standard 5**

The Shire will ensure:

- People with disability have the same opportunities as other people to make complaints to the Shire of Yalgoo
- It provides training to staff so they can facilitate the receipt of complaints from people with disability

**Standard 6**

The Shire will ensure:

- People with disability have the same opportunities as other people to participate in public consultation by the Shire of Yalgoo
- It will continually monitor the DAIP to ensure implementation and satisfactory outcomes are achieved

**Standard 7**

The Shire will ensure:

- People with disability have the same opportunities as other people to obtain and maintain employment with the Shire
- It will use inclusive recruitment practices when advertising new positions

## Key Achievements

Some of the key achievements the Shire has accomplished since the last review is as follows:

- Began the transition to digital allowing us to provide documents in even more accessible formats
- Have provided documents in accessible when requested to do so
- Constructed a new accessible Chalet at the Caravan Park
- Implemented an accessible website with further upgrades to be installed in the next twelve months
- The Shire has a diverse range of employees including people from differing age groups, race, and gender. The Shire also believes in neurodiversity and has employed people with neuro-developmental conditions

**14.11 Sundry Debtor #20010 - Write Off**

<b>Applicant:</b>	Shire of Yalgoo
<b>Date:</b>	25 August 2025
<b>Reporting Officer:</b>	Glenn Boyes – Deputy CEO
<b>Disclosure of Interest:</b>	NIL
<b>Attachments:</b>	NIL

**SUMMARY**

That Council consider the write-off the outstanding debt for Percy Lawson, debtor #20010, totaling \$62.70 as at 30 June 25.

**COMMENT**

The invoice was raised prior to 2019 before the Shire moved to Ozone software. The attached description in Ozone says “brought forward from Reckon” so its not clear when the debt was raised or what it was for. The Shire can no longer access Reckon software.

On 10/07/25, the CEO authorized to write-off the debt, however, upon review it was determined the debt must be written-off by Council as per delegation 1.2.16(b).

**STATUTORY ENVIRONMENT**

*Local Government Act 1995*

**POLICY / FINANCIAL IMPLICATIONS**

This will not have a significant impact on projected 2024 – 2025 income.

**VOTING REQUIREMENTS**

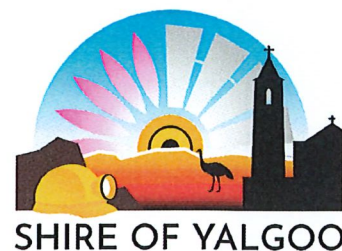
Absolute Majority

**OFFICERS RECOMMENDATION**

That Council write-off the outstanding debt of \$62.70 for Percy Lawson, debtor #20010, as at 30 June 2025



Shire of Yalgoo  
 37 Gibbons St  
 Yalgoo WA 6635  
 Ph: (08) 9962 8042  
 Fax: (08) 9962 8020  
[accounts@yalgoo.wa.gov.au](mailto:accounts@yalgoo.wa.gov.au)  
[www.yalgoo.wa.gov.au](http://www.yalgoo.wa.gov.au)



30 June 2025

#### SUNDRY DEBTOR WRITE-OFFS AT 30 JUNE 2024

Delegated Authority 1.2.16 Defer, Grant Discounts, Waive or Write Off Debts allows the CEO to write-off individual debts below \$250 or cumulative debts below \$500. The following is a list of outstanding debtors which can be written-off from the accounting system:

##### Charmaine Simpson

###### **Charges**

08/01/2019 \$40.00 entry fee for Mid West Artwork  
 Amount: \$40.00  
 Age of Debtor: 6.5 years  
 Recommend: Write-off the balance

##### Percy Lawson

###### **Charges**

01/07/2017 Brought in from Reckon. Not possible to identify debt  
 Amount: \$62.70  
 Age of Debtor: 8.0 years  
 Recommend: Write-off the balance

##### Phillip Hill

The Shire may owe \$200 property bond

###### **Charges**

08/01/2019 \$156.59 for fuel  
 15/01/2019 Employment terminated  
 01/04/2019 \$100.00 rent between 15/01/2019 and 25/02/2019 (raised in April)  
 Amount: \$256.59  
 Age of Debtor: 6.5 years  
 Recommend: Write-off the balance

It is doubtful these debts will be collected so they are being written-off from the accounting system. However, the Shire may decide to continue to pursue the outstanding debts for collection at anytime.

Ian Holland  
 CEO



## sundry invoice maintenance (view only) - si3000.o3

search new cancel delete save change tasks &gt; forms &gt; links / tags &gt;

Trans	10		Allocations	BALANCED	01 JUL 2017	01 JUL 2017
Requester			Status	PROCESSED	11:00a.m.	11:11a.m.
					Datacom	Datacom

Contact	1	1139	Lawson, PERCY (SENIOR)			URC	PENALTY
	31 Selwyn St Yalgoo WA 6635						
						Recurring	
						Statement	
						Print Invoice	YES

Type	INVOICE	Entry Ind / Exd	INCLUSIVE
Approval		Date	01 Jul 2017
Source	SDEB	Due Date	30 Jul 2017
Refno		GL Period	2018 01 JULY
Dept	10	Sundry Debtors Miscellaneous	
Header			

	Allocation	Invoice
Exd	62.70	62.70
GST	0.00	0.00
Ind	62.70	62.70

Product	Qty	Unit	Exclusive	Inclusive / GST
1 BROUGHT FORWARD FROM RECKON			62.70	62.70
				0.00
	14	05 01 1690	BASEXCLUDED	

#### 14.12 Review of Delegations Register

Applicant:	Shire of Yalgoo
Date:	25 August 2025
Reporting Officer:	Glenn Boyes Deputy Chief Executive Officer
Disclosure of Interest:	NIL
Attachments:	NIL

#### SUMMARY

That Council review and adopt the changes to Delegations Register.

#### COMMENT

The Shire has reviewed and amended the following delegations.

#### ***Delegation – 1.2.16 Defer, Grant Discounts, Waive or Write Off Debts***

The amendments include:

##### Part a

This was amended to increase the write-off from \$10 to an amount which takes into account the cost associated with writing-off the debt and debt collection, as well as, the possibility of recovering the debt, after satisfying the conditions in the delegation.

- Write-off a rates or service charge debt up to \$10 or up to \$150 in accordance with the Financial Hardship Policy [s.6.12(1)(c) &(2)]; was amended to
- Write-off a rates or service charge debt up to, but not including, the minimum rate for the current year in accordance with [s.6.12(1)(c) &(2)].

##### Part b

This was amended to cover any related party to a Councillor not just immediate family.

- This Delegation does not apply to debts incurred by an individual who is a current or past Councillor or their immediate family; was amended to
- This Delegation does not apply to debts incurred by an individual who is a current or past Councillor or their related parties.

##### Part e(i)

This was amended to increase the write-off to an amount which takes into account the cost associated with writing-off the debt and debt collection, as well as, the possibility of recovering the debt, after satisfying the conditions in the delegation.

- Limited to individual debts valued below \$250 or cumulative debts of a debtor valued below \$500. Write-off of debts greater than these values must be referred for Council decision.
- Limited to individual debts valued below \$500 or cumulative debts of a debtor valued below \$1,000. Write-off of debts greater than these values must be referred for Council decision.

**Delegation – 1.2.10 Private Works on, over or under Public Places**

The section titled “Express Power or Duty Delegated” was amended to include the Local Government (Uniform Local Provisions) Regulations 1996 and the following text “Any relevant section under this regulation”.

Council are also encouraged to suggest any amendments to the delegations.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**POLICY/FINANCIAL IMPLCATIONS**

NIL

**VOTING REQUIREMENT**

Absolute Majority

**OFFICERS RECOMMENDATION**

That Council review and adopt the attached Delegations Register.



SHIRE OF YALGOO



# DELEGATION REGISTER

Current as at 25 August 2025

Originally Published: July 2017  
Last Updated: 25 August 2025

## Table of Contents

<b>1</b>	<b>LOCAL GOVERNMENT ACT 1995 DELEGATIONS .....</b>	<b>1</b>
<b>1.1</b>	<b>Council to Committees of Council .....</b>	<b>1</b>
1.1.1	Audit and Risk Committee.....	1
1.1.2	Behaviour Complaints Committee.....	2
<b>1.2</b>	<b>Council to CEO .....</b>	<b>4</b>
1.2.1	Performing Functions Outside the District.....	4
1.2.2	Powers of Entry .....	5
1.2.3	Declare Vehicle is Abandoned Vehicle Wreck.....	6
1.2.4	Confiscated or Uncollected Goods.....	7
1.2.5	Disposal of Sick or Injured Animals.....	8
1.2.6	Close Thoroughfares to Vehicles .....	9
1.2.7	Obstruction of Footpaths and Thoroughfares.....	11
1.2.8	Gates Across Public Thoroughfares.....	13
1.2.9	Public Thoroughfare – Dangerous Excavations .....	15
1.2.10	Private Works on, over or under Public Places .....	17
1.2.11	Expressions of Interest for Goods and Services.....	19
1.2.12	Tenders for Goods and Services – Call Tenders.....	20
1.2.13	Tenders for Goods and Services –Rejecting Tenders; Exercising Contract Extension Options .....	22
1.2.14	Disposing of Property.....	24
1.2.15	Payments from the Municipal or Trust Funds.....	26
1.2.16	Defer, Grant Discounts, Waive or Write Off Debts .....	28
1.2.17	Power to Invest and Manage Investments .....	30
1.2.18	Rate Record Amendment.....	32
1.2.19	Agreement as to Payment of Rates and Service Charges.....	33
1.2.20	Determine Due Date for Rates or Service Charges.....	34

**Delegation Register**

Shire of Yalgoo



1.2.21	Recovery of Rates or Service Charges .....	35
1.2.23	Recovery of Rates Debts – Require Lessee to Pay Rent .....	36
1.2.24	Recovery of Rates Debts - Actions to Take Possession of the Land .....	37
1.2.25	Rate Record – Objections .....	39
1.2.26	Procurement of Goods or Services required to address a State of Emergency .....	40
1.2.27	Long Service Leave Applications .....	42
1.2.28	Notices Requiring Certain Things to be Done by Owner or Occupier of Land .....	43
<b>DIVISION 1 — THINGS A NOTICE MAY REQUIRE TO BE DONE .....</b>		<b>44</b>
1.2.29	Use of the Common Seal .....	46
<b>1.3 CEO to Employees.....</b>		<b>47</b>
1.3.1	Determine if an Emergency for Emergency Powers of Entry .....	47
1.3.2	Electoral Enrolment Eligibility Claims and Electoral Roll .....	48
1.3.3	Destruction of Electoral Papers.....	50
1.3.4	Appoint Authorised Persons.....	51
1.3.5	Information to be Available to the Public .....	53
1.3.6	Financial Management Systems and Procedures .....	55
1.3.7	Audit – CEO Review of Systems and Procedures .....	57
1.3.8	Infringement Notices .....	58
<b>2 BUILDING ACT 2011 DELEGATIONS.....</b>		<b>60</b>
<b>2.1 Council to CEO .....</b>		<b>60</b>
2.1.1	Grant a Building Permit.....	60
2.1.2	Demolition Permits.....	62
2.1.3	Occupancy Permits or Building Approval Certificates.....	64
2.1.4	Designate Employees as Authorised Persons.....	66
2.1.5	Building Orders .....	67
2.1.6	Inspection and Copies of Building Records.....	69
2.1.7	Referrals and Issuing Certificates .....	70
2.1.8	Smoke Alarms – Alternative Solutions .....	71
2.1.9	Appointment of approved officers and authorised officers.....	72
<b>3 BUSH FIRES ACT 1954 DELEGATIONS.....</b>		<b>73</b>
<b>3.1 Council to CEO, President and Bush Fire Control Officer.....</b>		<b>73</b>
3.1.1	Make Request to FES Commissioner – Control of Fire .....	73
3.1.2	Prohibited Burning Times - Vary .....	74
3.1.3	Prohibited Burning Times – Control Activities.....	75
3.1.4	Restricted Burning Times – Vary and Control Activities .....	77
3.1.5	Control of Operations Likely to Create Bush Fire Danger.....	79

**Delegation Register**

Shire of Yalgoo



3.1.6	Burning Garden Refuse / Open Air Fires.....	80
3.1.7	Firebreaks.....	82
3.1.8	Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	83
3.1.9	Control and Extinguishment of Bush Fires .....	84
3.1.10	Recovery of Expenses Incurred through Contraventions of this Act.....	85
3.1.11	Prosecution of Offences.....	86
<b>4</b>	<b>CAT ACT 2011 DELEGATIONS.....</b>	<b>87</b>
<b>4.1</b>	<b>Council to CEO .....</b>	<b>87</b>
4.1.1	Cat Registrations .....	87
4.1.2	Cat Control Notices.....	89
4.1.3	Approval to Breed Cats.....	90
4.1.4	Recovery of Costs – Destruction of Cats.....	91
4.1.5	Applications to Keep Additional Cats .....	92
4.1.6	Reduce or Waiver Registration Fee .....	93
<b>4.2</b>	<b>Cat Act Delegations - CEO to Employees .....</b>	<b>94</b>
4.2.1	Infringement Notices – Extensions and Withdrawals.....	94
<b>5</b>	<b>DOG ACT 1974 DELEGATIONS .....</b>	<b>95</b>
<b>5.1</b>	<b>Dog Act Delegations Council to CEO .....</b>	<b>95</b>
5.1.1	Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons .....	95
5.1.2	Refuse or Cancel Registration .....	97
5.1.3	Kennel Establishments .....	99
5.1.4	Recovery of Moneys Due Under this Act.....	100
5.1.5	Dispose of or Sell Dogs Liable to be Destroyed .....	101
5.1.6	Declare Dangerous Dog .....	102
5.1.7	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke.....	103
5.1.8	Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice .....	105
5.1.9	Determine Recoverable Expenses for Dangerous Dog Declaration .....	106
<b>6</b>	<b>FOOD ACT 2008 DELEGATIONS .....</b>	<b>107</b>
<b>6.1</b>	<b>Council to CEO .....</b>	<b>107</b>
6.1.1	Determine Compensation .....	107
6.1.2	Prohibition Orders.....	108
6.1.3	Food Business Registrations .....	109
6.1.4	Appoint Authorised Officers and Designated Officers.....	110
6.1.5	Debt Recovery and Prosecutions.....	111
6.1.6	Food Businesses List – Public Access.....	112

**Delegation Register**

Shire of Yalgoo

<b>7</b>	<b>GRAFFITI VANDALISM ACT 2016 DELEGATIONS .....</b>	<b>113</b>
<b>7.1</b>	<b>Council to CEO .....</b>	<b>113</b>
7.1.1	Give Notice Requiring Obliteration of Graffiti .....	113
7.1.2	Notices – Deal with Objections and Give Effect to Notices .....	114
7.1.3	Obliterate Graffiti on Private Property .....	115
7.1.4	Powers of Entry .....	116
<b>8</b>	<b>PUBLIC HEALTH ACT 2016 DELEGATIONS .....</b>	<b>117</b>
<b>8.1</b>	<b>Council to CEO .....</b>	<b>117</b>
8.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs).....	117
8.1.2	Enforcement Agency Reports to the Chief Health Officer.....	118
8.1.3	Designate Authorised Officers .....	119
8.1.4	Determine Compensation for Seized Items.....	121
<b>9</b>	<b>STATUTORY AUTHORISATIONS AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES.....</b>	<b>122</b>
<b>9.1</b>	<b>Environmental Protection Act 1986.....</b>	<b>122</b>
9.1.1	Noise Control – Environmental Protection Notices [Reg.65(1)] .....	122
9.1.2	Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events .....	123
9.1.3	Noise Management Plans – Construction Sites .....	124
<b>9.2</b>	<b>Planning and Development Act 2005 .....</b>	<b>125</b>
9.2.1	Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner.....	125
9.2.2	WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01).....	128
<b>9.3</b>	<b>Main Roads Act 1930.....</b>	<b>129</b>
9.3.1	Traffic Management - Events on Roads .....	129
9.3.2	Traffic Management – Road Works.....	131
<b>9.4</b>	<b>Road Traffic (Vehicles) Act 2012 .....</b>	<b>133</b>
9.4.1	Approval for Certain Local Government Vehicles as Special Use Vehicles ..	133
<b>9.5</b>	<b>5.43. Limits on delegations to CEO 28 .....</b>	<b>135</b>



**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1 Local Government Act 1995 Delegations****1.1 Council to Committees of Council****1.1.1 Audit and Risk Committee**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
<b>Delegate:</b>	<b>Audit and Risk Committee</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)].</li> <li>2. Authority to: <ol style="list-style-type: none"> <li>a. examine the report of the Auditor and determine matters that require action to be taken by the Shire; and</li> <li>b. ensure that appropriate action is taken in respect of those matters [s.7.12A(3)].</li> </ol> </li> <li>3. Authority to review and endorse the Shire's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. This delegation is not to be used where a Management Letter or Audit Report raises significant issues. In that instance the Local Government's meeting with the Auditor must be directed to the Council.
<b>Express Power to Sub-Delegate:</b>	Nil. Sub-delegation is prohibited by s.7.1B.

<b>Compliance Links:</b>	Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees</a>  Audit and Risk Committee Terms of Reference being 4.12 Policy Schedule 1.12 Organisational Risk Management in the Governance and Policy Manual
<b>Record Keeping:</b>	Audit Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

**Version Control:**

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.1.2 Behaviour Complaints Committee

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause 12 Dealing with a complaint Clause 13 Dismissal of complaint
<b>Delegate:</b>	<b>Behaviour Complaints Committee</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)].  In making any finding the Committee must also determine reasons for the finding [MCC.cl.12(7)].</li> <li>2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> <li>a. take no further action [MCC.cl.12(4(a))]; or</li> <li>b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)].</li> </ol> </li> <li>3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The Committee will make decisions in accordance with the principles and specified requirements established in Councils Code of Conduct Behaviour Complaints Management Policy.</li> <li>b. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act.</li> <li>c. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item.</li> <li>d. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent and a Deputy Committee Member is in attendance.</li> </ol> <p><u>NOTE TO (c) AND (d):</u> The purpose of these Conditions is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by</p>

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

	notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	Code of Conduct Behaviour Complaints Management Policy which includes the Behaviour Complaints Committee Terms of Reference Code of Conduct for Council Members, Committee Members and Candidates
<b>Record Keeping:</b>	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2 Council to CEO

#### 1.2.1 Performing Functions Outside the District

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

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns
Record Keeping:	Report on outcome to the next ordinary meeting

**Version Control:**

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.2 Powers of Entry

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
---	-----

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <u><a href="#">Local Government Act 1995:</a></u> s.9.10 Appointment of authorised persons – refer also s.3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry s.3.34(2) Entry in an emergency
<b>Record Keeping:</b>	Photos and Copies of Notice of Entry or Warrant to be retained as correspondence and an incident report generated for item 4.

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.3 Declare Vehicle is Abandoned Vehicle Wreck

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

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
---	-----

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Public Tender or disposal record

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.4 Confiscated or Uncollected Goods

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
---	-----

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> : Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
Record Keeping:	Reported to Council at an Ordinary Meeting

#### Version Control:

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.5 Disposal of Sick or Injured Animals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping</b>	Reported to Council at an Ordinary Meeting

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.6 Close Thoroughfares to Vehicles

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> <li>• give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>• consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ul> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. If, under s.3.50(1), a thoroughfare is 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)].</li> <li>b. Maintain access to adjoining land [s.3.52(3)] within the Town Common of Yalgoo and Paynes Find.</li> <li>c. An update on the Shire Website or an email is sent where practical to the Shires Road Condition Email List and appropriate signage is placed at the entrances to affected roads.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees



**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>DCEO Works Manager/Works Foreman</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	An update on the Shire Website or an email is sent where practical to the Shires Road Condition Email List and appropriate signage is placed at the entrances to affected roads.
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Shire Website or Email Contact List

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.7 Obstruction of Footpaths and Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>a. prevent damage to the footpath; or</li> <li>b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>4. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#"><i>Local Government (Uniform Local Provisions) Regulations 1996</i></a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> </ol> </li> </ol>

## 1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.2 – Public Thoroughfare Obstruction – Determine Conditions</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a></p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping	Notice as correspondence

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.8 Gates Across Public Thoroughfares

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)].</li> <li>2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)].</li> <li>5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a>.</li> <li>b. Each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

	<a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures  Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a>
Record Keeping:	Register of Gates

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.9 Public Thoroughfare – Dangerous Excavations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#"><u>Local Government (Uniform Local Provisions) Regulations 1996</u></a>.</li> <li>b. Permission may only be granted where, the proponent has:               <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	Photo and Notice of Permission/Decision as correspondence

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl. <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> Any relevant section under this regulation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <a href="#"><u>Local Government (Uniform Local Provisions) Regulations 1996</u></a>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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



**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Uniform Local Provisions) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <a href="#">Local Government Act 1995</a></p>
Record Keeping:	Notice or correspondence

**Version Control:**

1	Version 1 – July 2021
2	Amendment to Express Power of Duty Delegated to include Uniform Local Provisions – 25 August 25
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.11 Expressions of Interest for Goods and Services

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Policy Purchasing Policy
<b>Record Keeping:</b>	Expressions of interest to be kept with successful purchase order or cancelled orders.

#### Version Control:

1	Version 1 – July 2021 - Revised
2	2.2 Tenders in Version Reviewed 31 <sup>st</sup> July 2020
3	

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.12 Tenders for Goods and Services – Call Tenders**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)].</li> <li>2. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where :               <ol style="list-style-type: none"> <li>i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or</li> <li>ii. a current supply contract expiry is imminent; and</li> <li>iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and</li> <li>iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures</p> <p><a href="#">WALGA Subscription Service</a> – Procurement Toolkit</p> <p>Council Purchasing Policy</p>
Record Keeping:	Tender Documentation and Register including advertising

**Version Control:**

1	Version 1 – July 2021 - Revised
2	2.2 Tenders in Version Reviewed 31 <sup>st</sup> July 2020
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.13 Tenders for Goods and Services –Rejecting Tenders; Exercising Contract Extension Options

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&amp;G.r.18(2)].</li> <li>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>3. Authority to decline to accept any tender [F&amp;G r.18(5)].</li> <li>4. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</li> <li>5. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum 5% variation and to then negotiate minor variations with the successful tenderer <u>before</u> entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>6. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Exercise of authority under F&amp;G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</li> <li>b. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) <b>and</b> that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</li> </ol>

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
---------------------------------------	--

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Functions and General) Regulations 1996</a> – prescribe applicable statutory procedures  <a href="#">WALGA Subscription Service</a> – Procurement Toolkit  Council Purchasing Policy
Record Keeping:	Tender Documentation and Register including advertising

### Version Control:

1	Version 1 – July 2021 - Revised
2	2.2 Tenders in Version Reviewed 31 <sup>st</sup> July 2020
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.14 Disposing of Property

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>(a) the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. Public tenders not referred to Council are to have been advertised both locally and in a regional newspaper and received at least 3 tender responses.</li> <li>c. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$250,000 or less.</li> <li>d. When determining the method of disposal: <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> </ul> </li> </ol>

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> <li>Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> <li>Negotiate the sale of the property up to a -5% variance on the valuation; and</li> <li>Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded.</li> </ul> </li> </ul> <p>e. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:</p> <ul style="list-style-type: none"> <li>Without reference to Council for resolution; and</li> <li>In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value then, as a minimum, the disposal must ensure environmentally responsible disposal.</li> </ul> <p>f. Disposal of Property with a written down value of more than \$5000 must be included in the Annual Budget.</p> <p>g. For the trade-in of property where the purchase is worth less than \$75,000 the CEO can utilise the exemption provided by Local Government (Functions and General) Regulation 30(3).</p>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.3.58 Disposal of Property <a href="#">Local Government (Functions and General) Regulations 1995</a> – r.30 Dispositions of property excluded from Act s. 3.58
Record Keeping:	An agenda report is required at the next ordinary meeting detailing the exercise of this delegated authority.

### Version Control:

1	Version 1 – July 2021 - Revised
2	2.3 Disposal of Assets in Version Reviewed 31 <sup>st</sup> July 2020



# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.15 Payments from the Municipal or Trust Funds

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

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>DCEO Rates Officer Executive Support Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. 2. All payment transactions must be approved jointly by two Delegates, one of whom must be the CEO or DCEO else the CEO or DCEO is to have inspected and signed off on the payment or batch. 3. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a> <a href="#">Local Government (Financial Management) Regulations 1996</a> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc. <a href="#">Local Government (Audit) Regulations 1996</a>
--------------------------	--

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

	Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>
	Department of Local Government, Sport and Cultural Industries: <a href="#">Accounting Manual</a>
Record Keeping:	Bank Authorisation and List of Accounts

**Version Control:**

1	Version 1 – July 2021 - Revised
2	2.4 Creditor payments in Version Reviewed 31 <sup>st</sup> July 2020

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.16 Defer, Grant Discounts, Waive or Write Off Debts

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire of Yalgoo [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire of Yalgoo [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire of Yalgoo [s.6.12(1)(c)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Write-off a rates or service charge debt up to, but not including, the minimum rate for the current year in accordance with [s.6.12(1)(c) &amp;(2)].</li> <li>b. This Delegation does not apply to debts incurred by an individual who is a current or past Councillor or their related parties.</li> <li>c. A debt may only be waived where: <ol style="list-style-type: none"> <li>i. a community group, health, sporting or education service (local, regional or WA based) providing services to Shire residents is requesting use of Shire Facilities or Accommodation in conjunction with the provision of those services. Or where it could be recovered from the Shire during ordinary business ie contract services.</li> </ol> </li> <li>d. A concession may only be granted where: <ol style="list-style-type: none"> <li>i. the concession exists in the Fees and Charges; or</li> <li>ii. the concession has not already been included in that years adopted Schedule of Fees and Charges and directly relates to a hardship this is recorded with the exercise of this delegation and reported to Council.</li> </ol> </li> <li>e. A debt may only be written off where all necessary measures have been taken to locate / 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 of Yalgoo. <ol style="list-style-type: none"> <li>i. Limited to individual debts valued below \$500 or cumulative debts of a debtor valued below \$1,000. Write-off of debts greater than these values must be referred for Council decision.</li> </ol> </li> </ol>

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
---------------------------------------	--

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Collection of Rates Debts – refer Delegations:  Agreement as to Payment of Rates and Service Charges Recovery of Rates or Service Charges Recovery of Rates Debts – Require Lessee to Pay Rent Recovery of Rates Debts – Actions to Take Possession of the Land
<b>Record Keeping:</b>	a) Report to Council, c) Caravan Park Journal to relevant community account, d) Included in receipting and e) Report to Council

### Version Control:

1	Version 1 – July 2021 - Revised
2	2.6 Write-off of minor outstanding amounts in Version Reviewed 31 <sup>st</sup> July 2020
3	Increased write-off amounts 25 Aug 25

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.17 Power to Invest and Manage Investments

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Councils Financial Management - Investment Policy.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports or Council Agenda Item.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Financial Management) Regulations 1996</a> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))  Council Policy Financial Management - Investment
Record Keeping:	Ordinary Agenda

**Version Control:**

1	Version 1 – July 2021 - Revised
2	2.5 Investment of Surplus funds in Version Reviewed 31 <sup>st</sup> July 2020
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.18 Rate Record Amendment

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

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Rates Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	a. If the change relates to anything other than a Landgate Revaluation or Tenement Death a report to the CEO is required.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Rates Roll and Interim Notice Folder

#### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.19 Agreement as to Payment of Rates and Service Charges**

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

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy Rates Collection and Financial Hardship
<b>Record Keeping:</b>	Rates Record and Correspondence

**Version Control:**

1	Version 1 – July 2021
2	



**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.20 Determine Due Date for Rates or Service Charges**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Yalgoo [s.6.50].
<b>Council Conditions on this Delegation:</b>	a. That Administration aims to set the rates and service charges due date in the last week of September or first week of October each year. Where the budget is not adopted early enough it will be set as close to this date as possible while complying with s.6.50.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
<b>Record Keeping:</b>	Rates Notices

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.21 Recovery of Rates or Service Charges**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy Rates Collection and Financial Hardship.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

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

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.23 Recovery of Rates Debts – Require Lessee to Pay Rent**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Yalgoo [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Policy Rates Collection and Financial Hardship.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government Act 1995</a> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60.  Council Policy Rates Collection and Financial Hardship
<b>Record Keeping:</b>	Notices and Rates Record

**Version Control:**

1	Version 1 – July 2021
---	-----------------------

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.2.24 Recovery of Rates Debts - Actions to Take Possession of the Land

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.64(1) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> <li>i. lease the land, or</li> <li>ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> <li>I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or</li> <li>II. cause the land to be transferred to the Shire of Yalgoo [s.6.71].</li> </ol> </li> </ol> </li> <li>2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Decisions under this delegation must comply with Council Policy Rates Collection and Financial Hardship.</li> <li>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u>, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</li> <li>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

<b>Sub-Delegate/s:</b>	Nil
------------------------	-----

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><a href="#">Local Government Act 1995</a> – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p><a href="#">Local Government (Financial Management) Regulations 1996</a> – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p> <p>Council Policy Rates Collection and Financial Hardship.</p>
Record Keeping:	Progress Report to Council

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.25 Rate Record – Objections

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Notice

#### Version Control:

1	Version 1 – July 2021
---	-----------------------

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.26 Procurement of Goods or Services required to address a State of Emergency**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> <li>1. Determine that particular goods or services with a purchasing value &gt;\$250,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&amp;G r11(3)(b)]; and</li> <li>2. Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&amp;G r.11(2)(aa)].</li> <li>3. The CEO is Authorised to commit expenditure for the private hire of plant and equipment necessary for the efficient fighting and control of fires from road maintenance in an emergency situation that is likely to effect lives and homes.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe.</li> <li>b. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan.</li> <li>c. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8.</li> <li>d. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification,</li> </ol>

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

	<p>scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.</p> <p>e. The CEO cannot sub-delegate this authority.</p> <p>f. Function 3 should be done in conjunction with the Shire President or Deputy Shire President if the President is not available and the CESM.</p>
--	--

Compliance Links:	<a href="#">Local Government (Functions and General) Regulations 1996</a> <a href="#">WALGA Subscription Service</a> – Procurement Toolkit Council Policy Purchasing Policy
Record Keeping:	Report to Next Possible Council Meeting, Incident/Bushfire Report

**Version Control:**

1	Version 1 – July 2021 – New with Revised inclusion
2	2.9 Firefighting – Emergency plant hire in Delegation Register reviewed 31 July 2020
3	



**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.27 Long Service Leave Applications**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.5.48 Long service benefits for employees and employees of local government associations
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Long Service Leave) Regulations:</i>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority and power to consider and decide on applications received from employees under the Local Government (Long Service Leave) Regulations.
<b>Council Conditions on this Delegation:</b>	a. Cannot be exercised in decisions relating to personal Long Service Leave Arrangements. b. The Chief Executive Officer to ensure operations of the Council will not be unduly hindered by the absence of the applicant on long service leave.

Compliance Links:	Local Government (Long Service Leave) Regulations
Record Keeping:	Payroll

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations****1.2.28 Notices Requiring Certain Things to be Done by Owner or Occupier of Land**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.3.25 Notices requiring certain things to be done by owner or occupier of land s.3.26 Additional powers when notices given
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995 – Division 1</i> <i>Schedule 3.1 Powers under notices to owners or occupiers of land</i>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Issue a notice in writing to the owner or occupier of land requiring them to do anything specified in Division 1 of Schedule 3.1 of the Local Government Act 1995.</li> <li>2. Do anything that is considered necessary to achieve, so far as practicable, the purpose for which the notice was given, including recovering the cost of anything done as a debt due from the person who failed to comply with the notice.</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices under this delegation are only to be issued by administration where the actual or expected cost is considered by the delegate to be less than \$2000. More complex matters are required to be reported to Council.

Compliance Links:	Local Government Act 1995
Record Keeping:	Notices

**Version Control:**

1	Version 1 – July 2021
2	
3	

**1. Local Government Act 1995 Delegations**

Taken from [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au) as at 16/07/2021

**Division 1 — Things a notice may require to be done**

1. Prevent water from dripping or running from a building on the land onto any other land.
2. Place in a prominent position on the land a number to indicate the address.
3. 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.
4. (1) 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.
5. (1) 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.
- 5A. (1) Ensure that overgrown vegetation, rubbish, or disused material, as specified, is removed from land that the local government considers to be untidy.
- (2) In this item —
 

**disused material** includes disused motor vehicles, old motor vehicle bodies and old machinery.
- [5B. Deleted: No. 16 of 2016 s. 41.]
6. Take specified measures for preventing or minimising the movement of sand, silt, clay or rocks on or from the land if, in the opinion of the local government, that movement would be likely to adversely affect other land.
7. 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.
8. 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.
9. Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
10. Take specified measures for preventing or minimizing —
  - (a) danger to the public; or

## 1. Local Government Act 1995 Delegations

- (b) damage to property,  
which might result from cyclonic activity.
- 11. Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
- 12. 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.
- 13. 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.
- 14. (1) 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).

*[Division 1 amended: Gazette 29 Apr 1997 p. 2144; amended: No. 49 of 2004 s. 72; No. 17 of 2009 s. 46; No. 16 of 2016 s. 41.]*

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### 1.2.29 Use of the Common Seal

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.9.49A Execution of Documents
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995</i> s.9.49A(4)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Council delegates authority to the President and the CEO to affix the Common Seal without prior approval by Council.
<b>Council Conditions on this Delegation:</b>	a. Where the document is a renewal or extension of an original document, and there is not a significant variation in clauses or conditions in the renewal. b. Where the legal document is an agreement to provide funding to the Shire and the project/item to be funded is included in the Forward Capital Works Plan and/or disclosed in the budget and/or previously approved by Council. c. Where Council has resolved to enter into an agreement or delegated to the Chief Executive Officer to finalise and execute an agreement regardless of the motion being silent on the use of the common seal.

Compliance Links:	Local Government Act 1995
Record Keeping:	Agreement/Contract – Common Seal Register

#### Version Control:

1	Version 1 – July 2021 – revised
2	2.1 in Delegation Register reviewed 31 July 2020
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3 CEO to Employees

#### 1.3.1 Determine if an Emergency for Emergency Powers of Entry

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Incident/Bushfire Report

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.2 Electoral Enrolment Eligibility Claims and Electoral Roll

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
<b>Delegate/s:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day</li> </ol>

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

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

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
Record Keeping:	Electoral Roll and Electors Returns Folder

**Version Control:**

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.3 Destruction of Electoral Papers

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  Department of Local Government, Sport and Cultural Industries: <a href="#">Returning Officer Manual</a>
<b>Record Keeping:</b>	Destruction of Records Register

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.4 Appoint Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
<b>Delegate:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to appoint persons or classes of persons as authorised persons [s.3.24 and s.9.10] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations: <ol style="list-style-type: none"> <li><a href="#">Local Government Act 1995</a> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act.</li> <li><i>Caravan Parks and Camping Grounds Act 1995</i>;</li> <li><i>Cat Act 2011</i>;</li> <li><i>Cemeteries Act 1986</i>;</li> <li><i>Control of Vehicles (Off-road Areas) Act 1978</i>;</li> <li><i>Dog Act 1976</i>;</li> <li><a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</li> <li>any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</li> </ol> </li> <li>Authority to appoint authorised persons for the purposes of section 9.16 of the <i>Local Government Act 1995</i>, <u>as a precondition</u> for appointment as authorised officers in accordance with Regulation 70(2) of the <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i>.</li> <li>Authority to appoint honorary inspectors under the Litter Act.</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>NIL.</i>

**Delegation Register**

Shire of Yalgoo

**1. Local Government Act 1995 Delegations**

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	<p>Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file.</p> <p>A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.</p>

**Version Control:**

1	Version 1 – July 2021 - Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.5 Information to be Available to the Public

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.9.95(1)(b) & (3)(b) Limits on right to inspect local government information
<b>Delegate/s:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)].</li> <li>2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)].</li> <li>3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B].</li> <li>4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.5.95(1)(b)].</li> <li>5. Authority to determine not to provide a right to inspect information contained in notice papers, agenda, minutes, or information tabled at a meeting, where it is considered that that part of the meeting could have been closed to members of the public but was not closed [s.5.94(3)(b)].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

**Compliance Links:**

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

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

Record Keeping:	Email to the CEO
-----------------	------------------

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.6 Financial Management Systems and Procedures

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Delegate/s:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to establish systems and procedures [FM r.5] that give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> <li>i. Collection of money owed to the Shire of Yalgoo;</li> <li>ii. Safe custody and security of money collected or held by the Shire of Yalgoo;</li> <li>iii. Maintenance and security of all financial records, including payroll, stock control and costing records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority 1.2.23;</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ol> </li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within each 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <a href="#">Local Government Act 1995</a>
-------------------	--

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

	<a href="#">Local Government (Financial Management) Regulations 1996</a> <a href="#">Local Government (Audit) Regulations 1996</a> Department of Local Government, Sport and Cultural Industries <a href="#">Operational Guideline No.11 – Use of Corporate Credit Cards</a>
Record Keeping:	Policy Manual, Financial System Documents and Ordinary Agendas

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

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

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

<b>Compliance Links:</b>	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.  <a href="#">Local Government (Audit) Regulations 1996</a>
<b>Record Keeping:</b>	Report to CEO or Council on Reg 17

#### Version Control:

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 1. Local Government Act 1995 Delegations

### 1.3.8 Infringement Notices

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
<b>Delegate/s:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</li> <li>2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</li> <li>3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.</li> <li>b. The following listed positions are delegated the functions under s.9.19 and s.9.20 only as a <u>precondition for appointment</u> as an "Approved Officer" in accordance with <i>Building Regulation 70(1)</i> for the purposes of the <i>Criminal Procedure Act 2004</i> section 6(a) and <i>Building Act 2011</i> Infringement Notices:: <ol style="list-style-type: none"> <li>(i) <b>Building Surveyor/Contract Building Surveyor</b></li> </ol> <p><b>NOTE:</b> <i>Delegates must also be appointed as an "Approved Officer" – appointment to be determined by Council resolution or by a person with delegated authority under delegation 2.1.10.</i></p> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	Notice/Correspondence

# Delegation Register

Shire of Yalgoo

## 1. Local Government Act 1995 Delegations

### Version Control:

1	Version 1 – July 2021
2	
3	

## 2. Building Act 2011 Delegations

## 2 Building Act 2011 Delegations

### 2.1 Council to CEO

#### 2.1.1 Grant a Building Permit

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23].               <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations**

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor/Contract Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Authority to perform Function 1.
Compliance Links:	<a href="#">Building Act 2011</a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor  <a href="#">Building Regulations 2012</a> – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT  <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	Notice/Correspondence and Permits

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations****2.1.2 Demolition Permits**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) &amp; (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23].               <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor/Contract Building Surveyor</b>
---	---

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations**

<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Authority to perform Function 1.
Compliance Links:	<a href="#"><u>Building Act 2011</u></a> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 — Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	Notice/Correspondence and Permits

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.3 Occupancy Permits or Building Approval Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  Building Regulations 2012 r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor/Contract Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Authority to perform Function 1.

<b>Compliance Links:</b>	<a href="#"><i>Building Act 2011</i></a> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT
--------------------------	--

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations**

	<i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	Notices/Correspondence and Permits

**Version Control:**

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.4 Designate Employees as Authorised Persons

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> </ol> <p>NOTE: An <i>authorised person</i> for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</p>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	<u><a href="#">Building Act 2011:</a></u> s.97 each designated authorised person must have an identity card. r.5A Authorised persons (s.3) – definition
Record Keeping:	Letter of Authorisation and Register

#### Version Control:

1	Version 1 – July 2021 - Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020

# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.5 Building Orders

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>Building work</li> <li>Demolition work</li> <li>An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>Authority to revoke a building order [s.117].</li> <li>If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>take any action specified in the order ; or</li> <li>commence or complete any work specified in the order; or</li> <li>if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i>

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations**

	s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
--	---

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

Compliance Links:	<a href="#"><u>Building Act 2011:</u></a> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	Notice/Correspondence and Permits

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.6 Inspection and Copies of Building Records

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

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>DECO Rates Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Email notification to the CEO

Compliance Links:	<a href="#">Building Act 2011</a> - s.146 Confidentiality
Record Keeping:	If not the owner a copy of the application on the property file. Inspection Register

#### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.7 Referrals and Issuing Certificates

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012 for Function 2.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor/Contract Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Authority to perform Function 1.

Compliance Links:	
Record Keeping:	Notice/Correspondence

#### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**2. Building Act 2011 Delegations****2.1.8 Smoke Alarms – Alternative Solutions**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegated authority should be undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	
Record Keeping:	Notice/Correspondence

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 2. Building Act 2011 Delegations

### 2.1.9 Appointment of approved officers and authorised officers

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).  <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i></li> <li>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).  <i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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

Compliance Links:	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment.
Record Keeping:	Authorised Officers Register

#### Version Control:

1	Version 1 – July 2021 - Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020

**Delegation Register**

Shire of Yalgoo

**3 Bush Fires Act 1954 Delegations****3.1 Council to CEO, President and Bush Fire Control Officer****3.1.1 Make Request to FES Commissioner – Control of Fire**

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

Compliance Links:	
Record Keeping:	Correspondence with DFES

**Version Control:**

1	Version 1 – July 2021
2	
3	



## Delegation Register

Shire of Yalgoo



### 3.1.2 Prohibited Burning Times - Vary

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

Compliance Links:	
Record Keeping:	Firebreak Notice and Advertising on the Shire Website

#### Version Control:

1	Version 1 – July 2021 - Revised
2	3.1 Alteration to Restricted and Prohibited Burning Periods in Delegation Register reviewed 31 July 2020
3	

# Delegation Register

Shire of Yalgoo



## 3.1.3 Prohibited Burning Times – Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> 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 <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the Shire of Yalgoo or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

# Delegation Register

Shire of Yalgoo

Compliance Links:	
Record Keeping:	Permit Book, Notifications

## Version Control:

1	Version 1 – July 2021
2	3.1 Alteration to Restricted and Prohibited Burning Periods in Delegation Register reviewed 31 July 2020
3	

# Delegation Register

Shire of Yalgoo



## 3.1.4 Restricted Burning Times – Vary and Control Activities

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.15C Local Government may prohibit burning on certain days r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)].</li> <li>5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> </ol>

**Delegation Register**

Shire of Yalgoo



	6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Shire of Yalgoo 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)].
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	Incident/Bushfire Report

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



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

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

Compliance Links:	
Record Keeping:	Permits and Incident/Bushfire Report

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 3.1.6 Burning Garden Refuse / Open Air Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> 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  <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)].</li> <li>2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)].             <ol style="list-style-type: none"> <li>a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)].</li> <li>b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34].</li> </ol> </li> <li>3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of:             <ol style="list-style-type: none"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)].</li> <li>5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].</li> </ol>

**Delegation Register**

Shire of Yalgoo



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

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Notice/Permit

**Version Control:**

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 3.1.7 Firebreaks

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Yalgoo: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice; and</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	Notice, Incident/Bushfire Report

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and <ol style="list-style-type: none"> <li>Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and</li> <li>Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Yalgoo [s.38(5A)]</li> <li>Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. <ol style="list-style-type: none"> <li>Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	Register of Authorised Persons

### Version Control:

1	Version 1 – July 2021 - Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020
3	

# Delegation Register

Shire of Yalgoo



## 3.1.9 Control and Extinguishment of Bush Fires

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. <ol style="list-style-type: none"> <li>a. Where it is proposed that the fire will be lit on land within 3km of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Notice, Incident/Bushfire Report

### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

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

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

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Debtors and Incident/Bushfire Report

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 3.1.11 Prosecution of Offences

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer</b> <b>Bush Fire Control Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

<b>Compliance Links:</b>	<i>Bush Fires Act 1954:</i> s.65 Proof of certain matters s.66 Proof of ownership or occupancy
<b>Record Keeping:</b>	Infringement

### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**4 Cat Act 2011 Delegations****4.1 Council to CEO****4.1.1 Cat Registrations**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire's District [Regs. Sch. 3 cl.1(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>DCEO Rates Officer Administration Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> <li>a. To notify the CEO of any action other than the granting or renewing of a cat registration.</li> <li>b. Function 5 is only extended to the DCEO</li> </ol>

<b>Compliance Links:</b>	Cat Regulations 2012
--------------------------	----------------------

**Delegation Register**

Shire of Yalgoo



	r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2))  Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i> .
Record Keeping:	Cat Registration Folder

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 4.1.2 Cat Control Notices

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

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

<b>Compliance Links:</b>	<i>Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.</i>
<b>Record Keeping:</b>	Cat Registration Folder

### Version Control:

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 4.1.3 Approval to Breed Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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

<b>Compliance Links:</b>	<i>Cat Regulations 2012:</i> r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
<b>Record Keeping:</b>	Cat Registration Folder

### Version Control:

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 4.1.4 Recovery of Costs – Destruction of Cats

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

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

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Cat Registration Folder, Debtors

### Version Control:

1	Version 1 – July 2021 - Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020

# Delegation Register

Shire of Yalgoo



## 4.1.5 Applications to Keep Additional Cats

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

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

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Cat Registration Folder

### Version Control:

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 4.1.6 Reduce or Waiver Registration Fee

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

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

Compliance Links:	
Record Keeping:	Cat Registration Folder

### Version Control:

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 4.2 Cat Act Delegations - CEO to Employees

### 4.2.1 Infringement Notices – Extensions and Withdrawals

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	<b>DCEO</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>CEO Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil.

<b>Compliance Links:</b>	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
<b>Record Keeping:</b>	Cat Registration Folder

#### Version Control:

1	Version 1 – July 2021
2	
3	

## 5. Dog Act 1974 Delegations

### 5 Dog Act 1974 Delegations

- **S.31 Control of dogs in certain public places**
  - (2B) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —
    - (a) at all times; or
    - (b) at specified times.
  - (3A) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.

### 5.1 Dog Act Delegations Council to CEO

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$300 [s.10A(1)(a) and (3)].</li> <li>2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. If a veterinary student program has been organised by the Shire for that year all instances of sterilisation hardship are to be referred to the program.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>DCEO</b>
---	-------------

# Delegation Register

Shire of Yalgoo



## 5. Dog Act 1974 Delegations

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

Compliance Links:	
Record Keeping:	Dog Registration Folder

### Version Control:

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 5. Dog Act 1974 Delegations

### 5.1.2 Refuse or Cancel Registration

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol>



**Delegation Register**

Shire of Yalgoo

**5. Dog Act 1974 Delegations**

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

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

<b>Compliance Links:</b>	<i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)
<b>Record Keeping:</b>	Dog Registration Folder

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 5. Dog Act 1974 Delegations

### 5.1.3 Kennel Establishments

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

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Registration Folder

#### Version Control:

1	Version 1 – July 2021
2	

**Delegation Register**

Shire of Yalgoo

**5. Dog Act 1974 Delegations****5.1.4 Recovery of Moneys Due Under this Act**

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

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

<b>Compliance Links:</b>	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
<b>Record Keeping:</b>	Dog Registration Folder

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 5. Dog Act 1974 Delegations

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

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

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

Compliance Links:	
Record Keeping:	Dog Registration Folder, Debtors

#### Version Control:

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 5. Dog Act 1974 Delegations

### 5.1.6 Declare Dangerous Dog

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Registration Folder

#### Version Control:

1	Version 1 – July 2021
2	

**Delegation Register**

Shire of Yalgoo

**5. Dog Act 1974 Delegations****5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)].</li> <li>2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> <li>i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	
<b>CEO Conditions on this Sub-Delegation:</b> <i>Conditions on the original delegation also apply to the sub-delegations.</i>	
<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Dog Registration Folder

---

**5. Dog Act 1974 Delegations****Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**5. Dog Act 1974 Delegations****5.1.8 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33H(5) Local government may revoke declaration or proposal to destroy
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Registration Folder

**Version Control:**

1	Version 1 – July 2021
2	



**Delegation Register**

Shire of Yalgoo

**5. Dog Act 1974 Delegations****5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Registration Folder

**Version Control:**

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 6. Food Act 2008 Delegations

## 6 Food Act 2008 Delegations

### 6.1 Council to CEO

#### 6.1.1 Determine Compensation

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$250. Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Creditors

#### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**6. Food Act 2008 Delegations****6.1.2 Prohibition Orders**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
<b>Delegate:</b>	<b>CEO</b> <b>Environmental Health Officer</b> <b>Contract Environmental Health Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Health File/Notice

**Version Control:**

1	Version 1 – July 2021
2	

# Delegation Register

Shire of Yalgoo



## 6. Food Act 2008 Delegations

### 6.1.3 Food Business Registrations

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>CEO</b> <b>Environmental Health Officer</b> <b>Contract Environmental Health Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> <li>Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>WA Priority Classification System</li> <li>Verification of Food Safety Program Guideline</li> </ul>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Food License

#### Version Control:

1	Version 1 – July 2021
2	

**Delegation Register**

Shire of Yalgoo

**6. Food Act 2008 Delegations****6.1.4 Appoint Authorised Officers and Designated Officers**

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

Compliance Links:	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed
Record Keeping:	Register of Authorised Persons

**Version Control:**

1	Version 1 – July 2021 -Revised
2	2.8 Appointment of Authorised Officer in Version Reviewed 31 <sup>st</sup> July 2020
	3.2 Environmental Health in Delegation Register reviewed 31 July 2020

# Delegation Register

Shire of Yalgoo



## 6. Food Act 2008 Delegations

### 6.1.5 Debt Recovery and Prosecutions

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

Compliance Links:	
Record Keeping:	Debtors/Correspondence

#### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**6. Food Act 2008 Delegations****6.1.6 Food Businesses List – Public Access**

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

Compliance Links:	
Record Keeping:	Shire Website

**Version Control:**

1	Version 1 – July 2021
2	
3	



**Delegation Register**

Shire of Yalgoo

**7. Graffiti Vandalism Act 2016 Delegations****7 Graffiti Vandalism Act 2016 Delegations****7.1 Council to CEO****7.1.1 Give Notice Requiring Obliteration of Graffiti**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

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

<b>Compliance Links:</b>	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Notice, Debtors

**Version Control:**

1	Version 1 – July 2021
2	
3	



# Delegation Register

Shire of Yalgoo



## 7. Graffiti Vandalism Act 2016 Delegations

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

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Correspondence

#### Version Control:

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**7. Graffiti Vandalism Act 2016 Delegations****7.1.3 Obliterate Graffiti on Private Property**

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

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

Compliance Links:	
Record Keeping:	Notice

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**7. Graffiti Vandalism Act 2016 Delegations****7.1.4 Powers of Entry**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Local Government
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

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

<b>Compliance Links:</b>	
<b>Record Keeping:</b>	Notice

**Version Control:**

1	Version 1 – July 2021
2	
3	

**Delegation Register**

Shire of Yalgoo

**8. Public Health Act 2016 Delegations****8 Public Health Act 2016 Delegations****8.1 Council to CEO****8.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)**

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

Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2</i>
Record Keeping:	Register of Authorised Officers

**Version Control:**

1	Version 1 – July 2021
2	3.2 Environmental Health in Delegation Register reviewed 31 July 2020
3	

**Delegation Register**

Shire of Yalgoo

**8. Public Health Act 2016 Delegations****8.1.2 Enforcement Agency Reports to the Chief Health Officer**

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Contract Environmental Health Officer – William Atyeo</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Yalgoo [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
<b>Record Keeping:</b>	Report to the Chief Health Officer

**Version Control:**

1	Version 1 – July 2021
2	
3	

# Delegation Register

Shire of Yalgoo



## 8. Public Health Act 2016 Delegations

### 8.1.3 Designate Authorised Officers

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

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

## 8. Public Health Act 2016 Delegations

	<p>s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority</p> <p><i>Criminal Investigation Act 2006</i>, Parts 6 and 13 – refer s.245 of the <i>Public Health Act 2016</i></p> <p><i>The Criminal Code</i>, Chapter XXVI – refer s.252 of the <i>Public Health Act 2016</i></p>
Record Keeping:	Register of Authorised Officers

### Version Control:

1	Version 1 – July 2021 - Revised
2	3.2 Environmental Health in Delegation Register reviewed 31 July 2020
3	

# Delegation Register

Shire of Yalgoo



## 8. Public Health Act 2016 Delegations

### 8.1.4 Determine Compensation for Seized Items

<b>Delegator:</b> <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b> <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of \$500 with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

<b>Compliance Links:</b>	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.  Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
<b>Record Keeping:</b>	Debtors

#### Version Control:

1	Version 1 – July 2021
2	
3	



## 9 Statutory Authorisations and Delegations to Local Government from State Government Entities

### 9.1 Environmental Protection Act 1986

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

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 47. 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

**EV401**

#### **ENVIRONMENTAL PROTECTION ACT 1986**

##### **Section 20**

Delegation No. 52

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

Powers and duties delegated—

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

Persons to whom delegation made—

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

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

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

**Delegation Register**

Shire of Yalgoo

**9.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events**Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 232. 20-Dec-2013  
Page: 6282 [Pdf](#) - [3Mb](#)

**EV402****ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 112

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

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

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

# Delegation Register

Shire of Yalgoo



## 9.1.3 Noise Management Plans – Construction Sites

Published by:  
Environment

**GOVERNMENT GAZETTE**  
Western Australia  
[Previous](#) [Close](#) [Next](#)

No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - [2Mb](#)

**EV405**

### **ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

**Delegation Register**

Shire of Yalgoo

**9.2 Planning and Development Act 2005**

Removal of 2.7 Planning Consent due to limited use and extremely limited scope.  
Version 2.7 Planning Consent in Version Reviewed 31<sup>st</sup> July 2020

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

DoL FILE 1738/2002v8; 858/2001v9

**PLANNING AND DEVELOPMENT ACT 2005****INSTRUMENT OF AUTHORISATION**

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

Dated the 2<sup>nd</sup> day of June 2016

A handwritten signature in black ink, appearing to be "D. Redman".

**HON DONALD TERRENCE REDMAN MLA**  
**MINISTER FOR LANDS**

# Delegation Register

## Shire of Yalgoo



### 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

The power to sign as owner in respect of Crown land that is:

- a reserve managed by the local government pursuant to section 46 of the *Land Administration Act 1997* and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or
- the land is a road of which the local government has the care, control and management under section 55(2) of the *Land Administration Act 1997* and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the *Building Regulations 2012* (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road.

in respect of development applications being made under or referred to in:

- section 99(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);
- section 103(2) of the *Planning and Development Act 2005* in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);
- section 115 of the *Planning and Development Act 2005* in respect of development within a planning control area (as that term is defined in that Act);
- section 122A of the *Planning and Development Act 2005* in respect of which approval is required under an improvement scheme (as that term is defined in that Act);
- section 162 of the *Planning and Development Act 2005* in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);
- section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;
- section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).

#### Column 2

City of Albany  
City of Armadale  
Shire of Ashburton  
Shire of Augusta-Margaret River  
Town of Bayswater  
City of Belmont  
Shire of Beverley  
Shire of Boddington  
Shire of Boyup Brook  
Shire of Bridgetown-Greenbushes  
Shire of Brookton  
Shire of Broome  
Shire of Broomehill-Tambellup  
Shire of Bruce Rock  
City of Bunbury  
Shire of Busselton  
Town of Cambridge  
City of Canning  
Shire of Capel  
Shire of Carnamah  
Shire of Carnarvon  
Shire of Chapman Valley  
Shire of Chittering  
Shire of Christmas Island  
Town of Claremont  
City of Cockburn  
Shire of Cocos (Keeling) Islands  
Shire of Collie  
Shire of Coolgardie  
Shire of Cooberoo  
Shire of Corrigin  
Town of Cottesloe  
Shire of Cranbrook  
Shire of Cuthbert  
Shire of Cuse  
Shire of Cunderdin  
Shire of Dalwallinu  
Shire of Dandaragan  
Shire of Dardanup  
Shire of Denmark  
Shire of Derby/Weir Kimberley  
Shire of Dornbrook-Rainup  
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 Goomalling  
Shire of Goolwa  
Shire of Halls Creek  
Shire of Harvey  
Shire of Irwin  
Shire of Jerramungup  
City of Joondalup  
Shire of Kalbar  
City of Kalbar-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 Manjimup  
City of Melville  
Shire of Menzies  
Shire of Merredin  
Shire of Mingenew  
Shire of Moora  
Shire of Moora  
Town of Mosman Park  
Shire of Mount Magnet  
Shire of Mt Marshall  
Shire of Mukinbudin  
Shire of Mundaring  
Shire of Murchison  
Shire of Murray

#### Column 3

In accordance with and subject to approved Government Land policies.

Any signature subject to the following endorsement:  
Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the *Planning and Development Act 2005* (including any planning scheme).  
The signature does not represent 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.

**Delegation Register**

Shire of Yalgoo



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 Qualcard  
 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 Wickiepin  
 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

A handwritten signature in black ink, appearing to read "Donald Redman".

**HON DONALD TERRENCE REDMAN MLA  
 MINISTER FOR LANDS**

2<sup>nd</sup> day of June 2016



**Delegation Register**

Shire of Yalgoo

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

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

**PLANNING AND DEVELOPMENT ACT 2005****INSTRUMENT OF DELEGATION****Del 2020/01 Powers of Local Governments**

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

**Preamble**

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

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

**Resolution under section 16 of the Act (delegation)**

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

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

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

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

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
  - i. a type of development; and/or
  - ii. land within an area,

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

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

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

**3. Reporting requirements**

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

## Delegation Register

Shire of Yalgoo



### 9.3 Main Roads Act 1930

#### 9.3.1 Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website <https://www.mainroads.wa.gov.au/technical-commercial/working-on-roads/authorised-bodies-events/>

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

**RELATING TO  
TRAFFIC MANAGEMENT FOR EVENTS**

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

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

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

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

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

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

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



# Delegation Register

Shire of Yalgoo



Dated:

**THE COMMON SEAL OF THE  
COMMISSIONER OF MAIN ROADS**

WAS AFFIXED BY

COMMISSIONER OF MAIN ROADS

FOR THE TIME BEING IN THE  
PRESENCE OF:

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

## ACKNOWLEDGMENT BY AUTHORISED BODY

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

**THE COMMON SEAL of**

\_\_\_\_\_  
*[Insert name of Local Government]*

Was hereunto affixed pursuant to a  
resolution of the Council in the  
presence of:

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Signature of Witness*

\_\_\_\_\_  
*Name of Witness (please print)*

**Delegation Register**

Shire of Yalgoo

**9.3.2 Traffic Management – Road Works**

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

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

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

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

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

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

# Delegation Register

Shire of Yalgoo



Dated:

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

\_\_\_\_\_  
 Signature of Witness

\_\_\_\_\_  
 Name of Witness

## ACKNOWLEDGMENT BY AUTHORISED BODY

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

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

\_\_\_\_\_  
 Chief Executive Officer

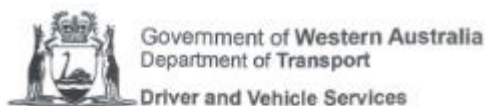
\_\_\_\_\_  
 Witness

## Delegation Register

Shire of Yalgoo

### 9.4 Road Traffic (Vehicles) Act 2012

#### 9.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles



#### **ROAD TRAFFIC (VEHICLES) ACT 2012**

*Road Traffic (Vehicles) Regulations 2014*

**RTVR-2017-202046**

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

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

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

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

#### **CONDITIONS**

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

# Delegation Register

Shire of Yalgoo



Government of **Western Australia**  
Department of **Transport**

**Driver and Vehicle Services**

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

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

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

Dated the 5<sup>th</sup> day of September 2017

[Approval for ranger vehicles to fit and use yellow flashing lights \(transport.wa.gov.au\)](https://transport.wa.gov.au)

Extracted on line on 15 March 2021

## **9.5 5.43. Limits on delegations to CEO 28**

Local Government Act 1995

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

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

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

### 14.13 CEO Performance Review Independent Person

Applicant:	Shire of Yalgoo
Date:	25 August 2025
Reporting Officer:	Glenn Boyes Deputy CEO
Disclosure of Interest:	NIL
Attachments:	NIL

#### SUMMARY

That Council delegates the President to determine an independent person to carry out the CEO's performance review.

#### COMMENT

Every year, Council

#### STATUTORY ENVIRONMENT

*Local Government Act 1995*

##### 5.38. Annual review of employees' performance

- (1) A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.
- (2) The CEO must ensure that the performance of each other employee who is employed for more than 1 year is reviewed.
- (3) A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.

##### 5.39A. Model standards for CEO recruitment, performance and termination (1)

Regulations must prescribe model standards for local governments in relation to the following —

- (a) the recruitment of CEOs;
- (b) the review of the performance of CEOs;
- (c) the termination of the employment of CEOs.

#### *Local Government (Administration) Regulations 1996, Schedule 2, Division 3*

##### Division 3 — Standards for review of performance of CEOs

##### 16. Performance review process to be agreed between local government and CEO

- (1) The local government and the CEO must agree on —
  - (a) the process by which the CEO's performance will be reviewed; and
  - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

##### 17. Carrying out a performance review

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
  - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and

(b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

18. Endorsement of performance review by local government

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

19. CEO to be notified of results of performance review

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

(a) the results of the review; and

(b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

**POLICY/FINANCIAL IMPLICATIONS**

NIL

**VOTING REQUIREMENT**

Simple Majority

**OFFICERS RECOMMENDATION**

That Council delegates the President to determine an independent person to carry out the CEO's performance review.



**15 NOTICE OF MOTIONS**

**16 URGENT BUSINESS**

**17 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

**18 NEXT MEETING**

The next Ordinary Meeting of Council is due to be held in the Yalgoo Council Chamber on Friday 24<sup>th</sup> October 2025 commencing at 10:30am.

**19 MEETING CLOSURE**

There being no further business the Shire President declared the Ordinary meeting closed at.

## **PUBLIC QUESTION TIME - FOR INFORMATION PURPOSES ONLY**

The Shire of Yalgoo welcomes community participation during public question time of Council Meetings. The following is a summary of s5.24 of the Local Government Act 1995, the Local Government (Administration) Regulations 1996 and Shire Policy, to provide a guide for public question time.

To enable a prompt and detailed response to questions, members of the public are requested to lodge questions in writing to the Chief Executive Officer at least two days prior to a Council meeting. This can be done:

- a. In person at the Shire of Yalgoo Office, 37 Gibbons St, Yalgoo
- b. By emailing the Executive Support Officer [pa@yalgoo.wa.gov.au](mailto:pa@yalgoo.wa.gov.au)
- c. By phoning the Executive Support Officer (08) 9962 8042

When registering a question members of the public will be required to provide the following for record keeping and response:

- a. Name, Address, Contact Number and Name of Organisation representing (if any)
- b. A written copy of the question to be asked at Public Question Time

It is recommended to arrive at the Council Meeting 15 minutes to commencement if you have not registered a question in advance.

The presiding Member will open Public Question Time where appropriate and, if necessary, provide a brief summary of the rules, regulations and procedures of Public Question Time.

1. The person asking the question is to state their name prior to asking the question.
2. Questions are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a question and the right to nominate a Councillor or Officer to answer.
3. In order to provide an opportunity for the greatest portion of the gallery to take advantage of question time, questions are to be as succinct as possible. Any preamble to questions should therefore be minimal and no debating of the issue between the Gallery, Councillors or Officers is permissible.
4. Where the Presiding Member rules that a member of the public is making a statement during public question time, then no answer is required to be given or recorded in response.
5. Questions which are considered inappropriate; offensive or otherwise not in good faith; duplicates or variations of earlier questions; relating to the personal affairs or actions of Council members or employees; will be refused by the Presiding Member as 'out of order' and will not be recorded in the minutes.
6. Questions from members of the public that do not comply with the Rules of Question Time or do not abide by a ruling from the Presiding Member, or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member or Council, or refuse to abide by any reasonable

direction from the Presiding Member, will be ruled 'out of order' and the question will not be recorded in the minutes.

7. Answers to questions provided in good faith, however, unless reasonable prior written notice of the question is given, answers should not be relied upon as being totally comprehensive.
8. The priority for asking questions shall be firstly 'questions on which written notice has been given prior to the meeting' (that is, prior to 12 noon on the day immediately preceding the meeting) and secondly, 'questions from the floor'.
9. Public Question Time is set for a maximum period of 15 minutes, and will terminate earlier should no questions be forthcoming.
10. There are circumstances where it may be necessary to place limits on the asking of questions to enable all members of the public a fair and equitable opportunity to participate in Public Question Time. In these events the Presiding Member will apply the most appropriate limit for the circumstance. Generally each member of the public shall be provided a maximum two minutes time limit in the first instance, in which to ask a maximum of two questions (whether these are submitted 'in writing' or 'from the floor'). A question may include a request for the tabling of documents where these are relevant to an issue before Council.
11. Should there be time remaining on the initial period for Public Question Time (i.e. 15 minutes) after all members of the public have posed their initial allotment of two questions, the Presiding Member will then allow members of the public to sequentially (in accordance with the register) ask further questions (with necessary limits in place as discussed above if required) until the initial period for Public Question Time has expired.
12. Any extension to the initial period for Public Question Time is to be limited to a period that will allow sufficient time for any remaining members of the public to ask their initial allotment of two questions.
13. Where a question (compliant to these rules) is raised and is unable to be answered at the meeting, the question shall be 'taken on notice' with an answer being given at the next appropriate Council Meeting.
14. Where a member of the public submitting a question is not physically present at the meeting, those questions will be treated as an item of correspondence and will be answered in the normal course of business (and not be recorded in the minutes).

## **MATTERS FOR WHICH THE MEETING MAY BE CLOSED- FOR INFORMATION PURPOSES ONLY**

Councillors are obliged to maintain the confidentiality of matters discussed when the meeting is closed.

The following legislative extracts were downloaded from [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au) on 7 July 2021.

### **Local Government Act 1995**

#### **s5.23. Meetings generally open to the public**

(1) Subject to subsection (2), the following are to be open to members of the public —

- (a) all council meetings; and
- (b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
  - (i) a trade secret; or
  - (ii) information that has a commercial value to a person; or
  - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government; and

- (f) a matter that if disclosed, could be reasonably expected to —
  - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
  - (ii) endanger the security of the local government's property; or
  - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;

and

- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

#### **s5.92 Access to information by council, committee members**

- (1) A person who is a council member or a committee member can have access to any information held by the local government that is relevant to the performance by the person of any of his or her functions under this Act or under any other written law.
- (2) Without limiting subsection (1), a council member can have access to —
- (a) all written contracts entered into by the local government; and
  - (b) all documents relating to written contracts proposed to be entered into by the local government.

#### **s5.93. Improper use of information**

A person who is a council member, a committee member or an employee must not make improper use of any information acquired in the performance by the person of any of his or her functions under this Act or any other written law —

- (a) to gain directly or indirectly an advantage for the person or any other person; or
- (b) to cause detriment to the local government or any other person. Penalty: \$10 000 or imprisonment for 2 years.

## Local Government (Model Code of Conduct) Regulations 2021

### s.21 Disclosure of Information

(1) In this clause —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.

(2) A council member must not disclose information that the council member —

(a) derived from a confidential document; or

(b) acquired at a closed meeting other than information derived from a non-confidential document.

(3) Subclause (2) does not prevent a council member from disclosing information —

(a) at a closed meeting; or

(b) to the extent specified by the council and subject to such other conditions as the council determines; or

(c) that is already in the public domain; or

(d) to an officer of the Department; or

(e) to the Minister; or

(f) to a legal practitioner for the purpose of obtaining legal advice; or

(g) if the disclosure is required or permitted by law.

## **ATTENDANCE - FOR INFORMATION PURPOSES ONLY**

### **Local Government Act 1995**

#### **S2.25 Disqualification for failure to attend meetings**

- (1) A council may, by resolution, grant leave of absence, to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the Minister, unless all of the meetings are within a period of 3 months.
- (3A) Leave is not to be granted in respect of —
  - (a) a meeting that has concluded; or
  - (b) the part of a meeting before the granting of leave.
- (3) The granting of the leave, or refusal to grant the leave and reasons for that refusal, is to be recorded in the minutes of the meeting.
- (4) A member who is absent, without obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council, unless all of the meetings are within a 2 month period.
- (5A) If a council holds 3 or more ordinary meetings within a 2 month period, and a member is absent without leave throughout each of those meetings, the member is disqualified if he or she is absent without leave throughout the ordinary meeting of the council immediately following the end of that period.
- (5) The non attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council —
  - (a) if no meeting of the council at which a quorum is present is actually held on that day; or
  - (b) if the non attendance occurs —
    - (i) while the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5); or
    - (ii) while proceedings in connection with the disqualification of the member have been commenced and are pending; or
    - (iiia) while the member is suspended under section 5.117(1)(a)(iv) or Part 8; or
    - (iii) while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending.
- (6) A member who before the commencement of the Local Government Amendment Act 2009 section 5 was granted leave during an ordinary

meeting of the council from which the member was absent is to be taken to have first obtained leave for the remainder of that meeting.

### **Urgent Business**

General business will not be admitted to Council. In cases of urgency or other special circumstances, where a matter cannot or should not be deferred until the next meeting, urgent items may, with the consent of a majority of Elected Members present, be heard and dealt with. Any such business shall be in the form of a clear motion, and the President may require such a motion to be written and signed by the Councillor or officer proposing the motion or recommendation.

### **Deputations**

Persons wishing to appear before Council or a Committee as a deputation should apply to the CEO at least one week before the date of the meeting, specifying the purpose of the deputation and the number of persons in the deputation. Deputations may be permitted at the discretion of the Presiding Member or by a resolution of the Council or Committee (as the case may not be). Not more than two members of a deputation may address the Council or Committee, except to answer questions from members of the Council or Committee.

A motion was moved by Cr\_\_\_\_\_ and seconded by Cr\_\_\_\_\_ to adjourn the meeting for lunch/a break and to reconvene at \_\_\_\_\_am/pm