



Shire of  
**Nannup**  
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# Agenda Attachments

Council Meeting to be held  
on Thursday 28 May 2020  
Commencing at 5.30pm  
in Council Chambers

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# Minutes

Thursday 23 April 2020 Ordinary Council Meeting

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# Minutes

**1. DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY / ANNOUNCEMENT OF VISITORS:**

The Shire President declared the meeting open at 5.31pm.

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

**ATTENDANCE:**

Shire President: Cr T Dean

Deputy Shire President – Cr R Mellema

Councillors: C Buckland, C Brown, V Corlett, C Stevenson, V Hansen and P Fraser.

David Taylor – Chief Executive Officer

Susan Fitchat – Acting Manager Corporate & Community Services

Jane Buckland – Development Services Officer

**APOLOGIES:**

Jon Jones – Manager Infrastructure

**VISITORS:**

Nil.

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE:**

Nil.

**4. PUBLIC QUESTION TIME:**

Nil.

**5. APPLICATIONS FOR LEAVE OF ABSENCE:**

Nil.

**6. PETITIONS/DEPUTATIONS/PRESENTATIONS:**

Nil.

**7. DECLARATIONS OF INTEREST:**

Nil.

**8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS:**

**20047 STEVENSON/BROWN**

***That the Minutes of the Ordinary Council Meeting of the Shire of Nannup held in Nannup Recreation Centre on 26 March 2020 be confirmed as a true and correct record; with the amendment of Cr V Hansen being present at the meeting.***

***That the Minutes of the Special Council Meeting of the Shire of Nannup held via electronic meeting room on 9 April 2020 be confirmed as a true and correct record.***

**CARRIED EN BLOC (8/0)**

**9. MINUTES OF COUNCIL COMMITTEES:**

Nil.

**10. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:**

Nil.

**11. REPORTS BY MEMBERS ATTENDING COMMITTEES:**

Nil.

## 12. REPORTS BY OFFICERS:

AGENDA NUMBER:	12.1
SUBJECT:	Local Planning Policy No. 3 – Sea Containers: Submitted for final adoption
LOCATION/ADDRESS:	Applies throughout the district
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM9
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	7 April 2020
PREVIOUS MEETING REFERENCE:	28 January 2020
ATTACHMENT:	12.1.1 - Recommended final adoption version of Local Planning Policy No. 3 Sea Containers 12.1.2 - Submissions

### BACKGROUND:

The purpose of this report is to inform Council of the public consultation outcomes and to seek Council's final adoption of *Local Planning Policy No. 3 – Sea Containers*. The recommended adopted version of the policy is set out in Attachment 12.1.1 and incorporates minor amendments from the version that was publicly advertised. Recommended amendments are outlined in "highlight" or "strikeout".

At the Council Meeting of 23 January 2020, the Council passed the following motion at minute No 20005:

"That Council:

1. Support the public release of draft *Local Planning Policy 3 - Sea Containers* outlined in Attachment 12.2.1 and require the draft policy to be publicly advertised in accordance with the requirements set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* with an increased advertising period of six weeks.
2. Reconsider draft *Local Planning Policy 3 - Sea Containers* following the close of the public submission period and determine whether or not to adopt the policy with or without modification, or to not proceed with the policy."

In accordance with the Council resolution, the Shire administration consulted extensively for a 6 week period by writing to and inviting comments from relevant stakeholders and government agencies, placing public notices in local papers on multiple occasions, placing details on the Shire website and having information available at the Shire office.

The Shire received two submissions on the draft policy which are outlined in Attachment 12.1.2. One submission raises a minor point of clarification, while the other submission essentially suggests that the Council 'set aside' the appearance, design and impacts of sea containers on streetscape. The matters raised in the submissions are considered in the "Comment" section.

The Shire does not have a Local Planning Policy on sea containers. The local government has recognised the need to develop a sea containers policy to provide increased guidance to the Council, the Shire administration, landowners and applicants and assist in more consistent decision making from the local government.

The lack of a sea containers policy means there is limited guidance for the community or applicants as to what uses of sea containers are supported or not supported. There is also an associated lack of guidance for the local government in determining Development Applications. Currently, there are some generic clauses in the *Shire of Nannup Local Planning Scheme No. 3* relating to matters such as amenity.

## **COMMENT:**

### *1. Overview*

It is suggested that Council is now in a position to finally adopt *Local Planning Policy No. 3 – Sea Containers* as set out in Attachment 12.1.1. This is slightly amended from the advertised draft version. Considering the extensive consultation that occurred on the draft policy, which resulted in two submissions, it can only be assumed that there is overall community acceptance of the policy.

The recommended final adoption version of Local Planning Policy 3 seeks to balance the provision of legitimate and appropriate sea containers, while minimising the adverse impacts of sea containers on the amenity of a locality. It is recognised that households and businesses have varying needs for storage and associated uses however inappropriately located and/or adapted sea containers can create amenity and other impacts.

The Policy sets out that no development approval or Building Permit are required, subject to conditions:

- for temporary storage of one (1) sea container on a lot in all zones for up to three (3) months;
- for multiple sea containers, on lots zoned Industry, Agriculture, Agriculture Priority 1 and Agriculture Priority 2 zones, for up to 3 months; and
- to store building materials while construction of an approved dwelling, approved commercial building, or other approved building is being carried out on the property, in all zones.

A Development Application is required for permanent sea containers for storage purposes and for sea containers used for habitation purposes (permanent or temporary).

The number of permanent sea container/s per property is at the discretion of the local government.

## *2. Matters raised through the submissions*

The two submissions are outlined in Attachment 12.1.2. The recommended final version incorporates some of the matters raised in the submissions.

Mr Goldsmith raised the issue of whether or not sea containers which are connected to a power supply should still be considered temporary. The recommended final policy has been amended to reflect that a powered or 'powered up' sea container will be considered a permanent structure thereby requiring a Development Application.

Mr George essentially suggests that the Council 'set aside' the appearance, design and impacts of sea containers on streetscape given this is a subjective or non-planning matter. The submission supports sea containers for various reasons including strength, efficiency and affordability.

Mr George raises issues with the draft policy including the requirement for permanent sea container structures to have their exterior surfaces painted, reclad or treated in such a way as to make them visually more compatible with the surrounding environment. While a structure that is constructed from sea containers may be considered appropriate in some areas, an industrial-style structure (unless integrated with other building forms) may not be considered compatible with its surroundings in, for example, a Heritage Area or Landscape Values Area.

Design, appearance, built form and heritage considerations are key planning considerations as set in the *Planning and Development (Local Planning Schemes) Regulations 2015*, various State Planning Policies, the *Shire of Nannup Local Planning Scheme No. 3* and in the *Shire of Nannup Local Planning Strategy*.

The final policy does not require permanent sea container structures to have their external faces painted, reclad or otherwise treated but gives the local government the ability to require such treatments where it is considered appropriate such as within the Nannup townsite or adjacent to tourist routes, where the structure cannot be otherwise screened. A merit assessment will be applied that takes account of the site's context and the design approach proposed by the landowner or designer.

It is suggested the final policy adopts a positive but balanced approach that is mindful of the landscape, amenity and heritage values of Nannup and the district.

## **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Planning and Development (Local Planning Schemes) Regulations 2015 and the Shire of Nannup Local Planning Scheme No. 3.*

## **POLICY IMPLICATIONS:**

Local planning policies are non-statutory documents which provide guidance to assist the local government in its decision making. Accordingly, the local government is not bound by the policy but is required to have regard to the policy in determining Development Applications.

The draft policy has been subject to community and stakeholder consultation.

## **FINANCIAL IMPLICATIONS:**

The Shire met the cost of advertising the draft planning policy, including placing notices in local papers.

## **STRATEGIC IMPLICATIONS:**

The policy, if adopted, will assist the decision-making of the local government, inform applicants/landowners of Council requirements and raise community and stakeholder awareness. A finalised Sea Containers Policy is expected to have minimal economic impacts given various sea containers do not require development approval or a Building Permit. Further, the Policy seeks to balance household and business requirements subject to suitably addressing amenity and associated considerations.

## **RECOMMENDATION:**

That Council:

1. Grant final adoption to *Local Planning Policy 3 – Sea Containers* as set out in Attachment 12.1.1.
2. Thank submitters for making a submission.

## **20048 STEVENSON/BUCKLAND**

***That Council:***

1. ***Grant final adoption to Local Planning Policy 3 – Sea Containers as set out in Attachment 12.1.1.***
2. ***Thank submitters for making a submission.***

***CARRIED (8/0)***

AGENDA NUMBER:	12.2
SUBJECT:	Development Application – Proposed microbrewery
LOCATION/ADDRESS:	Lot 692 (#1) Warren Road, Nannup
NAME OF APPLICANT:	Sphile Pty Ltd
FILE REFERENCE:	A430
AUTHOR:	Jane Buckland – Development Services Officer
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	9 April 2020
PREVIOUS MEETING REFERENCE:	27 February 2020
ATTACHMENT:	<ul style="list-style-type: none"> <li>12.2.1 - Location map</li> <li>12.2.2 - Original plans and information from applicant</li> <li>12.2.3 – Submissions</li> <li>12.2.4 - Modified plans from applicant (provided post Council’s meeting on 27 February 2020) and applicant’s response to submissions</li> <li>12.2.5 - Planning framework: extracts from key documents</li> </ul>

**BACKGROUND:**

This item is presented to Council given the application site is situated on a high-profile location in the town centre and is located entirely in the floodplain.

Sphile Pty Ltd have lodged a Development Application for a proposed microbrewery to be located at Lot 692 Warren Road (corner of Grange Road), Nannup as shown in Attachment 12.2.1. Attachment 12.2.2 outlines the original details provided by the applicant which were the plans subject to public consultation. The original proposal was to change the use of the existing restaurant/café to a microbrewery, to demolish the existing ablution block, and to construct a new building containing an ablution block, storage, bicycle parking and verandahs.

There is currently a restaurant/café (Nannup Bridge Café), a vacant commercial building (most recently occupied by the Nannup Arts Council) and a residence on the property. The owner intends to convert and extend the existing café building to incorporate the microbrewery.

*Consultation*

The Shire administration undertook extensive consultation through inviting public comment on the Development Application for a period of 42 days by writing to

landowners and known occupiers within 150m of the site (32 stakeholders), the Department of Water and Environmental Regulation (DWER), the Department of Planning, Lands and Heritage, placing details on the Shire website and having details available at the Shire office.

The Shire received 5 submissions on the Development Application as outlined in Attachment 12.2.3. In summary:

- 3 submissions were generally supportive of the proposed development but did raise concerns with regards to car parking, proposed opening hours, waste management, the impact of the proposed new works on the Grange Road streetscape, and how patrons would be discouraged from trespassing on neighbouring properties;
- 1 submission was not supportive of the proposal for economic reasons; and
- the submission from DWER did not object to the proposal but did identify key issues and provide recommendations with regards to flood and waste management.

#### *Clarification of recommended conditions & revised plans*

In accordance with established practice, the Shire administration liaised with the applicant following the receipt of submissions. The applicant in turn provided their response to the issues raised and three suggestions for a revised design for the proposed extension to the existing building.

At its meeting of 27<sup>th</sup> February 2020, Council considered the application based on the information provided by the applicant and the revised plans. The decision was made by Council to lay the application on the table pending further investigation into opening hours and liquor licencing implications, and a review of the proposed design by the applicant in consultation with the Shire administration.

The Shire administration has sought clarification with the Department of Local Government, Sport and Cultural Industries (DLGSC) in regards to how opening hours imposed by Council as a condition of development approval would work with trading hours approved in a liquor licence. The advice received from the DLGSC is that a change to the existing liquor licence or an application for a new liquor licence would require the applicant to obtain a Section 40 Certificate from the Shire in which any conditions of development approval would be stated and considered by the DLGSC in the granting of a licence. Accordingly, there are no legal impediments in the Council imposing a development condition relating to opening hours as requested by the applicant which are different to those of the former Nannup Bridge Café (which has now closed permanently).

The applicant has been working with the Shire administration to revise the design for the microbrewery and has provided a new set of plans for Council's consideration.

**The revised plans replace the original plans. The revised plans, set out in Attachment 12.2.4 (received after the Council meeting on 27 February 2020), are the plans being assessed in this report by the Shire administration and the Council.**



### *Planning framework*

The site is zoned 'Town Centre' and is within a Flood Risk Area under the *Shire of Nannup Local Planning Scheme No.3* (LPS3). The site is also located in the *Nannup Main Street Heritage Precinct* (Local Planning Policy LPP8). Other key planning documents related to the proposal include the *Shire of Nannup Local Planning Strategy, Local Planning Policy No.11 Development in Flood Risk Areas* (LPP11), *Local Planning Policy No.13 Car Parking and Vehicular Access* (LPP13) and *Local Planning Policy No. 19 Heritage Conservation* (LPP19).

LPS3 does not include the use of 'brewery'. The closest uses are 'restaurant' which is a 'D' (discretionary) use in the Town Centre zone and 'winery' which is an 'A' (advertising required) use in the Town Centre zone. Accordingly, a microbrewery or brewery are best classified as a 'use not listed' in LPS3. Should the Council consider the proposal has merit, the Council has the statutory power to approve this Development Application.

In regards to development of flood risk land, Clause 5.2.1 of LPS3 (Attachment 12.2.5) states in part that:

#### "5.2.1 Flood Risk Land

##### 5.2.1.1 Notwithstanding any other provision of the Scheme.

- (a) the local government shall not grant approval to the carrying out of any development on land (or portion(s) thereof) that is shown on the Scheme Map as being flood risk land or where land abuts the Blackwood River unless an assessment has been made of:
  - (i) the effect of the proposed development on the efficiency and capacity of the floodway to carry and discharge flood water;
  - (ii) the safety of the proposed development in time of flood; and
  - (iii) whether the proposed development involves any possible risk to life, human safety or private property in time of flood."

Clause 5.2.1.4 of LPS3 also states:

"5.2.1.4 Proposals for the development of tourist or commercial uses within flood risk land will be assessed by the local government having regard to the type, size and scale of the proposed development and the comments of the Department of Water which are to be sought and obtained prior to any decision being made."

In regards to development within the Nannup Main Street Heritage Area, LPP8 (Attachment 12.2.5) states that:

"All new development and redevelopment within the Nannup Main Street Heritage Area should contribute positively to the recognised heritage values and established townscape quality of Nannup's main street.

The Council requires that all proposals for new development and additions to existing development within the Heritage Area shall:

- add to the range of services and facilities available to the town residents and its visitors;
- ensure through appropriate design that the strong “Garden Village” character, and “working timber town” identity/role of the town is preserved, particularly in regard to development size, form, height and scale;
- be compatible with existing development, particularly in regard to building materials, shop front design, front setbacks, the use of colour, the application of advertising signage and the location and form of fencing;
- enhance the existing overall visual appearance of the Heritage Area;
- improve the provision of weather protection for pedestrians; and
- build upon the existing strong sense of community, and improve the economic viability of the town.”

The Local Planning Strategy seeks to promote a vibrant town centre, provide for a wide range of uses and require a high standard of design.

Attachment 12.2.5 sets out the relevant planning framework which are extracts from LPS3, Local Planning Strategy, LPP8, LPP11 and LPP13.

## **COMMENT:**

### *A) Overview*

Following an assessment of the Development Application against the planning framework, submissions and information provided by the applicant, the Development Application is generally consistent with LPS3, strategies and policies. It is accordingly recommended that Council conditionally approve the Development Application (based on the revised plans outlined in Attachment 12.2.4) given:

- the proposed development will assist to activate the northern section of the main street, providing a further point of interest for visitors and locals alike;
- it has the potential to draw visitors to Nannup which supports local businesses;
- the design is considered sympathetic to the heritage values of the town centre;
- the reasons put forward by the applicant in Attachment 12.2.2;
- key State Government agencies have not identified any fatal flaws with the proposal;
- the extensive community consultation undertaken, there is overall community support or acceptance of the proposal;
- there are no objections from other Shire officers/units;
- it is expected to create employment and economic development locally; and
- development conditions can assist to control the appearance, use and management of the development along with the risks associated with flooding.

### *B) Key issues*

While noting the above, the key issues with the application are outlined below.

## Flood risk

As outlined above, the site is entirely within the flood plain with the existing development constructed below the required minimum floor level to protect against flooding. The proposed new development will also be below the minimum floor level by approximately 1.5 metres. The revised plans have a similar footprint and risk of flooding compared to the original plans.

Council policies adopt a precautionary approach to flood risk and approving development in flood risk area does present risks for the Shire.

On balance, given that no objections were raised by DWER (the peak water management/flood risk agency in Western Australia), the proposed new ablution block, storage and bike parking does not comprise any habitable buildings, and the constraints of addressing streetscape considerations, it is suggested the additional storage and ablution facility buildings are acceptable. Risks can be mitigated through:

- Obtaining an indemnification/deed agreement with the landowner;
- Adding a notification of flood risks to the Certificate of Title;
- Addressing matters raised by DWER; and
- The landowner obtaining and holding necessary insurances.

Alternatively, the Council may determine that a revised design is required which raises the minimum floor level to reduce the risk of flooding. If this was the case, it is expected a new Development Application would need to be lodged.

## Heritage

The property is not on the Shire of Nannup Heritage List, but is on the Municipal Heritage Inventory as part of the Nannup Main Street Heritage Precinct.

The applicant proposes to demolish the existing toilet building as part of the development however this structure has no heritage value. The main commercial building will be retained with only minor proposed external changes.

The proposed new additions are sympathetic to the heritage values of the site and the precinct.

## Design

As outlined above, the revised design is considered sympathetic to the heritage values of the Nannup main street heritage precinct and is consistent with Nannup's 'garden village' character. Given the site's high-profile location, it is suggested the design will enhance the town centre. It is noted that the design incorporates materials and a design that are consistent with LPP8.

As outlined in Attachment 12.2.4, it is highlighted that the applicant has provided a revised set of plans which now incorporate the proposed ablutions block into the existing vacant commercial building rather than the construction of a new building along Grange Road. Minor changes are proposed to be made to the façade of the existing building and the enclosed beer garden will feature a new verandah along Grange Road to extend

the two existing verandahs. The feature windows are proposed to be bifold timber framed as noted on the drawings.

It is suggested the revised plans suitably address design considerations raised by Council on 27 February 2020. This includes a design which is more sympathetic to the site's context and surrounding heritage values, especially for the Grange Road elevation, compared to previous designs.

The new verandah to the enclosed beer garden will extend into the Grange Road reserve. While this is a common practice in Nannup, to achieve good design outcomes and environmental comfort, there is a need for indemnification along with insurances for existing and proposed verandahs.

### Parking

Currently, there are no formally constructed car parking bays on the site including to service the existing commercial development. This reflects the historic nature of the buildings. For the existing buildings, the car parking requirements (from a statutory planning perspective) for a microbrewery are expected to be similar to previous uses of a café/restaurant. If the microbrewery is effectively operated and is popular with locals, visitors and tourists, parking may however be greater than compared to previous operations.

Practically, given the historic nature of development and site characteristics, future patrons will continue to park off-site. Depending on numbers, this may require patrons to walk a short distance. Other than major events, there are always sufficient car parking spaces in the Nannup town centre.

Most of the new buildings do not in themselves generate additional parking requirements e.g. ablutions, storage and bicycle parking. It is acknowledged there will be additional locations for patrons to be seated including under the new verandahs and in the undercover beer garden.

Accordingly, the below comments relate to car parking requirements associated with the proposed new development which is consistent with LPP13. Standards and guidance are set out in LPS3 and LPP13 which includes a requirement that parking bays and vehicle access be appropriately sealed and drained by the applicant/landowner.

As set out in Attachment 12.2.4, the applicant proposes 2 car parking bays for the development. While LPS3 does not specify a required number of car parking bays for a microbrewery, if assessed against the requirements for a restaurant or tavern the development would require one bay for every 25m<sup>2</sup> of gross floor space. LPS3 does not define if gross floor space only relates to buildings or to verandahs, undercover areas and alfresco areas. It has been Shire practice to not require car parking for alfresco dining in the town centre. If applied against the new building (minus the verandah and undercover areas), then the floor area is around 36m<sup>2</sup> which equates to two car parking bays.

The Council has various options on car parking including:

1. accepting the application as submitted;
2. requiring the landowner to make a cash-in-lieu payment, based on determining that the change of use and/or new buildings will generate increased car parking requirements, to assist the Shire to provide nearby off-site parking; or
3. requiring additional car parking bays being provided on Lot 692 Warren Road.

On balance, the Shire administration is supportive of Option 1 for this proposal. It is suggested there are non-standard circumstances to consider with this proposal, including that the proposed development does not significantly differ in usage from the existing restaurant/café use which accommodates patrons in street bay and car parking bays located across Grange Road.

While noting the above, it is suggested that, at times, there will be insufficient car parking bays on site and immediately adjoining the site. Accordingly, the landowner and future tenants/staff will have to manage this including encouraging tenants/staff not to use the car parking bays in peak periods. This may require parking a slight walk away from the site to enable use of on-site and nearby car parking bays by customers and clients.

The operator is encouraged to promote sustainable transport options including walking, riding, carpooling and community transport.

In addition to the above, it is considered appropriate that the Council review street parking in the area and consider ways to provide increased car parking spaces along with enhancing the area's amenity and safety.

#### Noise and amenity

The Shire acknowledges the concerns from some submitters in regards to noise, hours of operation and trespass onto adjoining private properties. Some of the concerns are addressed through statutory requirements such as the *Environmental Protection (Noise) Regulations 1997*.

It is recommended that a Management Plan be prepared for local government approval which is then suitably implemented. This plan should address the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality including, outline the approach to maximise the safety and security of clients and visitors, and seek to be a good neighbour and be considerate including noise, litter and the approach to reducing trespass by clients onto adjoining private property.

There is a separate need to gain necessary approvals from the Department of Local Government, Sport and Cultural Industries (liquor licencing) with regards to opening hours and the service and sale of liquor.

### Servicing

The development is already connected to the reticulated sewerage system. The recommended conditions will assist to address matters raised by DWER and deliver appropriate environmental and health outcomes.

### Economic competition and impacts on existing businesses

It is highlighted that economic competition is not a planning consideration as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*. This reflects the decisions of tribunals and courts in Western Australia and Australia. Accordingly, the Council is unable to refuse the Development Application based on competition and impacts on existing businesses.

### *C) Conclusion and options*

It is recommended that Council approve the Development Application (revised plans outlined in Attachment 12.2.4) subject to conditions. The Council could alternatively choose to defer making a decision on the matter and seek additional information or it may determine to refuse the Development Application.

### **STATUTORY ENVIRONMENT:**

*Planning and Development Act 2005, Planning and Development (Local Planning Scheme) Regulations 2015, Land Administration Act 1997, Local Government Act 1995 and LPS3.*

### **POLICY IMPLICATIONS:**

Local Planning Policies are non-statutory documents which are designed to provide guidance to assist the Council in its decision making. Accordingly, the Council is not bound by the policies but is required to have regard to the policies in determining the Development Application. Additionally, there are various State Planning Policies which are relevant in assessing the Development Application including *State Planning Policy 3.4 Natural Hazards and Disasters* and *State Planning Policy 3.5 Historic Heritage Conservation*.

### **FINANCIAL IMPLICATIONS:**

Nil.

### **STRATEGIC IMPLICATIONS:**

The proposed microbrewery is consistent with aims of the Local Planning Strategy and is important to the development of tourism in Nannup and the district. The development has the potential to draw visitors to Nannup which supports local businesses and employment which is consistent with the *Shire of Nannup Community Strategic Plan 2017-2027*.

**RECOMMENDATION:**

That Council approve the Development Application, set out in Attachment 12.2.4 for a change of use from restaurant/café to microbrewery, to demolish the existing ablution block, construct a new enclosed beer garden, and convert the existing vacant commercial building into an ablution block, storage and bicycle parking at Lot 692 on Plan 80869 Warren Road, Nannup subject to the following conditions:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of two (2) years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.
2. The development hereby approved must be carried out in accordance with the plans and documentation set out in Attachment 12.2.4 or as otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. Engineering certification is provided for the building, to the satisfaction of the local government prior to the issue of a Building Permit, that the new building has been designed to take account of potential forces of flood water.
4. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.
5. All stormwater and drainage run off is to be connected through a silt pit to a Shire stormwater legal point of discharge prior to occupation of the development to the satisfaction of the local government.
6. The car parking spaces are designed, constructed (sealed or paved) and drained to the satisfaction of the local government prior to occupation of the development.
7. The provision of one double crossover to Grange Road, with the crossover being designed, constructed (sealed or paved) and drained at the landowner's cost to the satisfaction of the local government prior to occupation of the development.
8. The development is connected to the reticulated water system prior to occupation of the development.
9. The development is connected to the reticulated sewerage system prior to occupation of the development.

10. The roof of the building is constructed of corrugated iron or Colourbond (not tiles) with colours to be agreed by the local government.
11. The windows facing Grange Road are to be timber-framed (not aluminium).
12. The building is painted or clad in colours consistent with Local Planning Policy LPP008 – Nannup Mainstreet Heritage Precinct and to the satisfaction of the local government prior to occupation of the development. A schedule of all materials to be used on the external surfaces of the building shall be submitted to the satisfaction of the local government prior to the issue of a Building Permit.
13. No external signage is to be erected without the prior approval of the local government.
14. Rubbish bin and recycling storage areas are to be located, designed and constructed to the satisfaction of the local government prior to occupation of the development.
15. The provision of a detailed floor plan, including the kitchen fit out, to the satisfaction of the local government prior to occupation.
16. The applicant is to maintain appropriate public liability insurance for the use of the Grange Road reserve for alfresco dining, along with existing and new verandahs in the Grange Road reserve.
17. The use of the site must not adversely affect the amenity of the locality by reason of noise.
18. The landowner is to submit and gain local government approval for a Management Plan, prior to commencement of the microbrewery use, which addresses the responsibility for the behaviour of clients/visitors and the management measures to be implemented to minimise adverse impacts on the amenity of the locality. The approved management details shall be implemented on an ongoing basis to the satisfaction of the local government.
19. The hours of operation shall be limited as follows with no trading on Good Friday, Christmas Day and before 12:00pm on ANZAC Day, unless a variation is approved in writing by the local government:
  - 10:30am to 8:30pm, Monday - Thursday;
  - 10:00am to 10:00pm, Friday and Saturday; and
  - 10:00am to 8:30pm Sunday.
20. The landowner enters a Deed, to the satisfaction of the local government, which is finalised prior to occupation of the development relating to flood risks and which indemnifies the local government. The costs of preparing and executing the Deed are at the landowner's cost.
21. The landowner meets the costs of adding a notification (section 70A or a memorial) to the Certificate of Title setting out that the property is at risk of flooding, to satisfaction of the local government, prior to occupation.



22. The provision of bike racks and bike parking to the satisfaction of the local government prior to occupation.
23. The landowner enters a Memorandum of Understanding with the local government, to the satisfaction of the local government prior to the issue of a Building Permit, to address risks, maintenance and associated matters with verandahs being in the Grange Road reserve.

### **Advice**

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.
- B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the *Building Act 2011* and the *Building Code of Australia*.
- C) In relation to Conditions 4 and 5, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a Shire stormwater legal point of discharge.
- D) In relation to Condition 9, evidence is provided to the local government and DWER that brewery waste (trade waste) can be disposed into the reticulated sewerage system.
- E) In relation to Condition 18, the Management Plan is to:
  - i. address the responsibility for clients'/visitor behaviour and management measures to be implemented to minimise adverse impact on the amenity of the locality;
  - ii. outline the approach to maximise the safety and security of clients and visitors; and
  - iii. seek the operation to be a good neighbour and be considerate including noise, litter and the approach to reducing trespass by clients onto adjoining private property. As part of this, to review boundary fencing and upgrade as required.
- F) The landowner should maintain appropriate insurances at all times relating to damage from flooding.
- G) The applicant is advised that the approved development must comply with all relevant provisions of the *Public Health Act 2016*, *Health (Miscellaneous Provisions) Act 1911*, *Food Act 2008*, *Food Regulations 2009*, *Food Standards Code of Australia and New Zealand*, *Health (Public Building) Regulations 1992*, *Environmental Protection (Noise) Regulations 1997*, *Health (Laundries and Bathrooms) Regulations*, *Sewage (Lighting, Ventilation and Construction) Regulations 1971* and the Shire of Nannup Health Local Laws.
- H) The Blackwood River Flood Study shows that the entire lot is affected by flooding during major river flows with the 1 in 100 AEP flood level estimated to be 68.18 metres AHD. The Department of Water and Environmental

Regulation advises that the proposed floor level of the new buildings of 67.19 metres AHD will provide approximately 1 in 40 year AEP flood protection.

- I) In accordance with Clause 5.2.1.6 of the Shire of Nannup Local Planning Scheme No.3 relating to flood risk land, the scheme states “Any decision made by the Shire in pursuance of this clause is deemed to be a decision made in ‘good faith’ and the Shire is hereby forever indemnified against any claim made by any person and relating to any loss whatsoever arising from such a decision”.
- J) To reduce flood damages, all electrical installations should be located as high as practical and suitably installed.
- K) The property is entirely located in an area which has been declared as bushfire prone by the Fire and Emergency Services Commissioner. The applicant is advised to prepare and implement an Emergency Management and Evacuation Plan prior to occupation.
- L) The applicant is advised that this approval does not permit the external colours of the building to be changed. Any future changes to the external colours are to be consistent with the guidelines contained in Local Planning Policy LPP8 Nannup Main Street Heritage Area and are to be approved by the Shire.
- M) The applicant/operator is encouraged to promote sustainable transport options including walking, riding, carpooling and community transport.
- N) If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

## **20049 BUCKLAND/MELLEMA**

***That Council approve the Development Application, set out in Attachment 12.2.4 for a change of use from restaurant/café to microbrewery, to demolish the existing ablution block, construct a new enclosed beer garden, and convert the existing vacant commercial building into an ablution block, storage and bicycle parking at Lot 692 on Plan 80869 Warren Road, Nannup subject to the following conditions:***

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- 2. The development hereby approved must be carried out in accordance with the plans and documentation set out in Attachment 12.2.4 or as otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.**
- 3. Engineering certification is provided for the building, to the satisfaction of the local government prior to the issue of a Building Permit, that the newbuilding has been designed to take account of potential forces of flood water.**
- 4. The provision of details prior to occupation as to how stormwater will be addressed for the proposed development (including stormwater from roofs, car parking and other areas) to the satisfaction of the local government. The stormwater facilities provided in accordance with this condition shall be permanently maintained in an operative condition to the satisfaction of the local government.**
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- 10. The roof of the building is constructed of corrugated iron or Colourbond (not tiles) with colours to be agreed by the local government.**
- 11. The windows facing Grange Road are to be timber-framed (not aluminium).**
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- 20. The landowner enters a Deed, to the satisfaction of the local government, which is finalised prior to occupation of the development relating to flood risks and which indemnifies the local government. The costs of preparing and executing the Deed are at the landowner's cost.**
- 21. The landowner meets the costs of adding a notification (section 70A or a memorial) to the Certificate of Title setting out that the property is at risk of flooding, to satisfaction of the local government, prior to occupation.**
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- 23. The landowner enters a Memorandum of Understanding with the local government, to the satisfaction of the local government prior to the issue of a Building Permit, to address risks, maintenance and associated matters with verandahs being in the Grange Road reserve.**

## **Advice**

- A) This is not a Building Permit. A Building Permit must be obtained before any building works commence.**
- B) The applicant/landowner is advised that the approved development must comply with all relevant provisions of the Building Act 2011 and the Building Code of Australia.**
- C) In relation to Conditions 4 and 5, stormwater is to be suitably detained on site (e.g. rainwater tanks, soakwells) before connection into a Shire stormwater legal point of discharge.**
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- H) The Blackwood River Flood Study shows that the entire lot is affected by flooding during major river flows with the 1 in 100 AEP flood level estimated to be 68.18 metres AHD. The Department of Water and Environmental Regulation advises that the proposed floor level of the new buildings of 67.19 metres AHD will provide approximately 1 in 40 year AEP flood protection.**
- I) In accordance with Clause 5.2.1.6 of the Shire of Nannup Local Planning Scheme No.3 relating to flood risk land, the scheme states "Any decision made by the Shire in pursuance of this clause is deemed to be a decision made in 'good faith' and the Shire is hereby forever indemnified against**

**any claim made by any person and relating to any loss whatsoever arising from such a decision”.**

- J) To reduce flood damages, all electrical installations should be located as high as practical and suitably installed.**
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- M) The applicant/operator is encouraged to promote sustainable transport options including walking, riding, carpooling and community transport.**

**If the applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

**CARRIED (7/1)**

**Cr Fraser voted against the recommendation as she is concerned about the image at the entrance to town and setting a flood plain precedence.**

AGENDA NUMBER:	12.3
SUBJECT:	Monthly Accounts for Payment - March 2020
LOCATION/ADDRESS:	Nannup Shire
NAME OF APPLICANT:	N/A
FILE REFERENCE:	FNC 8
AUTHOR:	Susan Fitchat - Acting Manager of Corporate and Community Services
REPORTING OFFICER:	David Taylor – Chief Executive Officer
DISCLOSURE OF INTEREST:	None
PREVIOUS MEETING REFERENCE:	None
DATE OF REPORT	17 April 2020
ATTACHMENT:	12.3.1 – Accounts for Payment – March 2020

**BACKGROUND:**

The Accounts for Payment for the Nannup Shire Municipal Account fund and Trust Account fund from 1 March to 31 March 2020 as detailed hereunder and noted on the attached schedule, are submitted to Council.

**COMMENT:**

If Councillors have questions about individual payments prior notice of these questions will enable officers to provide properly researched responses at the Council meeting.

There is currently two corporate credit cards in use. A breakdown of this expenditure in the monthly financial report is required to comply with financial regulations. This breakdown is included within the attachments.

**Municipal Account**

Accounts paid by EFT	12407-12488	172,074.17
Accounts paid by cheque	20449-20451	4,372.67
Accounts paid by Direct Debit	10680.1-10693.14	55,208.21
<i>Sub Total Municipal Account</i>		<hr/> \$231,655.05

**Trust Account**

Accounts paid by EFT	12450,12451,12406	2,907.70
Transfer to Muni Admin fees		46.50
<i>Sub Total Trust Account</i>		<hr/> \$2,954.20

**Total Payments**


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**\$234,609.25**
**STATUTORY ENVIRONMENT:**

LG (Financial Management) Regulation 13

**POLICY IMPLICATIONS:**

None.

**FINANCIAL IMPLICATIONS:**

As indicated in Schedule of Accounts for Payment.

**STRATEGIC IMPLICATIONS:**

None.

**RECOMMENDATION:**

That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$234,609.25 1 March 2020 to 31 March 2020 in the attached schedule(s) be endorsed.



**20050 STEVENSON/BROWN**

***That the List of Accounts for Payment for the Nannup Shire Municipal Account fund totalling \$234,609.25 1 March 2020 to 31 March 2020 in the attached schedule(s) be endorsed.***

***CARRIED (8/0)***

**13.1 ELECTED MEMBERS**

Nil.

**14. MEETING CLOSED TO THE PUBLIC**

(Confidential Items)

Nil.

**14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

**15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**16. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**17. CLOSURE OF MEETING:**

The Shire President declared the meeting closed at 5.56pm.



# Minutes

Meeting held Wednesday 6<sup>th</sup> May 2020  
11am via Zoom

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Any person or entity who has an application before the Shire of Nannup must obtain, and should only rely on, written notice of the committee's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a meeting.

# Contents

Item	Minute	Title
1		<b>DECLARATION OF OPENING/ANNOUCEMENT OF VISITORS</b>  11.09am-Meeting opened by Cate Stevenson Acknowledgements of traditional owners  <b>RECORD OF ATTENDANCE/APOLOGIES</b> Brendan Cullinan, Cate Stevenson, Nicole Botica, Andrea Jenkins, Christina Mann, Phil Hewitt, Matt Goldstone, Nicola Smith, Louise Stokes, Heather McQueen  Apologies-Cheryle Brown, Alan McNevin, Wendy Moore, Lorraine Learmond, Kym Sandilands, Steve Giovanizzi  <b>Formal welcome to Christina Mann</b>
2		<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS</b> The Minutes of the LDAG meeting of 12 <sup>th</sup> February 2020 were confirmed as true and accurate  Moved Nicole Botica Seconded Phil Hewitt Carried unanimously
3		<b>GUESTS – BRENDAN CULLINAN</b> From the Alcohol and Drug Foundation. Taking over from Sharne Stacey <b>LOUISE STOKES</b> Recovery Officer for the Shire of Nannup discussing a Recovery Project for community members to facilitate free classes via zoom for all ages of the community, following the Denmark model and extending into business recovery. Will focus on wellbeing, mental health and reducing the harms of AOD. As the project fits the LDAG model, Louise suggests extending Project Officer hours to manage the project and use roll over funds from 2019 CAPs.  Unanimous support
4		<b>DECLARATIONS OF INTEREST</b>
5	5.1	<b>BUSINESS ARISING FROM PREVIOUS MINUTES</b> Keys for life SDERA at NDHS-Andrea to contact Wendy and see if any support is required

- 5.2 Investing in Our Youth update- Andrea to contact Ian re Nannup promotion
- 5.3 Communication Plan update – 2020 – Cate and Christina to follow up
- 5.4 Youth inclusion in group for 2020 – Andrea to recommend youth to be involved.
- 5.5 Resource list – Online resources being shared through Nannup YAC and Shire of Nannup and ‘The Other Talk’ booklets have arrived and need to be distributed around town
- 5.6 LDAG Lanyards- Nicole or Andrea to check if LDAG Inc will provide through merchandise and personalize for Nannup
- 5.7 Strive Grant Applications-Wanting to apply for a STRIVE grant for Skateboarding WA
  - Moved Nicole Botica
  - Seconded Matt Goldstone
  - Carried unanimously
- 5.8 Roadwise Grant application- Applying for a later round for projects after 30<sup>th</sup> September.  
Nicola will send latest main road statistics stating big crash rate in our region with animals involved. Andrea to follow up with Alan and Phil for letters of support.

**6 REPORTS OF OFFICERS**

- 6.1 Finance Report –March ledger attached
  - a) Youth Zone financials  
Administration for reimbursement to be completed by Nicole on Thursday
- 6.2 Roadwise Report (Nicola Smith)
  - a) Driver Fatigue Campaign Opportunity for Nannup  
55 responses for the region to the survey  
Once restrictions are lifted we can have some materials that could be suitable  
Extending out to Easter 2021  
Share innovative car safety from Shire  
Long drives still occurring, more cars on the road  
Myth busting facts around driver fatigue coming out of the survey.  
Survey open ongoing  
Nicole will include in Shire letter
- 6.3 **LDAG Project Officer Report (Andrea Jenkins)**

Project Officer Report (Andrea Jenkins)

- a) Project Officer contract proposal – Andrea to resend by next Wednesday to Nicole –ADF and Shire funds
- b) Ed Connect –Andrea was asked to attend just as COVID-19 restrictions were put in place. Waiting for school to state they are ready after reopening
- c) Café posters-have been changed in quick succession. Currently have World Health Organization posters on how to cope with stress in COVID-19. Andrea to organize poster on the harms of alcohol
- d) Youth Zone DJ Disco report-Andrea gave verbal report
- e) CAP 2020 update- Youth Zone alterations due to COVID-19-Outside the Box online art classes approved. Partnering with parents CAP has been submitted. Partnering with NDHS CAP in final review with Brendan
- f) The Public Health Advocacy Institute of WA (PHAIWA) Local Government Policy Awards application-Action on Alcohol –Sharne suggested Nannup submit an application and Andrea submitted an application with Nicole and David’s review.

The three reports moved by Matt Goldstone  
Seconded by Christina Mann  
Carried unanimously

## **7**

### **GENERAL BUSINESS**

- 7.1 Plan of action for Nannup LDAG in response to COVID-19 Outside the Box – number of media interests in relation to the project, ADF released a press release. Congratulations to all involved  
Recovery Project reported on by Louise Stokes
- 7.2 Youth Zone postponed until at least May due to COVID-19 and the course of action required-prepare risk assessment and damage waiver/registration form. If further amendments to funding are required contact ADF
- 7.3 ADF response to alteration and what that means for funding  
ADF working with various groups regarding flexibility and how ADF support that.
- 7.4 Discussion about impacts of COVID-19 and isolation with alcohol consumption at home. Dry July could be promoted as an opportunity for ‘detox’  
Christina shared statistics: Increase in alcohol consumption 1 in 4 more drinking, 70% drinking more, 1 in 3 worried about alcohol use, 30% increase in violence and ill mental health, increase in surgery due to alcohol related harm. Need to challenge the norm that has had publicity (what do you do? Drink) Issues; Home delivery of alcohol, not seeking support,

services struggling to support after the pandemic phase.  
Nicola shared statistics: Fact Sheet, Road Safety- 6% spike after a few drinks. Quarter of WA stating they are drink driving  
Brendan shared: Sports perspective – implications – sport does or does not go ahead. Need funds, result in potential relaxing of guidelines and celebration  
Matt shared: haven't noticed too much locally. To start with lots of lines at bottle shop.

- 7.5 SW Driver Fatigue project and online survey  
3 questions-General information

**8**

**OTHER BUSINESS-ROUND TABLE**

- 8.1 Christina-consultation via zoom Tune A Blue MHC-meth taskforce 2018 recommendation-Tuesday 26<sup>th</sup> May - Input to support model for someone in crisis - via zoom or complete survey on Survey Monkey
- 8.2 Nicole-Operational funding paperwork – June the 8<sup>th</sup> deadline - \$1,000

Moved by Nicola Smith  
Seconded by Matt Goldstone  
Carried unanimously

- 8.3 Matt Goldstone to replace Alan McNevin as Treasurer  
Moved by Christina Mann  
Seconded by Nicole Botica  
Carried unanimously

**9**

**NEXT MEETING to be advised**

**10**

**CLOSURE OF MEETING 12:43pm**



Alcohol  
and Drug  
Foundation





## MINUTES

### Nannup Tourism Committee

Agenda for Committee Meeting

Thursday 7 May 2020

Via Zoom

Meeting open @ 4.37 PM

#### DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY / ANNOUNCEMENT OF VISITORS:

#### RECORD OF ATTENDANCE/APOLOGIES

In attendance:

- |                    |  |
|--------------------|--|
| Cr Tony Dean       | – Shire President                            |
| Cr Robin Mellema   | – Deputy Shire President                     |
| Cr Cheryle Brown   | – Councillor -                               |
| Cr Patricia Fraser | – Councillor                                 |
| Cr Chris Buckland  | – Councillor                                 |
| Cr Stevenson       | – Councillor                                 |
| David Taylor       | – Chief Executive Officer                    |
| Nicole Botica      | – Economic and Community Development Officer |
| Louise Stokes      | – Advisory Member                            |
| Rob Marshall       | – Advisory Member                            |
| Mark White         | – Advisory Member                            |
| Maree Tinker       | – Advisory Member                            |
| Bettie Prichodko   | - Visitor Service Contract                   |
| Apologies:         |  |
| Cr Hansen          | – Councillor                                 |
| Cr Corlett         | – Councillor                                 |
| Rebecca Cotton     | – Advisory Member                            |



## **PRESENTATIONS / GUEST SPEAKERS**

NIL

## **DECLARATIONS OF INTEREST**

### **1. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

Minutes from Thursday 3 March 2020 are attached  
No meeting in April 2020

Moved Buckland  
Fraser  
Carried

### **2. BUSINESS ARISING FROM PREVIOUS MINUTES**

### **3. VISITOR SERVICING**

#### **1) Nannup Visitor Servicing continued;**

Progress in regards to the setting up has occurred with Visitor Servicing in Nannup.

Quotes have been sourced for racking and shop front graphics which will be branded with Southern Forest & Valley's Nannup branding, and include;

- Tear drop flag for front entrance
- Widow decal to brand visitor servicing information here
- An A Frame board for pathway
- Floor decals for foot path stickers to follow to visitor servicing

The wall map has been moved to the Blackwood Café, and has been installed. A stocktake of brochures has been complete to ensure brochure racking is at capacity once installed. This has been shared with The Blackwood Café.

#### **Action:**

- BP placed message on community board inviting businesses to display brochures
- Identify suitable racking for brochures

#### **2) SF&V update**

In a response to COVID-19 the Board of Southern Forests & Valleys have decided to offer free membership to tourism operators up to 30 June, 2020. The free membership can be accessed through the website at [www.southernforestsandvalleys.com](http://www.southernforestsandvalleys.com).

This has been communicated to the Shire business email list.

CEO hours have been reduced and the Marketing and Communications Adviser will be continuing full-time to undertake recovery planning.

The Committee welcomes Louise Stokes as the recently appointed chair of SFVTA.

SFVTA have offered to provide access to use southernforestsandvalleys.com for the Nannup visitor servicing needs. The intention is for this to be included as a micro website. Quotes have been requested and may include setup and training fee, and a cost per page for setup. Nannup will have its own access to update and edit content.

SFVTA entry billboards will be refaced with SFVTA Nannup at Vasse Highway & Mowen Road, this is being managed by SFVTA.

A request has been made for the three signs to have different messaging, it is proposed that:

- Vasse Highway visual / message is cycling image and reference the Munda Biddi
- Mowen Road visual / message to tap into the image of MR, indulgent, spectacular, food produce, adventure attractions, barefoot luxury, worldly phenomenon
- Brockman Highway near Sues Road intersection visual / message adventure Blackwood River

Consideration of the positioning statements for Nannup:

- *Nannup, close enough for a getaway, far enough for a real holiday.*
- *Nannup- Holiday in Nannup, short or long stay and experience everything in the Southwest within 1 hour's drive.*
- *Nannup- the centre to everywhere. Stay nowhere else.*
- *Nannup- Within an hour of everywhere. Why would you stay anywhere else?*
- *Nannup- Experience everything the Southwest has to offer within an hour's drive of everywhere.*
- *Nannup- Can you reach everything in an hour in the Southwest. You can from Nannup.*

Provide a visual illustrating locality and access to other towns, Nannup as centre of the Southwest.

**Recommendation:**

- ECDO to request LTO provide concept designs using the different slogans
- Present for May council meeting for endorsement as a late item

#### **4. SHIRE ACTIVITY DURING COVID-19**

ECDO has attended webinars on Tourism marketing, and COVID-19 industry recovery discussions. It is predicted that intrastate & local tourism will be the market for the industry to recover.

It is unknown when the border restrictions between interstate travel will be lifted, and aviation needs to recover. International markets are not known.

Key points have been included below:

- Businesses to stay connected with customers
- Prepare for market to reopen
- Stay connected with industry
- Postpone non-essential marketing
- Retain social media posts, app 1 per week minimum
- Active posts to educate and motivate
- Offer dream like inspirational content
- Share stories – content calendar
- Build databases
- Website review
- Diversify product offerings
- Develop itineraries

Tourism WA launched their My Story – WA as a destination brand (Attachment 1)

- Adventure experience
- Barefoot luxury
- Worldly phenomenon
- The WA way of life and stories it captures
- Spirit of adventure, the unpolished gem
- High value travellers seek adventure

**Action:**

- Nannup to develop Facebook narrative, focusing on local visitation within the region.
- Add Blackwood Café as administrator to the Nannup Visitors Centre and Accommodation Facebook page
- Shire offices to engage with Big N to build up services to support tourism businesses

## **5. OUR STORY TOOL KIT – TOURISM WA**

Attachment 2, The tool kit works at identifying the Story highlights for Nannup and offer synergies in marketing together with Tourism WA. This will help strengthen the tourism brand, language and imagery messaging.

<https://www.tourism.wa.gov.au/marketing/Brand-and-campaigns/Pages/Tourism-WA-%E2%80%93-Our-Story-.aspx/>

## **6. RECOVERY COVID -19**

Shire of Nannup Recovery plan – tourism engagement opportunities.

BigN has been awarded \$5000 to support businesses during COVID 19 recovery, Shire to propose a partnership opportunity to invest in recovery program.

## **7. GENERAL BUSINESS**

- Visitor number statistics, local market opportunity - 415 000 people travelled to Bali in 2019 from Western Australia – and 970 000 international visitors came to WA
- Market currently supports travel within regions, intrastate next to recover
- Aviation has a long recovery and will impact interstate and international visitor numbers
- Munda Biddi Statistics, 35 users at Vasse Highway last month
- Name change Facebook page to only promote Nannup Visitor servicing, remove accommodation
- Consolidate social media pages
- Cr Hansen has requested to move meeting time to 5.00pm

## **8. NEXT MEETING**

5.00pm Thursday 4th June 2020 (first Thursday of the Month)

## **9. CLOSURE OF MEETING**

**5.34pm**

# Strategic Community Plan



**2017 - 2027**

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## Message from the Shire President

It is with pleasure that I present to the residents of the Shire of Nannup the Community Strategic Plan 2017-2027. This Plan has been prepared in consultation with the community via surveys, one on one key stakeholder meetings and a Community Workshop.

The Community Strategic Plan will now guide Council in making important decisions on behalf of the community over the next 10 years. The Plan incorporates the Shire of Nannup's Vision, Goals and Objectives to assist Council in prioritising major projects into the future. This Plan also forms part of the Shire of Nannup's statutory obligations in the Integrated Planning and Reporting Framework which is further explained in the document.

The Plan is a "live" document which will be continually developed over the years through review processes to ensure that the community is kept informed of, and has input into its future development.

Council is committed to working with residents to ensure that the aspirations of the community of the Shire of Nannup are met and that the whole Shire remains strong and vibrant in the years ahead. I would urge all residents to take ownership of this Plan and work with Council for the benefit of all concerned.

**Tony Dean**  
**SHIRE PRESIDENT**



## Why are we doing this?

The West Australian State Government requires all local governments to develop an integrated planning and reporting framework.

The Strategic Community Plan (shortened to the 'Community Plan' in this document) is part of this Integrated Planning and Reporting framework. It sets the scene for the whole framework and expresses the community's vision and priorities for the next ten years and beyond. The plan gives us a method for establishing priorities and aligning them to operational functions. It will also support the development of improved services and outcomes for the community and will continue to evolve to support the needs of our community.

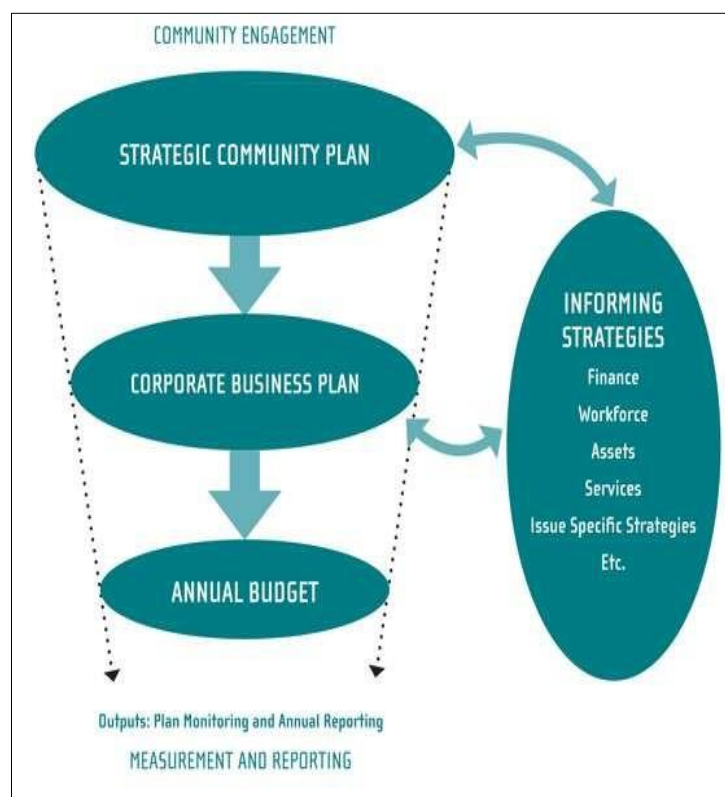


Figure1: Western Australia Local Government Integrated Planning and Reporting Framework

Successfully implementing this strategic community plan will require a commitment from all stakeholders, including the Shire of Nannup, residents, businesses, visitors, community organisations and all levels of government.



## A vision shaped by the community

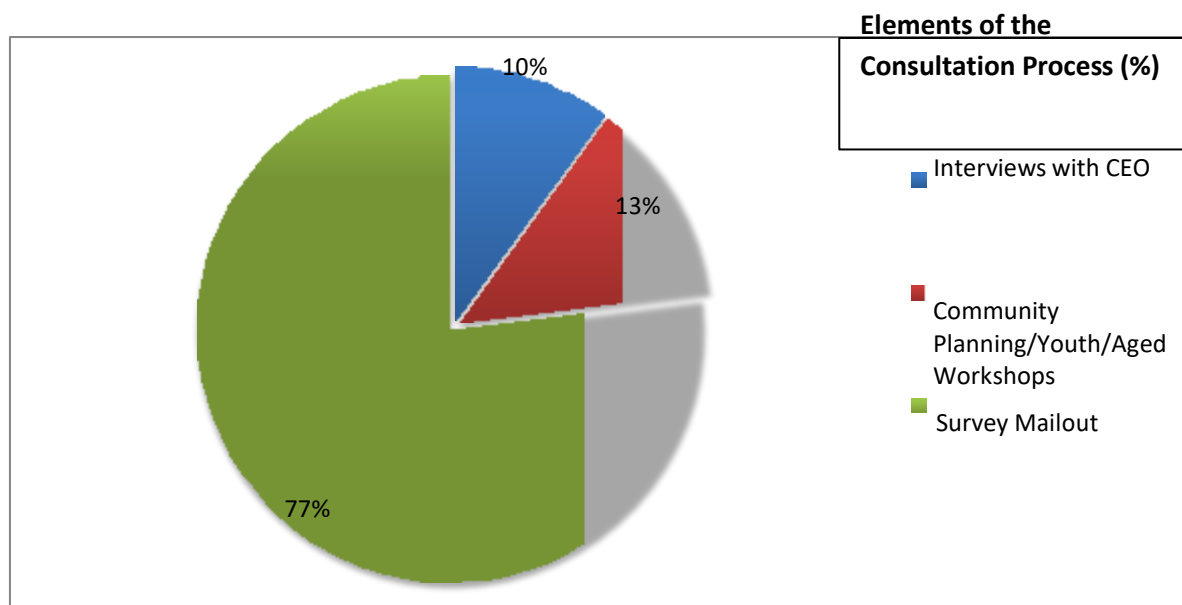
*This is your plan and we want to get it right for you*

Community engagement is a process that allows people to participate in decisions that affect them, and at a level that meets their expectations. It helps strengthen the relationship between communities and government, enabling all the concerned groups to become part of the process.

Council used the objectives embodied in the WA integrated planning consultation policy to develop the key aspects of this strategy:

1. Clearly define the level of consultation relevant to Council issues;
2. Detail the requirements for consultation based on the level of impact;
3. Outline the process Council will use when undertaking consultation and considering submissions.
4. Clearly define the levels of consultation required for a range of Shire functions in order for the community to be kept informed, comment on and respond to issues and proposals and gain a sense of ownership of key Council functions and activities.

This involved multiple forms of engagement to ensure the inclusion of a large cross section of the community. Consultation elements included a Community Strategic Plan Workshop and Community Survey was posted to all residents and provided on the Shire of Nannup's website to be completed on-line. One-on-one key stakeholder meetings (statutory authority OIC's and business proprietors) were also conducted with the Chief Executive Officer.



The above community engagement has resulted in comments being collected on a whole range of topics, which have been used to provide a guide to the future direction for Nannup. The comments have regard to current and future resource capacity, demographic trends (appendix 1) and strategic performance measurements.

Survey respondents included a response to the importance and satisfaction with the current and anticipated Shire services, the results of these responses is summarised in the table below: -

This table may help guide the prioritisation of future service provision; the darkness of the quadrant provides an indication of the level of community priority.

<p><b>Extremely Important/Low Satisfaction</b></p> <ul style="list-style-type: none"> <li>Youth Services</li> <li>Senior Services</li> <li>Health Services</li> <li>Education Services</li> <li>Opportunity for Business Investment</li> <li>Economic Diversity</li> <li>Phone and Internet Connectivity</li> <li>Bushfire Risk (Fuel Loads)</li> <li>Community Engagement</li> <li>Transparent Decision Making</li> </ul>	<p><b>Extremely Important/High Satisfaction</b></p> <ul style="list-style-type: none"> <li>Emergency Management Services</li> <li>Police Services</li> <li>Sporting and Recreation Services</li> <li>Arts and Cultural Services</li> <li>Events</li> <li>Parks and Reserves</li> <li>Playgrounds</li> <li>Power and Water Supplies</li> </ul>
<p><b>Moderately Important/Low Satisfaction</b></p> <ul style="list-style-type: none"> <li>Vibrancy of the Town Centre</li> <li>Waterways</li> <li>Employment Prospects</li> <li>Footpaths</li> <li>Waste Management Services</li> <li>Disability Access Services</li> </ul>	<p><b>Moderately Important/High Satisfaction</b></p> <ul style="list-style-type: none"> <li>Tourism</li> <li>Marketing and Branding</li> <li>Childcare and Other Family Services</li> <li>Roads</li> <li>Community Funding and Support</li> <li>Customer Service</li> <li>Parking</li> <li>Coastal Erosion</li> <li>Native Flora</li> </ul>



Survey respondents also included a response based on priority of services and projects they would like to see developed if resources and finances became available. The results of these responses is summarised in the table below:-

<p><b>Improved accommodation</b></p> <p>Public Access and Signage to Black Point Affordable Housing Complete Ablution Block at Recreation Centre Swimming Pool More Walk/Bike Trails Improved Waste Management Facility Purchase Wooden Clock – Public Sculpture Heritage Development Full Time General Practitioner Bitumen Road to Barrabup Pool Better Communications – Internet, Mobile Aged Care Facilities Tourism Attractions</p>	<p><b>Priority 2</b></p> <p>Increase Cadet/Traineeships More Footpaths Blackwood River Boardwalk Weed Eradication Interactive Playground More ATM Machines Solar Power Sustainability Pretty up the Town Tourism</p>
<p><b>Priority 3</b></p> <p>Improved Parking Control Burning Strategy Exercise Areas for Dogs River Foreshore Maintenance Better Access for Disabled Shopping Centre – Bigger/Better Improved Education Facilities Relocate Bowling Green to Recreation Centre Dentist</p>	<p><b>Priority 4</b></p> <p>Festival Sponsorship Councillor Training Street Lighting Nicer Entrance to Town More Cafes Lawn at Cemetery Tourist Bureau Support Events and Activities Finish Vasse Highway Upgrade Undercover Area for Markets</p>
<p><b>Priority 5</b></p> <p>Management of Finances Eco-tourism Restaurants Charity Events Skate Park Upgrade Young Adult Activities Powdered Milk Processing Facility Upgrade Recreation Centre Court Improved Library Facilities Nannup Icon Donnelly River Heritage Project Funding</p>	

## What we did with the information

*The aim is to produce a clear, concise document that meets the requirements of the legislation, but more importantly provide a useful tool for the Council and community.*

All the information has been gathered, analysed and compiled, then categorised into key themes that matter most to the community. These key themes are Community, Environment and Leadership. The three themes then supplied our 15 key focus points for our community's future.

During the process of consultation and analysing of data, Council has been reassured that the community's overall vision is in line with the Shire of Nannup's existing Vision Statement, Mission Statement and our Values (appendix 2). The vision also aligns well with the branding of 'Rest. Connect. Grow' as well as our current activities and projects.

Consultation is an ongoing process and new and evolving trends will be incorporated during subsequent reviews.

## Issues and challenges

*Naturally, things like resources (both human and capital), budget, legislation and common-sense play a defining role in what can be achieved in our future direction.*

Where we are directly responsible for an activity and resources permit, we are committed to delivering the aspirations set out in the Community Plan. Where we do not have direct responsibility or influence on the aspirations, we will advocate to those responsible and will work in partnership with them to make these aspirations a reality.



## The Results

### **Our Community Statement**

*We are a unique town that role models sustainability, friendliness, taking the time to celebrate our heritage and festivals.*

*We are surrounded by amazing nature, with charming historic and built fabric.*

*Our leaders provide for and listen to all of us.*

### **Our Community**

***We are a unique town that role models sustainability, friendliness, take the time to celebrate our heritage and festivals***

We will retain our pride in being a small, friendly town that is a nice place to live and full of wonderful people

We role model self-sufficiency and sustainability as a community

We respect and value our aged

Our youth are important and we will focus our energy to give them reasons to stay in Nannup (or come back)

### **Our Economy**

***Sustainability is the key to Nannup's future***

We will have a sustainable, innovative and equitable economy

Working together to attract people to our amazing Shire

### **Our Built Environment**

***Keep the charm and fabric of Nannup***

Keep the charm and fabric of our unique shire and upgrade the amenity

Providing a quality planning outcome for community benefit through good consultation

Increase coverage of our communication systems

### **Our Natural Environment**

***We are surrounded by amazing nature, from our magnificent forests and bush land, to our pristine coastlines***

We will protect our amazing nature, magnificent forests, managed bushland, rivers, agriculture and our pristine coastline

Keep our beautiful combination of natural landscapes and built environments to retain our community and amenity

To achieve a green clean future

### **Our Community Leadership**

***We listen to our community leaders***

To listen and partner with our community leaders and all our diverse groups

To have united community groups working together

### **Our Council Leadership**

***A listening leadership that provides for and represents all***

A listening leadership that provides and represents all

To do what is right and fair for the people

## Our Community

*We are a unique town that role models sustainability, friendliness and taking the time to celebrate our heritage and festivals*

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>1.1</b> <b>All of Us / Who we are:</b> We will retain pride in being a small but friendly town that is a welcoming place to live and full of wonderful people	Promote a connected, safe and healthy town	Educate and enforce health, emergency management and planning regulations, whilst continuing our Community Development work	Regular inspection of food premises, ensure firebreaks are compliant and sound decision making with regards to planning applications	Provider
	Value our heritage and festivals	Continued support and funding for events through the Shire's Community Grants Program	Ongoing events funded	Facilitator
<b>1.2</b> <b>Our Aged:</b> We respect and value our aged	Provide an aged friendly environment	Provide a range of information for the community relating to the Shire's aged activities	Aged relevant activities communicated regularly	Provider
	Support the Nannup hospital in providing an exemplary health service	Advocate for improved facilities and services for our aged	Advocacy meetings held with relevant agencies and providers. Partnership established with Department of Health	Advocate
		Provide support for permanent General Practitioner services and Allied Health services in Nannup	Advocacy meetings held with relevant providers and potential GP's	Advocate



<b>1.3</b> <b>Our Youth:</b> Our youth are important and we will focus our energy to give them reasons to stay in Nannup (or come back)	Partner the Nannup District High School to become a school of choice for all	Work in partnership with the Nannup District High School	Ongoing dialogue with the Senior Staff at the School	Advocate
	Create a youth friendly town	Continue to provide Youth services and activities in the Shire of Nannup	Ongoing development of Youth services and activities	Provider
	Continue Traineeships and promote employment opportunities for youth	Appoint Trainees at the Shire and support similar employment opportunities by businesses	Number of Traineeships and employment opportunities secured	Provider/ Advocate



## Our Economy

### *Sustainability is the key to Nannup's future*

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>2.1</b> <b>The Big Picture:</b> We will have a sustainable, innovative and equitable economy	Promote innovative ideas and value add to businesses and industry	Work with industry, community and business groups to encourage innovative ideas and value adding to their products and services	Meetings with key representatives, ideas captured and developed	Facilitator
	Work collaboratively with State and Federal Government agencies to improve our economy	Seek potential contracts from Government Departments and advocate for a greater presence in the district	Advocacy meetings held with relevant agencies and providers.	Advocate
	Encourage and support more industry, businesses and employment into our Shire	Work with industry, community and business groups to determine the best method of support	Meetings with key representatives, ideas captured and planned	Facilitator
		Advocate to develop existing industries and create new industries	Creation of new industry in our Shire	Facilitator
	Promote the Shire as being a Small Business Friendly Local Government	Work with the Small Business Development Corporation and local businesses to provide support for small business sustainability	Reports to SBDC on progress and feedback from small business	Advocate / Facilitator
	Promote employment for Youth	Support the transition from education to further training and employment	Regular partnering meetings with the school and business groups	Advocate / Facilitator



<b>2.2 Tourism/Recreation:</b> Working together to attract people to our amazing Shire	Support tourism providers and promote our district	Support the provision of a Visitor Centre service	Visitor Centre service provided	Provider / Facilitator
	Marketing and branding of our Shire and Region to promote regional produce and services	Work with Warren Blackwood Alliance of Councils in the establishment of a Local Tourism Organisation or alternative structure in the delivery of Visitor Services	LTO Brand developed and marketed	Provider/ Facilitator
	Increased and varied trails throughout the district	Work with relevant authorities and stakeholders to establish a trails hub	Advocacy meetings held with relevant agencies and providers to develop a trails hub	Advocate



## Our Built Environment

### Keep the charm and fabric of Nannup

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>3.1 Our Shire and Streetscape:</b> Keep the charm and fabric of our unique shire and upgrade the amenity	Well maintained quality infrastructure for our community and visitors and to promote activity	Maintain our beautiful town, streetscape, public buildings, roads, cemetery and parks	Planned maintenance and cleaning scheduled and performed	Provider
		Continue to upgrade the Recreation Centre and Main Street	Renovations to buildings and facilities created	Provider
	Capture and promote our unique charm and fabric	Maintain the importance of heritage within the local planning scheme	Appropriate planning policies implemented	Provider
	Maintain our town's distinct look and feel	Planning strategy to protect our Main Street distinctiveness and heritage	Appropriate Main Street policy implemented	Provider
<b>3.2 Planning and Building:</b> Providing a quality planning outcome for community benefit through appropriate consultation	Sustainable growth for the benefit of the community	Planning Scheme to advocate for quality of life, industries and high quality development	Appropriate planning policies implemented	Provider
	Develop the south coast access and recreation opportunities	Work with State Government agencies to improve our coastal access and recreational opportunities	Quannup Working Party to develop strategies for development of Quannup land	Advocate

<p><b>3.3</b> <b>Our Communication:</b> Increased coverage of communication systems</p>	<p>Improve all forms of communication within the shire</p>	<p>Work with relevant agencies to improve and secure appropriate local radio and television coverage, increased mobile phone and internet coverage</p>	<p>Advocacy meetings held with relevant agencies and providers to improve relevant media, mobile and internet coverage</p>	<p>Advocate</p>
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## Our Natural Environment

*We are surrounded by amazing nature, from our magnificent forests and bush land, to our pristine coastlines*

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>4.1 Our Sanctuary</b> We will protect our amazing nature, magnificent forests, managed bush land, rivers, agriculture and our pristine coastline	Protect our range of natural assets	Work with Government agencies to provide balance between natural and managed bush land, forests, rivers, agriculture and coast	Meetings held with relevant agencies and providers	Advocate
	Improve awareness and increase public responsibility for our environment	To keep our community informed about our underground water supply levels, mining activity etc	Meetings held with relevant agencies and providers	Advocate
		Promote environmentally sustainable Government incentives	Advertise new Government initiatives	Advocate
<b>4.2 Our Location</b> Keep our beautiful combination of natural landscapes and built environments to retain our community and amenity	Balance community, environment and economic development in our shire	Update the Planning Scheme and incorporate a strategy of balancing community, environment and economic development	Appropriate Planning Scheme policies implemented	Provider



<b>4.3</b> <b>Our sustainable future</b> To achieve a green clean future	To support a sustainable, harmonious community and promote self sufficiency	Role model environmentally sustainable solutions such as recycling and energy efficiency	Shire assets that are energy efficient	Provider
	Promote a healthy lifestyle and alternative methods of transport	Improve bike and pedestrian friendly path network	More dual use paths constructed	Provider



## Our Community Leadership

### We listen to our community leaders

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>5.1 Listen</b> To listen and partner with our community leaders and all our diverse groups	Listen to the people	Conduct community engagement for significant projects and other activities	Appropriate consultation done on all significant projects and activities	Provider
		Provide open communications to residents with Shire staff and Councillors	Complaints and opportunities responded to in accordance with our Customer Service Charter	Provider
	Support existing and emerging community groups	Provide community funding and support for events and community groups	Ongoing events and active community groups/ members	Facilitator
<b>5.2 Working Together</b> To have united community groups working together	Meeting of major community groups to share resources and goals	Advocate for meetings and sharing of resources	Meetings held with relevant agencies, groups and providers	Advocate

## Our Council Leadership

### *A listening leadership that provides for and represents all*

Focus Point	Strategies	Action	Measurement of our success	Responsibility
<b>6.1</b> <b>Lead, Listen, Advocate, Represent And Provide:</b>  A listening leadership that provides and represents all	Be an example of sustainability	Balance our environmental, social and financial requirements	Reporting on all three requirements in the annual report	Provider
	Provide a listening leadership that represents the people	Deliver ongoing community engagement to inform a representative community vision	Unified vision communicated and ongoing engagement sessions held	Provider
	Be a role model for a cohesive and healthy community	Collaboration between Councillors and also with the community	Workshops to further develop knowledge and position on issues completed	Provider
	Provide a stable, consistent and honest government	Council and committee meetings that are open and transparent	Reports are easily accessible	Provider
<b>6.2</b> <b>We are one</b> To do what is right and fair for the people	To do what is right for the people - for betterment of majority of community	Conduct community forums for project specific matters	Community forums conducted	Provider
	Maintain good working relationship with neighbouring shires	Active participation in the Warren Blackwood Alliance of Councils	Advocacy at WBAC meetings	Advocate

## Our Services, Projects and Partners

	Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
<b>Community</b>	<ul style="list-style-type: none"> <li>· Cemetery</li> <li>· Community Development</li> <li>· Emergency Management</li> <li>· Events</li> <li>· Facility Hire</li> <li>· Health Services</li> <li>· Library</li> <li>· Licensing</li> <li>· Private Works</li> <li>· Ranger Services</li> <li>· Waste</li> <li>· Website Management</li> <li>· Youth Advisory Council</li> </ul>	<ul style="list-style-type: none"> <li>· Aged Accommodation Facility Project</li> <li>· Dog Registrations</li> <li>· Emergency Management</li> <li>· Family Fun Day</li> <li>· Firebreak inspections</li> <li>· Main Street gardening program</li> <li>· Nannup Connect</li> <li>· School Holiday Activity Program</li> <li>· Wellbeing Program</li> <li>· Youth Projects</li> </ul>	<ul style="list-style-type: none"> <li>· Cemetery Board</li> <li>· Dept of Child Protection</li> <li>· Dept of Education</li> <li>· Dept of Environment Regulation</li> <li>· Dept of Fire &amp; Emergency Services</li> <li>· Dept of Health</li> <li>· Dept of Sport &amp; Recreation</li> <li>· Dept of Transport</li> <li>· Local Drug Action Group</li> <li>· Lotterywest</li> <li>· Main Roads WA</li> <li>· Shire of Manjimup</li> <li>· Shire of Bridgetown/Greenbushes</li> <li>· South West Development Commission</li> <li>· State Library</li> <li>· WA Police</li> <li>· Waste Authority of Australia</li> <li>· Nannup District High School</li> </ul>
<b>Economy</b>	<ul style="list-style-type: none"> <li>· Building Services</li> <li>· Economic Development</li> <li>· Events</li> <li>· Planning Services</li> </ul>	<ul style="list-style-type: none"> <li>· Food Bowl Identity</li> <li>· Main Street Upgrade</li> <li>· Nannup Branding</li> <li>· Trails Hub</li> <li>· Visitor Service</li> <li>· Local Tourism Organisation</li> </ul>	<ul style="list-style-type: none"> <li>· Big N</li> <li>· Building Commission</li> <li>· Dept of Agriculture and Food</li> <li>· Dept of Commerce</li> <li>· Dept of Planning</li> <li>· Main Roads WA</li> <li>· South West Development Commission</li> <li>· WA Police</li> <li>· Australia's South West</li> <li>· Munda Bidi Foundation</li> <li>· Margaret River/Busselton Tourism Association</li> </ul>



<b>Environment Built</b>	<ul style="list-style-type: none"> <li>· Building Services</li> <li>· Bridges</li> <li>· Caravan Park</li> <li>· Construction Program</li> <li>· Emergency Management</li> <li>· Health Services</li> <li>· Maintenance Program</li> <li>· Parks and Gardens</li> <li>· Planning Services</li> <li>· Waste</li> </ul>	<ul style="list-style-type: none"> <li>· Caravan Park</li> <li>· Main Street Upgrade</li> <li>· Recreation Centre Upgrade</li> <li>· Sustainable Coastal Development (Quannup)</li> </ul>	<ul style="list-style-type: none"> <li>· Building Commission</li> <li>· Caravan Park Association</li> <li>· Department of Agriculture and Food</li> <li>· Dept of Finance</li> <li>· Dept of Parks and Wildlife</li> <li>· Dept of Fire &amp; Emergency Services</li> <li>· Dept of Health</li> <li>· Dept of Planning</li> <li>· Dept of Regional Development</li> <li>· Dept of Lands</li> <li>· Dept of Water</li> <li>· Main Roads WA</li> <li>· South West Development Commission</li> <li>· Tourism WA</li> <li>· Waste Authority of Australia</li> <li>· Water Corporation</li> </ul>
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<b>Environment Natural</b>	<ul style="list-style-type: none"> <li>· Emergency Management</li> <li>· Health</li> <li>· Parks and Gardens</li> <li>· Planning Services</li> </ul>	<ul style="list-style-type: none"> <li>· Environmental advocacy and strategy</li> <li>· Trails Hub</li> <li>· Waste Strategy</li> </ul>	<ul style="list-style-type: none"> <li>· Dept of Agriculture and Food</li> <li>· Dept of Parks and Wildlife</li> <li>· Dept of Fire &amp; Emergency Services</li> <li>· Dept of Health</li> <li>· Dept of Planning</li> <li>· Dept of Regional Development and Lands</li> <li>· Dept of Water</li> <li>· Water Corporation</li> </ul>
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<b>Leadership Community</b>	<ul style="list-style-type: none"> <li>· Community Development</li> <li>· Customer Service</li> <li>· Governance</li> </ul>	<ul style="list-style-type: none"> <li>· Community Grant Scheme</li> <li>· Community Consultation Program</li> <li>· Events Forum</li> <li>· Australia Day Breakfast</li> <li>· Informing the Community</li> <li>· Emergency Management Recovery</li> </ul>	<ul style="list-style-type: none"> <li>· Business Initiative Group Nannup (Big N)</li> <li>· Dept of Agriculture</li> <li>· Dept of Education</li> <li>· Dept of Parks and Wildlife</li> <li>· Dept of Fire &amp; Emergency Services</li> <li>· Nannup Community Resource Centre</li> <li>· Various Community groups</li> </ul>
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<b>Leadership – Council</b>	<ul style="list-style-type: none"> <li>· Customer Service</li> <li>· Finance</li> <li>· Governance</li> <li>· Integrated Planning</li> <li>· Records Management</li> </ul>	<ul style="list-style-type: none"> <li>· Integrated Planning Framework</li> <li>· Community Engagement</li> <li>· Regional Partnerships</li> </ul>	<ul style="list-style-type: none"> <li>· Dept of Agriculture</li> <li>· Dept of Finance</li> <li>· Dept of Child Protection</li> <li>· Dept of Local Government and Communities</li> <li>· Dept of Planning</li> <li>· Dept of Lands</li> <li>· Dept of Regional Development</li> <li>· Dept of the Premier and Cabinet</li> <li>· South West Development Commission</li> <li>· WA Treasury Corp</li> <li>· Warren Blackwood Alliance of Councils</li> </ul>
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## What happens next

The Community Plan's measures will help us track progress towards reaching its vision. Council will provide an update on its progress in achieving the strategies in this document, by providing an update in our annual report to the community.

A strategic review of the Community Plan will be carried out two years after the adoption of the plan and a full review every four years. This is to reflect changing priorities, the external economic environment, other external regulations (attachment 2) and available funding.



## Planning our Resources and Performance

The Community Plan is a starting point – a beginning, not an end. Council is committed to continuing its communication and involvement with the community and developing a relevant and useful document. Importantly, an annual review of progress will be performed.

To support the successful implementation of the Community Plan, we have developed a Corporate Business Plan, Asset Management Plan, Workforce Plan and Long Term Financial Plan. These documents direct the Shire's resources, assets and funding toward the priorities, key projects and activities set out in our Community Plan. These Plans can be accessed by contacting Council Staff or through the Shire of Nannup Webpage.

The Community plan was developed with an understanding of our current resource capacity, both financial, workforce and asset resources. Whilst future resource capacity is not known with certainty, expectations of relative future resource capacity have been considered.

## Current Resource Capacity

The 2015/2016 audited Annual Financial Report reflected the following shire resource profile as at 30 June 2016.

<b>Resource</b>	<b>Level</b>
Workforce	25 FTE
Infrastructure Assets	\$98,015,244
Property, Plant and Equipment	\$14,036,565
Cash Backed Reserves	\$1,478,612
Borrowings	\$82,435
Annual Rate Revenue	\$1,459,639
Annual Revenue	\$5,515,007
Annual Expenditure	\$4,969,783



## Future Resource Capacity

Future resource capacity is partially dependent on other levels of government however the following long term trends have been identified.

### **Asset Management Plan:**

This plan assigns an agreed service level, a strategy and the required investment to maintain that asset at the agreed level for the whole of its life. The plan shows what funds are required to maintain the Council's buildings over the next 10 years. The Council has already started to provide for this need in its asset management reserve.

A review of the Council's infrastructure assets shows that they are in good condition and it is anticipated that current maintenance budgets are sufficient to maintain them at an acceptable condition.

### **Long Term Financial Plan:**

This document sets out the financial resources required to deliver the objectives in the Community Plan. This shows the underlying financial resources of the Council are strong.

The plan shows the Council reliance on external sources of funding to deliver its priorities. The workforce plan allows for dedicated support to identify and source this external funding.

### **Workforce Plan:**

This plan identifies the human resources and skills required to deliver the communities priorities for the next ten years.

### **Corporate Business Plan:**

Identifies and prioritises the principal strategies and activities that Council will undertake in response to the aspirations and objectives stated in the Community Plan. It sets out in greater detail the resources required to deliver our priorities.

### **Annual Budget:**

The annual budget sets the resources for Council's day to day operations and capital projects. The majority of day to day operations are not referenced in the Community Plan as this document concentrates on new initiatives identified by the Community.

# Strategic Risk Management

The Shire of Nannup maintains a Strategic Risk Register and the identified risks are regularly assessed by a Risk Management Advisory Committee which consists of Council representatives and staff. The following risks have been identified:-

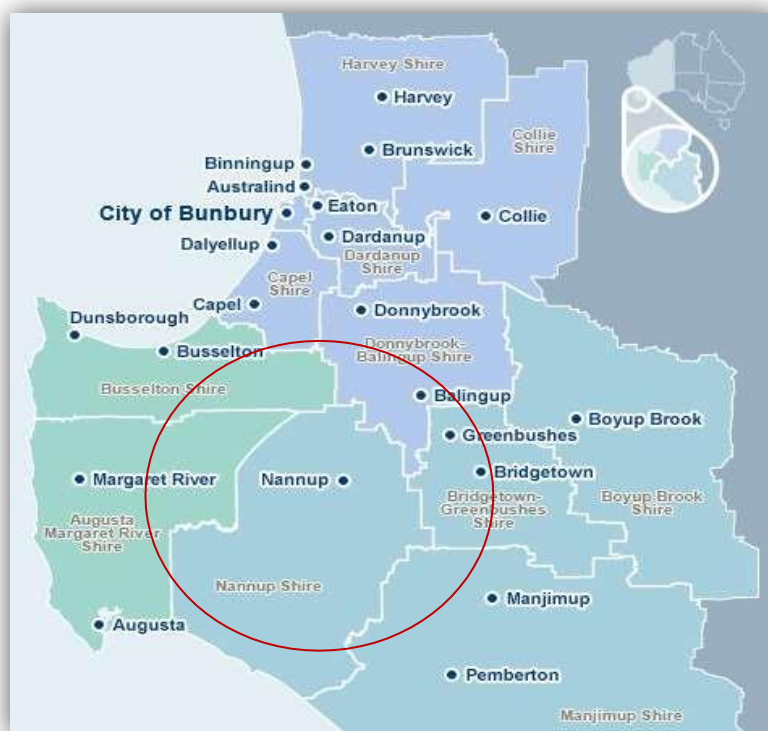
1. **Structural Reform of the Shire** – Unknowns and uncertainties associated with Local Government structural reform resulting in impacts to the Shire's current and future identity;
2. **Department Parks and Wildlife (DPaW)** – Inability to influence DPaW activities, management and usage of their land that is ~85% of the Shire;
3. **Reliance of External Funding** – Inability to deliver expected services due to variation, change or withdrawal of Federal/State Government Funding;
4. **State Government Development of Responsibilities** – Inability to fund and fulfil additional requirement from State Government devolvement of responsibility;
5. **Community Expectations** – Inability to meet community expectations of Shire's services, levels of engagement and/or public infrastructure;
6. **Natural Disasters** – Fail to meet legislative requirements and community expectation to prepare, prevent, respond to and recover from natural disasters, including community emergency management;
7. **Ineffective Governance** – Failure to implement and adhere to effective corporate governance and management practices;
8. **Economic Development** – Inability to capitalise on economic development opportunities;
9. **Workforce Capacity and Capability** – Shire is unable to attract and retain sufficiently skilled employees, demand for services exceeds capacity of current workforce structure;
10. **Sustainability of the Shire** – Shire is unable to secure the financial, material and human resources required to provide statutory services; and
11. **Cyber Attack** – Loss or compromising of data



## Nannup, About Us

*"Nestled in a peaceful environment, the Shire of Nannup is a supportive, connected community that encourages the unique aspirations of those who engage in it."*

### Location



Nannup is situated 288km south of Perth, and is geographically in the centre of the South West. The Shire of Nannup covers over 3,000 square kilometres, with a total population of 1,319 (2014 ABS data). Eighty-five percent of the Shire is under forest, however the rich soils, high rainfall and an excellent climate also provides ideal conditions for farming. Environment and heritage play a large role in the community's culture. Nannup boasts a variety of successful industries including beef cattle, horticulture, tourism, arts and crafts, floriculture, aquaculture, viticulture and timber processing.

With National Parks and State Forest being a prominent feature in the Shire, it makes us a significant tourist attraction for the region and is popular with outdoor adventure enthusiasts. Nannup hosts several significant local events including the Nannup Music Festival, Flower and Garden Festival, and Forest Car Rally.

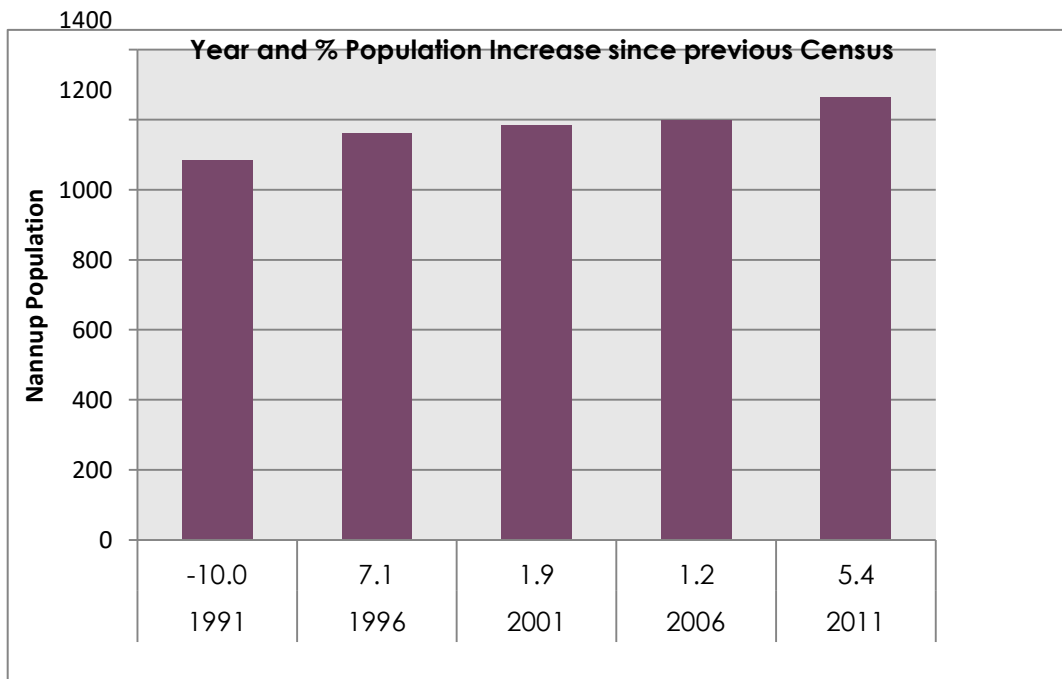
### History

Prior to European settlement, the Wardandi, Bibbulmun, Nyungar and other Indigenous groupings collectively influenced the botany of the areas surrounding the present Nannup locality. Following the European settlement of Western Australia, in Albany and the Swan River in the 1820's, settlers subsequently occupied Augusta and then Busselton (Bussell) in the 1830's.

Settlers quickly looked beyond their immediate vicinity for additional grazing lands. One of the earliest, Thomas Turner of Augusta, followed the Blackwood River towards present day Nannup in 1834. Several expeditions followed in the 1840s, with consistent reports of good grasses. It would appear that some limited squatting commenced in the district during the early 1850's and considerable selections of land had been taken by 1860. The town was officially gazetted in 1890. The predominant industries of timber and agriculture exist to the present day, with recent diversification into tourism.

## Population

The population is spread throughout the Shire district with about half of the population residing in the Nannup town site.



## Some Statistics

**People**

**Population**  
1,319

**Median Age**  
52

**Average Children per family**  
1.8

**Home Life**

**Median Weekly Household Income**  
\$821

**Median Weekly house rent**  
\$116.00

**Working Life**

**People >15 years in the workforce**  
620

**Top five industries**

Agriculture	13.6%
Timber	7.3%
Education	6.1%
Accommodation	4.1%
Volunteers, (unpaid)	32.5%

Based on the 2011 census

## Council's Current Corporate Statements

### BRANDING STATEMENT

"Rest. Connect. Grow"

### VISION STATEMENT

"To foster a community that acknowledges its heritage, values and lifestyles whilst encouraging sustainable development."

### MISSION STATEMENT

"The Shire of Nannup will deliver quality services, facilities and representation in order to achieve our Vision"

### VALUES

We will promote and enhance the following values in all our relationships with our community:

**Honesty** in our dealings **Integrity**  
in our actions **Consistency** in  
decision making **Teamwork** in  
our operations  
**Respect** for others and their decisions  
**Caring** for people in our community  
**Commitment** to decisions and roles  
**Responsive** to the needs of other  
**Effective communication** with all





### Links with Other Plans

Located in the South West region, our community is part of the Blackwood sub- region; with the plans and aspirations of other communities surrounding us influencing what happens in our lives. Aligning our long term planning with the priorities of state government and other relevant, external agencies provides for stronger partnerships and greater coordination of decision-making in the use of available resources. We have considered these documents in developing our Community Plan.

#### **Commonwealth/Federal:**

Regional Development Australia Business Plan

#### **State:**

Regional Investment Blueprint

Royalties for Regions Act

State Planning Strategy (1997)

Forest Management Plan

WA State Sustainability Strategy

Acts and legislation, eg; WA Local Government Act, Health, Building, Dog and Cat, etc.

#### **Region**

Augusta – Walpole Coastal Strategy

South West Development Commission

South West Regional Blueprint

#### **Sub Region**

Warren Blackwood Strategic Alliance

Blackwood River Flood Study

Bush Fire Hazard Strategy

#### **Local**

Shire Documents to assist in guiding and achieving our goals:

Aged Friendly Community Plan

Aged Housing Plan

Asset Management Plan

Bike and Trails Plan

Community Engagement Plan

Corporate Business Plan

Cultural Plan

Delegation Register

Disability Access and Inclusion Plan

Health Plan

Local Emergency Management Plans

Local Planning Scheme 3

Long Term Financial Plan

Main Street Guidelines

Policy Register

Record Keeping Plan

Waste Management Strategy

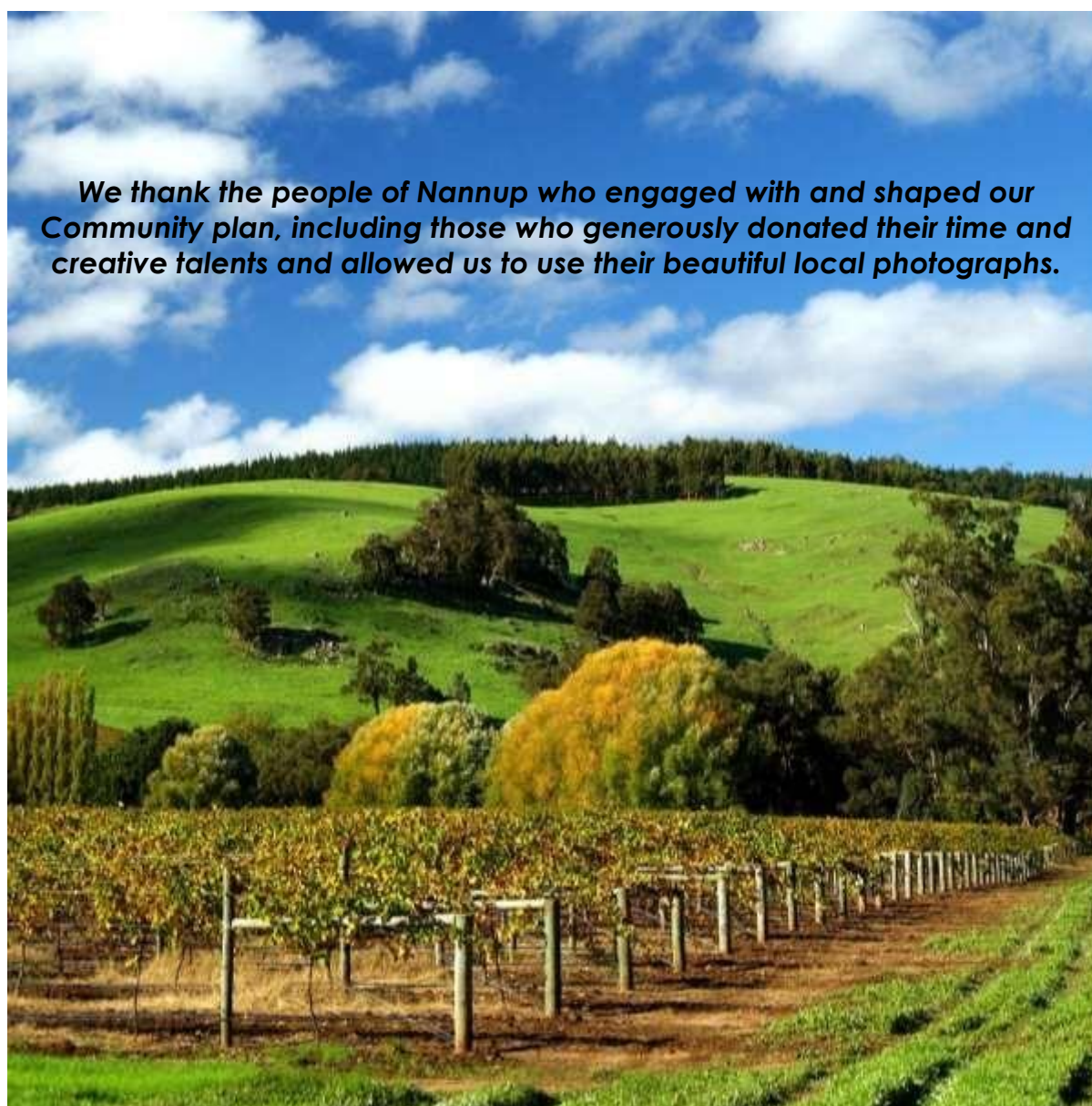
Workforce Plan

Youth Plan

## About this document

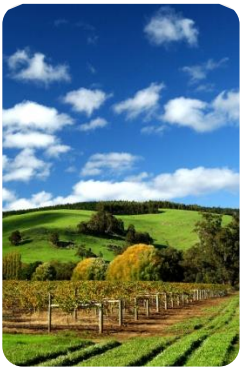
<b>Initially Adopted:</b>	25 January 2017; <i>Council resolution 17006</i>
<b>Effective From:</b>	1 July 2017
<b>Expires on:</b>	30 June 2027
<b>Next Review:</b>	June 2021
<b>Last reviewed by Council:</b>	June 2019

Any modifications to the Shire of Nannup Strategic Community Plan 2017 - 2027 will be done in accordance with sub regulation 9 of the Administration Regulations of the Western Australian Local Government Act.





Shire of  
**Nannup**  
rest • connect • grow



2020-2024

# Corporate Business Plan

*“We are a unique town that role models sustainability, friendliness, that takes the time to celebrate our heritage and festivals. We are surrounded by amazing nature, with charming historic and built fabric. Our leaders provide for and listen to us all.”*

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## Why are we doing this?

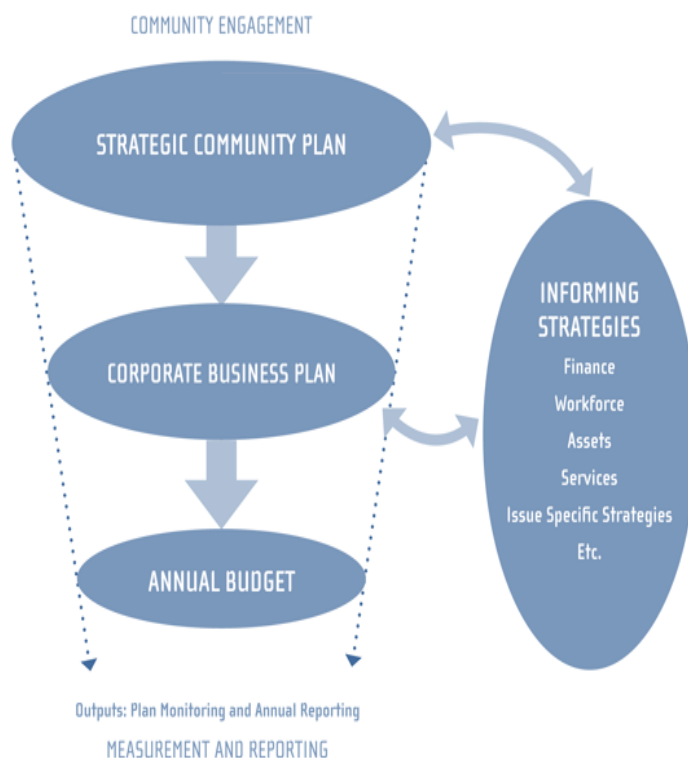
The Corporate Business Plan is the Shire of Nannup's four year service and project delivery plan. It is aligned with the Community Strategic Plan. The purpose of this plan is to demonstrate the operational capacity of the Shire to achieve the aspirations that have been identified in the Community Strategic Plan.

The Corporate Business Plan and the Community Strategic Plan are the primary documents that form part of the integrated planning and reporting framework legislated by State Government that give communities the opportunity to shape their own future.

The Community Strategic Plan sits at the top of the Framework supported by the Corporate Business Plan, Annual Budget, Asset Management Plan, Long Term Financial Plan and Workforce Plan. The Corporate Business Plan is the first step towards achieving the communities' key priorities.

### Planning Framework

The diagram below illustrates the relationship between the Shire's strategic and operational documents, highlighting the position of the Corporate Business Plan within this planning hierarchy.





## Structure of Corporate Business Plan 2020- 2041

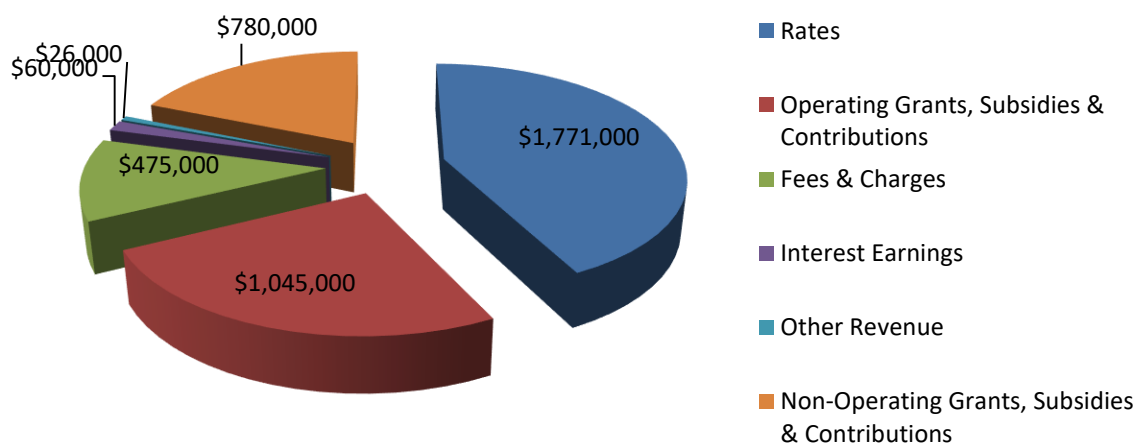
The Shire of Nannup's Corporate Business Plan aim is to set out the direction and specific actions for our organisation to deliver the communities' priorities for the next four years. It is aligned to the Community Strategic Plan and as such is divided into six key themes, supplying 16 key focus points (objectives) for our communities' future (these are summarised in Appendix 3). Each theme is defined by an aspirational outcome and within each are strategic initiatives. Each theme also sets out in detail the resources required to deliver the priority, key partners that will be involved and projects currently in place that will assist in achieving these goals.

The theme, objective, strategy and action come straight from the Community Strategic Plan. Then using the Community Strategic Plan together with the other informing strategies including, the Workforce plan, Long Term Financial Plan and Asset Management Plan (which are detailed in Appendix 2), and in line with our corporate statements (Appendix 1), each action has been identified and prioritised giving the principal objectives and activities that Council will undertake.

The detail of each action includes;

- Priority rating using the informing plans
- Determining whether it is a capital or operational action
- Clear direction on the role Council has for the action to be completed
- A timeline of the expected completion date
- Cross reference to the relevant sections of the Shire's other informing strategies

Council's current budget is sufficient to meet the priorities in the Corporate Business Plan for 2020/21 with the resources required to meet the actions set out in the plan being modelled in the Long Term Financial Plan. The breakdown of income for 2019/20 include a rate income of \$1,771,000. A large portion of total income, approximately \$780,000, was in the form of capital grants. Operating grants account for a further \$1,045,000, Fees and Charges for services are approximately \$475,000 and interest earning being \$60,000.



*Figure 1: Total Income 2019/20*

The rate requirement for 2019/20 has been used as the base model used to project forward over the 10 year planning horizon taking account all actions set out in the Corporate Business Plan so that the rate yield funds the expenditure remaining after all other income sources have been applied. The table below illustrates the results of this financial modelling. It is important to note that Council adopted a zero \$ increase to the 2020/21 rates due to the unforeseen financial pressures placed on the community from the COVID-19 outbreak that occurred in March 2020. Measures are in place within the 2020/21 budget to manage the lost revenue.

Year	Rate Requirement \$	Increase Annual %	Increase Cumulative %
2019/20	1,771,448		
2020/21	1,771,448	Frozen	COVID-19
2021/22	1,860,020	6.4	6.4
2022/23	1,953,021	6.4	12.8
2023/24	2,050,672	6.4	19.2

The Corporate Business Plan will be reviewed annually using the Annual Budget to set and prioritise our short term goals. Council will provide an update on its progress in achieving the strategies in this document, by providing an update in our annual report to the community.

Successfully implementing the goals in the Corporate Business Plan will require a commitment from all stakeholders, including residents, businesses, visitors, community organisations and all levels of government.



## Focus Area 1: Our Community

*We are a unique town that role models sustainability, friendliness and take the time to celebrate our heritage and festivals*

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
Cemetery Community Development Emergency Management Events Facility Hire Health Services Library Licensing Private Works Ranger Services Waste Website Management Youth Advisory Council	Aged Accommodation Facility Project Dog Registrations Emergency Management Family Fun Day Firebreak inspections Main Street gardening program Nannup Connect School Holiday Activity Program Wellbeing Program Youth Projects	Cemetery Board Dept of Child Protection Dept of Education Dept of Environment Regulation Dept of Fire & Emergency Services Dept of Health Dept of Sport & Recreation Dept of Transport Local Drug Action Group Lotterywest Main Roads WA Shire of Manjimup Shire of Bridgetown/Greenbushes South West Development Commission State Library WA Police Waste Authority of Australia Nannup District High School





Strategy	Measures & Targets	Responsible Manager	2020/21	2021/22	2022/23	2023/24	Linked Plans
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## 1. Our Community

### 1.1

#### *All of Us / Who we are*

Promote a connected and safe and healthy town	1.1.1	Educate and enforce health, emergency management and planning regulations whilst continuing our Community Development work.	CEO	\$ 54,298	\$ 55,383	\$ 56,491	\$ 57,621	WFP 6.7 CSP LTFP 3.2
Ensure that ongoing events are funded and supported	1.1.2	Support and fund events through our community grants program	CEO	\$ 39,200	\$ 39,788	\$ 40,384	\$ 40,990	LTFP 3.2 CSP EDS
Provide an aged friendly environment	1.1.3	Provide a range of communication for the community relating to the Shire's aged activities.	CEO	\$ 10,000	\$ 10,150	\$ 10,302	\$ 10,456	LTFP 3.2 CSP

## 1.2

### Our Aged

Provide an aged friendly environment	1.2.1	Provide a range of communications for the community relating to the Shire's aged activities	CEO	\$ 2,100	\$ 2,100	\$ 2,100	\$ 2,100	DAIP 1 LTFP 3.2 CSP
Support Nannup Hospital in providing an exemplary health service.	1.2.2.a	Advocate for improved facilities and services for our aged	CEO	\$ -	\$ -	\$ -	\$ -	AFCP EDS CSP
	1.2.2.b	Advocate for a regular consistent GP service	CEO	\$ -	\$ -	\$ -	\$ -	AFCP EDS CSP

## 1.3

### Our Youth

Partner the NDHS to become a school of choice	1.3.1	Regular partnering meetings with the school	CEO	\$ 500	\$ 500	\$ 500	\$ 500	LTFP 3.2 CSP YP
Create a youth friendly town	1.3.2.	Ongoing development of Youth Services and activities	CEO	\$ 43,084	\$ 43,945	\$ 44,824	\$ 45,721	LTFP 3.2 CSP YP
Continued traineeships and promotion of employment opportunities for youth	1.3.3	Securing of traineeships and investigation of apprenticeship opportunities	MCS	\$ 37,667	\$ 38,420	\$ 39,188	\$ 39,972	LTFP 3.2 WF 6.6 CSP YP

Informing Plans: **AFCP**: Age Friendly Community **AMP**: Asset Management **BTP**: Bike & Trail **CP**: Cultural **DAIP**: Disability Inclusion & Access **EDP**: Economic Development Plan **LPS#3**: Local Planning Scheme 3  
**LTFP**: Long Term Financial **WP**: Workforce **YP**: Youth **CSC**: Customer Service Charter



## Focus Area 2 : Our Economy

### Sustainability is the key to Nannup's future

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
Building Services Economic Development Events Planning Services	Food Bowl Identity Main Street Upgrade Nannup Branding Trails Hub Visitor Service Local Tourism Organisation	BigN Building Commission Dept of Agriculture and Food Dept of Commerce Dept of Planning Main Roads WA South West Development Commission WA Police Australia's South West Mundi Bidi Foundation Margaret River/Busselton Tourism Association



*We will have a sustainable, innovative and equitable economy*

## 2. Our Economy

### 2.1

#### The Big Picture

Promote innovative ideas and value add to businesses and industry	2.1.1	Work with Industry, community and business groups to encourage innovative ideas and value adding to their products	CEO	\$ 19,902	\$ 20,300	\$ 20,706	\$ 21,120	LTFP 3.2 EDS CSP
Advocacy meeting held with relevant agencies and providers	2.1.2	Seek potential contracts from Government Departments and advocate for a greater presence in the district.	CEO	\$ -	\$ -	\$ -	\$ -	EDS CSP
Encourage and support more businesses and employment in our Shire	2.1.3.a	Work with industry, community and business groups to determine best method of support	CEO	\$ -	\$ -	\$ -	\$ -	EDS CSP
	2.1.3.b	Advocate developing existing industries and creating new industries	CEO	\$ -	\$ -	\$ -	\$ -	EDS CSP
Promote the Shire as being a Small Business Friendly Local Government	2.1.4	Work with SBDC and local businesses to provide support for small business sustainability.	CEO	\$ -	\$ -	\$ -	\$ -	EDS CSP
Promote employment for Youth	2.1.5	Support the transition from education to further training and employment	MCS	\$ -	\$ -	\$ -	\$ -	WFP 6.6 LTFP 3.2 YP

**Informing Plans:** AFCP: Age Friendly Community AMP: Asset Management BTP: Bike & Trail CP: Cultural DAIP: Disability Inclusion & Access EDP: Economic Development Plan LPS#3: Local Planning Scheme 3  
LTFP: Long Term Financial WP: Workforce YP: Youth CSC: Customer Service Charter

## 2.2

### Tourism/Recreation

Support tourism providers and promote our district	2.2.1	Support the provision of a Visitors Service	CEO	\$ 17,500	\$ 17,500	\$ 17,500	\$ 17,500	LTFP 3.2 CSP EDS
LTO brand developed and marketed	2.2.2	Work with Warren Blackwood Alliance of Councils in establishment of a Local Tourism Organisation or alternative structure in the delivery of Visitor Services	CEO	\$ 10,000	\$ 10,200	\$ 10,404	\$ 10,612	LTFP 3.2 CSP EDS
Increased and varied trails throughout the district	2.2.3	Work with relevant authorities and stakeholders to establish a trails hub	CEO	\$ 20,000	\$ 20,400	\$ 20,808	\$ 21,224	LTFP 3.2 CSP EDS



## Focus Area 3: Our Built Environment

*Keep the charm and fabric of Nannup*

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
Building Services Bridges Caravan Park Construction Program Emergency Management Health Services Maintenance Program Parks and Gardens Planning Services Waste	Caravan Park Upgrade Main Street Upgrade Mowen Road Upgrade Recreation Centre Upgrade Sustainable Coastal Development (Quannup)	Building Commission Caravan Park Association Dept of Agriculture and Food Dept of Finance Dept of Parks & Wildlife Dept of Fire & Emergency Services Dept of Health Dept of Planning Dept of Regional Development Dept Lands Dept of Water Main Roads WA South West Development Commission Tourism WA Waste Authority Of Australia Water Corporation



Keep the charm and fabric of our unique shire and upgrade the amenity

### 3. Our Built Environment

#### 3.1 Our Shire of Streetscape

Well maintained quality infrastructure for our community and visitors to promote activity	3.1.1.a	Maintain and clean our beautiful town, streetscape, public buildings, roads, cemetery and parks	MI	\$ 533,885	\$ 544,563	\$ 555,454	\$ 566,563	LTFP 3.2 AMP CSP
	3.1.1.b	Continue to upgrade Recreation Centre & Main Street	MI	\$ 333,940		\$ 250,000		AMP LTFP 3.2 CSP
Capture & Promote our unique charm and fabric	3.1.2	Maintain the importance of heritage within the Local Town Planning Scheme	CEO	\$ 4,218	\$ 4,302	\$ 4,388	\$ 4,476	LPS#3 CSP LTFP 3.2
Maintain our districts town's look and feel	3.1.3.	Planning strategy to protect our Main Street distinctiveness and heritage	CEO	\$ 4,218	\$ 4,302	\$ 4,388	\$ 4,476	LTFP 3.2 AMP CSP

#### 3.2 Planning and Building

Appropriate planning policies implemented	3.2.1	Planning Scheme to advocate for quality of life, industries and high quality development	CEO	\$ 84,661	\$ 84,492	\$ 84,320	\$ 84,144	LTFP 3.2 LPS#3 CSP
Develop South Coast access and recreation opportunities	3.2.2	Work with State Government agencies to improve our costal access and recreational activities	CEO	\$ 10,000	\$ 20,000	\$ 20,000	\$ 20,000	LTFP 3.2 CSP

#### 3.3 Our communication

Improve all forms of communication within the district	3.3.1	Work with relevant agencies to improve and secure appropriate	CEO	\$ -	\$ -	\$ -	\$ -	CSP
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Informing Plans: **AFCP**: Age Friendly Community **AMP**: Asset Management **BTP**: Bike & Trail **CP**: Cultural **DAIP**: Disability Inclusion & Access **EDP**: Economic Development Plan **LPS#3**: Local Planning Scheme 3  
**LTFP**: Long Term Financial **WP**: Workforce **YP**: Youth **CSC**: Customer Service Charter



## Focus Area 4 : Our Natural Environment

*We are surrounded by amazing nature, from our magnificent forests and bush land, to our pristine coastlines*

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
<p>Emergency Management</p> <p>Health</p> <p>Parks and Gardens</p> <p>Planning Services</p>	<p>Environmental advocacy and strategy</p> <p>Trails Hub</p> <p>Waste Strategy</p>	<p>Dept of Agriculture</p> <p>Dept of Parks &amp; Wildlife</p> <p>Dept of Fire &amp; Emergency Services</p> <p>Dept of Health</p> <p>Dept of Planning</p> <p>Dept of Regional Development</p> <p>Dept of Lands</p> <p>Dept of Water</p> <p>Water Corporation</p>





We will protect our amazing nature, magnificent forests, managed bush land, rivers, agriculture and our pristine coastline

## 4. Our Natural Environment

### 4.1 Our sanctuary

Protect our range of natural assets	4.1.1	Work with Government agencies to provide balance between natural and managed bushland, forests, rivers, agriculture and coast.	CEO	\$ -	\$ -	\$ -	\$ -	CSP
Improve awareness and increase public responsibility for our environment.	4.1.2.a	Keep our community informed about our underground water supply levels, mining activity etc.	CEO	\$ -	\$ -	\$ -	\$ -	CSP
	4.1.2.b	Promote environmentally sustainable Government incentives	CEO	\$ -	\$ -	\$ -	\$ -	CSP

### 4.2 Our location

Balance community, environment and economic development in our district	4.2.1	Update the Planning Scheme and incorporate a strategy of balancing community, environment and economic development	CEO	\$ -	\$ 40,000	\$ -	\$ -	LTP#3 CSP LTFP 3.2
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### 4.3 Our sustainable future

To provide a sustainable, harmonious community and promote self-sufficiency	4.3.1	Role model environmentally sustainable solutions such as recycling and energy efficiencies	CEO	\$ 10,000	\$ 10,000	\$ -	\$ -	CSP LTFP 3.2 AMP
	4.3.2	Promote a healthy lifestyle and alternative method of transport	MI	\$ -	\$ 10,000	\$ -	\$ -	CSP CP LTFP 3.2 BTP AMP

Informing Plans: **AFCP**: Age Friendly Community **AMP**: Asset Management **BTP**: Bike & Trail **CP**: Cultural **DAIP**: Disability Inclusion & Access **EDP**: Economic Development Plan **LPS#3**: Local Planning Scheme 3  
**LTFP**: Long Term Financial **WP**: Workforce **YP**: Youth **CSC**: Customer Service Charter



## Focus Area 5 : Our Community Leadership

*We listen to our community leaders*

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
<p>Community Development</p> <p>Customer Service</p> <p>Governance</p>	<p>Community Grant Scheme</p> <p>Community Consultation Program</p> <p>Events Forum</p> <p>Australia Day Breakfast</p> <p>Informing the Community</p> <p>Emergency Management Recovery</p>	<p>BigN</p> <p>Dept of Agriculture</p> <p>Dept of Education</p> <p>Dept of Parks &amp; Wildlife</p> <p>Dept of Fire &amp; Emergency Services</p> <p>Nannup Community Resource Group</p> <p>Various Community groups</p>



To listen and partner with community leaders and all our diverse groups

## 5. Our Community Leadership

### 5.1

#### Listening

Listen to our community	5.1.1.a	Conduct community engagement for significant projects and other activities	CEO	\$ -	\$ -	\$ -	\$ -	CSP
	5.1.1.b	Provide open communications to residents with Shire staff and Councillors	CEO	\$ -	\$ -	\$ -	\$ -	CSP
Support existing and emerging community groups	5.1.2	Provide community funding and support for events and community groups	CEO	\$ 39,200	\$ 39,788	\$ 40,384	\$ 40,990	LTFP 3.2 CSP EDS

### 5.2

#### Working Together

Meeting of major community groups working together	5.2.1	Advocate for meetings and sharing of resources	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS
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## Focus Area 6 : Our Council Leadership

*A listening leadership that provides for and represents all*

Shire Services supporting our objectives	Projects / Activities in Place	Our Key Partners
<p>Customer Service</p> <p>Finance</p> <p>Governance</p> <p>Integrated Planning</p> <p>Records Management</p>	<p>Integrated Planning Framework</p> <p>Community Engagement</p> <p>Regional Partnerships</p>	<p>Dept of Agriculture</p> <p>Dept of Finance</p> <p>Dept of Child Protection</p> <p>Dept of Local Government and Communities</p> <p>Dept of Planning</p> <p>Dept of Regional Development</p> <p>Dept of Lands</p> <p>Dept of the Premier and Cabinet</p> <p>South West Development Commission</p> <p>WA Treasury Corp</p> <p>Warren Blackwood Alliance of Councils</p>



*A listening leadership that provides and represents all*

## 6. Our Council Leadership

### 6.1 *Lead, Listen, Advocate, Represent and Provide*

Be an exemplar of sustainability	6.1.1	Balance our environmental, social and financial requirements	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS
Provide a listening leadership that represents the people	6.1.2	Deliver ongoing community engagement to inform a representative community vision	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS
Be a role model for a cohesive and healthy community	6.1.3	Collaboration between Councillors and also with the community	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS
Provide a stable, consistent and honest government	6.1.4	Council and committee meetings that are open and transparent	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS

### 6.2 *We are one*

To do what is right for the people - a betterment of majority of community	6.2.1	Conduct community forums for project specific matters	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS
Maintain good working relationships with neighbouring shires	6.2.2	Active participation in the Warren Blackwood Alliance of Councils	CEO	\$ -	\$ -	\$ -	\$ -	CSP EDS

Informing Plans: **AFCP**: Age Friendly Community AMP: Asset Management BTP: Bike & Trail CP: Cultural **DAIP**: Disability Inclusion & Access **EDP**: Economic Development Plan **LPS#3**: Local Planning Scheme 3  
**LTFP**: Long Term Financial **WP**: Workforce **YP**: Youth **CSC**: Customer Service Charter

## Appendix 1 - Council's Current Corporate Statements

### ***Vision Statement***

"To foster a community that acknowledges its heritage, values and lifestyles whilst encouraging sustainable development."

### ***Mission Statement***

"The Shire of Nannup will deliver quality services, facilities and representation in order to achieve our Vision"

### ***Values***

We will promote and enhance the following values in all our relationships with our community;

**Honesty** in our dealings

**Integrity** in our actions

**Consistency** in decision making

**Teamwork** in our operations

**Respect** for others and their decisions

**Caring** for people in our community

**Commitment** to decisions and roles

**Responsive** to the needs of other **Effective communication** with all

### ***Branding Statement***

*"Rest . Connect . Grow"*

## Appendix 2 – Informing Documents

### **The Key Documents - A bit about Integrated Plans**

#### **Community Strategic Plan (CSP) – 10 years**

The Community plan is the Shire's long term strategic planning document, which outlines our commitment to achieving the vision and aspirations of its community and regional stakeholders. It has a 10 year duration and is subject to minor reviews every two years and major reviews every four years. The Plan is structured around six Key Focus areas resulting in 17 outcomes.

#### **Long Term Financial Plan (LTFP) - 10 years**

Long Term Financial Plan is a continuous ten year plan that informs the Corporate Business Plan to activate the Community Strategic Plan priorities. It indicates long term financial sustainability and identifies issues and impacts in certain areas. The Council approves the Long Term Financial Plan in relation to the Corporate Business Plan this includes operational, capital and investing priorities. This plan is to be monitored and reviewed in conjunction with the Community Strategic Plan on a regular basis to ensure Council approval with changes.

#### **Asset Management Plan (AMP) - 10 years**

The Asset Management Plan is informed by the Community Strategic Plan and assists the development and delivery of the operational plans in the Corporate Business plan.

It assigns an agreed service level and a strategy together with the required investment to maintain that asset at the agreed level for the whole of its life.

#### **Workforce Plan (WP) - 10 years**

This identifies the human resources and skills required to deliver the communities priorities for the next ten years. The Workforce Plan shows that a minimal increase in the current staff levels is required to achieve the objectives set out in the Community Plan.

#### **Annual Budget- 1 year**

The annual budget sets the resources for Council's day to day operations and capital projects. It outlines both income and expenditure that are related to the Corporate Business Plan activities. This plan is under the legislation Local Government Act 1995 and Local Government (Financial Management) Regulations 1996. The plan shows the Council reliance on external sources of funding to deliver its priorities.

## The Key Documents - Other Informing Plans

Located in the South West region, our community is part of the Blackwood sub-region; with the plans and aspirations of other communities surrounding us influencing what happens in our lives. Aligning our long term planning with the priorities of state government and other relevant, external agencies provides for stronger partnerships and greater coordination of decision-making in the use of available resources.

<b>Commonwealth/Federal</b>		
Regional Development Australia Business Plan		
<b>State</b>		
Regional Investment Blueprint	Royalties for Regions Act	Forest Management Plan 2014-2023
WA State Sustainability Strategy	Acts and legislation, eg; WA Local Government Act, Health, Building, Dog and Cat, etc.	
State Planning Strategy (1997)	Hardy Inlet Water Quality Improvement Plan	
<b>Region</b>		
Augusta – Walpole Coastal Strategy	South West Development Commission	South West Action Plan and Regional Strategic Plan
<b>Sub Region</b>		
Warren Blackwood Strategic Alliance	Blackwood River Flood Study	Bush Fire Hazard Strategy
<b>Local</b>		
Aged friendly Community Plan (AFCP)	Aged Housing Plan	Bike and Trails Plan (BTP)
Community Engagement Plan	Community Plan 2009	Youth Plan (YP)
Local Emergency Management Plans	Disability Access and Inclusion Plan (DAIP)	Economic Plan (EP)
Policy Register	Local Planning Scheme #3 (LPS#3)	Cultural Plan (CP)
Main Street Guidelines	Waste Management Strategy	Health Plan (HP)



## Appendix 3 - Our Key Focus Points

### **Our Community, *We are a unique town that role models sustainability, friendliness and take the time to celebrate our heritage and festivals***

- ❖ *We will retain our pride in being a small, friendly town that is a nice place to live and full of wonderful people*
- ❖ *We role model self sufficiency and sustainability as a community*
- ❖ *We respect and value our aged*
- ❖ *Our youth are important and we will focus our energy to give them reasons to stay in Nannup (or come back)*

### **Our Economy, *Sustainability is the key to Nannup's future***

- ❖ We will have a sustainable, innovative and equitable economy
- ❖ Working together to attract people to our amazing Shire

### **Our Built Environment, *Keep the charm and fabric of Nannup***

- ❖ Keep the charm and fabric of our unique shire and upgrade the amenity
- ❖ Providing a quality planning outcome for community benefit through good consultation
- ❖ Increase coverage of our communication systems

### **Our Natural Environment, *We are surrounded by amazing nature, from our magnificent forests and bush land, to our pristine coastlines***

- ❖ We will protect our amazing nature, magnificent forests, managed bush land, rivers, agriculture and our pristine coastline
- ❖ Keep our beautiful combination of natural landscapes and built environments to retain our community and amenity
- ❖ To achieve a green clean future

### **Our Community Leadership, *We listen to our community leaders***

- ❖ To listen and partner with our community leaders and all our diverse groups.
- ❖ To have united community groups working together

### **Our Council Leadership, *A listening leadership that provides for and represents all***

- ❖ A listening leadership that provides and represents all
- ❖ To do what is right and fair for the people

## About this document

<b>Effective From:</b>	1 July 2020
<b>Expires on:</b>	30 June 2024
<b>Next Review:</b>	June 2021
<b>Adopted by Council:</b>	28 May 2020



**Register of  
Delegation of Authority  
(Council Delegations to CEO)**

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## Delegations Register Overview

This register contains a record of all Delegations of Authority made by the Council to the Chief Executive Officer pursuant to *S 5.42 of the Local Government Act 1995* (the Act) and *S 82 of the Planning and Development (Local Planning Scheme) Regulations 2015*. All delegations made by the Council must be by absolute majority decision.

Delegations enable officers to carry out some of the powers and duties of a local government (the Council) which reduces the volume of matters being referred to Council for a decision and effectively reduces the turnaround time for some matters which allows for the Council to use its time to undertake its more strategic role. This is consistent with Council's strong commitment to a customer service focus.

This contributes to the delivery of good governance systems that deliver responsible, ethical and accountable decision-making and in addition provides for efficient and effective decision making practices leading to a better use of limited resources.

Each instrument of delegation describes the function being delegated and references the relevant statutory authority which is the source of power for the exercise of the function.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

### **Background to Delegations and Authorisations**

Delegations and authorisations are the means by which decision-making bodies can access the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

An authorisation is the designation of an officer or a body as a person or body that is capable of exercising a statutory power or duty.

A Delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty.

### **Background to the Concept of 'Acting Through'**

In addition to covering delegations, the Local Government Act 1995 introduces the concept of 'acting through'.

*Section 5.45 of The Act* states that in relation to delegations, nothing prevents a 'local government from performing any of its functions by acting through another person'. The Act does not

specifically define the meaning of the term 'acting through' however the key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right and therefore signs a letter in his or her name under delegated authority whereas if 'acting through' a person may sign a letter in his or her name on behalf of the CEO.

### **Standard Conditions of Delegations**

All delegations are subject to the following **Standard Conditions**:

- In exercising delegation, the Chief Executive Officer shall comply with any and all laws and regulations in force in Western Australia and the requirements of any and all local laws and policies of the Shire of Nannup;
- In exercising delegation, the Chief Executive Officer shall exercise the delegation in accordance with any budget authority where applicable;
- Delegated authority cannot be exercised where a financial interest or interest affecting impartiality is evident;
- Pursuant to *S5.46 of the Local Government Act 1995 Regulation 19 of the Local Government (Administration) Regulations 1996*, the Office of the Chief Executive Officer shall keep records of exercising the delegation on any and all occasions that the delegation is exercised.

### **Legislative Powers for Delegations in Local Government**

(Extract from DLGC Guideline No. 17 – Delegations)

The legislation authorising the delegation of certain local government powers or duties and requiring records to be maintained in respect of such delegations, includes the:

- Local Government Act 1995;
- Local Government (Miscellaneous Provisions) Act 1960; (Strata Titles Act 1985);
- Bush Fires Act 1954; and
- Planning and Development Act 2005

The Department of Local Government and Communities (DLGC) provides a guideline on delegation to local governments in Western Australia (Local Government Operational Guideline No. 17 – Delegations).





Reference Number	Legislative Reference	Delegate
LGA 1 - Appointment of Authorised Person	Local Government Act s. 9.10(1) and 9.10 (2)	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

To authorise persons, or classes of persons, on behalf of the local government for the purposes of performing particular functions in accordance with Section 9.10(1) and 9.10(2) of the *Local Government Act 1995*.

The Chief Executive Officer is delegated authority to appoint persons to initiate prosecutions on behalf of Council under the Local Government Act 1995 under 9.10(1) and 9.10(2) and Council’s Local Laws. Further, the Chief Executive Officer is delegated authority to appoint persons or classes of persons to be authorised for the purposes of performing particular functions as specified by the Chief Executive Officer.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*

**Local Government Act 1995**

**9.10 (1)**

The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

**9.10 (2)**

The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456 July 1999

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/248/administration-policy-adm1-legal-representation>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 1



Reference Number	Legislative Reference	Delegate
LGA 2 - Tenders	Local Government Act s. 3.57 Functions & General Regulations r. 11	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority under Section 5.42 of the Local Government Act 1995 to call tenders for any goods or services required where provision has been made in Council's budget and the amount exceeds \$150,000 or where the expenditure is anticipated to be less than this sum, if the best interests of the local government would be served by calling tenders.

The Chief Executive Officer is delegated authority to implement the requirements of Council Policy ADM 4 in respect of authorising purchases on behalf of Council where provision has been made in Council's budget and the amount is less than \$150,000.

### Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11(2) of the Functions and General Regulations apply.

### Conditions

Nil.

## Statutory Framework

### *Local Government Act 1995*

#### **3.57 Tenders for providing goods or services**

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

### **Functions & General Regulations**

#### **11 When tenders have to be publicly invited**

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
- (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or
  - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
  - [(ba) deleted]*
  - (c) within the last 6 months —
    - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or
    - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or
  - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
  - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
  - (ea) the goods or services are to be supplied —
    - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
    - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph; or
  - (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
  - (g) the goods to be supplied under the contract are —
    - (i) petrol or oil; or
    - (ii) any other liquid, or any gas, used for internal combustion engines; or
  - (h) the following apply —
    - (i) the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under

- the *Small Business Development Corporation Act 1983*; and
- (ii) the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and
- (iii) the local government is satisfied that the contract represents value for money; or
- (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
- (j) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
  - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
  - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
  - (iii) the original contract contains an option to renew or extend its term; and
  - (iv) the supplier’s tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
- (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 - February 2018	5456 – July 1999

**Review Requirements**

In accordance with the requirements of Section 5.46(2) of the *Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/236/administration-policy-adm4-purchasing>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 2



Reference Number	Legislative Reference	Delegate
LGA 3 - Impounding Goods and the Sale of Impounded/Seized/Confiscated Vehicles, Animals or Goods	Local Government Act s. 3.39, 3.40, 3.41, 3.42, 3.43, 3.44, 3.45, 3.46, 3.47, 3.48, 3.49 and 3.58.	Chief Executive Officer

**Delegator**  
Council

**Power / Duty**

The Chief Executive Officer is delegated authority to:

1. Authorise an employee in accordance with Section 3.39 to remove and impound any goods that are involved in a contravention that can lead to impounding.
2. Take appropriate action with respect to impounded non-perishable goods in accordance with Section 3.42.
3. Give notice in accordance with Section 3.44 to collect goods.
4. Refuse to allow goods to be collected until all costs have been paid in accordance with Section 3.46.
5. Take action to recover expenses in accordance with Section 3.48. The Chief Executive Officer is delegated authority to dispose of any vehicles, animals or goods that have been impounded/seized/confiscated under the provisions of Section 3.47 and 3.58 of the Local Government Act 1995.

The Chief Executive Officer may dispose of the above only after calling public tenders in accordance with the procedures as set out in Part 4 of the Local Government (Functions and General) Regulations. The Chief Executive Officer is authorised pursuant to Section 5.43(b) of the Local Government Act 1995 to accept any tender up to the value of \$10,000. Tenders for amounts exceeding \$10,000 shall be referred to the Council for consideration.

**Conditions**

Nil

**Statutory Framework**

*Local Government Act 1995*

**3.39 Power to remove and impound**

- (1) An employee authorized by a local government for the purpose may remove and impound any goods that are involved in a contravention that can lead to impounding.
- (2) A person may use reasonable force to exercise the power given by subsection (1).

**3.40. Vehicle may be removed if goods to be impounded are in or on vehicle**

- (1) Where under section 3.39 an employee may remove and impound any goods that are in or on a vehicle that is not itself to be impounded and, because of their size, nature or quantity or for any other reason, it is not convenient to unload and deal with them where they are, the employee may enter the vehicle for the purpose of removing it to a place where the goods may be conveniently unloaded and impounded.
- (2) Where a vehicle is removed under subsection (1) the local government is to allow the alleged offender, as soon as practicable after the goods are unloaded from the vehicle, to resume control of the vehicle.
- (3) If the person entitled to resume control of the vehicle is not present when the goods are unloaded or fails to resume control of the vehicle, the local government is to give notice to the person who is the holder of the requisite vehicle licence or permit under the *Road Traffic (Vehicles) Act 2012* in respect of the vehicle, advising that the vehicle may be collected from a place specified during such hours as are specified.

*[Section 3.40 amended: No. 8 of 2012 s. 122.]*

**3.40A. Abandoned vehicle wreck may be taken**

- (1) An employee authorised by a local government for the purpose may remove and impound a vehicle that, in the opinion of the local government, is an abandoned vehicle wreck.
- (2) If, within 7 days after a vehicle is removed under subsection (1), the owner of the vehicle is identified, the local government is to give notice to that person advising that the vehicle may be collected from a place specified during such hours as are specified in the notice.
- (3) A notice is to include a short statement of the effect of subsection (4)(b) and the effect of the relevant provisions of sections 3.46 and 3.47.
- (4) If —
  - (a) after 7 days from the removal of a vehicle under subsection (1), the owner of the vehicle has not been identified; or
  - (b) after 7 days from being given notice under subsection (2), the owner of the vehicle has not collected the vehicle, the local government may declare that the vehicle is an abandoned vehicle wreck.
- (5) In this section — ***abandoned vehicle wreck*** means a vehicle —
  - (a) that is not operational; and
  - (b) the owner of which has not been identified by the local government after using all reasonable avenues to do so; and
  - (c) that has a value that is less than the prescribed value calculated in the prescribed manner.

*[Section 3.40A inserted: No. 49 of 2004 s. 25(1).]*

**3.41. Impounded perishable goods, notice to collect**

- (1) When any perishable goods are being removed under section 3.39 the employee removing them is required to personally give the person from whose charge they are removed notice that the goods may be collected from a place specified during such hours as are specified.
- (2) The giving of the notice does not prevent a prosecution from being instituted against the alleged offender.

**3.42. Impounded non-perishable goods**

- (1) When any non-perishable goods have been removed and impounded under section 3.39 the local government is required to either —
  - (a) institute a prosecution against the alleged offender; or
  - (b) give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified.
- (2) If after 7 days after the goods were removed, a local government has been unable to give the alleged offender a notice under subsection (1)(b) because it has been unable, after making reasonable efforts to do so, to find the alleged offender, the local government is to be taken to have given that notice.

*[Section 3.42 amended: No. 64 of 1998 s. 9.]*

**3.43. Impounded non-perishable goods, court may confiscate**

When a court convicts an alleged offender the court may, in addition to imposing any other penalty, order that any non-perishable goods removed and impounded under section 3.39 be confiscated.

**3.44. Notice to collect goods if not confiscated**

Where non-perishable goods have been removed and impounded under section 3.39 and a prosecution is instituted, if the alleged offender —

- (a) is not convicted; or
  - (b) is convicted but the court does not order that the goods be confiscated,
- the local government is required to give the alleged offender notice that the goods may be collected from a place specified during such hours as are specified.

**3.45. Notice to include warning**

A notice is to include a short statement of the effect of the relevant provisions of sections 3.46, 3.47 and 3.48.

**3.46. Goods may be withheld until costs paid**

- (1) A local government may refuse to allow goods impounded under section 3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government.
- (2) A local government may refuse to allow goods removed under section 3.40 or 3.40A to be collected until the costs of removing and keeping them have been paid to the local government.

*[Section 3.46 inserted: No. 64 of 1998 s. 10; amended: No. 49 of 2004 s. 25(2) and (3).]*



### **3.47. Confiscated or uncollected goods, disposal of**

- (1) The local government may sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43.
- (2) The local government may sell or otherwise dispose of any vehicle that has not been collected within —
  - (a) 2 months of a notice having been given under section 3.40(3); or
  - (b) 7 days of a declaration being made under section 3.40A(4) that the vehicle is an abandoned vehicle wreck.
- (2a) The local government may sell or otherwise dispose of impounded goods that have not been collected within the period specified in subsection (2b) of —
  - (a) a notice having been given under section 3.42(1)(b) or 3.44; or
  - (b) being impounded if the local government has been unable, after making reasonable efforts to do so, to give that notice to the alleged offender.
- (2b) The period after which goods may be sold or otherwise disposed of under subsection (2a) is —
  - (a) for perishable goods — 3 days;
  - (b) for animals — 7 days;
  - (ca) for prescribed non-perishable goods — one month;
  - (c) for other non-perishable goods — 2 months.
- (3) Section 3.58 applies to the sale of goods under this section as if they were property referred to in that section.
- (4) Money received by a local government from the sale of goods under subsection (2a) is to be credited to its trust fund except to the extent required to meet the costs and expenses incurred by the local government in removing, impounding and selling the goods.
- (5) Money received by a local government from the sale of a vehicle under subsection (2) is to be credited to its trust fund except to the extent required to meet the costs referred to in section 3.46 and the expenses incurred by the local government in selling the vehicle.
- (6) Unless this section requires it to be credited to its trust fund, money received by a local government from the sale under this section of any goods is to be credited to its municipal fund.

*[Section 3.47 amended: No. 64 of 1998 s. 11; No. 49 of 2004 s. 25(4); No. 17 of 2009 s. 9.]*

### **3.47A. Sick or injured animals, disposal of**

- (1) If an impounded animal is ill or injured to such an extent that treating it is not practicable the local government may humanely destroy the animal and dispose of the carcass.
- (2) A local government must not destroy an animal under subsection (1) unless —
  - (a) because of the state of the animal, destroying it is urgent; or
  - (b) the local government has —
    - (i) taken reasonable steps to notify the owner; and
    - (ii) whether or not notice has been given under subparagraph (i), allowed the owner a reasonable opportunity to collect the animal.
- (3) Subsection (2)(b) does not justify the destruction of an animal before it has been impounded for at least 7 days.

*[Section 3.47A inserted: No. 64 of 1998 s. 12.]*

**3.48. Impounding expenses, recovery of**

If goods are removed and impounded under section 3.39 and the alleged offender is convicted, the local government may, by action in a court of competent jurisdiction, recover from the alleged offender —

- (a) if the goods are not sold under section 3.47, the expenses incurred by the local government in removing and impounding them and in disposing of them if they are disposed of under section 3.47; and
- (b) if the goods are confiscated and sold under section 3.47, the amount, if any, by which the money received from the sale and credited to the municipal fund under section 3.47(6) is insufficient to meet expenses incurred by the local government in removing, impounding, and selling them; and
- (c) if the goods are not confiscated but are sold under section 3.47, the amount, if any, by which the money received from the sale is insufficient to meet the costs and expenses referred to in section 3.47(4) or (5), as the case requires.

*[Section 3.48 amended: No. 64 of 1998 s. 13.]*

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 - February 2018	5456 – July 1999

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Nil

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference – 3 & 4 combined



Reference Number	Legislative Reference	Delegate
LGA 4 - Local Laws	Local Government Act s. 3.12 & s. 3.16	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to perform the following powers/duties in relation to local laws made under the Local Government Act 1995 and any other Act:

1. Give State-wide public notice and provide the appropriate Minister with a copy of the proposed local law and the State-wide public notice as required under Section 3.12(3).
2. After making a local law, publish it in the Gazette and give a copy to the appropriate Minister as required under Section 3.12(5).
3. After the local law has been published in the Gazette give State-wide public notice in accordance with Section 3.12(6).
4. Take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws as required under Section 3.15.
5. Give State-wide public notice stating an intention to review a local law as required under Section 3.16(2).
6. After the last day for submissions on the proposed review of a local law, consider the submissions and prepare a report for submission to Council as required under Section 3.16(3).
7. After the Council has made a determination in respect of the local law review, give State-wide public notice as required under Section 3.16(5).

**Conditions**

Nil

### **Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

##### **3.12 Procedure for making local laws**

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
  - (a) give Statewide public notice stating that —
    - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
    - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
    - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
  - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
  - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

\* Absolute majority required.
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
  - (a) stating the title of the local law; and
  - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

- (c) advising that copies of the local law may be inspected or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section — **making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.
- [Section 3.12 amended: No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23; No. 26 of 2016 s. 5.]*

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

This delegation refer to all Shire of Nannup Gazetted Local Laws

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 5



Reference Number	Legislative Reference	Delegate
LGA 5 - Executive Functions	Local Government Act s. 3.21	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to perform the following duties, so far as is reasonable and practicable, on behalf of Council in regard to the performance of executive functions:

1. Ensure that the lawful use of any land, thoroughfare or premises is not obstructed, and any reasonable request that a person makes to avoid such obstruction is met.
2. Ensure that as little harm or inconvenience is caused and as little damage is done as is possible.
3. Ensure that danger to any person or property does not arise from anything done on land.
4. Ensure that anything belonging to the council, or to a person who has exercised a power of entry on its behalf, that has been left on any land, premises or thing entered is removed as soon as practicable unless the Act expressly allows it to be left there.
5. Ensure that buildings, fences, and other structures are not disturbed or damaged.
6. Ensure that when land that is fenced is entered, entry is through the existing and usual openings in the fence unless the opening of the fence has been expressly authorised.
7. Ensure that any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.

**Conditions**

Nil

## Statutory Framework

### *Local Government Act 1995*

#### **3.21 Duties when performing functions**

- (1) In performing its executive functions, a local government, so far as is reasonable and practicable, is to —
- (a) ensure that —
- (i) the lawful use of any land, thoroughfare or premises is not obstructed, and any reasonable request that a person makes to avoid such obstruction is met; and
  - (ii) as little harm or inconvenience is caused and as little damage is done as is possible; and
  - (iii) danger to any person or property does not arise from anything done on land; and
  - (iv) anything belonging to it, or to a person who has exercised a power of entry on its behalf, that has been left on any land, premises or thing entered is removed as soon as practicable unless this Act expressly allows it to be left there; and
- (b) ensure that —
- (i) buildings, fences, and other structures are not disturbed nor damaged; and
  - (ii) when it enters land that is fenced, it enters through the existing and usual openings in the fence unless it is expressly authorised to open the fence; and
  - (iii) any physical damage done to any land, premises or thing, is immediately made good unless compensation has been or is to be paid.
- (2) Subsection (1) (b) does not apply to any land, premises or thing that is local government property.

#### **Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

#### **Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### **Related Documents**

##### **Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 6



Reference Number	Legislative Reference	Delegate
LGA 6 - Certain Things to be Done in Respect of Land	Local Government Act s.3.24	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority under Section 5.44 of the Act to authorise other officers of the local government to exercise on behalf of the local government the powers given to a local government by Subdivision 2 (Certain Provisions about Land) of the Local Government Act 1995.

**Conditions**

Nil

**Statutory Framework**

**Local Government Act 1995**

**3.24. Authorising persons under this Subdivision**

The powers given to a local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.



**Related Documents:**

Nil

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference – 7



Reference Number	Legislative Reference	Delegate
LGA 7 - Power of Entry	Local Government Act s. 3.28, 3.29, 3.30, 3.31, 3.32, 3.33, 3.34, 3.35 & 3.36	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in Section 3.28 to 3.36 inclusive of the Local Government Act 1995.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

***Local Government Act 1995***

**3.28 When this Subdivision applies**

The powers of entry conferred by this Subdivision may be used for performing any function that a local government has under this Act if entry is required for the performance of the function or in any other case in which entry is authorized by this Act other than by a local law.

**3.29 Powers of entry are additional**

The powers of entry upon land conferred by this Subdivision are in addition to and not in derogation of any power of entry conferred by any other law.

### **3.30 Assistants and equipment**

Entry under this Subdivision may be made with such assistants and equipment as are considered necessary for the purpose for which entry is required.

### **3.31 General procedure for entering property**

- (1) Except in an emergency or if the entry is authorized by the warrant of a justice, entry by or on behalf of a local government on to any land, premises or thing is not lawful unless —
  - (a) the consent of the owner or occupier has been obtained; or
  - (b) notice has been given under section 3.32.
- (2) If notice has been given under section 3.32, a person authorized by the local government to do so may lawfully enter the land, premises or thing without the consent of the owner or occupier unless the owner or occupier or a person authorized by the owner or occupier objects to the entry.
- (3) The powers conferred on a local government under this section may be exercised instead of the powers conferred under the Public Works Act 1902 and are not subject to any qualification or restriction by any provision of that Act.

### **3.32 Notice of entry**

- (1) A notice of an intended entry is to be given to the owner or occupier of the land, premises or thing that is to be entered.
- (2) The notice is to specify the purpose for which the entry is required and continues to have effect for so long as that requirement continues.
- (3) The notice is to be given not less than 24 hours before the power of entry is exercised.
- (4) Successive entries for the purpose specified in the notice are to be regarded as entries to which that notice relates.

### **3.33 Entry under warrant**

- (1) In the circumstances described in subsection (2), a justice may by warrant authorize a local government by its employees, together with such other persons as are named or described in the warrant, or a police officer, to enter any land, premises or thing using such force as is necessary.
- (2) A warrant may be granted under subsection (1) where a justice is satisfied that the entry is reasonably required by a local government for the purpose of performing any of its functions, but —
  - (a) entry has been refused or is opposed or prevented;
  - (b) entry cannot be obtained; or
  - (c) notice cannot be given under section 3.32 without unreasonable difficulty or without unreasonably delaying entry.
- (3) A warrant granted under subsection (1) —
  - (a) is to be in the prescribed form;
  - (b) is to specify the purpose for which the land, premises or thing may be entered; and
  - (c) continues to have effect until the purpose for which it was granted has been satisfied.

### **3.34 Entry in an emergency**

- (1) In an emergency a local government may lawfully enter any land, premises or thing immediately and without notice and perform any of its functions as it considers appropriate to deal with the emergency.
- (2) For the purposes of this section, an emergency exists where the local government or its CEO is of the opinion that the circumstances are such that compliance with the requirements for obtaining entry other than under this section would be impractical or unreasonable because of, or because of the imminent risk of —
  - (a) injury or illness to any person;
  - (b) a natural or other disaster or emergency; or
  - (c) such other occurrence as is prescribed for the purposes of this section.
- (3) A local government may use reasonable force to exercise the power of entry given by subsection (1).
- (4) A local government may exercise the power of entry given by subsection (1) at any time while the emergency exists and for so long subsequently as is reasonably required.
- (5) Although notice of an intended entry under this section is not generally required, a local government is to give notice of an intended entry of land under this section to the owner or occupier of the land where it is practicable to do so.

### **3.35 Purpose of entry to be given on request**

A person who enters or who has entered any land, premises or thing on behalf of a local government is to give particulars of the power by virtue of which the local government claims a right of entry on being requested to do so.

### **3.36 Opening fences**

- (1) This section applies only if it is expressly stated in Schedule 3.2.
- (2) Subsection (1) does not prevent regulations amending Schedule 3.2 from stating that this section applies, or excluding the application of this section, in relation to a particular matter.
- (3) If this section applies and it is not practicable to enter land that is fenced through the existing and usual openings in the fence, the local government may, on giving 3 days' notice in writing to the owner or occupier of the land that it intends to do so, open the fence.
- (4) If it opens the fence the local government is to provide at the opening an effective gate or, if the owner of the land agrees, a device across the gap in the fence that enables motor traffic to pass through the gap and prevents the straying of livestock through the gap.
- (5) If a gate is provided a person who, without the occupier's consent, leaves the gate open when it is not in use commits an offence.
- (6) If a gate is provided, when the local government no longer requires the opening, it is to immediately remove the gate and make good the fence unless the owner agrees to its retention.
- (7) The owner and occupier may, in a particular case, relieve the local government of any obligation that it has under this section.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 8



Reference Number	Legislative Reference	Delegate
LGA 8 - Register of Delegations to Committees	Local Government Act s. 5.18	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to keep a Register of the delegations made by Council to Committees, the Register being required in accordance with the provisions of Section 5.18 of the Local Government Act 1995.

Committees of Council:

Audit Advisory Committee

Risk Management Advisory Committee

Bush Fire Advisory Committee

Local Emergency Management Advisory Committee

Australia Day Advisory Committee

Local Drug Action Group

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Local Government Act 1995***

#### **5.18 Register of delegations to committees**

A local government is to keep a register of the delegations made under this Division and review the delegations at least once every financial year.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/355/delegation-register>

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 9



Reference Number	Legislative Reference	Delegate
LGA 9 - Annual Report	Local Government Act s. 5.53	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to prepare, each financial year, the Annual Report as required by Section 5.53(1) of the Local Government Act 1995.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

##### **5.53 Annual reports**

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
  - (a) a report from the mayor or president;
  - (b) a report from the CEO;
  - (c) a report of the principal activities commenced or continued during the financial year;
  - (d) an assessment of the local government’s performance in relation to each principal activity;
  - (e) an overview of the principal activities that are proposed to commence or to continue in the next financial year;
  - (f) the financial report for the financial year;
  - (g) such information as may be prescribed in relation to the payments made to employees;
  - (h) the auditor’s report for the financial year; and
  - (i) such other information as may be prescribed.



**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/1599/20172018-annual-report>

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 10



Reference Number	Legislative Reference	Delegate
LGA 10 - Integrated Planning	Local Government Act s. 5.56	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to prepare Council’s Strategic Community Plan (Plan for the Future) as required by Section 5.56 of the Local Government Act 1995 and Local Government (Administration) Regulation 19C.

The Chief Executive Officer is to prepare for Council’s consideration a review of the Strategic Community Plan every four years as required by Local Government (Administration) Regulation 19C(4).

The Chief Executive Officer is delegated authority to ensure that the electors and ratepayers of the district are consulted during the development of the Strategic Community Plan, and when preparing any modifications of the plan as required by Local Government (Administration) Regulation 19C(9).

The Chief Executive Officer is delegated authority to ensure that the Strategic Community Plan contains a description of the involvement by the electors and ratepayers in the development of the plan, and any modifications of the plan as required by Local Government (Administration) Regulation 19C(10).

The Chief Executive Officer is delegated authority to give local public notice of the adoption of, or modifications to the Strategic Community Plan as required by Local Government (Administration) Regulation 19D.

The Chief Executive Officer is delegated authority to prepare Council’s Corporate Business Plan as required by Section 5.56 of the Local Government Act 1995 and Local Government (Administration) Regulation 19DA(1).

The Chief Executive Officer is delegated authority to submit for Council's consideration an annual review of the Corporate Business Plan as required by Local Government (Administration) Regulation 19DA(4).

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**5.56 Planning principal activities**

- (1) Each financial year, a local government is to prepare a plan for the next 4 or more financial years.
- (2) The plan is to contain details of —
  - (a) the principal activities that are proposed to be commenced or to be continued in each financial year affected by the plan;
  - (b) the objectives of each principal activity;
  - (c) the estimated cost of, and proposed means of funding, each principal activity;
  - (d) how the local government proposes to assess its performance in relation to each principal activity;
  - (e) the estimated income and expenditure for each financial year affected by the plan; and
  - (f) such other matters as may be prescribed.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

[https://www.nannup.wa.gov.au/Profiles/nannup/Assets/ClientData/Document-Centre/2017/Community\\_Strategic\\_Plan\\_2017-2027.pdf](https://www.nannup.wa.gov.au/Profiles/nannup/Assets/ClientData/Document-Centre/2017/Community_Strategic_Plan_2017-2027.pdf)

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 11

Reference Number	Legislative Reference	Delegate
ADM 1 - Copies of Information	Local Government Act s. 5.94, 5.95 (1)(b) & (3)(b) & 5.96 Local Government  (Administration) Regulations 1996 r.29 (2) & (3) and r.29B	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to ensure copies are available to persons inspecting information made available for inspection under Division 7, Part 5 of the Local Government Act 1995 and ensure that the price at which the copies are sold does not exceed the cost of providing the copies.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### *Local Government Act 1995*

##### **5.94. Public can inspect certain local government information**

A person can attend the office of a local government during office hours and, unless it would be contrary to section 5.95, inspect, free of charge, in the form or medium in which it is held by the local government and whether or not it is current at the time of inspection —

- (a) any code of conduct;
  - (aa) any regulations prescribing rules of conduct of council members referred to in section 5.104;

- (ab) any register of complaints referred to in section 5.121;
  - (b) any register of financial interests;
  - (c) any annual report;
  - (d) any annual budget;
  - (e) any schedule of fees and charges;
  - (f) any plan for the future of the district made in accordance with section 5.56;
  - (g) any proposed local law of which the local government has given Statewide public notice under section 3.12(3);
  - (h) any local law made by the local government in accordance with section 3.12;
  - (i) any regulations made by the Governor under section 9.60 that operate as if they were local laws of the local government;
  - (j) any text that —
    - (i) is adopted (whether directly or indirectly) by a local law of the local government or by a regulation that is to operate as if it were a local law of the local government; or
    - (ii) would be adopted by a proposed local law of which the local government has given Statewide public notice under section 3.12(3);
  - (k) any subsidiary legislation made or adopted by the local government under any written law other than under this Act;
  - (l) any written law having a provision in respect of which the local government has a power or duty to enforce;
  - (m) any rates record;
  - (n) any confirmed minutes of council or committee meetings;
  - (o) any minutes of electors' meetings;
  - (p) any notice papers and agenda relating to any council or committee meeting and reports and other documents that have been —
    - (i) tabled at a council or committee meeting; or
    - (ii) produced by the local government or a committee for presentation at a council or committee meeting and which have been presented at the meeting;
  - (q) any report of a review of a local law prepared under section 3.16(3);
  - (r) any business plan prepared under section 3.59;
  - (s) any register of owners and occupiers under section 4.32(6) and electoral rolls;
  - (t) any contract under section 5.39 and variation of such contract;
    - (ta) a report on a supplementary audit prepared under section 7.12AH(1);
  - (u) such other information relating to the local government —
    - (i) required by a provision of this Act to be available for public inspection; or
    - (ii) as may be prescribed.
- [Section 5.94 amended: No. 49 of 2004 s. 42(7); No. 1 of 2007 s. 7; No. 5 of 2017 s. 9.]*

**5.95. Limits on right to inspect local government information**

- (1) A person's right to inspect information referred to in section 5.94 does not extend to the inspection of information —
  - (b) which, in the CEO's opinion, would divert a substantial and unreasonable portion of the local government's resources away from its other functions.

- (3) Subject to subsection (4), a person’s right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in paragraph (n) or (p) of that section if the meeting or that part of the meeting to which the information refers —
- (b) in the CEO’s opinion, could have been closed to members of the public but was not closed.

**5.96. Copies of information to be available**

If a person can inspect certain information under this Division, the person may request a copy of the information and, unless regulations prescribe otherwise, the local government is to ensure that copies are available and that the price at which it sells copies does not exceed the cost of providing the copies.

*[Section 5.96 amended: No. 17 of 2009 s. 31.]*

**Local Government (Administration) Regulations 1996**

**r.29. Information to be available for public inspection (Act s. 5.94)**

- (2) A person’s right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in subregulation (1)(c) if the meeting or that part of the meeting to which the information refers —
- (a) was closed to members of the public; or
- (b) in the CEO’s opinion, could have been closed to members of the public but was not closed, unless the information to be inspected is a record of a decision made at the meeting.
- (3) A person’s right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in subregulation (1)(d) if, in the CEO’s opinion, the meeting or that part of the meeting to which the information refers is likely to be closed to members of the public.

**29B. Copies of certain information not to be provided (Act s. 5.96)**

A local government must not make available to a person copies of information referred to in section 5.94(m) or (s) unless —

- (a) the request for the information is made in the manner and form approved by the CEO of the local government; and
- (b) the CEO of the local government is satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
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2018 Delegation Register Reference - 12
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Reference Number	Legislative Reference	Delegate
ADM 2 - Council and Committee Meetings	Local Government (Administration) Regulations r.12	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to perform the following duties:

1. At least once each year, give Local Public Notice of the dates on which and the time and place at which ordinary Council meetings, and, the Committee meetings that are required under the Local Government Act 1995 to be open to members of the public, are to be held.
2. Give Local Public Notice of any change to the date, time or place of a meeting which is open to the public.
3. Give Local Public Notice of the date, time, place and purpose of any special meeting of the Council that is to be open to members of the public.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government (Administration) Regulations r.12**

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
  - (a) the ordinary council meetings; and
  - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.



- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

<https://www.nannup.wa.gov.au/documents/240/administration-policy-adm8-council-meeting-procedure>

#### Notes of Recent Alterations (if applicable)

2018 Delegation Register Reference - 13



Reference Number	Legislative Reference	Delegate
ADM 3 - Public Inspection of Documents Relating to Council Minutes	Local Government (Administration) Regulations 1996 r.13 & r.14	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to ensure that unconfirmed minutes of each Council meeting and each Committee meeting are available for inspection by members of the public within 10 and 5 business days respectively.

The Chief Executive Officer is delegated authority to ensure notice papers and agendas relating to any Council or Committee meeting, and which have been made available to members of the Council or Committee, are available for inspection by members of the public from the time the documents are made available to the members.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

***Local Government (Administration) Regulations***

**13. Unconfirmed minutes, public inspection of (Act s. 5.25(1)(i))**

A local government is to ensure that unconfirmed minutes of each council and committee meeting are available for inspection by members of the public —

- (a) in the case of a council meeting, within 10 business days after the meeting; and
- (b) in the case of a committee meeting, within 5 business days after the meeting.

**14. Notice papers, agenda etc., public inspection of (Act s. 5.25(1)(j))**

- (1) A local government is to ensure that notice papers and agenda relating to any council or committee meeting and reports and other documents which —
- (a) are to be tabled at the meeting; or
  - (b) have been produced by the local government or a committee for presentation at the meeting, and which have been made available to members of the council or committee for the meeting are available for inspection by members of the public from the time the notice papers, agenda or documents were made available to the members of the council or committee.
- (2) Nothing in subregulation (1) entitles members of the public to inspect the information referred to in that subregulation if, in the CEO's opinion, the meeting or that part of the meeting to which the information refers is likely to be closed to members of the public under section 5.23(2).

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/243/administration-policy-adm11-records-management>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 14



Reference Number	Legislative Reference	Delegate
FMR 1 – Payment of Creditors	LGA 6.10 Financial Management Regulations r.12 1(a)	Chief Executive Officer

### Delegator

Council

### Power / Duty

To exercise the powers and discharge the duties of the local government in accordance with regulation 12 of the *Local Government (Financial Management) Regulations 1996*, in relation to Section 6.10 of the *Local Government Act 1995*.

The Chief Executive Officer is delegated authority to make payments from the Municipal Fund or the Trust Fund. Each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled for each month showing:

- a) The payee's name
- b) The amount of the payment
- c) The date of the payment
- d) Sufficient information to identify the transaction.

The list referred to above is to be presented to the Council at the next ordinary meeting of the Council following the preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

### Conditions

#### ***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 —
  - (a) the payee's name; and
  - (b) the amount of the payment; and

- (c) the date of the payment; and
- (d) 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 subregulation (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.

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

***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**

**12. Payments from municipal fund or trust fund, restrictions on making**

- (1) A payment may only be made from the municipal fund or the trust fund —
  - (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO;

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Nil

<b>Notes of Recent Alterations (if applicable)</b>
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2018 Delegation Register Reference - 15
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Reference Number	Legislative Reference	Delegate
LGA11 – Rate Book	Local Government Act Part 6 s. 6.39 (1) & (2), 6.40, 6.41, 6.49, 6.50, 6.54, 6.55, 6.56, 6.57, 6.58, 6.59, 6.60, 6.61, 6.62, 6.64 (3), 6.76 (1), 6.76(4), 6.76(5),, 6.77, 6.78	Chief Executive Officer

### Delegator

Council

### Power / Duty

To exercise the powers and discharge the duties of the local government under Sections 6.39 (1) & (2), 6.40, 6.41, 6.49, 6.50, 6.54-6.62, 6.64 (3), 6.76 (1), (4) & (5), 6.77 and 6.78 of the *Local Government Act 1995*.

1. Compile the necessary rate records as specified in Sections 6.39(1) and 6.39(2) of the Local Government Act 1995 and reassess rates payable in accordance with Section 6.40.
2. The service of rate notices referred to in Section 6.41.
3. Entering into an agreement in accordance with Section 6.49 for the payment of rates and service charges.
4. Determine the date that a rate or service charge becomes due and payable in accordance with Section 6.50.
5. The recovery of rates and service charges pursuant to the provisions of Sections 6.54, 6.55, 6.56, 6.57, 6.58, 6.59, 6.60, 6.61 & 6.62.
6. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the local government should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled in accordance with Section 6.64(3).
7. Exercise discretion in regard to granting of any extension of time for service of objections to the Rate Book in accordance with Section 6.76(4).
8. Allow or disallow in accordance with Section 6.76(5) any objection to the rate record lodged under Section 6.76(1) and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection in accordance with Section 6.76(6).

9. Extend the period of time for receipt of a notice under Section 6.77 and to refer notices received under Sections 6.77 and 6.78 to a Land Valuation Tribunal.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**6.39. Rate record**

- (1) As soon as practicable after a local government has resolved to impose rates in a financial year it is to ensure that a record is compiled, at the time and in the form and manner prescribed, for that financial year of —
- (a) all rateable land in its district; and
  - (b) all land in its district on which a service charge is imposed.
- (2) A local government —
- (a) is required, from time to time, to amend a rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with this Act; and
  - (b) may amend the rate record for the 5 years preceding the current financial year.

**6.40. Effect of amendment of rate record**

- (1) Where the rate record in relation to any land is amended under section 6.39(2) as a result of a change in —
- (a) the rateable value of; or
  - (b) the rateability of; or
  - (c) the rate imposed on, that land, the local government is to reassess the rates payable on the land and to give notice to the owner of the land of any change in the amount of rates payable on the land.
- (2) Where the rate record in relation to any land is amended under section 6.39(2) as a result of a change in a service charge imposed on that land, the local government is to reassess that service charge and to give notice to the owner or occupier of the land, as the case requires, of any change in the amount of the service charge payable on the land.
- (3) If, as a result of a reassessment of rates under subsection (1), a rate on any land is —
- (a) reduced, and that rate has already been paid to a local government, the local government —
    - (i) may, and if so requested by the current owner of the land is required to, make a refund to that owner of the amount overpaid; or
    - (ii) is required to allow a credit of the amount overpaid in relation to the land against future liabilities for rates or service charges in respect of that land; or



- (b) increased, that increased rate is the rate to which section 6.44 applies.
- (4) If, as a result of a reassessment of a service charge under subsection (2), a service charge on any land is —
  - (a) reduced, and that service charge has already been paid to a local government —
    - (i) by the owner, the local government —
      - (I) may, and if so requested by the current owner of the land is required to, make a refund to that owner of the amount overpaid; or
      - (II) is required to allow a credit of the amount overpaid in relation to the land against future liabilities for rates or service charges in respect of that land; or
    - (ii) by the occupier, the local government is required to make a refund to the person who paid the service charge; or
  - (b) increased, and that service charge was imposed on —
    - (i) the owner, that increased service charge is the service charge to which section 6.44 applies; or
    - (ii) the occupier, that increased service charge is a debt due to the local government by the person on whom the service charge was imposed.

#### **6.41. Service of rate notice**

- (1) A local government is required to give to —
  - (a) the owner of rateable land; and
  - (b) the owner or occupier, as the case requires, of land on which a service charge is imposed, a rate notice stating the date the rate notice was issued and incorporating or accompanied by the details and particulars prescribed.
- (2) The rate notice is to be given —
  - (a) as soon as practicable after —
    - (i) the rate record of the land is completed; or
    - (ii) the rate record of the land is amended, if that amendment results in a change in the amount of rates or service charges payable on that land; or
  - (b) where an election has been made under section 6.45 to pay rates or service charges by instalments, not less than 28 days before each instalment is due.
- (3) Notwithstanding sections 75 and 76 of the *Interpretation Act 1984* service of the rate notice is deemed to have been effected if delivered to the address shown in the rate record for the owner at the time of delivery.

#### **6.49. Agreement as to payment of rates and service charges**

A local government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.

#### **6.50. Rates or service charges due and payable**

- (1) Subject to —
  - (a) subsections (2) and (3); and

- (b) any concession granted under section 6.47; and
  - (c) the *Rates and Charges (Rebates and Deferments) Act 1992*, a rate or service charge becomes due and payable on such date as is determined by the local government.
- (2) The date determined by a local government under subsection (1) is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued.
- (3) Where a person elects to pay a rate or service charge by instalments the second and each subsequent instalment does not become due and payable at intervals of less than 2 months.

#### **Subdivision 5 — Recovery of unpaid rates and service charges**

##### **6.54. Term used: service charge**

In sections 6.55, 6.60 and 6.62 — **service charge** does not include a service charge imposed under section 6.38(1)(b) on the occupier of land who is not the owner of that land.

##### **6.55. Recovery of rates and service charges**

- (1) Subject to subsection (2) and the *Rates and Charges (Rebates and Deferments) Act 1992* rates and service charges on land are recoverable by a local government from —
- (i) the owner at the time of the compilation of the rate record; or
  - (ii) a person who whilst the rates or service charges are unpaid becomes the owner of the land.
- (2) A person who, by virtue of an Act relating to bankruptcy or insolvency or to the winding up of companies, has become the owner of land in the capacity of a trustee or liquidator, is not on that account personally liable to pay, out of the person's own money, rates or service charges which are already due on, or become due on that land while that person is the owner in that capacity.

##### **6.56. Rates or service charges recoverable in court**

- (1) If a rate or service charge remains unpaid after it becomes due and payable, the local government may recover it, as well as the costs of proceedings, if any, for that recovery, in a court of competent jurisdiction.
- (2) Rates or service charges due by the same person to the local government may be included in one writ, summons, or other process.

*[Section 6.56 amended: No. 84 of 2004 s. 80.]*

##### **6.57. Non-compliance with procedure in Act not to prevent recovery of rate or service charge**

In proceedings by or on behalf of a local government for the recovery of an amount due in respect of a rate or service charge, failure by the local government to comply in respect of the rate or service charge with the provisions of this Act, is not a defence, if it appears that it had the power to impose, and did in fact assent to the imposition of, the rate or service charge.

##### **6.58. Defence in special cases**

If a person sued or proceeded against proves that a notice required to be given under Subdivision 3 has not been given, the claim of the local government does not on that account fail, but such

objections as would have been competent on an application under Subdivision 7 for a review may be raised as a defence to the whole or part of the claim, unless they have already been unsuccessfully raised by the person on an application under that Subdivision for a review.

*[Section 6.58 amended: No. 55 of 2004 s. 691.]*

#### **6.59. Question of title to land not to affect jurisdiction**

A jurisdiction otherwise competent to entertain proceedings to recover rates or service charges, or consequent on the recovery of rates or service charges, or to hear an application for review or an appeal relating to the payment of rates or service charges is not affected on the ground that a question of title to land is raised in the proceedings, but an order or judgment in the matter is not evidence of title.

*[Section 6.59 amended: No. 55 of 2004 s. 692.]*

#### **6.60. Local government may require lessee to pay rent**

- (1) In this section — *lease* includes an agreement whether made orally or in writing for the leasing or subleasing of land and includes a licence or arrangement for the use of land; *lessor* and *lessee* mean the parties to a lease and their respective successors in title.
- (2) If payment of a rate or service charge imposed in respect of any land is due and payable, notice may be given to the lessee of the land requiring the lessee to pay to the local government any rent as it falls due in satisfaction of the rate or service charge.
- (3) The local government is to give to the lessor a copy of the notice with an endorsement that the original of it has been given to the lessee.
- (4) The local government may recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with the notice.
- (5) Where an amount is paid under this section to the local government —
  - (a) the payment discharges the payer from any liability to any person to pay that amount as rent; and
  - (b) where as between a lessor and lessee the lessor is liable to pay the rate or service charge, the amount paid may be set off by the lessee against the rent payable to the lessor; and
  - (c) if the amount exceeds the rent due, or if there is no rent due, the amount may be set off by the lessee against accruing rent, or the balance recovered from the lessor in a court of competent jurisdiction.
- (6) To the extent that an agreement purports to preclude a lessee from setting off or recovering payments made to a local government under this section, the agreement is of no effect.

#### **6.61. Requirement to give name of person liable**

- (1) On the request of a local government —
  - (a) the occupier of property, or an agent of the owner of property, is required to disclose to the local government the name and address of the owner or of the person receiving or authorised to receive the rent of the property; and

- (b) the person receiving or authorised to receive the rent of the property is required to disclose the name and address of the owner of the property.
- (2) A person from whom information is requested in accordance with subsection (1) commits an offence if the person —
  - (a) fails to give the information requested; or
  - (b) gives information that is false or misleading in any material particular.

#### **6.62. Application of money paid for rates and service charges**

Where money is paid to a local government in respect of rates or service charges imposed on land, the local government is to apply the money for or towards —

- (a) the rates or services charges due on the land in the order in which they become due; and
- (b) any outstanding costs of proceedings for the recovery of any such rates or charges.

#### **6.64. Actions to be taken**

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

#### **6.76. Grounds of objection**

- (1) A person may, in accordance with this section, object to the rate record of a local government on the ground —
  - (a) that there is an error in the rate record —
    - (i) with respect to the identity of the owner or occupier of any land; or
    - (ii) on the basis that the land or part of the land is not rateable land; or
  - (b) if the local government imposes a differential general rate, that the characteristics of the land recorded in the rate record as the basis for imposing that rate should be deleted and other characteristics substituted.
- (4) The local government may, on application by a person proposing to make an objection, extend the time for making the objection for such period as it thinks fit.
- (5) The local government is to promptly consider any objection and may either disallow it or allow it, wholly or in part.

#### **6.77. Review of decision of local government on objection**

Any person who is dissatisfied with the decision of a local government on an objection by that person under section 6.76 may, within 42 days (or such further period as the State Administrative Tribunal, for reasonable cause shown by the person, allows) after service of notice of the decision, apply to the State Administrative Tribunal for a review of the decision.

**6.78. Review of decision to refuse to extend time for objection**

A person who is dissatisfied with a decision of the local government to refuse to extend the time for making an objection against the rate record may apply to the State Administrative Tribunal for a review of the decision.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 16



Reference Number	Legislative Reference	Delegate
FMR 1 – Financial Reports	Local Government Act s. 6.4 Financial Management Regulations r. 34	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to prepare the annual financial reports and such other financial reports as prescribed in Local Government Act 1995 Section 6.4 and Local Government (Financial Management) Regulation 34.

Further, the Chief Executive Officer is delegated authority to submit the accounts and financial reports to the local government's auditors in accordance with Section 6.4(2) of the Local Government Act 1995.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

##### **6.4. Financial report**

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
  - (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —

- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
- (b) the annual financial report of the local government for the preceding financial year.

**Local Government (Financial Management) Regulations 1996**

**34. Financial activity statement required each month (Act s. 6.4)**

- (1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.
- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
  - (b) budget estimates to the end of the month to which the statement relates; and
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
  - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
  - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
  - (b) by program; or
  - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
  - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 17





Reference Number	Legislative Reference	Delegate
LGA 12 – Trust Fund	Local Government Act s. 6.9	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to manage the Trust Fund as required by Section 6.9 of the Local Government Act 1995.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**6.9. Trust fund**

- (1) A local government is to hold in the trust fund all money or the value of assets —
  - (a) that are required by this Act or any other written law to be credited to that fund; and
  - (b) held by the local government in trust.
- (2) Money or other property held in the trust fund is to be applied for the purposes of, and in accordance with, the trusts affecting it.
- (3) Where money or other property is held in the trust fund, the local government is to —
  - (a) in the case of money, pay it to the person entitled to it together with, if the money has been invested, any interest earned from that investment;
  - (b) in the case of property, deliver it to the person entitled to it.
- (4) Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 18



Reference Number	Legislative Reference	Delegate
LGA 13 - Investments	Local Government Act s. 6.14	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to invest any monies held in the Municipal Fund, Trust Fund or any Reserve Fund that is not, for the time being, required by the local government for any other purpose. In exercising this delegated authority, the Chief Executive Officer shall observe Section 6.14 of the Local Government Act 1995.

Further, the Chief Executive Officer is delegated authority to establish and document internal control procedures to be followed by employees to ensure control over investments, as required by Local Government (Financial Management) Regulation 19. The control procedures are to enable the identification of:

- a) The nature and location of all investments, and
- b) The transactions related to each investment.

### Conditions

Nil.

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

##### **6.14. Power to invest**

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).

- (2) Regulations in relation to investments by local governments may —
- (a) make provision in respect of the investment of money referred to in subsection (1); and
  - [(b) deleted]
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and
  - (e) generally provide for the management of those investments.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/333/finance-policy-fnc7-investment-policy>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 19



Reference Number	Legislative Reference	Delegate
FMR 2 –Payment of Accounts	Financial Management Regulations r.11	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to:

1. Develop procedures for the authorisation of and the payment of, accounts to ensure that there is effective security for, and properly authorised use of:
  - a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - b) petty cash systems.
2. Develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that:
  - a) the relevant debt was incurred by a person who was properly authorised to do so, and
  - b) the goods or services to which each account relates were provided in a satisfactory condition or to a satisfactory standard, as the case requires.

### Conditions

Nil

### Statutory Framework

#### ***Local Government (Financial Management) Regulations 1996***

#### **11. Payments, procedures for making etc.**

- (1) A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of —
- (a) cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and
  - (b) petty cash systems.

- (2) A local government is to develop procedures for the approval of accounts to ensure that before payment of an account a determination is made that the relevant debt was incurred by a person who was properly authorised to do so.
- (3) Payments made by a local government —
  - (a) subject to subregulation (4), are not to be made in cash; and
  - (b) are to be made in a manner which allows identification of —
    - (i) the method of payment; and
    - (ii) the authority for the payment; and
    - (iii) the identity of the person who authorised the payment.
- (4) Nothing in subregulation (3)(a) prevents a local government from making payments in cash from a petty cash system.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/236/administration-policy-adm4-purchasing>

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 20



Reference Number	Legislative Reference	Delegate
LGA 14 - Expenditure Before Adoption of Budget	Local Government Act 1995 s. 6.8	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to authorise operating expenditure and appropriate capital expenditure that is included in Council's Corporate Business Plan from the Municipal Fund prior to the adoption of the annual budget.

The Chief Executive Officer in exercising this delegated authority shall ensure the proposed expenditure is included in the draft budget to be presented to Council.

### Conditions

Nil

### Statutory Framework

#### **Local Government Act 1995**

#### **6.8. Expenditure from municipal fund not included in annual budget**

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

(a) is incurred in a financial year before the adoption of the annual budget by the local government; or

(b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

\* *Absolute majority required.*

(1a) In subsection (1) — **additional purpose** means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

### Verification

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<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

#### **Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### **Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 21





Reference Number	Legislative Reference	Delegate
LGA 15 - Temporary Closure of Thoroughfares and Fixing or Altering Levels or Alignments or Drainage Onto Adjoining Land	Local Government Act 1995 s. 3.50, s. 3.50A, and s. 3.51	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to give the necessary notices and take all appropriate actions to temporarily close any thoroughfare pursuant to the requirements of Section 3.50, 3.50A and 3.51 of the Local Government Act 1995.

#### Conditions

##### **Local Government Act 1995**

##### **3.52. Public access to be maintained and plans kept**

- (1) This section applies in respect of a thoroughfare only if it is in the metropolitan area or on land that has been constituted a townsite under section 10 of the *Land Act 1933* <sup>5</sup>.
- (2) Except to the extent that it is authorised by law to close them or restrict their use, a local government is to ensure that public thoroughfares are kept open for public use.
- (3) In fixing or altering the level of, or the alignment of, a public thoroughfare, a local government is to ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided.
- (4) A local government is to keep plans of the levels and alignments of public thoroughfares that are under its control or management, and make those plans available for public inspection.

## Statutory Framework

### **Local Government Association 1995**

#### **3.50. Closing certain thoroughfares to vehicles**

- (1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.
- (1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.
- (2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

*[(3) deleted]*

- (4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to —
- (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
- (b) give written notice to each person who —
- (i) is prescribed for the purposes of this section; or
  - (ii) owns land that is prescribed for the purposes of this section; and
- (c) allow a reasonable time for submissions to be made and consider any submissions made.
- (5) The local government is to send to the Commissioner of Main Roads appointed under the *Main Roads Act 1930* a copy of the contents of the notice required by subsection (4)(a).
- (6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

*[(7) deleted]*

- (8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.
- (9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

*[Section 3.50 amended: No. 1 of 1998 s. 11; No. 64 of 1998 s. 15; No. 49 of 2004 s. 26.]*

#### **3.50A. Partial closure of thoroughfare for repairs or maintenance**

Despite section 3.50, a local government may partially and temporarily close a thoroughfare, without giving local public notice, if the closure —

- (a) is for the purpose of carrying out repairs or maintenance; and
- (b) is unlikely to have a significant adverse effect on users of the thoroughfare.

*[Section 3.50A inserted: No. 64 of 1998 s. 16.]*

#### **3.51. Affected owners to be notified of certain proposals**

- (1) In this section — ***person having an interest***, in relation to doing anything, means a person who —

- (a) is the owner of the land in respect of which that thing is done, or any land that is likely to be adversely affected by doing that thing; or
  - (b) is shown on the title to any of the land mentioned in paragraph (a) as holding an interest in any of that land; or
  - (c) is prescribed for the purposes of this section.
- (2) This section applies to —
- (a) fixing or altering the level of, or the alignment of, a public thoroughfare; or
  - (b) draining water from a public thoroughfare or other public place onto adjoining land.
- (3) Before doing anything to which this section applies, a local government is to —
- (a) give notice of what is proposed to be done giving details of the proposal and inviting submissions from any person who wishes to make a submission; and
  - (b) allow a reasonable time for submissions to be made and consider any submissions made.
- (4) The notice is to be given —
- (a) in writing to each person having an interest; and
  - (b) if any land is likely to be adversely affected by the doing of the thing, by local public notice.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference – 22 & 26 combined



Reference Number	Legislative Reference	Delegate
ULP 1 - Gates Across Public Thoroughfares	Local Government (Uniform Local Provisions) Regulation 9	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine applications for permission to erect gates or other devices across public thoroughfares under Council control or management to enable traffic to pass across the public thoroughfare and prevent livestock from straying.

### Conditions

Nil

### Statutory Framework

#### **Local Government (Uniform Local Provisions) Regulations 1996**

#### **9. Permission to have gate across public thoroughfare — Sch. 9.1 cl. 5(1)**

- (1) A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying.
- (2) The local government may, before dealing with the application, require the applicant to publish notice of the application in such manner as the local government thinks fit.
- (3) Permission granted by the local government under this regulation —
  - (a) must be in writing; and
  - (b) must specify the period for which it is granted; and
  - (c) must specify each condition imposed under subregulation (4); and
  - (d) may be renewed from time to time; and
  - (e) may be cancelled by giving written notice to the person to whom the permission was granted.
- (4) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, conditions on the construction, placement and maintenance of the gate or other device across the public thoroughfare.

- (5) The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.
- (6) The local government may at any time, by written notice given to the person to whom permission was granted under this regulation, cancel the permission and request the person responsible for the gate or other device to remove it within a time specified in the request.
- (7) A person to whom a request is made under subregulation (6) must comply with the request.  
Penalty: a fine of \$5 000.
- (8) A local government must keep a register of gates and other devices constructed in accordance with a permission granted under this regulation.

Note for this regulation:

This regulation is of a kind prescribed in the Local Government Act 1995 Schedule 3.1 Division 2 item 1A. This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 23



Reference Number	Legislative Reference	Delegate
ULP 2 - Excavation in or near Public Thoroughfares	Local Government (Uniform Local Provisions) Regulation 11	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated the authority to determine applications for licences to deposit materials on a street, way or other public place and to excavate on land abutting or adjoining a street, way or other public place pursuant to Regulations 6 and 11 of the Local Government (Uniform Local Provisions) Regulations 1996.

The Chief Executive Officer shall first obtain confirmation from employees that the proposed activity will not create undue interference with the operation of the street, way or public place.

Licences are to be issued subject to the conditions detailed in Regulation 6 of the Local Government (Uniform Local Provisions) Regulations 1996 and such other conditions as considered relevant by the Chief Executive Officer.

The Chief Executive Officer is delegated authority to take all appropriate action in accordance with Local Government (Uniform Local Provisions) Regulation 11 to remove, or have removed, any dangerous excavation in a public thoroughfare or land adjoining a public thoroughfare.

### Conditions

#### **Local Government (Uniform Local Provisions) Regulations 1996**

#### **6. Obstruction of public thoroughfare by things placed and left — Sch. 9.1 cl. 3(1)(a)**

(1) A person must not, without lawful authority, place on a public thoroughfare anything that obstructs it.

Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the obstruction continues.

(2) A person may apply to the local government for permission to place on a specified part of public thoroughfare one or more specified things that may obstruct the public thoroughfare.

(3) Permission granted by the local government under this regulation —

(a) must be in writing; and

(b) must specify the period for which it is granted; and

- (c) must specify each condition imposed under subregulation (4); and
  - (d) may be renewed from time to time; and
  - (e) may be cancelled by giving written notice to the person to whom the permission was granted.
- (4) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —
- (a) conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare or public safety (**protective structures**);
  - (b) conditions about the placement of things in the public thoroughfare including conditions about the depositing of building materials or waste, or storage or other facilities in the public thoroughfare;
  - (c) a condition imposing a charge for any damage to the public thoroughfare resulting from the placement of a thing on the public thoroughfare;
  - (d) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.
- (5) It is a condition of the permission granted under this regulation that —
- (a) placed things and protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and
  - (b) protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and
  - (c) placed things or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and
  - (d) damage to the public thoroughfare resulting from the placement of a thing or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.
- (6) The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (4) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.
- (7) A person granted permission under this regulation must comply with each condition of the permission.
- Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.
- (8) The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.

(9) For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a placed and left thing or structure.

Note for this regulation:

This regulation is of a kind prescribed in the *Local Government Act 1995* Schedule 3.1 Division 2 item 1. This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

### Statutory Framework

#### ***Local Government (Uniform Local Provisions) Regulations 1996***

#### **11. Dangerous excavation in or near public thoroughfare — Sch. 9.1 cl. 6**

(1) If there is, in a public thoroughfare or land adjoining a public thoroughfare, an excavation that the local government considers to be dangerous, the local government may —

- (a) fill in or fence the excavation; or
- (b) in writing request the owner or occupier of the land to fill in or securely fence the excavation.

(2) A person to whom a request is made under subregulation (1)(b) must comply with the request.  
Penalty: a fine of \$5 000.

(3) A person must not, without lawful authority, make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare.

Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.

(4) A person may apply to the local government for permission to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare.

(5) Permission granted by the local government under this regulation —

- (a) must be in writing; and
- (b) must specify the period for which it is granted; and
- (c) must specify each condition imposed under subregulation (6); and
- (d) may be renewed from time to time; and

(e) may be cancelled by giving written notice to the person to whom the permission was granted.

(6) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —

- (a) conditions relating to the erection of hoardings, fences, walkways or other structures for the protection of the public thoroughfare, adjoining land or public safety (***protective structures***);
- (b) a condition imposing a charge for any damage to the public thoroughfare or adjoining land resulting from the excavation;
- (c) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the



basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.

- (7) It is a condition of the permission granted under this regulation that —
- (a) the excavation is securely fenced off from the public thoroughfare or adjoining land; and
  - (b) protective structures are sufficiently illuminated every night from sunset to sunrise to prevent mishaps; and
  - (c) protective structures are kept and maintained in good condition, to the satisfaction of the CEO of the local government, during such time as the CEO thinks necessary for the public safety and convenience; and
  - (d) the excavation is filled in or protective structures are removed within a reasonable time after the person granted the permission is required in writing to do so by the local government; and
  - (e) damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure is repaired to the satisfaction of the CEO of the local government within a reasonable time after the person granted the permission is required in writing to do so by the local government.
- (8) The local government may, when renewing permission granted under this regulation or at any other time, vary any condition imposed by it under subregulation (6) and the variation takes effect when written notice of it is given to the person to whom the permission was granted.
- (9) A person granted permission under this regulation must comply with each condition of the permission.  
Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.
- (10) The local government may charge a person granted permission under this regulation a fee of not more than \$1.00 for each month or part of a month for each m<sup>2</sup> of public thoroughfare that is enclosed by a hoarding or fence in accordance with the permission.
- (11) For the purposes of section 3.37 of the Act, a contravention of subregulation (3) or (9) is a contravention that can lead to impounding of goods comprising a protective structure or other thing placed in or near the excavation.

Note for this regulation:

This regulation is of a kind prescribed in the Local Government Act 1995 Schedule 3.1 Division 2 item 2. This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

## Related Documents

Notes of Recent Alterations (if applicable)
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2018 Delegation Register Reference - 24
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Reference Number	Legislative Reference	Delegate
ULP 3 - Crossovers	Local Government (Uniform Local Provisions) Regulations 12, 13, 14 and 15	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to determine applications for the construction of a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land and may agree to construct the crossing for the applicant.

The Chief Executive Officer is delegated authority to give notice to an owner or occupier of private land requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.

If the person fails to comply with the notice the Chief Executive Officer is delegated authority to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person.

#### Conditions

Nil

#### Statutory Framework

##### ***Local Government (Uniform Local Provisions) Regulations***

##### **12. Crossing from public thoroughfare to private land or private thoroughfare — Sch. 9.1 cl. 7(2)**

- (1) Upon the application of the sole owner, or a majority of the owners, of private land the local government may, in writing and subject to regulation 14(2) —
- (a) approve the construction, under the supervision of, and to the satisfaction of, the local government, of a crossing giving access from a public thoroughfare to —
- (i) the land; or
  - (ii) a private thoroughfare serving the land;
- or
- (b) agree to construct for the applicant a crossing giving access from a public thoroughfare to —

- (i) the land; or
- (ii) a private thoroughfare serving the land.

(2) A person is not to construct a crossing for vehicles from a public thoroughfare that is a Government road to —

- (a) land on which premises have been or are about to be constructed; or
- (b) a private thoroughfare serving the land, unless the construction of the crossing has been approved by the local government under subregulation (1) and the crossing is constructed in accordance with the approval. Penalty: a fine of \$5 000. Note for this regulation: This regulation is of a kind prescribed in the Local Government Act 1995 Schedule 3.1 Division 2 item 2A(a). This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

*[Regulation 12 amended: Gazette 1 Feb 2013 p. 429-30.]*

### **13. Requirement to construct or repair crossing — Sch. 9.1 cl. 7(3)**

- (1) A local government may, subject to regulation 14(2), give a person who is the owner or occupier of private land a notice in writing requiring the person to construct or repair a crossing from a public thoroughfare to the land or a private thoroughfare serving the land.
- (2) If the person fails to comply with the notice, the local government may construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person.
- (3) A person given a notice under subregulation (1) must comply with the notice.

Penalty: a fine of \$5 000.

*[Regulation 13 amended: Gazette 1 Feb 2013 p. 430.]*

### **14. Role of Commissioner of Main Roads in some cases — Sch. 9.1 cl. 7(2)**

- (1) This regulation applies to a crossing for vehicles from a public thoroughfare that is a Government road to —
  - (a) land on which premises have been or are about to be constructed; or
  - (b) a private thoroughfare serving the land.
- (2) A local government cannot —
  - (a) under regulation 12 construct or approve the construction of; or
  - (b) under regulation 13(1) require the construction of, a crossing to which this regulation applies unless the local government has consulted with the Commissioner and the Commissioner has approved in writing the construction of the crossing.
- (3) If a person —
  - (a) constructs a crossing to which this regulation applies other than in accordance with approval given by the Commissioner under this regulation; or
  - (b) modifies a crossing to which this regulation applies in such a way that it is not in accordance with approval given by the Commissioner under this regulation, the Commissioner may, by notice in writing, require the person to bring the crossing into accordance with the approval, if approval

was given, or remove the crossing and restore the place where the crossing was to its former condition.

(4) If the person fails to comply with the notice, the Commissioner may do anything required by the notice to be done and recover the cost of doing it as a debt due from the person.

(5) A person given a notice under subregulation (3) must comply with the notice. Penalty: a fine of \$5 000.

[[6) deleted]

(7) In this regulation — **Commissioner** means the Commissioner of Main Roads.

Note for this regulation: his regulation is of a kind prescribed in the Local Government Act 1995 Schedule 3.1 Division 2 item 2A(b). This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender.

[Regulation 14 amended: Gazette 1 Feb 2013 p. 430-1.]

#### **15. Contribution to cost of crossing — Sch. 9.1 cl. 7(4)**

(1) Where —

(a) a local government —

(i) under regulation 12 constructs or approves the construction of; or

(ii) under regulation 13(1) requires the construction of, a crossing giving access from a public thoroughfare to private land or a private thoroughfare serving the land; and

(b) the crossing is the first crossing in respect of the land; and

(c) the crossing is a standard crossing or is of a type that is superior to a standard crossing, the local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.

(2) In subregulation (1) — **first crossing**, in respect of land, means the first crossing to the land or a private thoroughfare serving the land constructed under regulation 12 or section 358<sup>2</sup> of the *Local Government Act 1960*<sup>3</sup> as in force at any time before 1 July 1996; **standard crossing** means, subject to any local law as to what is or is not a standard crossing, a crossing of a kind that the local government, by resolution, decides is a standard crossing.

#### **Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

#### **Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/336/works-policy-wrk7-driveway-crossovers>

<https://www.nannup.wa.gov.au/documents/273/local-planning-policy-lpp13-car-parking-and-vehicular-access>

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 25



Reference Number	Legislative Reference	Delegate
LGA 16 - Public Thoroughfares – Public Use	LGA 3.52	Chief Executive Officer Manager Infrastructure

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to;

Ensure that public thoroughfares are kept open for public use as required under Section 3.52(2) of the Local Government Act 1995.

Ensure that access by vehicles to land adjoining the thoroughfare can be reasonably provided in fixing or altering the level of, or the alignment of a public thoroughfare.

#### Conditions

Nil

#### Statutory Framework

##### **Local Government Act 1995**

##### **3.52. Public access to be maintained and plans kept**

- (1) This section applies in respect of a thoroughfare only if it is in the metropolitan area or on land that has been constituted a townsite under section 10 of the *Land Act 1933* <sup>5</sup>.
- (2) Except to the extent that it is authorised by law to close them or restrict their use, a local government is to ensure that public thoroughfares are kept open for public use.
- (3) In fixing or altering the level of, or the alignment of, a public thoroughfare, a local government is to ensure that access by vehicle to land adjoining the thoroughfare can be reasonably provided.
- (4) A local government is to keep plans of the levels and alignments of public thoroughfares that are under its control or management, and make those plans available for public inspection.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 27





Reference Number	Legislative Reference	Delegate
BA 1 - Buildings – Issue of Building Orders	Building Act 2011 s. 110	Chief Executive Officer Building Surveyor

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to issue Building Orders pursuant to Part 8 of the Building Act 2011 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant the issue of a notice.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Building Act 2011**

##### **110. Building orders**

- (1) A permit authority may make an order (a **building order**) in respect of one or more of the following —
- (a) particular building work;
  - (b) particular demolition work;
  - (c) a particular building or incidental structure, whether completed before or after commencement day.
- (2) A building order must be in an approved form and must be directed to any one or more of the following persons as is appropriate in the case —
- (a) if a building permit is in effect for the particular building work, the person named as the builder on the permit;
  - (b) if a demolition permit is in effect for the particular demolition work, the person named as the demolition contractor on the permit;

- (c) a person who is an owner of the land on which the particular building or demolition work is being, or has been, done;
- (d) a person who is an owner or occupier of the land on which the particular building or incidental structure is located.

**Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 28



Reference Number	Legislative Reference	Delegate
BA 2 - Buildings Unfit for Human Occupation, Unlawful Works and Dangerous Buildings	Building Act 2011 Section 112	Chief Executive Officer Building Surveyor

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to serve upon the owners and occupiers of buildings which are unfit for human occupation written notices under Section 112 of the Building Act 2011.

The Chief Executive Officer is delegated the authority to issue Building Orders to stop work pursuant to Section 112 of the Building Act 2011 where a breach of building requirements is considered by the Chief Executive Officer to be of a magnitude sufficient to warrant the issue of a Building Order.

The Chief Executive Officer is delegated the authority to withdraw Building Orders requiring works to be stopped pursuant to Section 112 of the Building Act 2011 where the breach for which the notice has been issued is corrected to the satisfaction of the Chief Executive Officer.

The Chief Executive Officer is delegated the authority to carry out the following functions as provided in Section 112 of the Building Act 2011:

- Issue a certificate which states that the subject building is in a dangerous state.
- Serve written notice upon the owner or the occupier of the building requiring that the building be taken down, secured or repaired.

The Chief Executive Officer is delegated authority to shore up or otherwise secure the building, as well as providing a hoarding or fence around the building to protect the public from danger in accordance with the Building Act 2011

## Conditions

Nil

## Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

### ***Building Act 2011***

#### **112. Content of building order**

- (1) In this section — ***specified*** means specified in the building order.
- (2) A building order may require a person to whom the order is directed to do any one or more of the following within the specified time —
- (a) to stop all or specified building or demolition work that is being done in suspected contravention of a provision of this Act;
  - (b) to demolish, dismantle or remove a building or incidental structure that has been, or is being, built or occupied in suspected contravention of a provision of this Act;
  - (c) to do specified building or demolition work, or alter a building or incidental structure in a specified way, so as to prevent or stop a suspected contravention of this Act;
  - (d) to cause a building or incidental structure to be evacuated, or remain unoccupied, so as to prevent or stop a suspected contravention of this Act;
  - (e) to take or not take specified action so as to prevent or stop a suspected contravention of this Act;
  - (f) to finish the outward facing side of a close wall in a way specified under section 88(3);
  - (g) if a building or incidental structure is reasonably believed to be in a dangerous state or unfit for human occupation —
    - (i) to conduct a survey of the building or incidental structure;
    - (ii) to cause the building or incidental structure to be evacuated or remain unoccupied;
    - (iii) to stop all or specified building or demolition work that is causing or contributing to the state or condition of the building or incidental structure;
    - (iv) to shore up, fence or otherwise secure the building or incidental structure in a specified way for the protection of persons, of other property or of the environment;
    - (v) to renovate or repair the building or incidental structure to a specified standard or in a specified way so as to prevent or stop the building or incidental structure from being a danger to persons, to other property or to the environment or to render it fit for human occupation;
    - (vi) to demolish, dismantle or remove the building or incidental structure;
    - (h) to take specified action that is reasonably incidental to doing a thing mentioned in any of paragraphs (a) to (g).
- (3) A building order —
- (a) that is to have effect for a limited period only must set out that period; and
  - (b) must set out the right of review under section 122; and
  - (c) must require a person to whom the order is directed to notify the permit authority in a specified manner when the person has done what the building order requires the person to do; and

(d) must contain each other thing that is prescribed to be in the order.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference – 29, 30 & 31 combined



Reference Number	Legislative Reference	Delegate
ULP 4 - Private Works On, Over or Under Public Places	Local Government (Uniform Local Provisions) Regulations 1996 r.17	Chief Executive Officer Manager Infrastructure

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine applications to undertake a construction on, over, or under a specified public thoroughfare or public place that is local government property.

The Chief Executive Officer shall first obtain confirmation from employees that the proposed activity will not create undue interference with the operation of the street, way or public place. Permission is to be issued subject to the conditions detailed in Regulation 17 of the Local Government (Uniform Local Provisions) Regulations 1996 and such other conditions as considered relevant by the Chief Executive Officer.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Local Government (Uniform Local Provisions) Regulations 1996***

#### **17. Private works on, over, or under public places — Sch. 9.1 cl. 8**

(1) A person must not, without lawful authority, construct anything on, over, or under a public thoroughfare or other public place that is local government property.

Penalty: a fine of \$5 000.

(2) Subregulation (1) does not apply to the construction of things by or on behalf of the Crown.

(3) A person may apply to the local government for permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property.

(4) Permission granted by the local government under this regulation —

- (a) must be in writing; and
  - (b) must specify the period for which it is granted; and
  - (c) must specify each condition imposed under subregulation (5); and
  - (d) may be renewed from time to time; and
  - (e) may be cancelled by giving written notice to the person to whom the permission was granted.
- (5) The local government may impose such conditions as it thinks fit on granting permission under this regulation including, but not limited to, any of the following —
- (a) a condition imposing a charge for any damage to the public thoroughfare or public place resulting from the construction;
  - (b) a condition requiring the applicant to deposit with the local government a sum sufficient in the opinion of the CEO of the local government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the construction, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant.
- (6) It is a condition of the permission granted under this regulation that —
- (a) the ordinary and reasonable use of the public thoroughfare or public place for the purpose to which it is dedicated is not to be permanently or unreasonably obstructed; and
  - (b) the person carrying out the construction work ensures that a footpath of a public thoroughfare or other public place that is local government property is covered during the period specified in writing by the local government so as to —
    - (i) prevent damage to the footpath; or
    - (ii) prevent inconvenience to the public or danger from falling materials;
 and
  - (c) damage to the public thoroughfare or public place resulting from the construction is repaired to the satisfaction of the CEO of the local government.
- (7) A person granted permission under this regulation must comply with each condition of the permission.
- Penalty: a fine of \$5 000 and a daily penalty of \$500 for each day during which the offence continues.
- (8) A person who constructs anything in accordance with permission granted under this regulation must —
- (a) maintain it; and
  - (b) obtain from an insurance company approved by the local government an insurance policy, in the joint names of the local government and the person, indemnifying the local government against any claim for damages which may arise in, or out of, its construction, maintenance or use.
- Penalty: a fine of \$5 000.
- (9) For the purposes of section 3.37 of the Act, a contravention of subregulation (1) or (7) is a contravention that can lead to impounding of goods comprising a thing constructed on, over, or under a public thoroughfare or other public place that is local government property.

Note for this regulation:

This regulation is of the kind prescribed in the Local Government Act 1995 Schedule 3.1 Division 2 item 3. This means that an offender might be given a notice under section 3.25(1)(b) of the Act and if the notice is not complied with the local government may, under section 3.26, itself do what the notice required and recover the cost from the offender. Schedule 9.1 item 8(4) is relevant.

See also Schedule 3.1 Division 1 item 3 which allows a similar notice to be given even when no offence has been committed.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 32





Reference Number	Legislative Reference	Delegate
LGA 17 – Contract Variations	Local Government Act s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine minor variations (up to the value of 10% of the contract value) to contracts entered into by Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the budget adopted by the Council.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995.42.**

**Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 35



Reference Number	Legislative Reference	Delegate
LGA 18 – Native Title	LGA Section 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to register an interest in any Native Title Claim affecting the local government in order to have sufficient interest to become a party to the Native Title Application.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 36



Reference Number	Legislative Reference	Delegate
LGA 19 - Insurance – Public Liability Claims	LGA Section 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to consider claims against the local government for property damage that do not exceed the insurance policy excess levels, and to accept or deny liability on behalf of the local government.

In cases where liability is accepted, payment may only be made up to the value of the local government's relevant insurance excess amount and then only upon receipt of an appropriate release form prepared by the local government's Solicitors.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

#### **5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 39



Reference Number	Legislative Reference	Delegate
LGA 20 - Surplus Equipment, Materials, Tools etc.	LGA Section 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to hold a surplus goods sale by tender or any other fair means, for items of surplus equipment, materials, tools, etc. which are no longer required.

The result of that sale must be reported to the next Council meeting, listing the items of surplus equipment sold, the successful tenderer and the price.

Any Council member or employee who has placed a tender for any item must not be part of the tender award process.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 40





Reference Number	Legislative Reference	Delegate
LGA 21– Conferences / Seminars / Training Courses – Expenses of Councillors & Employees	Local Government Act 1995 s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to reimburse all reasonable expenses to members and employees incurred whilst attending authorised conferences, seminars and training courses and during other absences from the district on any business deemed necessary by the Chief Executive Officer. Such expenses may include registration fees, accommodation, meals, refreshments, travel and other appropriate out-of-pocket expenses. Before exercising this delegated authority the Chief Executive Officer shall obtain from the Councillor or employees member receipts or other appropriate proof that the expense was incurred, along with a declaration that the expense was incurred wholly whilst on Council business.

This delegation also applies to the payment of expenses of partners when the Council has specifically resolved that it is appropriate for a Councillor or employee to be accompanied by another person.

The Chief Executive Officer shall observe any Council policy in place from time to time.

**Conditions**

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

##### **5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) this Act other than those referred to in section 5.43; or

(b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

### Related Documents

<https://www.nannup.wa.gov.au/documents/238/administration-policy-adm6-conference-attendance-and-training>

#### **Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 41



Reference Number	Legislative Reference	Delegate
LGA 22 - Budget Expenditure	Local Government Act 1995 s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine expenditure on goods and/or services and programs/projects for which funds have been provided in the Annual Budget without further reference to the Council. In exercising this delegated authority the Chief Executive Officer shall provide for appropriate internal control over all expenditure, ensure all statutory requirements are met and ensure all Council policies are observed.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**5.42. Delegation of some powers and duties to CEO**  
 (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —  
 (a) this Act other than those referred to in section 5.43; or  
 (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).  
 \* *Absolute majority required.*  
 (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 42



Reference Number	Legislative Reference	Delegate
LGA 23 - Grants & Subsidies	Local Government Act 1995 s. 5.42	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to make submissions for grants and/or subsidies without prior approval of Council. In exercising this delegated authority the following conditions shall be observed:

The grant/subsidy shall be subject to Council's "Acceptance of Grant Funding Policy".

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/259/finance-policy-fnc6-acceptance-of-grant-funding>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 43



Reference Number	Legislative Reference	Delegate
BFA 1 - Prohibited Burning Period	Bush Fires Act 1954 s. 23 and s. 25	Chief Executive Officer

### Delegator

Council

### Power / Duty

In the absence of a Bush Fire Control Officer of an area, the Chief Executive Officer be delegated authority to issue a permit to a landowner for the burning of bush on his land for the purpose of protecting a dwelling house or other building, or a stack of hay, wheat or other produce, from damage by fire in accordance with Section 23(2)(a)(i) of the Bush Fires Act 1954.

The Chief Executive Officer be delegated to publish a notice in the *Gazette* and in a newspaper circulating in the district, to prohibit the lighting of fires in the open air in the district for the purpose of camping or cooking for such period during the prohibited burning times as is specified in the notice, in accordance with Section 25(1a).

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Bush Fires Act 1954***

#### **23. Burning during prohibited burning times**

- (1) Subject to this section the owner or occupier of land may during the prohibited burning times for the zone of the State in which his land is situated —
- (a) at any time, burn the bush on his land for the purpose of protecting a dwelling house or other building, or a stack of hay, wheat or other produce, from damage by fire;
  - (b) within such period after the commencement of those prohibited burning times as is determined by the local government of the district in which his land is situated —
    - (i) burn the bush on a road reserve adjoining his land;
    - (ii) burn the bush on any of his land that is grass land, for the purpose of protecting pasture or crop growing on his land from damage by fire.

- (2) The burning of bush under this section is subject to the owner or occupier of land complying with —
- (a) the following conditions —
- (i) a permit in writing to burn the bush shall be obtained from a bush fire control officer of the local government in whose district the land is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
  - (ii) the bush shall be burnt at such a time between the hours of 4 p.m. and midnight of the same day as is specified in the permit issued under this section; and
  - (iii) in the case of burning carried out pursuant to subsection (1)(a), the bush shall be burnt between 2 plough or spade breaks of which the outer break is not more than 100 m from the property to be protected; and
  - (iv) in the case of burning carried out pursuant to subsection (1)(b)(i), the bush shall be burnt between the constructed portion of the road and an established fire-break; and
  - (v) in the case of burning carried out pursuant to subsection (1)(b)(ii), the bush shall be burnt between 2 fire-breaks that are not more than 20 m apart and each of which is not less than 2 m in width; and
- (b) the conditions prescribed for the purposes of section 18; and
- (c) such other conditions as are stipulated in the permit issued under this section.

**25. No fire to be lit in open air unless certain precautions taken**

- (1) Subject to subsection (1aa) and section 25A, during the restricted burning times or during the prohibited burning times a person shall not light or use a fire in the open air for a purpose not specifically mentioned or provided for in this Act, save and except in accordance with and subject to the following provisions —
- (a) a fire for the purpose of camping or cooking shall not be lit within 3 m of a log or stump and unless and until a space of ground around the site of the fire having a radius of at least 3 m from the site as the centre, is cleared of all bush and other inflammable material, and when for any day, or any period of a day, the fire danger forecast by the Bureau of Meteorology in Perth in respect of the locality wherein it is desired to light or use a fire for such purpose is “catastrophic”, “extreme”, “severe” or “very high”, such fire shall not be lit on that day or during that period unless and until the approval in writing of the local government for that locality has been obtained so to do;
- (b) a fire shall not be lit for the conversion of bush into charcoal, or in or about a lime kiln for the production of lime, unless and until approval in writing is obtained from the local government in whose district the burning is proposed to be carried out and a space of ground around the perimeter of a kiln, pit, or retort used for the purpose is cleared of all bush and other inflammable material for a distance of at least 6 m and such directions and requirements, if any, as are given or specified by a bush fire control officer or authorised CALM Act officer as being in his opinion, necessary for the purpose of preventing the fire from spreading or escaping, are duly carried out or complied with;



(c) a fire for the purpose of disposing of the carcass of a dead animal, or a part of the carcass, shall not be lit —

(i) unless and until a space of ground around the perimeter of the fire and the carcass or part to be burnt is cleared of all bush and other inflammable material for a distance of at least 6 m;

(ii) within a distance of 6 m of a standing tree, whether dead or living and unless at least one person remains in attendance constantly at the fire, and the directions which may be given by a bush fire liaison officer or bush fire control officer in respect of the fire are complied with;

(iii) except between the hours of 6 p.m. and 11 p.m.;

(iv) unless and until notice of intention so to do has been given to the occupier of all land adjoining the land on which the burning is to take place and to a bush fire control officer of the local government for the district in which the fire is to be lit;

*[(d), (e) deleted]*

(f) where a fire is lit for any purpose mentioned in this subsection, except for the purpose mentioned in paragraph (b), the person who lit the fire, or the person left in attendance on the fire as required by this subsection, as the case may be, shall completely extinguish the fire by the application of water or earth before he leaves it;

(g) where the occupier of a sawmill uses a fire on the premises of the sawmill for the purpose of consuming or disposing of sawdust and waste timber resulting from the sawmilling of timber in the sawmill, if the occupier causes reasonable precautions to be taken for the purpose of preventing the fire from spreading or becoming a source of danger to persons or property, and causes the particular directions or requisitions of a bush fire control officer, bush fire liaison officer or of an authorised CALM Act officer in respect of the fire to be properly observed, the occupier is not required to extinguish the fire whilst it continues to be required for the purpose;

(h) where the occupier of a brick kiln uses a fire on the premises of the brick kiln for the purpose of burning and producing bricks, such occupier is not required to extinguish the fire while it continues to be required for that purpose, if he takes or causes to be taken reasonable precautions to prevent the fire from spreading or becoming a source of danger to persons or property and observes or causes to be observed properly the particular directions or requisitions of a bush fire control officer, bush fire liaison officer or authorised CALM Act officer in respect of the fire.

(1a) For the purposes of this section a gas appliance, comprising a fire the flame of which is encapsulated by the appliance and which does not consume solid fuel, shall not be taken to be a fire in the open air and may be used at any time for the purpose of camping or cooking if that gas appliance is used —

(a) at a person's home; or

(b) in an area which —

(i) is set aside for that purpose by the State Authority or local government responsible for the care, control or management of the land; and

(ii) bears the State Authority's or local government's sign denoting that purpose, and all combustible material is cleared from within a 5 m radius of the appliance.

- (1a) Notwithstanding anything contained in subsection (1) a local government may, by notice published in the *Gazette* and in a newspaper circulating in its district, prohibit the lighting of fires in the open air in its district for the purpose of camping or cooking for such period during the prohibited burning times as is specified in the notice.
- (1b) A notice published under subsection (1a) may be cancelled or varied by a subsequent notice so published.
- (1c) During any period for which the lighting of fires for the purpose of camping or cooking is prohibited in the district of a local government by a notice published under subsection (1a) a person shall not light a fire in the open air in that district for either of those purposes unless the fire is lit —
- (a) in a place specified in the notice as being set aside for the lighting of camping and cooking fires; or
- (b) with the approval in writing of the local government.
- (1d) The provisions of subsection (1)(a) and (f) shall be complied with in relation to a fire lit pursuant to subsection (1c).
- (2) A person who contravenes a provision of this section is guilty of an offence.  
Penalty: \$3 000.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 46



Reference Number	Legislative Reference	Delegate
BFA 2 - Burning – Prohibited and Restricted Times (Variations)	Bush Fires Act 1954 s. 17 and s. 18	Chief Executive Officer

### Delegator

Council

### Power / Duty

Pursuant to Sections 17(10) and 18(5C) of the Bush Fires Act 1954, the Shire President and Chief Bush Fire Control Officer be jointly delegated Council's powers and duties under Section 17(7) & 17(8) and Section 18(5) of the Bush Fires Act 1954 in respect of varying the prohibited burning times and restricted burning times.

Administrative arrangements on any variation are to be carried out by the Chief Executive Officer with the Department of Parks and Wildlife being consulted before a decision is made under this authority.

In any given year the Chief Executive Officer is to formally advise the Department of Parks and Wildlife when the Autumn restricted burning period ceases even if there is no change to the scheduled "opening" of the non-restricted burning period.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Bush Fires Act 1954***

#### **17. Prohibited burning times may be declared by Minister**

(1) The Minister may, by declaration published in the *Gazette*, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the declaration and may, by subsequent declaration so published, vary that declaration or revoke that

declaration either absolutely or for the purpose of substituting another declaration for the declaration so revoked.

- (2) Where by declaration made under subsection (1) prohibited burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those prohibited burning times shall have effect in respect of that zone in each year until that declaration is revoked.
- (3) A copy of the *Gazette* containing a declaration published under subsection (1) shall be received in all courts as evidence of the matters set out in the declaration.
- (4) Where the FES Commissioner considers that burning should be carried out on any land, the FES Commissioner may suspend the operation of a declaration made under subsection (1), so far as the declaration extends to that land, for such period as the FES Commissioner thinks fit and specifies and subject to such conditions as may be prescribed or as the FES Commissioner thinks fit and specifies.
- (5) The FES Commissioner may authorise a person employed in the Department to regulate, permit or define the class of burning that may be carried out, and the times when and conditions under which a fire may be lit, on the land referred to in subsection (4) during the period of suspension granted under that subsection.
- (6) In any year in which the FES Commissioner considers that seasonal conditions warrant a variation of the prohibited burning times in a zone of the State the FES Commissioner may, by notice published in the *Gazette*, vary the prohibited burning times in respect of that year in the zone or a part of the zone by —
  - (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or
  - (b) imposing a further period of prohibited burning times.
- (7) Subject to subsection (7B), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district the local government may, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by —
  - (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or
  - (b) imposing a further period of prohibited burning times.
- (7B) A variation of prohibited burning times shall not be made under subsection (7) if that variation would have the effect of shortening or suspending those prohibited burning times by, or for, more than 14 successive days.
- (8) Where, under subsection (7), a local government makes a variation to the prohibited burning times in respect of its district or a part of its district the following provisions shall apply —
  - (a) the local government —
    - (i) shall, by the quickest means available to it and not later than 2 days before the first day affected by the variation, give notice of the variation to any local government whose district adjoins that district;
    - (ii) shall, by the quickest means available to it, give particulars of the variation to the FES Commissioner and to any Government department or instrumentality which has land in that

district under its care, control and management and which has requested the local government to notify it of all variations made from time to time by the local government under this section or section 18;

- (iii) shall, as soon as is practicable publish particulars of the variation in that district;
- (b) the Minister, on the recommendation of the FES Commissioner, may give notice in writing to the local government directing it —
  - (i) to rescind the variation; or
  - (ii) to modify the variation in such manner as is specified in the notice;
- (c) on receipt of a notice given under paragraph (b) the local government shall forthwith —
  - (i) rescind or modify the variation as directed in the notice; and
  - (ii) publish in that district notice of the rescission or particulars of the modification, as the case may require.
- (9) For the purposes of subsection (8) — **publish** means to publish in a newspaper circulating in the district of the local government, to broadcast from a radio broadcasting station that gives radio broadcasting coverage to that district, to place notices in prominent positions in that district, or to publish by such other method as the FES Commissioner may specify in writing.
- (10) A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).<sup>(11)</sup> A local government may by resolution revoke a delegation it has given under subsection (10) and no delegation so given prevents the exercise and discharge by the local government of its powers and duties under subsections (7) and (8).
- (12) Subject to this Act a person who sets fire to the bush on land within a zone of the State during the prohibited burning times for that zone is guilty of an offence.  
Penalty: \$10 000 or 12 months' imprisonment or both.

#### **18. Restricted burning times may be declared by FES Commissioner**

- (1) Nothing contained in this section authorises the burning of bush during the prohibited burning times.
- (2) The FES Commissioner may, by notice published in the *Gazette*, declare the times of the year during which it is unlawful to set fire to the bush within a zone of the State mentioned in the notice except in accordance with a permit obtained under this section and with the conditions prescribed for the purposes of this section, and may, by subsequent notice so published, vary that declaration or revoke that declaration either wholly or for the purpose of substituting another declaration for the declaration so revoked.
- (3) Where by declaration made under subsection (2) restricted burning times have been declared in respect of a zone of the State then, subject to such variations (if any) as are made under that subsection from time to time, those restricted burning times shall have effect in respect of that zone in each year until that declaration is revoked.
- (4) A copy of the *Gazette* containing a declaration published under subsection (2) shall be received in all courts as evidence of the matters set out in the declaration.

- (4a) In any year in which the FES Commissioner considers that seasonal conditions warrant a variation of the restricted burning times in a zone, or part of a zone, of the State the FES Commissioner may, by notice published in the *Gazette*, vary the restricted burning times in respect of that year in the zone or part of the zone by —
- (a) shortening, extending, suspending or reimposing a period of restricted burning times; or
  - (b) imposing a further period of restricted burning times.
- (5) Subject to subsection (5B) in any year in which a local government considers that seasonal conditions so warrant the local government may, after consultation with an authorised CALM Act officer if forest land is situated in its district —
- (a) vary the restricted burning times in respect of that year in the district or a part of the district by —
    - (i) shortening, extending, suspending or reimposing a period of restricted burning times; or
    - (ii) imposing a further period of restricted burning times; or
  - (b) vary the prescribed conditions by modifying or suspending all or any of those conditions.
- (5B) A variation shall not be made under subsection (5) if that variation would have the effect of —
- (a) shortening the restricted burning times by; or
  - (b) suspending the restricted burning times, or any prescribed condition, for, more than 14 successive days during a period that would, in the absence of the variation under subsection (5), be part of the restricted burning times for that zone in that year.
- (5C) The provisions of section 17(8), (9), (10) and (11), with the necessary adaptations and modifications, apply to and in relation to the variation of restricted burning times or prescribed conditions by a local government, as if those provisions were expressly incorporated in this section. (5D) In subsections (5) and (5C) — **prescribed condition** includes the requirement of subsection (6)(a).
- (6) Subject to this Act a person shall not set fire to the bush on land within a zone of the State during the restricted burning times for that zone of the State unless —
- (a) he has obtained a permit in writing to burn the bush from a bush fire control officer of the local government in whose district the land upon which the bush proposed to be burnt is situated, or from the chief executive officer of the local government if a bush fire control officer is not available; and
  - (b) the conditions prescribed for the purposes of this section are complied with in relation to the burning of the bush.
- (7) The person issuing a permit to burn under this section may, by endorsement on the permit —
- (a) incorporate therein any additional requirements and directions considered necessary by him relative to the burning; or
  - (b) modify or dispense with any of the conditions prescribed for the purposes of this section in so far as those conditions are applicable to the burning.
- (8) The holder of a permit to burn under this section —
- (a) shall observe and carry out any requirement or direction incorporated therein pursuant to subsection (7)(a);

- (b) shall, where any prescribed condition is modified pursuant to subsection (5) or subsection (7)(b), comply with that condition as so modified;(c) need not comply with any prescribed condition that is suspended or dispensed with pursuant to subsection (5) or (7)(b).
- (9) A permit issued under this section may authorise the owner or occupier of land to burn the bush on a road reserve adjoining that land.(10A) Subject to the regulations a local government may by resolution declare that within its district bush may be burnt only on such dates and by such persons as are prescribed by a schedule of burning times adopted by the local government.
- (10B) A person desiring to set fire to bush within the district of the local government that has made a declaration under subsection (10A) shall, by such date as may be determined by the local government, apply to the local government for permission to set fire to the bush, and the local government shall allocate a day or days on which the burning may take place.
- (10C) Any burning permitted under subsection (10B) shall be done only on the day or days and in the manner specified by the local government and subject to the conditions prescribed for the purposes of this section except that any prescribed period of notice may be varied by the local government in order to enable the schedule of burning times adopted by it to be given effect to.
- (11) Where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of \$10 000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction.
- (12) A person who commits a breach of this section other than subsection (11) is guilty of an offence.  
Penalty: For a first offence \$4 500.  
For a second or subsequent offence \$10 000.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 47



Reference Number	Legislative Reference	Delegate
BA 3 - Strata Titles	Building Act 2011 s. 50	Chief Executive Officer

### Delegator

Council

### Power / Duty

Pursuant to the provisions of Section 50 of the Building Act 2011, the Chief Executive Officer is authorised to issue the appropriate certificates in respect to buildings as may be shown on a strata plan to be lodged for registration under the Act, provided that the buildings shown on the strata plan are first inspected to ensure compliance with Town Planning, Health and other Council requirements and that the Chief Executive Officer is of the opinion that the buildings are of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act 1985.

*(Note: This delegation is to be supported by an instrument in writing under the Common Seal of the Shire).*

### Conditions

#### **Strata Titles Act 1985**

#### **5B. Further provisions as to registration of plans**

- (2) A strata plan lodged for registration shall be accompanied by —
- (a) an occupancy permit granted under an application mentioned in the *Building Act 2011* section 50(1)(a); or
  - (b) a building approval certificate granted under an application mentioned in the *Building Act 2011* section 50(1)(b).

#### **8A. Requirements for plan of re-subdivision**

A plan of re-subdivision shall —

- (f) in the case of a re-subdivision of a lot in a strata scheme, be accompanied by —
- (i) an occupancy permit granted under an application mentioned in the *Building Act 2011* section 50(2)(a); or



(ii) a building approval certificate granted under an application mentioned in the *Building Act 2011* section 50(2)(b);

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Building Act 2011**

##### **50. Application for occupancy permit or building approval certificate for registration of strata scheme, plan of re-subdivision**

- (1) A person who wishes to lodge a strata plan for registration under the *Strata Titles Act 1985* may apply for —
- (a) an occupancy permit for a building that is a subject of the strata plan to accompany the strata plan as required under the *Strata Titles Act 1985* section 5B(2)(a); or
  - (b) a building approval certificate for a building that is a subject of the strata plan to accompany the strata plan as required under the *Strata Titles Act 1985* section 5B(2)(b).
- (2) A person who wishes to re-subdivide a lot in a strata scheme under the *Strata Titles Act 1985* may apply for —
- (a) an occupancy permit for a building that comprises the whole or part of the lot to accompany the plan as required under the *Strata Titles Act 1985* section 8A(f)(i); or
  - (b) a building approval certificate for a building that comprises the whole or part of the lot to accompany the strata plan as required under the *Strata Titles Act 1985* section 8A(f)(ii).
- (3) An application for an occupancy permit under subsection (1)(a) or (2)(a) may be made if —
- (a) an occupancy permit is in effect for the building; or
  - (b) the building is otherwise one which would require an occupancy permit under section 41(2).
- (4) An application for a building approval certificate under subsection (1)(b) or (2)(b) may be made if the building is not of a kind mentioned in subsection (3).

### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

### Related Documents

[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_41503.pdf/\\$FILE/Strata%20Titles%20Act%201985%20-%20%5B07-f0-03%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41503.pdf/$FILE/Strata%20Titles%20Act%201985%20-%20%5B07-f0-03%5D.pdf?OpenElement)

<b>Notes of Recent Alterations (if applicable)</b>
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2018 Delegation Register Reference - 48
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Reference Number	Legislative Reference	Delegate
LGA 24 - Building Permit Fees: Refunds and Exemptions	Local Government Act 1995 s. 6.12	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine applications for the refund of building permit fees where a building project is abandoned after the issue of the building permit. Any refund shall not exceed 50% of the building permit fee paid and no refund is to be made when the building project is abandoned after the expiry of 12 months from the date of issue of the permit.

The Chief Executive Officer is further delegated authority to determine any applications from sporting, charitable and other community groups for exemption from payment of any building permit fees.

NOTE: This delegation applies only to that part of the Building Permit Fee retained by Council and not to that part collected as a Building Services Levy or a Building and Construction Industry Training Fund Levy.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

#### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money, which is owed to the local government.

*\* Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

#### **Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

#### **Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### **Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 49

Reference Number	Legislative Reference	Delegate
BFA 3 - Prosecution of Offences	Bush Fires Act 1954 s. 59	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to consider allegations of offences alleged to have been committed against the Bush Fires Act within the district, and if the Chief Executive Officer thinks fit, to institute and carry out proceedings in the name of the Shire against any person alleged to have committed any of those offences. This delegation extends to the issue of infringement notices in accordance with the provisions of Section 59A of the Act.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Bush Fires Act 1954***

#### **59. Prosecution of offences**

- (1) A person authorised by the Minister, a person employed in the Department for the purposes of this Act, an authorised CALM Act officer, a member of the Police Force, or a local government, may institute and carry on proceedings against a person for an offence alleged to be committed against this Act.
- (2) The person instituting and carrying on the proceedings shall be reimbursed out of the funds of the local government within whose district the alleged offence is committed, all costs and expenses which he may incur or be put to in or about the proceedings.
- (3) A local government may, by written instrument of delegation, delegate authority generally, or in any class of case, or in any particular case, to its bush fire control officer, or other officer, to consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those

offences in the district, and may pay out of its funds any costs and expenses incurred in or about the proceedings.

(4) A local government may by written instrument cancel, or from time to time vary, any instrument of delegation conferred under subsection (3).

(5) Notwithstanding that a local government has under subsection (3) conferred authority on a delegate, the local government is not precluded from exercising but may itself exercise the authority.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 50



Reference Number	Legislative Reference	Delegate
DA 1 - Powers and Duties of the <i>Dog Act 1976</i> ; including the authority to further delegate	Dog Act 1976 s. 10AA	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

All powers and duties of the 'local government' under the *Dog Act 1976* including the authority to further delegate those powers.

#### Conditions

Nil

#### Statutory Framework

##### ***Dog Act 1976***

##### **10AA. Delegation of local government powers and duties**

- (1) A local government may, by absolute majority as defined in the *Local Government Act 1995* section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.
- (2) The delegation must be in writing.(3)The delegation may expressly authorise the delegate to further delegate the power or duty.
- (4) A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.
- (5) Nothing in this section limits the ability of a local government's chief executive officer to perform a function through an officer or agent.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of Section 10AB of the *Dog Act 1976*, at least once every financial year.

**Related Documents****Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 51





Reference Number	Legislative Reference	Delegate
CA 1 - The Powers and Duties of the <i>Cat Act 2011</i>	Cat Act 2011 s. 44	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

All powers and duties of the 'local government' under the *Cat Act 2011*.

**Conditions**

Nil

**Statutory Framework**

***Cat Act 2011***

**44. Delegation by local government**

- (1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) A decision to delegate under this section is to be made by an absolute majority.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of Section 47 of the *Cat Act 2011*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
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2018 Delegation Register Reference - 51
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Reference Number	Legislative Reference	Delegate
LGA 25 - Execution of Documents	Local Government Act 1995 s. 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

Where:

- a) the Council has authorised entering into a formal contract, or
- b) a formal contract is authorised under a delegated authority from the Council, or
- c) a formal contract is considered necessary by the Chief Executive Officer as part of the day-to-day operation of the Council,

The Chief Executive Officer is delegated authority to prepare the necessary documentation, taking into account any specific or policy requirements of Council, and arrange for execution of the contract documents without further reference to Council.

### Conditions

#### **Local Government Act 1995**

#### **9.49. Documents, how authenticated**

A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

*\* Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 53



Reference Number	Legislative Reference	Delegate
LGA 26 - Donations	Local Government Act 1995 s. 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine requests for donation of monies up to the value of \$100 when a group or individual can demonstrate:

1. Significant direct benefit to the local community.
2. That the group is a community group or non-profit making organisation or running a non profit activity.
3. That the group's financial status is such as to justify a donation from the local government.
4. Special circumstances or needs exist in the opinion of the Chief Executive Officer to warrant a donation, e.g. support of needy groups and individuals who bring credit to the local government by achieving state or national representation or awards, which sees them requiring financial assistance for travelling, accommodation or other incidental expenses.
5. That funding exists in Council's budget.

A maximum sum of \$1,000 may be allocated in this way within any one financial year.

### Conditions

Nil

### Statutory Framework

#### **Local Government Act 1995**

#### **5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 54



Reference Number	Legislative Reference	Delegate
LGA 27 - Liquor, Sale or Consumption – Council Property	Local Government Act 1995 s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine applications for the sale of liquor from property under the care, control and management of the Council and to determine applications to consume liquor on property under the care, control and management of Council. In exercising this delegation, the Chief Executive Officer shall have regard to the provisions of the appropriate State Legislation regarding consumption and sale of liquor and shall, when appropriate, consult with local Police.

**Conditions**

Nil

**Statutory Framework**

<p><b>5.42. Delegation of some powers and duties to CEO</b></p> <p>(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —</p> <p>(a) this Act other than those referred to in section 5.43; or</p> <p>(b) the <i>Planning and Development Act 2005</i> section 214(2), (3) or (5).</p> <p>* <i>Absolute majority required.</i></p> <p>(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.</p>
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**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 55





Reference Number	Legislative Reference	Delegate
LGA 28 - Hall Hire	Local Government Act 1995 s. 5.42	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to determine applications for the sale of liquor from property under the care, control and management of the Council and to determine applications to consume liquor on property under the care, control and management of Council. In exercising this delegation, the Chief Executive Officer shall have regard to the provisions of the appropriate State Legislation regarding consumption and sale of liquor and shall, when appropriate, consult with local Police.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/239/administration-policy-adm7-council-function-room-hire>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 56



Reference Number	Legislative Reference	Delegate
LGA 29 - Contractors – Use on works	Local Government Act 1995 s. 5.45	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to engage private contractors to assist and complement Council's works employees in carrying out any works and services. In exercising this delegated authority, the Chief Executive Officer shall have due regard to the following:

1. It must be demonstrated that by engaging the private contractors, it will be in the best interests of the local government.
2. Appropriate funds are provided in the budget.
3. The engagement of private contractors shall only take place with due compliance with the Local Government (Functions and General) Regulations relating to tenders and council policy.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

#### **5.45. Other matters relevant to delegations under this Division**

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
- (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
- (a) a local government from performing any of its functions by acting through a person other than the CEO; or

(b) a CEO from performing any of his or her functions by acting through another person.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/236/administration-policy-adm4-purchasing>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 57



Reference Number	Legislative Reference	Delegate
LGA 30 - Removal of Street Trees	Local Government Act 1995 s. 5.42	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to authorise the removal of any tree on any townsite street or road reserve where the street or road is under the care, control and maintenance of the Council. This delegated authority shall only be exercised when the Chief Executive Officer, after obtaining technical advice when appropriate, is of the opinion that the tree is dead, diseased, structurally dangerous or is creating a traffic hazard by restricting the vision of motorists.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/294/works-policy-wrk2-disposal-of-verge-timber>

<https://www.nannup.wa.gov.au/documents/296/works-policy-wrk5-roadside-vegetation>

<https://www.nannup.wa.gov.au/documents/299/works-policy-wrk9-road-verge-development>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 58



Reference Number	Legislative Reference	Delegate
LGA 31 - Signs & Hoardings	Local Government Act 1995 s. 5.42	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to determine applications for the erection and where appropriate, the licensing and/or approval of signs and hoardings that comply with Council's Local Planning Policy 18 Signs and Advertisements of the Town Planning Scheme, any Local Laws or policy adopted by Council.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/279/local-planning-policy-lpp18-signs-and-advertisements>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 59





Reference Number	Legislative Reference	Delegate
LGA 32 - Council Resources for Wild Fire	Local Government Act 1995 s. 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to:

Authorise the allocation of resources for the control of wildfires provided that:

1. The resources requested are the result of a direct request from either the Chief Bush Fire Control Officer, or in his absence a Deputy Chief Bush Fire Control Officer.
2. The machinery is driven by an employee competent in the use of the machine.
3. The machine operator being given total discretion to withdraw the machinery from use at any time if he/she considers the situation to be dangerous enough to put personal safety at risk, or inflict serious damage to the machine.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 60



Reference Number	Legislative Reference	Delegate
LGA 33 - Study Leave	Local Government Act 1995 s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine applications for Study Leave in accordance with the following guidelines:

1. Council has allowed up to 50% of tuition time as paid study leave.
2. A maximum of 2 days paid study leave per course subject is permitted.
3. A maximum of 8 days paid study leave is permitted during any calendar year.

**Intensive Study Course**

Leave may be granted for up to 4 days per course for employees to attend an approved intensive course of study. Any leave so granted shall be split into equal portions of paid study leave, and accrued employee leave (i.e. Annual Recreation Leave, Rostered Days Off, etc.)

**Correspondence Course**

Leave may be granted for up to one half of the recognised full time equivalent tuition time associated with an approved correspondence course of study to be paid study leave. The balance of the time required to complete the course of study must be incurred in the employee’s own time.

Approval for paid study leave will only be granted if the time away from the workplace does not adversely affect the normal operations of the local government.

**Conditions**

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### 5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) this Act other than those referred to in section 5.43; or

(b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

### Related Documents

<https://www.nannup.wa.gov.au/documents/285/personnel-policy-psn3-study-leave>

#### Notes of Recent Alterations (if applicable)

2018 Delegation Register Reference - 61



Reference Number	Legislative Reference	Delegate
LGA 34 - Street Stalls – Market Days	Local Government Act 1995 s. 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine the use of Council owned land and Reserves for the purpose of Market Days subject to:

1. The user groups and organisations involved with the market days must nominate one person as official Council contact.
2. The site must at all times be kept free of litter.
3. Signs indicating the location of the market day must be removed promptly.
4. Recipients of donations from the stall organiser shall be bona fide charities, sporting associations or community groups.

Council reserves the right to cancel this approval should conditions 1 to 4 not be met or the market day's operations detract from the general amenity of the location.

### Conditions

Nil

### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### **Local Government Act 1995**

#### **5.42. Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
  - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

*\* Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

<https://www.nannup.wa.gov.au/documents/433/health-policy-hlt2-mobile-shop-temporary-premises-street-stall>

#### Notes of Recent Alterations (if applicable)

2018 Delegation Register Reference - 62



Reference Number	Legislative Reference	Delegate
CCG 1 - Overflow Camping Areas	Caravan & Camping Grounds Regulations 1997 r.6	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer be appointed as the authorised person to undertake the functions conferred on a local government by the Caravan Parks and Camping Grounds Regulations 1997. The Chief Executive Officer is delegated authority to determine applications from organisations/community groups for use of reserves in the townsite for camping caravans subject to it being clearly demonstrated by the proponents that both the Brockman Street and Balingup Road Caravan Parks are, or would be, fully booked due to seasonal factors or special events. Should the proponents demonstrate full bookings then the Chief Executive Officer be authorised to permit camping on the Community Centre grounds subject to:

1. Camping may be allowed in the vicinity of the hockey grounds.
2. Bonds and Fees to be charged as resolved by Council (refer to Councils list of adopted Fees and Charges).
3. No campfires will be allowed.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Caravan and Camping Regulations 1997***

##### **6. Local government**

A function conferred on a local government by these regulations may be performed by an authorised person appointed by that local government who is authorised in writing by that local government to do so.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/434/health-policy-hlt3-temporary-caravan-parks-and-camping-grounds>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 63





Reference Number	Legislative Reference	Delegate
LGA 35 - Disposal of Verge Timber	Local Government Act 1995 s. 5.42	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to determine proposals to clear vegetation on road reserves subject to:

1. All proposals to clear vegetation on a road reserve must be submitted to the Shire of Nannup in writing.
2. Each proposal should detail the location, amount and type of vegetation to be removed.
3. Approval may only be granted after an on-site inspection, for clearing for the installation of a new or replacement fence to a maximum width of one (1) metre.
4. Any dead or dying trees outside of the approved one (1) metre width may be removed with the authority of the Chief Executive Officer.
5. Landowners are to be mindful of existing natural vegetation when undertaking clearing activities to ensure that damage to such vegetation is minimised.
6. All timber pushed over is to be stacked in the landowner's paddock for disposal prior to full repair of the boundary fence by the applicant.
7. The road verge is to left in a clean and tidy state after clearing has been completed.
8. All other requests for clearing in excess of one (1) metre width are to be submitted to Council for consideration.
9. Trees to be removed from road reserves to provide for fence lines or public safety or to facilitate roadworks are the responsibility of Council.

The Chief Executive Officer is delegated authority to dispose of all surplus wood arising from roadside clearing in the following circumstances:

1. There is to be no consideration (money) paid for timber.
2. Council declines any liability in respect of people accessing timber utilising their own equipment and machinery.

3. Timber can be removed in an orderly manner on a first come first served basis under the direction of Council's Manager Infrastructure.
4. Any timber removed is to be removed from site by the person requesting.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Local Government Act 1995**

**5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/294/works-policy-wrk2-disposal-of-verge-timber>

<https://www.nannup.wa.gov.au/documents/296/works-policy-wrk5-roadside-vegetation>

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference – 64 & 65 combined



Reference Number	Legislative Reference	Delegate
BFA 4 - Alternative Fire Breaks	Bush Fires Act 1954 s. 33	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to determine variations to fire breaks provided that applications are received by the Chief Executive Officer by 1 November each year and that any such application must bear the signature of the Bush Fire Control Officer for the area indicating the agreement to the variation.

Applications for variation to fire breaks received after 1 November each year will not be considered. Applications must be renewed each year as circumstances can change from year to year, particularly in relation to weather, fuel loading and land condition.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

#### ***Bush Fires Act 1954***

#### **33. Local government may require occupier of land to plough or clear fire-break**

(1) Subject to subsection (2) a local government at any time, and from time to time, may, and if so required by the Minister shall, as a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, give notice in writing to an owner or occupier of land situate within the district of the local government or shall give notice to all owners or occupiers of land in its district by publishing a notice in the *Government Gazette* and in a newspaper circulating in the area requiring him or them as the case may be within a time specified in the notice to do or to commence to do at a time so specified all or any of the following things —

- (a) to plough, cultivate, scarify, burn or otherwise clear upon the land fire-breaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the fire-breaks clear of inflammable matter;
  - (b) to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire, and the notice may require the owner or occupier to do so —
  - (c) as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and
  - (d) in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice.
- (2) A notice in writing under subsection (1) may be given to an owner or occupier of land by posting it to him at his last postal address known to the local government and may be given to an owner of land by posting it to him at the address shown in the rate record kept by the local government pursuant to the *Local Government Act 1995*, as his address for the service of rate notices.
- (2a) The provisions of subsection (2) are in addition to and not in derogation of those of sections 75 and 76 of the *Interpretation Act 1984*.
- (3) The owner or occupier of land to whom a notice has been given under subsection (1) and who fails or neglects in any respect duly to comply with the requisitions of the notice is guilty of an offence. Penalty: \$5 000.
- (4) Where an owner or occupier of land who has received notice under subsection (1) fails or neglects to comply with the requisitions of the notice within the time specified in the notice —
- (a) the local government may direct its bush fire control officer, or any other officer of the local government, to enter upon the land of the owner or occupier and to carry out the requisitions of the notice which have not been complied with; and
  - (b) the bush fire control officer or other officer may, in pursuance of the direction, enter upon the land of the owner or occupier with such servants, workmen, or contractors, and with such vehicles, machinery, and appliances as he deems fit, and may do such acts, matters and things as may be necessary to carry out the requisitions of the notice.
- (5) The amount of any costs and expenses incurred by the bush fire control officer or other officer in doing the acts, matters, or things provided for in subsection (4) —
- (a) shall be ascertained and fixed by the local government and a certificate signed by the mayor or president of the local government shall be *prima facie* evidence of the amount; and
  - (b) may be recovered by the local government in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government.
- (5a) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* —
- (a) requiring owners and occupiers of land in its district to clear fire-breaks in such manner, at such places, at such times, of such dimensions and to such number, and whether in parallel or

- otherwise, as are specified in the local laws and to maintain the fire-breaks clear of inflammable matter;
- (b) providing that things required by the local laws to be done shall be done to the satisfaction of the local government or its duly authorised officer.
- (5b) Where an owner or occupier of land fails or neglects in any respect to comply with the requirements of local laws made under subsection (5a) the provisions of subsections (3), (4) and (5) apply *mutatis mutandis* as if those requirements were the requisitions of a notice given under subsection (1).
- (5c) Nothing in subsection (5a) affects the power of a local government to give notice under subsection (1) nor its duty to do so if so required by the Minister.
- (5d) Where the provisions of local laws made under subsection (5a) are inconsistent with those of a notice given under subsection (1) or under section 34 or 35, the provisions of that notice shall, to the extent of the inconsistency, prevail.
- (6) A local government may, at the request of the owner or occupier of land within its district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier by the local government in a court of competent jurisdiction as a debt due from the owner or occupier to the local government.
- (7) Nothing in this section authorises a local government —
- (a) to set fire to the bush, or to require an owner or occupier of land to set fire to the bush, contrary to the provisions of section 17; or
- (b) to make local laws authorising or requiring bush to be set on fire contrary to the provisions of section 17.
- (8) Any amount recoverable by a local government under this section as a debt due from the owner or occupier of land is, until paid in full —
- (a) a debt due from each subsequent owner in succession; and
- (b) a charge against the land with the same consequences as if it were a charge under the *Local Government Act 1995* for unpaid rates; and
- (c) recoverable by the local government in the same manner as rates imposed in respect of the land are recoverable under that Act.
- (9) In this section — **owner or occupier of land** includes a prescribed department of the Public Service that occupies land or a prescribed State agency or instrumentality that owns or occupies land.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 February 2018	6405 November 2001

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

**Notes of Recent Alterations (if applicable)**

2018 Delegation Register Reference - 68



Reference Number	Legislative Reference	Delegate
LGA 36 - Street Banners	Local Government Act 1995 s. 5.42	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine the display of various community banners in the spaces provided on Warren Road.

**Conditions**

Nil

**Statutory Framework**

**Local Government Act 1995**

**5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 February 2018	6432 December 2001

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/279/local-planning-policy-lpp18-signs-and-advertisements>

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 69





Reference Number	Legislative Reference	Delegate
BA 4 - Demolition Permits	Building Act 2011 s. 21	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer is delegated authority to determine the issue of a demolition permit under Section 21 of the Building Act 2011 to take down a building or a part of a building and such permit may be subject to such conditions as the Chief Executive Officer considers necessary for the safe and proper execution of the work.

**Conditions**

Nil

**Statutory Framework**

**Building Act 2011**

**21. Grant of demolition permit**

- (1) The permit authority to which an application for a demolition permit is made must grant the demolition permit if it is satisfied —
  - (a) that the applicant has complied with section 16; and
  - (b) if the person mentioned in section 16(c) is required under another written law to have an authority under that law to do the demolition work, that the person has that authority; and
  - (c) that the demolition work will comply with each applicable building standard; and(d) if the demolition work may adversely affect land beyond the boundaries of the land on which the work is proposed to be done, that there is compliance with section 77; and
  - (e) that any part of the building or incidental structure that is the subject of the application which is proposed to remain as a permanent retaining or other protection structure is suitable for that purpose; and
  - (f) that the applicant satisfies the insurance requirements prescribed by regulation or under any other written law in respect of the demolition work; and

- (g) that any building services levy required to be paid in respect of the demolition permit under regulations mentioned in the *Building Services (Complaint Resolution and Administration) Act 2011* Part 7 Division 2 has been paid; and
  - (h) if a levy is imposed by the *Building and Construction Industry Training Levy Act 1990* in respect of the demolition work, that the levy has been paid; and
  - (i) that the permit authority has complied with the provisions of the *Heritage of Western Australia Act 1990* in relation to the application and that the demolition permit, if granted, would not be inconsistent with an order, agreement or permit under that Act except to the extent allowed by that Act; and
  - (j) that the applicant has obtained in relation to the demolition work each authority under a written law that is prescribed for the purposes of this paragraph; and
  - (k) that the applicant has complied or is complying with each authority mentioned in paragraph (j); and
  - (l) that the applicant, in relation to the demolition work, has complied or is complying with each provision of a written law that is prescribed for the purposes of this paragraph; and
  - (m) that the applicant, in relation to the demolition work, has complied or is complying with each provision of a local government policy or requirement, not being a written law, that is prescribed for the purposes of this paragraph; and
  - (n) that each notification that is prescribed for the purposes of this paragraph to be given in relation to the demolition work has been given; and
  - (o) that the applicant has complied with each other prescribed requirement for the granting of a demolition permit.
- (2) A permit authority to which an application for a demolition permit is made must not grant the demolition permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (o).

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 February 2018	5456 July 1999

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 70



Reference Number	Legislative Reference	Delegate
LGA 37 - Write Off Debts	Local Government Act 1995 s. 6.12	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to write off debts to a maximum value of \$5,000 per transaction.

#### Conditions

Nil

#### Statutory Framework

##### **Local Government Act 1995**

##### **6.12. Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money, which is owed to the local government.

*\* Absolute majority required.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 71



Reference Number	Legislative Reference	Delegate
LGA 38 - Extension of Council endorsed Leases or MOU's	Local Government Act 1995 s. 5.42	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to agree to extensions of existing Council endorsed leases or Memorandums of Understanding between the Nannup Shire Council and community organisations for the use of Council owned buildings within the terms and conditions of the existing Council endorsed document. If the community organisation as part of their request for extension requests any changes to the lease, then the approval of Council shall be sought for the extension.

#### Conditions

Nil

#### Statutory Framework

##### **Local Government Act 1995**

##### **5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

- (a) this Act other than those referred to in section 5.43; or
- (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

\* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037 February 2018	6602 August 2002

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 72



Reference Number	Legislative Reference	Delegate
BA 5 - Building – Extension of Time for Building or Demolition Permit	Building Act 2011 s. 65	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

That in accordance with Regulation 24 of the Building Regulations 2012 Council’s Chief Executive Officer is delegated authority to determine an application for an extension of time where it was not possible to complete the building within the period specified in the building licence, subject to the payment of an additional building permit fee calculated in the following manner:

The fee payable is to be in accordance with Schedule 2 of the Building Regulations 2012.

**Conditions**

Nil

**Statutory Framework**

***Building Act 2011***

**65. Extension of period of duration**

- (1) A person may apply to extend the time in which the following can have effect —
  - (a) an occupancy permit that has been granted or modified to have effect for a limited period only;
  - or
  - (b) a building approval certificate that has been granted to have effect for a limited period only.
- (2) An application must be —
  - (a) made in an approved manner and form; and
  - (b) signed by each owner of the land on which the building or incidental structure is located.
- (3) An application must be accompanied by —
  - (a) the prescribed fee, if any, for the application; and
  - (b) each other thing that is prescribed to accompany the application.

- (4) A permit authority to which an application is made may extend the period in which the occupancy permit or modification or the building approval certificate has effect and may do so even though the application was made after the expiration of the period.
- (5) The period in which an occupancy permit granted on an application mentioned in section 47 has effect cannot be extended beyond 30 days from the expiry of the building permit for the building.
- (6) The period during which the modification of an occupancy permit has effect cannot be extended beyond one year from the day the modification took effect.
- (7) The regulations may provide for matters relating to dealing with applications including giving notice of the right of review under section 121(2).

**Verification**

Recent Council Resolution	Initial Council Resolution
18037 February 2018	5456 July 1999

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 73



Reference Number	Legislative Reference	Delegate
BA6 - Building Permits	Building Act 2011 s. 20	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

That pursuant to Section 32 of the Building Act 2011, the Chief Executive Officer is delegated authority to determine an application for a Building Permit but where an application so submitted conforms to:

1. all Local Laws, Regulations and Codes in force in the district or part of the district in respect of building matters, and the Council's pre-determined policy in respect of building matters; and
2. all Local Laws and schemes in force in the district or part of the district in respect of town and regional planning matters, and the Council's predetermined policy in respect of town and regional planning matters,

the Chief Executive Officer shall not refuse to determine that application.

Furthermore, the issuing of a building permit under Section 32 of the Building Act 2011 may be subject to such conditions as the Chief Executive Officer considers necessary.

#### Conditions

Nil

#### Statutory Framework

##### ***Building Act 2011***

##### **20. Grant of building permit**

- (1) A permit authority to which a certified application or an uncertified application is made must grant the building permit if it is satisfied —
- (a) that the applicant has complied with section 16; and
  - (b) that the person mentioned in section 16(c) —
    - (i) is a building service contractor who is entitled under the Registration Act section 11 to be named as the builder on the building permit; or
    - (ii) has owner-builder approval under the Registration Act to carry out that work; or
    - (iiia) is a public authority as defined in the Registration Act section 3; or

- (iii) is a person or in a class of persons prescribed for the purposes of the Registration Act section 7(2)(c) who may be named as the builder on the building permit, unless the building work is of a kind specified by the regulations; and
- (c) that a certificate of design compliance for the building or incidental structure that is the subject of the application complies with section 19; and
- (d) that the building surveyor who signed the certificate of design compliance —
  - (i) is entitled under the Registration Act to sign certificates of design compliance for buildings or incidental structures of the kind that is the subject of the application; and
  - (ii) is an independent building surveyor in relation to the application; and
- (e) that the certificate of design compliance is issued by a person who —
  - (i) is a building service contractor who is entitled under the Registration Act section 11 to issue the certificate; or
  - (iia) is a public authority as defined in the Registration Act section 3; or
  - (ii) is a person or in a class of persons prescribed for the purposes of the Registration Act section 7(2)(c) who may issue the certificate; and
- (f) that each technical certificate mentioned in section 16(i) is —
  - (i) signed by a person prescribed as a person who may sign the certificate; and
  - (ii) issued by a person prescribed as a person who may issue the certificate; and
- (g) if a part of a building or incidental structure is proposed to be placed beyond the boundaries of the land on which the building work is proposed to be done, that there is compliance with section 76; and
- (h) if the building work may adversely affect land beyond the boundaries of the land on which the work is proposed to be done, that there is compliance with section 77; and
- (i) that either —
  - (i) a policy of insurance is in force in respect of the building work under the *Home Building Contracts Act 1991* Part 3A Division 2; or
  - (ii) corresponding cover, as defined in the *Home Building Contracts Act 1991* section 25A, is provided in respect of the building work; or
  - (iii) the policy of insurance mentioned in subparagraph (i) or the cover mentioned in subparagraph (ii) is not required under the *Home Building Contracts Act 1991* in respect of the building work; and
- (j) that the applicant satisfies any other insurance requirements prescribed by regulation or under any other written law in respect of the building work; and
- (k) that any building services levy required to be paid in respect of the building permit under regulations mentioned in the *Building Services (Complaint Resolution and Administration) Act 2011* Part 7 Division 2 has been paid; and
- (l) if a levy is imposed by the *Building and Construction Industry Training Levy Act 1990* in respect of the building work, that the levy has been paid; and
- (m) that the permit authority has complied with the provisions of the *Heritage of Western Australia Act 1990* in relation to the application and that granting the building permit would not be

inconsistent with an order, agreement or permit under that Act except to the extent allowed by that Act; and

- (n) that the applicant has obtained in relation to the building work each authority under a written law that is prescribed for the purposes of this paragraph; and
  - (o) that the applicant has complied or is complying with each authority mentioned in paragraph (n); and
  - (p) that the applicant, in relation to the building work, has complied or is complying with each provision of a written law that is prescribed for the purposes of this paragraph; and
  - (q) that the applicant, in relation to the building work, has complied or is complying with each provision of a local government policy or requirement, not being a written law, that is prescribed for the purposes of this paragraph; and
  - (r) that each notification that is prescribed for the purposes of this paragraph to be given in relation to the building work has been given; and
  - (s) that the applicant has complied with each other prescribed requirement for the granting of a building permit on the application.
- (2) A permit authority to which an application is made must not grant the building permit unless it is satisfied as to each of the matters mentioned in subsection (1)(a) to (s).

**Verification**

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037 February 2018	5456 July 1999

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 74

Reference Number	Legislative Reference	Delegate
LGA 39 - Occupancy Permit and Building Approval Certificates	Building Act 2011 Part 4	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to issue Occupancy Permits and Building Approval Certificates in accordance with the Building Act 2011 (Part 4).

#### Conditions

Nil

#### Statutory Framework

[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_41501.pdf/\\$FILE/Building%20Act%202011%20-%20%5B01-e0-01%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_41501.pdf/$FILE/Building%20Act%202011%20-%20%5B01-e0-01%5D.pdf?OpenElement)

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 75



Reference Number	Legislative Reference	Delegate
PDA 1 - Town Planning	Planning and Development Act 2005 s. 72	Chief Executive Officer

### Delegator

Council

### Power / Duty

The Chief Executive Officer is delegated authority to:

#### 1. Requirements for Public Notice

1.1 Proceed to advertise planning applications, scheme amendments, road closures or other proposals where the Local Planning Scheme or other legislation requires that such public notice be given.

1.2 Make a determination to require that public notice of planning applications or other proposals is given where such notice is considered to be in the public or adjoining/nearby landowner interest.

#### 2. Approval of Permitted "P", Discretionary "D" and Advertised "A" Uses

2.1 Make a determination on all "P", "D" and "A" uses where a proposed development is accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and is consistent with guiding precedent approvals.

2.2 The application must not have been the subject of genuine objection or if the matter has become contentious in any way that cannot be addressed via conditions of approval.

#### 3. Exercising Discretion

3.1 Determine planning applications involving:

(a) the variation of Scheme provisions (including setback and building envelope variations), Local Planning Policy or provisions of the *Residential Design Codes*; or

(b) the exercise of discretion under the Scheme, Local Planning Policy or the *Residential Design Codes*.

3.2 Before making a determination on planning applications which seek a variation to Scheme provisions, a Local Planning Policy or provisions of the *Residential Design Codes*, the application is to be subject to consultation with affected landowners as determined by the Chief Executive Officer.

3.3 The above is provided the application has not been the subject of genuine objection or if the matter has become contentious in any way that cannot be addressed via conditions of approval.

#### **4. Residential Design Code Matters**

4.1 Make a determination on any matter required to be determined under the *Residential Design Codes* including where an exercise of discretion is required, provided that appropriate notice of the proposed development is given to adjoining properties where it is required or is considered to have the potential to adversely affect the amenity of an adjoining property.

#### **5. Minor Modification of Planning Determinations**

5.1 Make modifications to planning approvals where:

- (a) the modification conforms to the relevant Local Planning Scheme objectives and Local Planning Policies;
- (b) the modification does not have a detrimental effect on the amenity of the locality; and
- (c) the extension to a development approval is to a maximum of 2 years.

#### **NOTES:**

- Where consent of abutting landowners was required for the original application, then the modification should also be referred to abutting landowners for comment where the modification requires a substantial variation from the original application.
- Where the original application was required to be the subject of public notice under the relevant Local Planning Scheme or the *Residential Design Codes*, then (if the modification is considered substantial) the modification will need a new public notice re-advertised in accordance with the Local Planning Scheme or the *Residential Design Codes*.

#### **6. Dealing with Subdivisions**

6.1 Make recommendations to the Western Australian Planning Commission in respect of applications or other matters relating to Subdivision, Boundary Adjustment, Amalgamation and Strata Titling where such matters are in accordance with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and established precedent, including minor variations to approved subdivisions and clearance of conditions.

#### **7. Dealing with Scheme Amendments**

7.1 Require modifications to Local Planning Scheme Amendment documents to ensure that all documents are maintained at a consistent high quality and the information contained within the document addresses all issues considered relevant and will enable the public and referral agencies to fully understand the Amendment.

7.2 Accept modifications to Local Planning Scheme Amendment documents required by the Western Australian Planning Commission or the Minister for Planning at any stage throughout the Scheme Amendment process.

7.3 Respond in writing to scheme amendment requests.

## **8. Legal Proceedings**

8.1 Take all necessary action against owners or occupiers of properties to cease illegal uses, comply with the Local Planning Scheme and/or comply with conditions of Development Approval, including instituting prosecution proceedings under the *Planning and Development Act*, in the Court in its summary jurisdiction.

8.2 Represent Council, or appoint appropriate representatives, where necessary at prosecutions, rights of review and enquiries pertaining to the enforcement of the provisions of the *Planning and Development Act* and the implementation of Council's Local Planning Scheme.

## **9. Miscellaneous Matters**

9.1 Elect to return or defer consideration of incomplete and unsatisfactory applications for planning consent.

9.2 Grant variations to relevant Local Planning Policies and provisions of the *Residential Design Codes* on Building Permit applications (where the application is exempt from the requirement to gain planning approval under the *Residential Design Codes* and/or the Local Planning Scheme).

9.3 Determine the use of street names where an approved street names list exists.

9.4 Provide of written and verbal responses to rights of review, mediated settlements resulting from rights of review and Western Australian Planning Commission requests for reconsideration.

9.5 Prepare submissions and correspondence to government agencies and other organisations where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and guiding precedent approvals.

9.6 Respond to referrals and correspondence from State Government agencies, servicing agencies and other organisations on matters including planning, land management, natural resource management and servicing where consistent with the Local Planning Scheme, Local Planning Strategy, Local Planning Policies and Council adopted documents.

## **10. Right to have matter heard by Council**

10.1 Where an applicant disputes or has issue with a planning determination made in accordance with this delegation, it will be a matter of right for the applicant to request that the matter be reconsidered by Council, provided the exercise of such right does limit any other right of appeal that exists in Law.

## **11. Matters that may be of significant financial interest to Council**

11.1 It is required that any planning matter that may have any significant impact on Council infrastructure is to be determined by the Council.

GUIDELINES - Nil  
ON DELEGATION - Building Surveyor for *Residential Design Code* matters.

**Conditions**

Nil

**Statutory Framework**

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	<b>7116 September 2004</b> This motion refers to Delegation 107 that doesn't exist? Needs clarification.

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<https://www.nannup.wa.gov.au/documents/policies-risk-management>

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference – 76 & 78 combined





Reference Number	Legislative Reference	Delegate
HLT 1 - Health (Miscellaneous Provisions) Act 1911	Health (Miscellaneous Provisions) Act 1911 s. 26 Part V, Part VI, Part VII, Part VIII, Part IX.	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

In accordance with the powers contained within Section 26 of the Health (Miscellaneous Provisions) Act 1911, Council delegates to the Chief Executive Officer, or any appropriately qualified person appointed by the Chief Executive Officer, the authority to exercise and discharge all or any of the powers and functions of the local authority in accordance with Part IV Division 4 Sanitary Provisions, Part V Dwellings, Part VI Public Buildings, Part VII Nuisances and Offensive Trades, Part VII (A) Animal Produce, Drugs, Medicines, Disinfectants, Therapeutic Substances and Pesticide Divisions 2, 3, 4 and 5, Part VIII Food Generally and Part IX Infectious Disease.

#### Conditions

Nil

#### Statutory Framework

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

##### **26. Powers of local government**

Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	6524

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 77



Reference Number	Legislative Reference	Delegate
PDA 2- Planning Infringement Notices	Planning and Development Act 2005 Section 234	Chief Executive Officer

**Delegator**

Council

**Power / Duty**

The Chief Executive Officer shall be the Designated Person, as set out in Section 234 of the Planning and Development Act 2005 (the Act).

The Chief Executive Officer is delegated authority under the Planning and Development Act 2005 to:

1. Give an Infringement Notice pursuant to Section 228, whose contents shall comply with Section 229 of the Act.
2. Extend the time for the payment of any penalty pursuant to Section 230
3. Withdraw an Infringement Notice pursuant to Section 231.

**Conditions**

Nil

**Statutory Framework**

Planning and Development Act 2005

***Planning and Development Act 2005***

**234. Designated persons, appointment of**

(1) The chief executive officer of a responsible authority may, in writing, appoint persons or classes of persons to be designated persons for the purposes of section 228, 229, 230 or 231 or for the purposes of 2 or more of those sections.

(2) A person who is authorised to give infringement notices under section 228 is not eligible to be a designated person for the purposes of any of the other sections.

**Verification**

Recent Council Resolution	Initial Council Resolution
18037	5456

**Review Requirements**

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

**Related Documents**

<b>Notes of Recent Alterations (if applicable)</b>
2018 Delegation Register Reference - 79



Reference Number	Legislative Reference	Delegate
FA 1 – Food Act 2008	Food Act 2008 Part 5	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

The Chief Executive Officer is delegated authority to exercise and discharge all or any of the powers and functions as set out in Part 5 of the Food Act 2008.

#### Conditions

Nil

#### Statutory Framework

Council is exercising its power of delegation under Section 5.42(1)(a) of the *Local Government Act 1995*.

[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_36961.pdf/\\$FILE/Food%20Act%202008%20-%20%5B01-a0-02%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_36961.pdf/$FILE/Food%20Act%202008%20-%20%5B01-a0-02%5D.pdf?OpenElement)

#### Verification

Recent Council Resolution	Initial Council Resolution
18037 February 2018	9135 May 2014

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

## Related Documents

Notes of Recent Alterations (if applicable)
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2018 Delegation Register Reference - 80
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Reference Number	Legislative Reference	Delegate
PIDA 1 - Principal Executive Officer	Public Interest Disclosure Act 2003 s. 23	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

Council delegates the Chief Executive Officer as the Principal Executive Officer in respect of the duties as set out in Section 23 of the Public Interest Disclosure Act 2003.

#### Conditions

Nil

#### Statutory Framework

##### ***Public Interest Disclosure Act 2003***

##### **23. Principal executive officer of public authority, duties of**

- (1) The principal executive officer of a public authority must —
- (a) designate the occupant of a specified position with the authority as the person responsible for receiving disclosures of public interest information; and
  - (b) provide protection from detrimental action or the threat of detrimental action for any employee of the public authority who makes an appropriate disclosure of public interest information; and
  - (c) ensure that his or her public authority complies with this Act; and
  - (d) ensure that his or her public authority complies with the code established by the Commissioner under section 20; and
  - (e) prepare and publish internal procedures relating to the authority's obligations under this Act; and
  - (f) provide information annually to the Commissioner on —
    - (i) the number of public interest disclosures received by a responsible officer of the authority over the report period; and
    - (ii) the results of any investigations conducted as a result of the disclosures and the action, if any, taken as a result of each investigation; and
    - (iii) such other matters as are prescribed.

- (2) Internal procedures prepared under subsection (1)(e) must be consistent with guidelines prepared by the Commissioner under section 21.
- (3) Subsection (1) does not apply to the Chief Justice or to the Presiding Officer of a House of Parliament.

#### Verification

Recent Council Resolution	Initial Council Resolution
18037	5456

#### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

#### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 82





Reference Number	Legislative Reference	Delegate
HLTH 2- Authorised Officers	Public Health Act 2016 s. 21	Chief Executive Officer

#### Delegator

Council

#### Power / Duty

Council delegates to the Chief Executive Officer, under the provisions of Section 21 of the Public Health Act 2016, the authority to appoint and/or designate Authorised Officers.

#### Conditions

Nil

#### Statutory Framework

##### **Public Health Act 2016**

##### **21. Enforcement agency may delegate**

- (1) A power or duty conferred or imposed on an enforcement agency may be delegated —
  - (a) if the enforcement agency is the Chief Health Officer, in accordance with section 9; or
  - (b) if the enforcement agency is a local government, to — (i) the chief executive officer of the local government; or (ii) an authorised officer designated by the local government; or
  - (c) if the enforcement agency is a person or body, or a person or body within a class of persons or bodies, prescribed by the regulations, to an authorised officer designated by the agency.
- (2) A delegation under subsection (1)(b) or (c) must be in writing.
- (3) Without limiting the *Interpretation Act 1984* section 59, the exercise or performance by a delegate of an enforcement agency of a power or duty delegated under subsection (1)(b) or (c) is subject to any condition or restriction imposed under section 20 on the exercise or performance by the enforcement agency of the power or duty.
- (4) Subsection (5) applies if —
  - (a) the regulations expressly authorise a delegated power or duty of an enforcement agency referred to in subsection (1)(b) or (c) to be further delegated; and

- (b) the delegated power or duty is further delegated to a person or body in accordance with those regulations.
- (5) If this subsection applies, subsection (3) applies to the exercise or performance by the person or body of that power or duty as if it were exercised or performed, and delegated, as described in subsection (3).

## 22. Reports by and about enforcement agencies

- (1) An enforcement agency (other than the Chief Health Officer) must report to the Chief Health Officer, at the intervals that the Chief Health Officer requires, on the performance of functions under this Act by the agency and by persons employed or engaged by the agency. (2) In addition to any report required under subsection (1), an enforcement agency must forward to the Chief Health Officer details of any proceedings for an offence under this Act taken by the agency, and those details must be forwarded —
- (a) within one month after the proceedings have been instituted; and
- (b) one month after the proceedings have been finally dealt with.
- (3) The accountable authority of the Department must include in the annual report submitted under the *Financial Management Act 2006* Part 5 —
- (a) a report on the performance by enforcement agencies (including the Chief Health Officer) of functions under this Act; and
- (b) the current State public health plan prepared under section 43.

### Verification

Recent Council Resolution	Initial Council Resolution
18037 February 2018	17029 February 2017

### Review Requirements

In accordance with the requirements of *S5.46(2) of the Local Government Act 1995*, at least once every financial year.

### Related Documents

Notes of Recent Alterations (if applicable)
2018 Delegation Register Reference - 83

## APPENDIX OF REVOKED DELEGATIONS OF AUTHORITY

Reference Number	Legislative Reference	Delegate	Delegation Subject
LG67	REVOKED	Chief Executive Officer	REVOKED

### Notes of Recent Alterations (if applicable)

REVOKED at Council Meeting 28 January 2016  
2018 Delegation Register Reference - 67

## Appointment of Consultants

The Chief Executive Officer is delegated authority to appoint consultants/contractors including architects, valuers, planning consultants and the like in accordance with Council's adopted purchasing policy ADM 4.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***

## Street Appeals

The Chief Executive Officer is delegated authority to determine all applications for street appeals and may impose any conditions considered appropriate. The Chief Executive Officer shall have regard to any Council policy relating to street appeals that may be established by Council from time to time.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***

## Employees - Conferences, Seminars & Training Courses

The Chief Executive Officer is delegated authority to approve the attendance by Council staff at conferences, seminars and training courses where, in the opinion of the Chief Executive Officer, attendance will enhance the professional development of the officer, provide benefits to the Council and is relevant to the duties and responsibilities of the officer.

The Chief Executive Officer is further delegated authority to meet “up front” or reimburse any appropriate expense involved. This delegation is to be exercised in accordance with any Council Policy on the issue that may be in force from time to time and shall be subject to funds being available for the purpose within Council’s budget.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***

## Employee Housing

The Chief Executive Officer is delegated authority to make all arrangements in regard to occupancy and maintenance of all staff accommodation provided by Council. In exercising this delegation, the Chief Executive Officer shall have regard to any Council policy in place from time to time.

In the event that any Council provided accommodation is, at any time, not required for Council employees, the Chief Executive Officer is delegated authority to rent the accommodation to persons other than Council employees, provided the tenancy arrangement is only on a month by month basis.

The Chief Executive Officer is further delegated authority to determine the level of bond to be applied to each occupancy arrangement.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***

## Telephones (Private) - Use by Employees for Council Government Business

The Chief Executive Officer is delegated authority to make appropriate financial and other arrangements with all employees required to have a telephone installed in his/her principal place of residence within the Shire for some use on Council business.

The Chief Executive Officer is further delegated authority to make appropriate arrangements to reimburse any employee with any telephone expense incurred on Council business.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***



## Use of Shire of Nannup Corporate Identity

The Chief Executive Officer is delegated authority to approve the use of the Shire of Nannup Corporate Identity provided that such authority shall only be used where the application is for items which promote Nannup and do not denigrate the integrity of the design or the Shire.

<b>Recent Council Resolution</b>	<b>Initial Council Resolution</b>
18037	5456

***REVOKED JUNE 2019***

## Award/Industrial Matters

The Chief Executive Officer is delegated authority to provide Council's Industrial Service provider with consent to act on the Council's behalf in any general Industrial/Award matter and any Industrial dispute involving an employee/s of Council excepting matters relating to the CEO's contract.

Recent Council Resolution	Initial Council Resolution
18037	5456

***REVOKED JUNE 2019***



Department of  
**Local Government, Sport  
and Cultural Industries**

**Attachment 12.3.1**

# **National Redress Scheme for Institutional Child Sexual Abuse**

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**Department of Local Government, Sport  
and Cultural Industries**

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Information Paper

3 February 2020

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# 1. SUMMARY - WA LOCAL GOVERNMENT: ROYAL COMMISSION AND REDRESS

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The Western Australian Government (the State), through the Department of Local Government, Sport and Cultural Industries (DLGSC), has been consulting with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme (the Scheme) with the aim of:

- raising awareness about the Scheme;
- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Following this initial consultation and feedback gathered, the State Government considered a range of options regarding WA local government participation in the Scheme and reached a final position in December 2019.

DLGSC, supported by the Departments of Justice and Premier and Cabinet, will again engage with WA local governments in early 2020, to inform of the:

- State's decision and the implications for the sector (see [Section 4](#));
- Support (financial and administrative) to be provided by the State; and
- Considerations and actions needed to prepare for participation in the Scheme from 1 July 2020 (see [Section 5](#)).

DLGSC's second phase of engagement with WA local governments is summarised in the table below:

Description and Action	Agency	Timeline
Distribution of Information Paper to WA Local Governments	DLGSC	3 February 2020
WALGA hosted webinar	DLGSC / DPC	18 February 2020
Metro and Country Zone meetings	WA LG's / DLGSC	19 to 24 February 2020
State Council meeting – Finalisation of Participation arrangements	WALGA	4 March 2020
WALGA hosted webinar – Participation arrangements	DLGSC/ DPC	Mid-March 2020

Further information about the Royal Commission is available at [Appendix A](#) and the National Redress Scheme at [Appendix B](#) of this Information Paper.

The information in this Paper may contain material that is confronting and distressing. If you require support, please [click on this link](#) to a list of available support services.

## 2. CURRENT SITUATION - WA LOCAL GOVERNMENT PARTICIPATION IN THE NATIONAL REDRESS SCHEME

---

The WA Parliament passed the legislation required to allow for the Government and WA based non-government institutions to participate in the National Redress Scheme. The *National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018* (WA) took effect on 21 November 2018.

The WA Government commenced participating in the Scheme from 1 January 2019.

The State Government's Redress Coordination Unit within the Office of the Commissioner for Victims of Crime, Department of Justice:

- Acts as the State Government's single point of contact with the Scheme;
- Coordinates information from State Government agencies to the Scheme; and
- Coordinates the delivery of Direct Personal Responses (DPR) to redress recipients (at their request) by responsible State Government agencies to redress recipients.

### CURRENT TREATMENT OF WA LOCAL GOVERNMENTS IN THE SCHEME

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), Local Governments may be considered a State Government institution.<sup>1</sup>

There are several considerations for the State Government and Local Governments (both individually and collectively) about joining the Scheme.

The State Government considers a range of factors relating to organisations or bodies participation in the Scheme, before their inclusion in the declaration as a State Government institution. These factors include the capability and capacity of the agencies or organisations to:

- Respond to requests for information from the State Government's Redress Coordination Unit within prescribed timeframes;
- Financially contribute to the redress payment made by the Scheme on behalf of the agency or body; and
- Comply with the obligations of participating in the Scheme and the Commonwealth legislation.

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's declaration. This was to allow consultation to occur with the local government sector about the Scheme, and for fuller consideration to be given to the mechanisms by which the sector could best participate in the Scheme.

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<sup>1</sup> Section 111(1)(b).

### 3. CONSULTATION TO DATE WITH WA LOCAL GOVERNMENT SECTOR

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The Department of Local Government, Sport and Cultural Industries (DLGSC) has been leading an information and consultation process with the WA local government sector about the Scheme. The Departments of Justice and Premier and Cabinet (DPC) have been supporting DLGSC in the process, which aimed to:

- Raise awareness about the Scheme;
- Identify whether local governments are considering participating in the Scheme;
- Identify how participation may be facilitated; and
- Enable advice to be provided to Government on the longer-term participation of WA local governments.

DLGSC distributed an initial *Information and Discussion Paper* in early January 2019 to WA local governments, the WA Local Government Association (WALGA), Local Government Professionals WA (LG Pro) and the Local Government Insurance Scheme (LGIS). Between March and May 2019, DLGSC completed consultations that reached 115 out of 137 WA local governments and involved:

- an online webinar to 35 local governments, predominantly from regional and remote areas;
- presentations at 12 WALGA Zone and LG Pro meetings; and
- responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations that the local government sector had, at the time, a very low level of awareness of the Scheme prior to the consultations occurring, and that little to no discussion had occurred within the sector or individual local governments about the Scheme. Local governments were most commonly concerned about the:

- Potential cost of redress payments;
- Availability of historical information;
- Capacity of local governments to provide a Direct Personal Response (apology) if requested by redress recipients;
- Process and obligations relating to maintaining confidentiality if redress applications are received, particularly in small local governments;
- Lack of insurance coverage of redress payments by LGIS, meaning local governments would need to self-fund participation and redress payments.

#### LGIS Update (April 2019) – National Redress Scheme

LGIS published and distributed an update regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

## WALGA State Council Resolution

The WALGA State Council meeting of 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *WALGA continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

It is understood that this recommendation was made with knowledge that it is ultimately a State Government decision as to whether:

- Local governments can participate in the Scheme as part of the State's Government's declaration; and
- The State Government will fund local government redress liability.



## 4. WA GOVERNMENT DECISION - FUTURE PARTICIPATION OF WA LOCAL GOVERNMENTS IN THE NATIONAL REDRESS SCHEME

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Following the initial consultation process, a range of options for local government participation in the Scheme were identified by the State Government including:

1. WA Local governments be **excluded** from the State Government's declaration of participating institutions.

This means that: local governments may choose not to join the Scheme; or join the Scheme individually or as group(s), making the necessary arrangements with the Commonwealth and self-managing / self-funding all aspects of participation in the Scheme.

2. WA Local governments be **included** in the State Government's declaration of participating institutions.

There were three sub-options for ways local government participation as a State Government institution could be accommodated:

- a. Local governments cover all requirements and costs associated with their participation;
- b. The State Government covers payments to the survivor arising from local governments' participation, with costs other than payments to the survivor (including counselling, legal and administrative costs) being funded by local governments; or
- c. An arrangement is entered into whereby the State Government and local governments share the requirements and costs associated with redress – for example, on a capacity to pay and deliver basis.

The State Government considered the above options and resolved via the Community Safety and Family Support Cabinet Sub-Committee (December 2019) to:

- Note the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Note the options for WA local government participation in the Scheme;
- Agree to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agree to the DLGSC leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

## KEY ASPECTS OF THE STATE'S DECISION

For clarity, the State's decision that means the following financial responsibilities are to be divided between the State Government and the individual local government that has a Redress application submitted, and then subsequently accepted by the Scheme Operator as a Redress claim.

### State Government

The State Government will cover the following:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response or DPR (Apology) to the survivor if requested (on a fee for service basis with costs covered by the individual local government – see below).

### Individual Local Government

The individual local government will be responsible for:

- Costs associated with gathering their own (internal) information if requested in a Redress application;
- Providing the State with the necessary information to participate in the Scheme; and
- Costs associated the delivery of a DPR (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). \*

\* note – The State's decision includes that all DPR's will be coordinated and facilitated by the Redress Coordination Unit (Department of Justice) on every occasion, if a DPR is requested by the survivor.

This decision was made on the basis that:

- State Government financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.
- The demonstration of leadership by the State Government, as it will be supporting the local government sector to participate in the Scheme and recognising the WALGA State Council resolution of 3 July 2019, is consistent with the local government sector's preferred approach.
- Contributes to a nationally consistent approach to the participation of local governments in the Scheme, and particularly aligns with the New South Wales, Victorian and Tasmanian Governments' arrangements. This provides opportunity for the State Government to draw on lessons learned through other jurisdictions' processes.
- Ensures a consistent and quality facilitation of a DPR (by the State) if requested by the survivor.
- State Government financial support for any local government redress claims does not imply State Government responsibility for any civil litigation against local governments.

Noting the State's decision, a range of matters need to be considered and arrangements put in place to facilitate local governments participating with the State Government's declaration and meeting the requirements of the Scheme. Those arrangements will:

- provide for a consistent response to the Scheme by WA Government institutions, and for WA survivors accessing the Scheme; and
- mitigate concerns raised by local governments during consultations about complying with the processes and requirements of the Scheme.

## 5. CONSIDERATIONS FOR WA LOCAL GOVERNMENTS

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Following the State's decision, a range of matters need to be considered by each local government and in some cases, actions taken in preparation for participating in the Scheme, these include:

### CONFIDENTIALITY

- Information about applicants and alleged abusers included in RFIs (Requests for Information) is sensitive and confidential and is considered protected information under *The National Redress Act*, with severe penalties for disclosing protected information.
- Individual local governments will need to consider and determine appropriate processes to be put in place and staff members designated to ensure information remains confidential.

### APPLICATION PROCESSING / STAFFING

- The timeframes for responding to an RFI are set in *The Act* and are 3 weeks for priority application and 7 weeks for non-priority applications. This RFI process will be supported by the State (DLGSC and the Redress Coordination Unit).
- Careful consideration should be given to determining which position will be responsible for receiving applications and responding to RFIs, due to the potentially confronting content of people's statement of abuse.
- Support mechanisms should be in place for these staff members, including access to EAP (Employee Assistance Program) or other appropriate support.
- The need for the appointed position and person(s) to have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest.
- The responsible position(s) or function(s) would benefit from being kept confidential in addition to the identity of the person appointed to it.

### RECORD KEEPING

- The Redress Coordination Unit (Department of Justice) are the state record holder for Redress, and accordingly will keep copies of all documentation and RFI responses. Local Governments will not be required to keep their own records and, if they chose to do so, these must be kept confidential and secure, in line with the protected information requirements in *The Act*.
- Consider secure storage of information whilst the RFI is being responded to.

## REDRESS DECISIONS

- Decisions regarding redress applicant eligibility and responsible institution(s) are made by Independent Decision Makers, based on the information received by the applicant and any RFI responses. The State government does not have any influence on the decision made.
- There is no right of appeal.

## MEMORIALS

- Survivors (individuals and / or groups) from within individual communities may ask about the installation of memorials. The State Government's view is to only consider memorialising groups, however locally, this is a decision of an individual local government.

## 6. NEXT STEPS – PREPARATION FOR WA LOCAL GOVERNMENT PARTICIPATION IN THE SCHEME

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In addition to the second-phase information process outlined in section 1, the State will develop:

1. A Memorandum of Understanding (MOU) - to be executed between the State and WALGA following the (WALGA) State Council meeting on 4 March 2020.

The MOU will capture the overall principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration; and

2. Template Service Agreement – that will be executed on an 'as needed' basis between the State and an individual local government, if a redress application is received.

DLGSC and the Department of Justice will work with WALGA / LGPro and all local governments to prepare for participation in the Scheme including:

- Identifying appropriate positions, staff and processes to fulfil requests for information;
- Ensuring local governments have delegated authority to an officer to execute a service agreement with the State if needed;

The State will prepare a template Council report, where all WA local governments will be asked to delegate authority to an appropriate officer in advance, able to execute a service agreement if required. This is necessary as priority requests for information under the Scheme, are in a shorter turnaround time than Council meeting cycles and therefore, cannot be undertaken at the time.

- Ensuring local government have established appropriate processes and can fulfil Scheme obligations (particularly in terms of confidentiality, record keeping etc); and
- Gathering the necessary facility and service information from all individual local governments to commence participation in the Scheme. This information will be provided to the Commonwealth, loaded into the Scheme database and used to facilitate an individual local government's participation in the National Redress Scheme.

# ACKNOWLEDGEMENTS

The contents of this Information and Discussion Paper includes extracts from the following identified sources. Information has been extracted and summarised to focus on key aspects applicable to the Department of Local Government, Sport and Cultural Industries' key stakeholders and funded bodies:

- The Royal Commission into Institutional Responses to Child Sexual Abuse – Final Report.

To access a full version of the Royal Commission's Findings and the Final Report, please follow the link at <https://www.childabuseroyalcommission.gov.au/>

- Western Australian State Government response to the Royal Commission (27 June 2018).

To access a full version of the State Government's detailed response and full report, please follow the link at

[https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-\(June-2018\).aspx](https://www.dpc.wa.gov.au/ProjectsandSpecialEvents/Royal-Commission/Pages/The-WA-Government-Response-to-Recommendations-(June-2018).aspx)

- More information on the National Redress Scheme can be found at [www.nationalredress.gov.au](http://www.nationalredress.gov.au).
- The full National Redress Scheme - Participant and Cost Estimate (July 2015) Report at <https://www.dlgsc.wa.gov.au/resources/publications/Pages/Child-Abuse-Royal-Commission.aspx>

## FOR MORE INFORMATION

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# APPENDIX A

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## ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE – FURTHER INFORMATION

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions<sup>2</sup> to protect children from child sexual abuse, report abuse, and respond to child sexual abuse. The Royal Commission's Terms of Reference required it to identify what institutions should do better to protect children in the future, as well as what should be done to:

- achieve best practice in reporting and responding to reports of child sexual abuse;
- eliminate impediments in responding to sexual abuse; and
- address the impact of past and future institutional child sexual abuse.

The Western Australian Government (State Government) strongly supported the work of the Royal Commission through the five years of inquiry, presenting detailed evidence and submissions and participating in public hearings, case studies and roundtables.

The Royal Commission released three reports throughout the inquiry: *Working with Children Checks (August 2015)*; *Redress and Civil Litigation (September 2015)* and *Criminal Justice (August 2017)*. The Final Report (Final Report) of the Royal Commission into Institutional Responses to Child Sexual Abuse incorporated the findings and recommendations of the previously released reports and was handed down on 15 December 2017. To access a full version of the Royal Commission's Findings and the Final Report, follow the link at <https://www.childabuseroyalcommission.gov.au/>

The Royal Commission made 409 recommendations to prevent and respond to institutional child sexual abuse through reform to policy, legislation, administration, and institutional structures. These recommendations are directed to Australian governments and institutions, and non-government institutions. One specific recommendation was directed at Local Government, while many others will directly or indirectly impact on the organisations that Local Government works with and supports within the community.

Of the 409 recommendations, 310 are applicable to the Western Australian State Government and the broader WA community.

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<sup>2</sup> \* For clarity in this Paper, the term 'Institution' means any public or private body, agency, association, club, institution, organisation or other entity or group of entities of any kind (whether incorporated or unincorporated), however described, and:

- Includes for example, an entity or group of entities (including an entity or group of entities that no longer exist) that provides, or has at any time provided, activities, facilities, programs or services of any kind that provide the means through which adults have contact with children, including through their families
- Does not include the family.



# THE WESTERN AUSTRALIAN GOVERNMENT RESPONSE TO THE ROYAL COMMISSION

The State Government examined the 310 applicable recommendations and provided a comprehensive and considered response, taking into account the systems and protections the State Government has already implemented. The State Government has accepted or accepted in principle over 90 per cent of the 310 applicable recommendations.

The State Government's response was released on 27 June 2018 fulfilling the Royal Commission recommendation 17.1, that all governments should issue a formal response within six months of the Final Report's release, indicating whether recommendations are accepted; accepted in principle; not accepted; or will require further consideration. The WA Government's response to the Royal Commission recommendations can be accessed at:

<http://www.dpc.wa.gov.au/childabuseroyalcommission>

The State Government has committed to working on the recommendations with the Commonwealth Government, other states and territories, local government, non-government institutions (including religious institutions) and community organisations.

The State Government's overall approach to implementation of reforms is focused on:

- Stronger Prevention (including Safer Institutions and Supportive Legislation)
  - Create an environment where children's safety and wellbeing are the centre of thought, values and actions;
  - Places emphasis on genuine engagement with and valuing of children;
  - Creates conditions that reduce the likelihood of harm to children and young people.
- Reliable Responses (including Effective Reporting)
  - Creates conditions that increase the likelihood of identifying any harm;
  - Responds to any concerns, disclosures, allegations or suspicions of harm.
- Supported Survivors (including Redress).

Many of the recommendations of the Royal Commission have already been addressed through past work of the State Government, and others working in the Western Australian community to create safe environments for children. This work is acknowledged and where appropriate, will be built upon when implementing reforms and initiatives that respond to the Royal Commission's recommendations.

# APPENDIX B

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## NATIONAL REDRESS SCHEME - FURTHER INFORMATION

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse.

The National Redress Scheme (the Scheme):

- Acknowledges that many children were sexually abused in Australian institutions;
- Recognises the suffering they endured because of this abuse;
- Holds institutions accountable for this abuse; and
- Helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a redress-payment.

The National Redress Scheme involves:

- People who have experienced institutional child sexual abuse who can apply for redress;
- The National Redress Scheme team — Commonwealth Government staff who help promote the Scheme and process applications;
- Redress Support Services — free, confidential emotional support and legal and financial counselling for people thinking about or applying to the Scheme;
- Participating Institutions that have agreed to provide redress to people who experienced institutional child sexual abuse; and
- Independent Decision Makers who will consider applications and make recommendations and conduct reviews.

The National Redress Scheme formally commenced operation on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

Importantly, the Scheme also provides survivors with community based supports, including application assistance; financial support services; and independent legal advice. The Scheme is administered by the Commonwealth Government on behalf of all participating governments, and government and non-government institutions, who contribute on a 'responsible entity pays' basis.

Institutions that agree to join the Scheme are required to adhere to the legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

More information on the Scheme can be found at [www.nationalredress.gov.au](http://www.nationalredress.gov.au) or the [National Redress Guide](#).

## SURVIVORS IN THE COMMUNITY

Throughout the five years of its inquiry, the Royal Commission heard detailed evidence and submissions, and held many public and private hearings, case studies and roundtables. Most notably, the Royal Commission heard directly from survivors of historical abuse.

The Royal Commission reported that survivors came from diverse backgrounds and had many different experiences. Factors such as gender, age, education, culture, sexuality or disability had affected their vulnerability and the institutions response to abuse.

The Royal Commission, however, did not report on the specific circumstances of individuals with the details of survivors protected; the circumstances of where and within which institutions their abuse occurred is also protected and therefore unknown. Further, survivors within the WA community may have chosen to not disclose their abuse to the Royal Commission.

Accordingly, it is not known exactly how many survivors were abused within Western Australian institutions, including within Local Government contexts. Within this context of survivors in the community, who may or may not be known, consideration needs to be given to how all institutions, including local governments, can fulfil the Royal Commission's recommendation in relation to redress.

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single national redress scheme to recognise the harm suffered by survivors of institutional child sexual abuse. This report also recommended that Governments around Australia remove the limitation periods that applied to civil claims based on child sexual abuse, and consequently prevented survivors – in most cases – pursuing compensation through the courts.

As a result of reforms made in response to these recommendations, WA survivors now have the following options to receive recognition of their abuse:

1. Pursuing civil court action(s) against the perpetrator and/or the responsible institution. The *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018* (WA) took effect on 1 July 2018, removing the limitation periods that previously prevented persons who had experienced historical child sexual abuse from commencing civil action.
2. Applying to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology. Note, to receive redress the responsible institution(s) will need to have joined the Scheme.

# TREATMENT OF LOCAL GOVERNMENTS BY OTHER JURISDICTIONS

At the time of the State Government joining the Scheme, only two jurisdictions had made a decision about the treatment of local governments. All jurisdictions have since agreed to include local governments within their respective declarations, with the exception of South Australia (SA). The SA Government is still considering their approach.

It is understood that all jurisdictions, with the exception of SA, are either covering the redress liability associated with local government participation in the Scheme or entering into a cost sharing arrangement. The table below provides a summary of other jurisdictions' positions.

Jurisdiction	Position
Commonwealth	<ul style="list-style-type: none"> <li>No responsibility for local governments.</li> <li>The Commonwealth Government has indicated preference for a jurisdiction to take a consistent approach to the participation of local governments in the Scheme.</li> </ul>
Australian Capital Territory (ACT)	<ul style="list-style-type: none"> <li>ACT has no municipalities, and the ACT Government is responsible for local government functions.</li> <li>ACT has therefore not been required to explore the issue of local government participation in the Scheme.</li> </ul>
New South Wales (NSW)	<ul style="list-style-type: none"> <li>In December 2018, the NSW Government decided to include local councils as NSW Government institutions and to cover their redress liability.</li> <li>The NSW Office for Local Government is leading communications with local councils about this decision.</li> <li>NSW's declaration of participating institutions will be amended once preparation for local council participation is complete.</li> </ul>
Northern Territory (NT)	<ul style="list-style-type: none"> <li>The NT Government has consulted all of the Territory's local governments, including individually visiting each local government.</li> <li>NT is in the process of amending Territory's declaration of participating institutions to include local governments.</li> </ul>
Queensland	<ul style="list-style-type: none"> <li>Queensland is finalising a memorandum of understanding (MOU) with the Local Government Association of Queensland to enable councils to participate in the Scheme as State institutions.</li> <li>The MOU includes financial arrangements that give regard to individual councils' financial capacity to pay for redress.</li> </ul>
South Australia (SA)	<ul style="list-style-type: none"> <li>Local governments are not currently included in the SA Government's declaration</li> <li>The SA Government is still considering its approach to local governments.</li> </ul>
Tasmania	<ul style="list-style-type: none"> <li>Local Governments have agreed to participate in the Scheme and will be included as a state institution in the Tasmanian Government's declaration.</li> <li>A MOU with local governments is being finalised, ahead of amending Tasmania's declaration.</li> </ul>
Victoria	<ul style="list-style-type: none"> <li>The Victorian Government's declaration includes local governments.</li> <li>The Victorian Government is covering local governments' redress liability.</li> </ul>
Western Australia (WA)	<ul style="list-style-type: none"> <li>The WA Government has excluded local governments from its declaration, pending consultation with the local government sector.</li> </ul>

## TIMEFRAME TO JOIN THE SCHEME

Institutions can join the Scheme within the first two years of its commencement. This means that institutions can join the Scheme up to and including 30 June 2020 (the second anniversary date of the Scheme). The Commonwealth Minister for Social Services may also provide an extension to this period to allow an institution to join the Scheme after this time. However, it is preferred that as many institutions as possible join the Scheme within the first two years to give certainty to survivors applying to the Scheme about whether the institution/s in which they experienced abuse will be participating.

If an institution has not joined the Scheme, they are not a participating institution. However, this will not prevent a person from applying for redress. In this circumstance, a person's application cannot be assessed until the relevant institution/s has joined the Scheme. The Scheme will contact the person to inform them of their options to either withdraw or hold their application. The Scheme will also contact the responsible institution/s to provide information to aid the institution/s to consider joining the Scheme.

## THE SCHEME'S STANDARD OF PROOF

The Royal Commission recommended that 'reasonable likelihood' should be the standard of proof for determining eligibility for redress. For the purposes of the Scheme, 'reasonable likelihood' means the chance of the person being eligible is real and is not fanciful or remote and is more than merely plausible.

When considering a redress application, the Scheme Operator must consider whether it is reasonably likely that a person experienced sexual abuse as a child, and that a participating institution is responsible for an alleged abuser/s having contact with them as a child. In considering whether there was reasonable likelihood, all the information available must be taken into account.

Where a participating institution does not hold a record (i.e. historical information), the Scheme Operator will not be precluded from determining a person's entitlement to redress. The information to be considered by the Scheme Operator includes:

- The information contained in the application form (or any supplementary information provided by a person by way of statutory declaration);
- Any documentation a person provided in support of their application;
- The information provided by the relevant participating institution/s in response to a Request for Information from the Operator, including any supporting documentation provided; and
- Any other information available including from Scheme holdings (for example where the Scheme has built up a picture of relevant information about the same institution during the relevant period, or the same abuser).

It should be noted that the 'reasonable likelihood' standard of proof applied by the Scheme is of a lower threshold (or a lower standard of proof) than the common law standard of proof applied in civil litigation – the 'balance of probabilities'. Please see 11.7 of the Royal Commission's *Redress and Civil Litigation Report (2015)* for additional information on the difference between the two.

## MAXIMUM PAYMENT AND SHARED RESPONSIBILITY

The amount of redress payment a person can receive depends on a person's individual circumstances, specifically the type of abuse the person experienced.

A person may only make one application for redress. The maximum redress payment payable under the scheme to an applicant is \$150,000 in total.

The payment of redress is made by the institution(s) found responsible for exposing the individual to the circumstances that led to the abuse.

There may be instances where one or more institutions are found to be jointly responsible for the redress payment to a person, and instances where a person may have experienced abuse in one or more different institutions. In such situations, the redress payable by an institution will be apportioned in accordance with the Scheme's assessment framework - see <https://www.legislation.gov.au/Details/F2018L00969> and method statement - see <http://guides.dss.gov.au/national-redress-guide/4/1/1>

Prior payments made by the responsible institution for the abuse to the applicant (e.g. ex-gratia payments) will be taken into account and deducted from the institutions' redress responsibility.

## EFFECT OF AN APPLICANT ACCEPTING AN OFFER OF REDRESS

Accepting an offer of redress has the effect of releasing the responsible participating institution/s and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person agrees to not bring or continue any civil claims against the responsible participating institution/s in relation to any abuse within the scope of the Scheme.

If a responsible participating institution/s is a member of a participating group, the person will be releasing the other associated institutions and officials within that group from any civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme.

Accepting an offer of redress also has the effect of preventing a responsible participating institution from being liable to contribute to damages that are payable to the person in civil proceedings (where the contribution is to another institution or person).

In accepting the offer of redress, a person will also be consenting to allow the participating institution/s or official/s to disclose the person's acceptance of redress offer in the event that a civil claim is made. The Scheme must provide a copy of the person's acceptance of offer to each responsible institution for their records once received.

Note – the acceptance of an offer of redress does not exclude the pursuance or continuance of criminal proceedings against the abuser(s).







## Funding Agreement

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**Warren Blackwood Alliance of  
Councils**

**and**

**Southern Forests Blackwood Valley  
Tourism Association**



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# SCHEDULE 1 – AGREEMENT OVERVIEW

## 1. Agreement

This Agreement is made the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

Between:

**The Warren Blackwood Alliance of Councils (“WBAC”)**

and

**The Southern Forests Blackwood Valley Tourism Association (“Recipient”)**

## 2. Background

The purpose of this agreement between the WBAC and the Recipient is to establish the purpose and priorities of the funding provided to the Recipient from the WBAC and WBAC Local Governments.

The WBAC represents the Shires of Bridgetown – Greenbushes, Donnybrook – Balingup, Manjimup and Nannup.

For the purpose of this funding agreement, the Shire of Donnybrook – Balingup are not financial contributors.

## 3. Interpretation

In this Agreement unless the context otherwise requires:

- a. words importing the singular include the plural and vice versa;
- b. words importing any gender include the other genders;
- c. references to persons include corporations;
- d. references to a person include the legal personal representatives, successors and assigns of that person;
- e. a reference to a statute, ordinance, code, or other law includes regulations, by-laws, rules and other statutory instruments under it for the time being in force and consolidations, amendments, re-enactments, or replacements of any of them (whether of the same or any other legislative authority having jurisdiction);

- f. references to this Agreement or any other instrument include this Agreement or other instrument as varied or replaced, and notwithstanding any change in the identity of the Parties;
- g. references to writing include any mode of representing or reproducing words in tangible and permanently visible form, and include e-mail and facsimile transmission;
- h. an obligation incurred in favour of two or more persons is enforceable by them jointly and severally;
- i. if a word or a phrase is defined, other parts of speech and grammatical forms of that word or phrase have corresponding meanings;
- j. references to this Agreement include its recitals, schedules and annexures, if any;
- k. headings are inserted for ease of reference only and are to be ignored in construing this Agreement;
- l. references to time are local time in Perth, Western Australia;
- m. where time is to be reckoned from a day or event, that day or the day of that event is to be included;
- n. references to currency are to Australian currency unless otherwise stated;
- o. no rule of construction applies to the disadvantage of a party on the basis that the Party put forward this agreement or any part thereof;
- p. a reference to any thing is a reference to the whole and each part of it, and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually;
- q. when the day or last day for doing an act is not a Business Day, then the day or last day for doing the act will be the directly preceding Business Day;
- r. if the word "including" or "includes" is used, the words, "without limitation" are taken to immediately follow; and
- s. the phrases "described in", "set out" and "specified in" shall all read as if the words "expressly or impliedly" appeared immediately before them.

#### **4. Scope of this agreement**

- a. The Recipient shall:
  - 1) use the Funding for the Purpose, and only for the Purpose;

- 2) carry out all aspects of the Project and acquit all aspects of the Purpose in a competent, diligent, satisfactory and professional manner, and to a high standard;
  - 3) comply with all the conditions and obligations as outlined in this Agreement;
  - 4) provide appropriate Funding and other resources, including staff with the capacity to meet its Obligations;
  - 5) provide leverage with wider stakeholders to facilitate strong stakeholder ownership and involvement where required in the Project; and
  - 6) seek to facilitate additional financial investment in the Project.
- b. The WBAC shall:
- 1) Correspond with the Shires of Bridgetown – Greenbushes, Manjimup and Nannup to confirm they will pay to the Recipient the funding amounts set out in Schedule 2; and
  - 2) Provide two (2) representative on the Recipient's Board of Management:
    - i. One (1) WBAC Board member; and
    - ii. One (1) ex officio Local Government officer appointed by the WBAC Board.
- c. Regarding the Project, the Recipient must:
- 1) notify the WBAC of legal proceedings, arbitration or administrative proceedings or debt recovery actions pending or threatened against the Recipient as soon as practicable after the institution of those proceedings or that debt recovery action;
  - 2) notify the WBAC immediately if the Recipient is in breach of any law or act, receives an audit qualification, or is under scrutiny through an inquiry or decree or any consent, registration, approval, licence or permit or agreement, order or award binding on the Recipient;
  - 3) keep and maintain accurate, complete, up-to-date, properly detailed written records of income, expenditure, work, activities, progress, setbacks, problems and business and commercial arrangements and dealings in relation to either or both of this Agreement and the Project, and promptly provide the WBAC with information or documentation (relating in any way to the Project or this Agreement) requested by the WBAC. The Recipient will ensure that all such information or documentation (as the case may be) is accurate, complete, up-to-date, properly detailed and not in any way misleading or deceptive;
  - 4) establish cost centres within its financial system to identify expenditure as outlined in Schedule 2.

## **5. Use of Funding**

The Recipient will use the funding for the carrying out of the Project in accordance with this Agreement. All expenditure must be effected in a commercially prudent, sensible and reasonable manner. The Recipient shall fully comply with, and deliver on, all milestones in accordance with Schedule 2.

## **6. No Changes**

The Recipient will not make any changes to the Project or any agreed budget (including the Approved Budget) without the prior written consent of the WBAC, which consent may be withheld at their discretion.

## **7. No Endorsement**

The Recipient agrees that nothing in this Agreement constitutes an endorsement by the WBAC of any goods or services provided by the Recipient.

## **8. Acknowledgement of Funding Providers**

- a. Any communication activity including presentations, publications, signage, articles, newsletters, or other literary works relating to the Project shall, where deemed appropriate, acknowledge the WBAC and individual Local Governments and give equal representation to the display of logos and names.
- b. The respective roles of the WBAC and individual Local Governments must be acknowledged at relevant forums, conferences, and project launches where the Project is promoted.
- c. The Parties shall:
  - 1) work cooperatively at the senior management and officer levels;
  - 2) maintain open communication, both formal and informal, to progress the objectives of this Agreement;
  - 3) share information and knowledge as practicable; and
  - 4) advise any shared stakeholders about arrangements between the Parties.
- d. Where the WBAC or individual Local Governments are named in media statements, advertising proposals or advertisements, the Recipient shall circulate a draft of the proposal between the parties for comment prior to publication.

## **9. Accounts, Acquittal and Reporting**

- a. The Recipient is required to submit a written or verbal report to each WBAC board meeting until the completion of the Project, which shall include:
  - 1) A progress report from the President or Chief Executive Officer; and
  - 2) A financial report, certified by the President or Chief Executive Officer.
- b. The Recipient's Chief Executive Officer is to liaise with the WBAC Executive Officer to ensure reports, detailed in Clause A, are received by the WBAC Executive Officer one week prior to the WBAC Board meeting.
- c. The Recipient will provide to the WBAC an annual report on the Project based on a financial year ending 30 June, which shall include:

- 1) a financial report (certified by the President or Chief Executive Officer of the Recipient and audited by an independent Auditor), outlining income and expenditure in respect to the Project; and
  - 2) an evaluation report showing how and to what extent the funding was spent and the extent to which the Milestones and outcomes have been achieved
- d. The annual report on the Project, as detailed in clause C, is to be submitted within four (3) months after the end of the financial year to the WBAC Executive Officer.

## **10. General Undertakings of the Recipient**

The Recipient must:

- a. at all times duly perform and observe its obligations and will promptly inform the WBAC of any occurrence that might adversely affect its ability to do so in a material way;
- b. undertake its obligations with integrity, good faith and probity in accordance with good corporate governance practices;
- c. not, nor attempt to, sell, transfer, assign, mortgage, charge or otherwise dispose of or deal with any of its rights, entitlements and powers or obligations under this Agreement;
- d. comply with all State and Commonwealth laws relevant to the performance of the Project or this agreement;
- e. cooperate fully with the WBAC in the administration of this agreement;
- f. consider the requirements of people with disabilities or special needs in all its activities and publications.

## **11. Negation of Employment, Partnership and Agency**

- a. The Recipient must not represent itself, and must ensure that its employees, contractors, sub-contractors or agents do not represent themselves, as being an employee, partner or agent of the WBAC or as otherwise able to bind or represent the WBAC.
- b. The Recipient will not by virtue of this agreement be, or for any purpose be deemed to be, an employee, partner, or agent of the WBAC, or have any power or authority to bind or represent the WBAC.

## **12. Evaluation or Audit rights**

- a. The WBAC may arrange for an Evaluation or Audit to be carried out in respect of the Project.

- b. If the WBAC arranges for an Evaluation or Audit:
  - 1) the WBAC must notify the Recipient that the WBAC has arranged or will arrange for an Evaluation or Audit to be carried out; and
  - 2) the Recipient must allow all persons appointed by the WBAC to carry out the Evaluation or Audit to have full access to the records and premises in the control or possession of the Recipient for the purpose of carrying out the Evaluation or Audit.
- c. This Clause survives the end of this Agreement by five (5) years.

### **13. Repayment and Retention of Funding**

At the completion of the Project or the conclusion of this agreement (whichever occurs first) the Recipient must remit to the WBAC within twenty (20) business days any funding that the WBAC or a Local Government has paid and that has not been used or committed in accordance with this agreement.

### **14. Limitation of liability**

- a. The WBAC or individual Local Governments shall have no responsibility or liability for the success or otherwise of the Project and is not liable for any losses suffered by the Recipient in undertaking the Project.
- b. If the funding is insufficient for the Recipient to properly meet all of its obligations, then the Recipient is solely responsible for funding any shortfall.

### **15. Insurance and Indemnity**

- a. The Recipient shall effect and maintain throughout the term adequate insurance, with a reputable insurer, to provide cover for the Project undertaken by the Recipient, including Public Liability and Workers' Compensation insurances and property insurance covering loss of, or damage to, any equipment that the Recipient provides for use on the Project, for its full replacement value.
- b. If and when requested by the WBAC, the Recipient must provide either or both of the following:
  - 1) a written statement of the applicable insurance cover held by the Recipient; and
  - 2) a copy of any policy of insurance, a Certificate of Currency, and receipts for premiums in connection with any policy of insurance.
- c. The Recipient hereby indemnifies and shall keep indemnified the WBAC and the WBAC Local Governments and to hold them and their respective officers, employees and agents harmless from and against all reasonably foreseeable damages, losses, liabilities, cost and expenses (including legal fees) claimed, suffered or incurred by the WBAC, WBAC Local Governments or any of their respective officers, employees and agents

whether before or after the date of this agreement to the extent caused by any:

- 1) breach of any obligation by the Recipient;
- 2) act or omission of the Recipient or its employees, contractors, officers or agents; or
- 3) breach of a State or Commonwealth law by the Recipient or any of its employees, contractors, officers or agents.

d. This indemnity shall survive expiration or termination of this Agreement.

#### **16. Freedom of Information Act 1992 and Financial Management Act 2006**

- a. This Agreement, and information regarding, it is subject to the *Freedom of Information Act 1992*. The WBAC and the WBAC Local Governments may publicly disclose information in relation to this Agreement, including its terms and the details of the Recipient.
- b. Despite any express or implied provision of this Agreement to the contrary, the powers and responsibilities of the Auditor General under the *Financial Management Act 2006* and the *Auditor General Act 2006* are not limited or affected by this Agreement. The Recipient must allow the Auditor General, or an authorised representative, to have access to and examine the Recipient's records and information concerning this Agreement.

#### **17. Default and Termination**

- a. Event of Default by the Recipient  
An Event of Default occurs if:
  - 1) the Recipient breaches any Obligation, which (if remediable) continues without remedy for five (5) Business Days after notice in writing has been served on the Recipient by the WBAC;
  - 2) the Recipient breaches this Agreement and such breach cannot be remedied;
  - 3) the WBAC or individual Local Government has reasonable grounds to believe that the Recipient is unwilling or unable to comply with its Obligations;
  - 4) any aspect of this Agreement is or is held to be void, unenforceable, or invalid for whatever reason; or
  - 5) the Recipient persistently, regularly, consistently or continually breaches this Agreement.
- b. Effect of Event of Default
  - 1) If an Event of Default occurs, the WBAC may terminate the Agreement by providing further notice in writing to the Recipient.
  - 2) Whilst a Party is in breach of this Agreement, the other Party may suspend the performance of its Obligations.



## **18. Waiver**

- a. No right under this agreement shall be deemed to be waived except by notice in writing signed by both Parties.
- b. A waiver by either Party will not prejudice that Party's rights in relation to any further breach of this Agreement by the other Party.
- c. Any failure to enforce this agreement, or any forbearance, delay or indulgence granted by one Party to the other Party, will not be construed as a waiver of any rights.

## **19. Entire Agreement**

This agreement constitutes the entire agreement between the Parties and supersedes all communications, negotiations, arrangements and agreements between the Parties with respect to the subject matter of this agreement.

## **20. Assignment**

- a. This agreement is personal to the Recipient and may not be assigned by the Recipient without the WBAC's consent, which may be withheld at the WBAC's discretion. The WBAC may assign its rights and Obligations under this Agreement as it sees fit.
- b. The Recipient shall be deemed to have assigned this agreement if any act, matter or thing is done or occurs, the effect of which is, in the opinion of the WBAC, to transfer, directly or indirectly, the management or control of the Recipient.

## **21. Variation**

Any modification, amendment or other variation to this agreement must be made in writing, duly executed by both Parties.

## **22. Rights and remedies**

The rights, powers and remedies in this agreement are in addition to, and not exclusive of, the rights, powers and remedies existing at law or in equity.

## **23. Local products and services**

The Recipient agrees to comply with the Western Australian Government's Buy Local policy when purchasing goods and services for the Project.

## **24. Access to Land**

If the Project is being undertaken on land (whether freehold or Crown land) that is not owned, leased or managed by the Recipient, the Recipient must obtain and

have in place for the duration of the Project an agreement or suitable authority to undertake the Project on that land.

**25. Governing Law**

This agreement is governed by the laws of Western Australia. Each Party irrevocably submits to the non-exclusive jurisdiction of the courts of Western Australia.

DRAFT

## SCHEDULE 2 – PROJECT DETAILS

### 1. Purpose

The funding received by the Recipient will be used to assist with the cost of developing and operating a Local Tourism Association for the Southern Forests Blackwood Valley region (Shires of Bridgetown – Greenbushes, Manjimup and Nannup).

### 2. Recipient Details

**Name:** Southern Forests Blackwood Valley Tourism Association

**Address:** PO Box 528, Manjimup, WA 6258

**Email:** admin@sfbvta.com.au

**Contact Person:** Paul Matenaar

**Position:** President

**ABN:** 24 745 685 058

**GST Registered:** Yes

### 3. Funding amount

- a. Funding will be made available as a conditional grant specifically for the delivery of the Project outlined in Clause 1 of this Schedule.
- b. The payment of the Funding Amount will be made on an annual basis in advance subject to the issue of a satisfactory assessment by the WBAC Board that Financial Reports and Evaluation Reports submitted by the Recipient demonstrate that the project activities and expenditure are consistent with the terms and conditions of this Agreement.

### 4. Manner in which funding is to be paid

- a. The Recipient will forward a tax invoice to the WBAC or individual Local Governments on an annual basis for the amount of the Funding outlined in Clause 5.c of this Schedule at the date indicated in Clause 5.b of this Schedule.
- b. The payment will be processed by the individual organisations and payment made by cheque or direct deposit to the Recipient.
- c. After this Agreement has been executed by all Parties, and upon issue of satisfactory assessments by the WBAC Board, the individual organisations will pay to the Recipient Funding Amounts as listed in Clause 5.c of this Schedule.

## 5. Sources and timing of payments

- a. The timing of payments is subject to change upon approval of any change of scope or additional Funding Amount as outlined in Clause 3 of this Schedule.
- b. An invoice will be sent by the Recipient to each individual organisation in September of each financial year for the amount detailed in clause c.
- c. The sources of the funding for each financial year are:

	2019.2020	2020.2021	2021.2022	2022.2023
<b>Warren Blackwood Alliance of Councils</b>	\$ 29,000.00	\$ -	\$ -	\$ -
<b>Shire of Bridgetown - Greenbushes</b>	\$ 45,320.00	\$ 52,819.00	\$ 39,852.00	\$ 26,914.00
<b>Shire of Manjimup</b>	\$ 67,980.00	\$ 79,229.00	\$ 59,778.00	\$ 40,371.00
<b>Shire of Nannup</b>	\$ 28,325.00	\$ 33,012.00	\$ 24,908.00	\$ 16,822.00
<b>Total (Ex GST)</b>	<b>\$ 170,625.00</b>	<b>\$ 165,060.00</b>	<b>\$ 124,538.00</b>	<b>\$ 84,107.00</b>

## 6. Project Objectives

The Recipient will:

Main Objective / Milestone	Milestone Date
Act as a peak body for all tourism stakeholders in the Southern Forests and Blackwood Valley regions.	Throughout whole project
Develop working partnerships with the Shire of Bridgetown – Greenbushes, Shire of Manjimup, Shire of Nannup and any additional Local Governments who, at a later date, contribute to the operations of the Local Tourism Organisation.	Throughout whole project
Work with regional, state and national tourism agencies to promote the Southern Forests and Blackwood Valley region as a desirable tourism destination to local, inter-state, intra-state and international markets	Throughout whole project
Develop a fit for purpose website which promotes the region, works in partnership with stakeholders to showcase the attractions of the region and further develops the profile of the region.	January 2020
Create working partnerships with all visitor servicing providers in the Southern Forests and Blackwood Valley region.	March 2020
Respond to the specific needs, opportunities, products, experiences and resources of our region.	Throughout whole project

<b>Main Objective / Milestone</b>	<b>Milestone Date</b>
Celebrate the regions culture.	Throughout whole project
Connect with visitors, investors and trade.	Throughout whole project
Become a sustainable, member led organisation.	June 2023
Comply with their organisation's constitution, the Associations Incorporation Act 2015 and all applicable state and national laws.	Throughout whole project
<b>Project Completion</b>	<b>June 2023</b>

### **7. Project Controls**

The WBAC Board will monitor the Project performance against the milestones in this agreement. In addition, the monitoring by the WBAC Board may include consideration of planned future activities including budget forecasting of the Recipient.

### **8. Term of Agreement**

The agreement remains valid from the date of this agreement until 30 June 2023 subject to those provisions of this agreement that expressly or impliedly survive expiration of this agreement.

## **SCHEDULE 3 – EXECUTION OF THIS AGREEMENT**

Executed by the Parties as an agreement.

### **Signed for and on behalf of the WBAC:**

\_\_\_\_\_  
Print full name and position of authorised person from WBAC

\_\_\_\_\_  
Signature of authorised person

### **In the presence of:**

\_\_\_\_\_  
Full name and position of witness

\_\_\_\_\_  
Signature of witness

\_\_\_\_\_  
Date

### **Signed for and on behalf of the Recipient:**

\_\_\_\_\_  
Signature of President

\_\_\_\_\_  
Full Name of President

\_\_\_\_\_  
Signature of Chief Executive Officer

\_\_\_\_\_  
Full name of Chief Executive Officer

\_\_\_\_\_  
Date



# *Customer Service Charter*

Our Customer Service Charter reflects our commitment to provide you with quality services and gives standards by which to measure our performance. It also provides staff with clear standards for which to aim.

This Charter will be reviewed and adapted to consistently meet the changing needs of our customers.

The original Customer Service Charter was adopted by Council at its meeting held on 28 June 2001, and reviewed in March 2011.

## **OUR COMMITMENT TO YOU**

**In recognising that our customers are our main priority, we will:**

- Treat all customers with courtesy, respect and fairness
- Provide efficient and reliable service in a timely and professional manner
- Make ourselves available and accountable to our customers
- Provide customers with accessible, informative and user friendly information
- Maintain our community facilities to an acceptable standard
- Invite and evaluate feedback to improve services to the community

## **OUR PROMISES TO YOU**

**We will – Provide Courteous and Efficient Service by**

- Providing staff who are trained to deal competently with your enquiry
- Ensuring staff are fully informed about services, policies and procedures
- Providing quality service in all areas of the Shire during office hours

**We will – Display an Image that Enhances our Community by**

- Observing a dress standard that is both neat and suitable
- Conducting ourselves in a professional manner that enhances the image of Council and the community

**We will – Respond to Community Needs Promptly and Effectively by**

- Responding to customer telephone calls promptly in a prompt and courteous manner.
- Acknowledging customers at the counter as soon as they arrive at all times.



### **We will – Reply to all Communications Promptly by**

- Responding to telephone messages the same day if possible otherwise within three working days.
- Where a response to written correspondence cannot be provided within 10 working days the correspondent will be advised a date when a response will be provided.
- Resolving complaints and disputes as quickly as possible with a goal of 15 working days maximum, but for complex issues will maintain an open and acceptable dispute resolution process.

### **We will – Provide Accurate Information at all Times by**

- Providing easily readable and up-to-date brochures, policy manuals and other written documents
- Managing sensitive material with care and consideration for the individual or organisation affected

### **As Councillors Representing the Community we will**

- Reflect the attitudes of our community in the decision making process at Council Meetings
- Facilitate communication between community and Council
- Provide clear and concise guidance to the Chief Executive Officer so as to enable the decisions of Council to be implemented
- Be accountable to our community for decisions and actions of Council
- Provide the community with strong dynamic leadership and guidance

### **We will – Update on Changes Affecting the Community by**

- Providing our customers with new and relevant changes to policies, procedures, environmental and community interests through a number of communication services.

### **We will – Seek Community Feedback relating to Our Service by**

- Utilising customer surveys, interviews and other sources that will allow us to monitor customer service delivery.

**How you can help us**

- Be respectful and courteous to Shire staff
- Contact us to arrange an appointment where possible
- Provide accurate and complete information
- Be honest in your dealings with us
- Let us know if our delivery and standards of service needs to improve

Please note that should a verbal altercation or threat of violence occur our staff will;

- Request the person to cease their behaviour
- Should they not cease , our staff will request the person to leave our premises and inform the person that they are going to cease the conversation and they will then walk away to gain assistance and inform their supervisor of the altercation

*Please refer to Shire of Nannup Procedure No.7.20*

## **SERVING OUR COMMUNITY**

**In keeping our promises to you we will ensure that the professional service we provide will enhance the unique quality of life and lifestyle of all the community in the Shire of Nannup.**

### **OUR COMMITMENT IN THE SERVICES WE PROVIDE**

#### **1. Councillors**

We will serve the community who elected us with openness, integrity and honesty so as to achieve the very best results for all the community of the Shire of Nannup.

#### **2. Customer Complaints**

We will, in receiving a customer complaint, treat it as an opportunity rather than a problem, resolving it quickly in a respectful and courteous way.

#### **3. Community Law**

We will set and maintain acceptable community standards in the areas of:

- Animal Control and Welfare
- Fire Control
- Equitable Parking Facilities
- Environment Protection

#### **4. Building and Construction**

We will ensure that private and community buildings are constructed and maintained in accordance with relevant legislation and the Building Code of Australia. Infrastructure developed on behalf of the community will provide for growth and quality of life.

#### **5. Planning and Development**

We will plan and coordinate orderly development and growth of the Shire in the areas of:

- Residential
- Commercial
- Industrial
- Rural
- Tourism
- Special Rural

## **6. Community Services**

We will provide facilities and services to all members of the community in the areas of:

- Information
- Libraries
- Tourism
- Agendas
- Health and Sanitation
- Sporting Facilities
- Recreational Facilities
- Youth

## **7. Parks and Gardens**

We will ensure that Shire parks, gardens, and associated facilities are kept accessible, neat and clean and addressing appropriate safety standards.

## **8. Roads and Drainage**

We will embrace the practical & safe requirements of construction and maintenance for our urban & rural road network, in doing this we will maintain suitable road & drainage infrastructure for the needs of the Shire.

## **9. Rates and Finance**

We will be sensitive to community needs and expectations in setting rating levels and we will ensure full and transparent accountability of the entire Shire income and expenditure.

## **10. Emergency and After Hours Operations**

We will respond (where practicable and safe for Shire employees) to after hours customer service in the areas of:

- Fires and bushfires
- Dangerous road conditions
- Fallen trees on roads
- Flooding/Drainage
- Vandalism
- Straying stock

## **Feedback**

Customer satisfaction is important at the Shire of Nannup.

As we endeavour to deliver even better service, we encourage you to give feedback. Whether you have a request for service, a complaint or a compliment, we would like to hear from you.

Please phone us on 08 9756 1018, email [nannup@nannup.wa.gov.au](mailto:nannup@nannup.wa.gov.au) or visit our website [www.nannup.wa.gov.au](http://www.nannup.wa.gov.au) If you would like to write to the Shire of Nannup please address your correspondence to:

Chief Executive Officer  
Shire of Nannup  
15 Adam Street (PO Box 11)  
NANNUP WA 6275

## **1. COUNCILLORS AND THE SHIRE OF NANNUP**

The system of local government relies on the integrity of elected individuals to represent the entire community. As individuals and as a decision making group, Councillors are committed to informing the community of the manner in which we are meeting our responsibilities.

### **As Councillors we will:**

- Represent the interests of electors, ratepayers and residents
- Provide quality leadership and guidance to the community
- Facilitate effective communications between the community and Council
- Participate in accountable decision making processes at meetings

As Councillor Representatives of the Shire of Nannup we will serve the community who elected us with openness, integrity and honesty so as to achieve the best results for the community of Nannup. This will be achieved by:

- Being customer driven, recognising we represent the community and as such seek to lead, manage and support all aspects of community lifestyle.
- Providing leadership in representing and promoting the community.
- Ensuring that the services provided by Council are fiscally responsible and reflect the needs and realistic expectations of the community.
- Providing opportunities for the community to provide constructive feedback relating to all aspects and performance of the Shire of Nannup.
- Conducting all Council Meetings in a way that ensures open governance and dignity of all councillors.
- Providing an effective complaints handling process that enables efficient, fair and timely resolution.
- Ensuring that all Councillors and staff have sufficient resources to enable them to provide quality service in all areas of our local government.
- Providing opportunities for the community to effectively communicate with Councillors and, where appropriate, facilitate between community members and appropriate individuals, groups or organisations.
- As an informed team, fully supporting in every way, decisions made in Council even though as individuals we may disagree.
- Providing appropriate information to approved respondents in an effective and timely manner.

## **2. CUSTOMER COMPLAINTS**

A “Customer Complaint” refers to dissatisfaction expressed, either in writing or verbally by a customer, in relation to a Council service or issue. To assist in ensuring the accuracy of a complaint, the written format is preferred.

The Shire of Nannup is committed to providing excellent customer service to our customers and value customer feedback. we welcome feedback if you feel that you have had an unsatisfactory resolution.

### If you complain VERBALLY we will:

- Treat you with respect and courtesy and strive to find a resolution to your complaint at the first point of contact.
- If not resolved at first point of contact, we aim to resolve complaints and disputes with a goal of 15 working days; with complex issues entering an open and accessible dispute resolution process.
- Provide a “Record of Conversation” if your complaint needs to be further actioned and provide you with the name of the actioning officer.

### If you complain in WRITING we will:

- Where a response to a written complaint cannot be provided within 10 business days, the complainant will be advised a date when a response will be provided. also stating our understanding of the complaint, action that needs to or has been taken and the name of the actioning officer.

### If you still remain DISSATISFIED:

- Where a Complaint refers to Council’s non-adherence to this Charter and has not been resolved to your satisfaction, you may request in writing to have the Chief Executive Officer review the handling of your complaint.
- If after all avenues of negotiation have been exhausted and you remain unhappy with the outcome there remain the following options available:

#### **Ombudsman**

Office Location:

Level 2, Albert Facey House

469 Wellington Street

Perth WA 6000Postal Address:

PO Box Z5386

St Georges Terrace Perth WA 6831

Telephone: 1800 117 000 (free from landlines) Facsimile: 08 9220 7500

[www.ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au)

#### **Department of Local Government**

Gordon Stephenson House, 140 William Street, 2<sup>nd</sup> Floor Reception, Perth WA 6000

PO Box 8349 Perth Business Centre WA 6849

Telephone: (08) 6552 7300

info@dlgsc.wa.gov.au

**Minister for Local Government**

7<sup>th</sup> Floor, Dumas House, 2 Havelock Street, West Perth WA 6005

Telephone: (08) 6552 5400 Facsimile: (08) 6552 5401

Minister.Templeman@dpc.wa.gov.au



### **3. COMMUNITY LAW**

The Shire of Nannup is to ensure that the relevant Acts and Local Laws are policed and enforced in a fair and equitable manner for the benefit of the residents and visitors to the Shire of Nannup.

These issues cover fire break infringements, car parking, restricted and prohibited burning periods and caravan parks and camping legislation.

Council will provide a detached and efficient internal appeal/dispute resolution system that allows reconsideration of disputed infringements issued prior to those matters going to Court.

#### **4. BUILDING AND CONSTRUCTION**

The aim of staff working with builders, owner builders and all associated people is to ensure all building applications are processed and approved in accordance with Council Policy, the Building Code of Australia, relevant standards and regulations.

We will:

- Provide a 10 working day turn around time on building applications that:
  - ◆ Are complete applications (all required information provided).
  - ◆ Are single residential.
  - ◆ Will not require Planning Department, Technical or Community Services approval.
- Ensure that you are fully informed on the progress on Building Applications that require approval from other services by providing the name and contact number of the person responsible for the application.
- Attend building sites for all inspections required under a Building License as soon to completion of work as is practicable.

Appointments may be made between 8.30 am and 4.30 pm Monday to Friday; for inspections to coincide with the day that the Building Inspector is on site..

## **5. PLANNING AND DEVELOPMENT**

The Shire of Nannup seeks to assist in the planning for future residential, commercial, tourist, industrial and rural land uses, whilst having regard to the natural environment and ensuring that the rules and regulations controlling development within the existing built environment are being administered and adhered to.

We will:

- Acknowledge receipt of all planning applications within three working days of receiving the application.
- Respond to subdivision referrals within 42 working days of receiving the referral.
- Where applications have to be determined by full Council advise applicants of Council's decision within seven working days of the Council meeting.
- Where an application has been advertised and no submissions received, advise the applicant within 10 working days of the close of advertising of the determination or extended determination date.
- Respond to correspondence relating to Scheme Amendments within 20 working days identifying any additional information that may be required, advising of the process to be undertaken and the expected timeframe to finalise the matter
- Commence investigation of written compliance related complaints within 20 working days of being requested to do so except where there are environmental consequences or safety concerns in which case we will inspect immediately
- Conduct a final inspection of completed developments within five working days of being requested to do so unless independent professional advice is required to be obtained when the timeframe may have to be extended to suit the contracted party.
- Return development bonds (or advise the bank to release the bank guarantee) within ten working days of the development being completed to Council's satisfaction

## **6. COMMUNITY SERVICES**

Community Services provides a focal point for social networks by providing administrative support and infrastructure needed by the community of all ages that enables the achievement of a full and meaningful life within Nannup.

We will:

- Support the tourism industry in ways that will benefit the whole community.
- Provide information to those community members seeking assistance in the areas of Welfare, Disability Services and Youth Activities.
- Provide a focal point for contact in the areas of Sports and Recreation.
- Act as a channel for our community members for information from all levels of government in the area of community services.
- Maintain sporting and recreational facilities to an acceptable standard.

### **6.1 LIBRARY SERVICES**

The Shire of Nannup Library Service is committed to providing for the recreational, educational and social needs of the community.

We will:

- Provide a relevant and balanced State wide collection of library resources in a wide variety of formats.
- Provide a pleasant and relaxed environment to enjoy the facilities and resources of the library.
- Provide an efficient and responsive inter-library loan service. Reservations will be placed as soon as is practicable.
- Provide current and accessible information on Council's activities and policies.
- Home delivery option is available for those who meet the eligibility requirements.

### **6.2 ENVIRONMENTAL HEALTH & WASTE MANAGEMENT**

We will:

- Ensure a continuous improvement approach in the provision of Environmental Health Services and Waste Management.
- Ensure our customers are provided with an efficient waste collection, recycling service, and appropriate waste disposal facilities.
- Undertake the monitoring and surveillance of all public accommodation, food and water providers for the benefit and welfare of the community.
- Administer all appropriate Public Health Legislation for the benefit of the community's comfort and welfare.

Provide readily accessible Public Health Information in the areas of Council's operations

## **7. PARKS & GARDENS**

Council aims to provide quality parks and gardens which enhance the amenity in neighbourhoods and quality of life for the community while providing an image that visitors and tourists would enjoy.

We will:

- Work to ensure parks, gardens, and associated facilities are kept neat, clean and to a level that addresses appropriate safety standards.
- Work in conjunction with community organisations to ensure sports grounds and parks are prepared and maintained for the community. Provide after-hours emergency services where appropriate.
- Monitor roadside vegetation and street trees for the safety of pedestrians and vehicular traffic
- Maintain Park facilities such as barbecues and playgrounds used by the community to a safe and acceptable standard
- Consider the natural environment in activities such as revegetation, landscaping, protection of native vegetation and beach works and gardens management
- Council's commitment to the provision of quality service is total and embraces the following provided services according to budget provision:
  1. Maintenance of lighting, tree planting and growth, reticulation, gardening and mowing, barbecues, playgrounds and sporting grounds and facilities.
  2. Litter clean up and removal
  3. Support for Emergency Services.
  4. Development of new parks and gardens

## **8. ROADS AND DRAINAGE**

Quality roads and drainage systems throughout the Shire will enhance the safety of road users and the quality of life for the local community and also improve the image for visitors and tourists alike while reducing maintenance and transport costs.

We will:

- Grade and maintain each gravel and sealed road shoulder (where edge wear) throughout the Shire as required, with priority given to high usage roads and school bus routes
- Maintain sealed roads to a universally acceptable standard of roughness for their function
- Provide after-hours emergency services where appropriate
- Upgrade roads in accordance with the Shire of Nannup's Community Strategic Plan 2017\*2027, Asset Management Plan 2017-2027 and within overall budget constraints

Council's commitment to the provision of quality service is total and embraces the following services according to budget provision:

**Road Construction:** clearing, drainage, gravel overlay and sealing works

**Road Maintenance:** guide posts, street sweeping, tree planting and pruning, maintenance grading and patching works

**Signage:** construction, installation and maintenance of district signage under the jurisdiction of Council

**Footpaths:** construction and maintenance of Shire pedestrian traffic access

**Emergency Services:** support emergency services in areas such as fires and storm drainage

## **9. RATES AND FINANCE**

The prompt and efficient collection of rates is a key factor in the long and short-term financial planning of works and services as determined by community needs. Council must remain customer focussed while remaining fully compliant with the Local Government Act 1995 and appropriate legislation.

We will:

- Provide timely accounts that are easy to understand.
- Give prompt resolution of queries regarding accounts.
- Pay creditors within one calendar month from receipt of invoice. Where queries arise, attempt to resolve the issue so that payment can be made as soon as is practicable.
- Pay approved refunds within ten working days of receipt of claim
- Reimburse development bonds and release bank guarantees within ten working days of all work being completed to Council's satisfaction
- When payments are delayed, keep you informed and give you progress updates.

### Rates

- Provide customers with the option to pay by B-Point, EFTPOS, credit card, cash or cheque
- Be responsive to people in financial difficulties.
- Give a clear explanation of how your rates are assessed.

## **10. EMERGENCY AND AFTER HOURS OPERATIONS**

The aim of Council's Emergency and After Hours operations is to ensure that systems are in place to enable a prompt response to all after hours and emergency calls received to ensure public safety.

We will:

- Ensure that Bush Fire Brigades outside the Fire and Rescue area of responsibility have adequate resources to be able to attend to fires immediately upon notification.
- Attend to straying stock on public roads within as soon as is practicable.
- Attend serious flooding or drainage problems that are a threat to public roads or property.
- Attend to vandalism of Shire facilities within one working day of notification depending on the type of damage caused.
- Attend to fallen trees on public roads as soon as is practicable.
- Respond to serious dog attacks as soon as is practicable
- Maintain and adhere to the area Local Emergency Management Plan as circumstances dictate.





**MONTHLY FINANCIAL REPORT  
(Containing the Statement of Financial Activity)  
For the Period Ended 31 March 2020**

**LOCAL GOVERNMENT ACT 1995**

**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**Shire of Nannup**  
**Information Summary**  
**For the Period Ended 31 March 2020**

## Key Information

### Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

### Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.  
*The Budget Review has been completed and included in the reports.*

### Statement of Financial Activity by reporting program

Is presented on page 3 and shows a surplus as at 31 March 2020 of \$1,996,163.

### Items of Significance

The material variance adopted by the Shire of Nannup for the 2019/20 year is \$30,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

### Capital Expenditure

	% Collected / Completed	Annual Budget	YTD Budget	YTD Actual
<b>Significant Projects</b>				
<b>Grants, Subsidies and Contributions</b>				
Operating Grants, Subsidies and Contributions	84% -	\$ 945,447	\$ 1,810,060	\$ 791,028
Non-operating Grants, Subsidies and Contributions	41% -	\$ 766,554	\$ 766,554	\$ 311,976
	64% -	\$ 1,712,001	\$ 2,576,614	\$ 1,103,004
Rates Levied	100%	\$ 1,771,448	\$ 1,771,448	\$ 1,774,267

*% Compares current ytd actuals to annual budget*

Financial Position		Prior Year 30	Current Year 30	Note
		June 2019	June 2020	
Adjusted Net Current Assets	69%	\$ 2,893,498	\$ 1,996,163	3
Cash and Equivalent - Unrestricted		\$ 2,274,272	\$ 2,623,344	3 & 4
Receivables - Rates	58%	\$ 505,662	\$ 294,599	3 & 6
Receivables - Other	276%	\$ 30,966	\$ 85,614	3 & 6
Payables	80%	\$ 113,667	\$ 90,604	3

*% Compares current ytd actuals to prior year actuals at the same time*

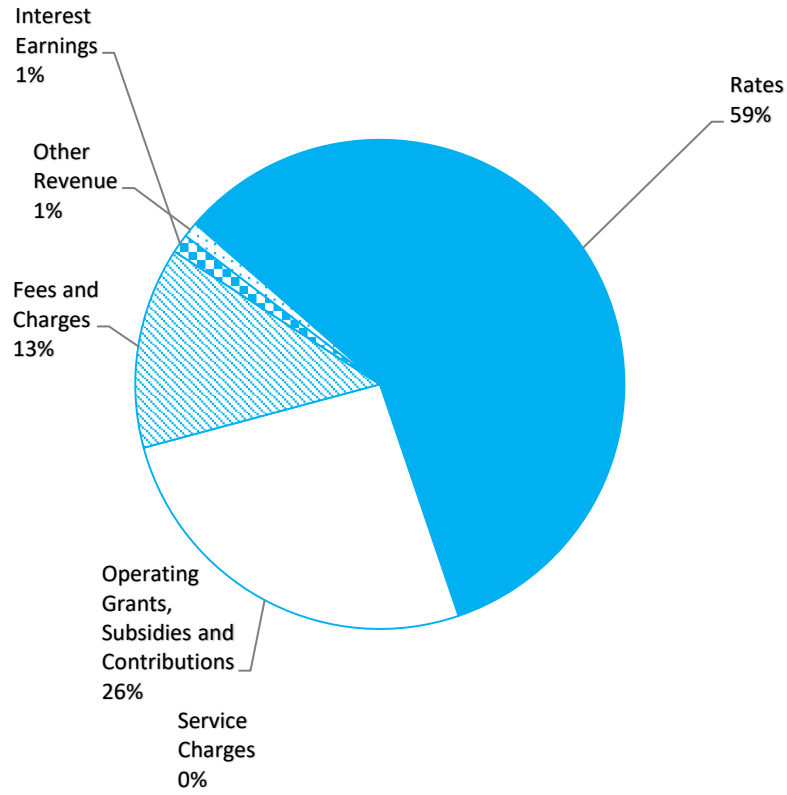
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

## Preparation

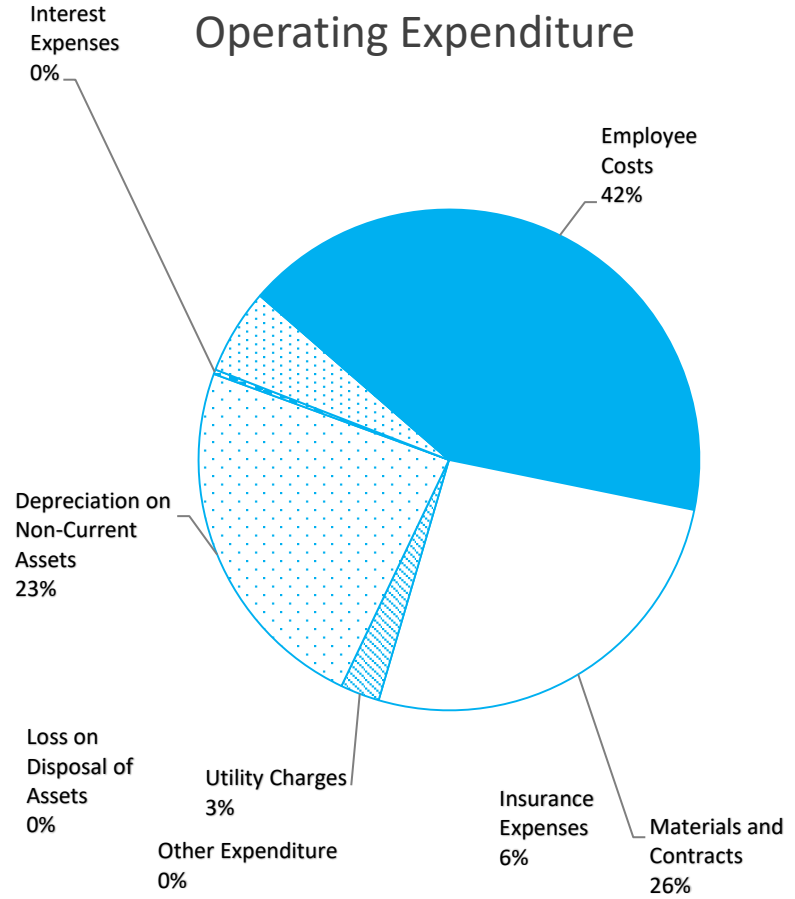
Prepared by: Susan Fitchat  
Reviewed by: David Taylor  
Date prepared: 21/05/2020

Shire of Nannup  
Information Summary  
For the Period Ended 31 March 2020

Operating Revenue



Operating Expenditure



**SHIRE OF NANNUP**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 31 March 2020**

	Note	Original	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
<b>Opening Funding Surplus(Deficit)</b>		814,162	1,864,842	1,864,842	<b>1,864,842</b>	(0)	(0%)	
<b>Revenue from operating activities</b>								
Governance		0		0	<b>(0)</b>	(0)		
General Purpose Funding - Rates	9	1,771,448	1,771,448	1,771,448	<b>1,774,267</b>	2,819	0%	
General Purpose Funding - Other		775,930	29,786	29,786	<b>522,808</b>	493,022	1655%	
Law, Order and Public Safety		227,986	449,486	337,115	<b>326,795</b>	(10,320)	(3%)	
Health		16,750	16,750	12,563	<b>12,166</b>	(396)	(3%)	
Education and Welfare		54,644	68,116	51,087	<b>18,357</b>	(32,730)	(64%)	
Housing		20,800	20,800	15,600	<b>16,000</b>	400	3%	
Community Amenities		339,356	439,171	329,378	<b>313,644</b>	(15,734)	(5%)	
Recreation and Culture		11,940	11,940	8,955	<b>13,245</b>	4,290	48%	
Transport		116,854	116,854	87,641	<b>105</b>	(87,536)	(100%)	
Economic Services		26,975	73,886	55,415	<b>36,508</b>	(18,907)	(34%)	
Other Property and Services		15,400	15,400	11,550	<b>4,336</b>	(7,214)	(62%)	
		<b>3,378,083</b>	<b>3,013,637</b>	<b>2,710,536</b>	<b>3,038,231</b>			
<b>Expenditure from operating activities</b>								
Governance		(1,150,409)	(1,160,109)	(870,082)	<b>(698,748)</b>	171,334	20%	
General Purpose Funding		(82,344)	(82,344)	(61,758)	<b>(34,321.9)</b>	27,436	44%	
Law, Order and Public Safety		(296,534)	(649,943)	(487,457)	<b>(357,191)</b>	130,267	27%	
Health		(54,363)	(62,363)	(46,772)	<b>(42,814)</b>	3,958	8%	
Education and Welfare		(101,206)	(118,724)	(89,043)	<b>(85,367)</b>	3,676	4%	
Housing		(34,507)	(34,507)	(25,880)	<b>(13,868)</b>	12,012	46%	
Community Amenities		(381,198)	(341,914)	(256,436)	<b>(253,909)</b>	2,527	1%	
Recreation and Culture		(275,288)	(352,909)	(264,682)	<b>(200,114)</b>	64,567	24%	
Transport		(1,041,587)	(975,468)	(731,601)	<b>(763,930)</b>	(32,329)	(4%)	
Economic Services		(342,625)	(606,536)	(454,902)	<b>(185,905)</b>	268,997	59%	
Other Property and Services		(838,546)	(847,426)	(635,570)	<b>(673,840)</b>	(38,270)	(6%)	
		<b>(4,598,607)</b>	<b>(5,232,243)</b>	<b>(3,924,182)</b>	<b>(3,310,007)</b>			
<b>Financing Costs</b>								
Community Amenities		(1,570)	(1,570)	(1,178)	<b>(1,372)</b>	(194)	16%	
		<b>(1,570)</b>	<b>(1,570)</b>	<b>(1,178)</b>	<b>(1,372)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		816,280	816,280	612,210	<b>713,065</b>	100,855	16%	▲
Adjust (Profit)/Loss on Asset Disposal	8	22,200	22,200	16,650	<b>9,947</b>	(6,703)	(40%)	
Adjust Provisions and Accruals		0	0	0	<b>71,601</b>	71,601		▲
<b>Amount attributable to operating activities</b>		<b>(383,614)</b>	<b>(1,381,696)</b>	<b>(585,964)</b>	<b>521,465</b>			
<b>Investing Activities</b>								
Non-operating Grants, Subsidies and Contributions	11	779,530	779,530	584,648	<b>311,976</b>	(272,672)	(47%)	▼
Proceeds from Disposal of Assets	8	70,000	70,000	52,500	<b>19,091</b>	(33,409)	(64%)	▼
Land Held for Resale		0	0	0	<b>0</b>	0		
Land and Buildings	13	(142,730)	(142,730)	(107,048)	<b>(39,515)</b>	67,533	63%	▲
Infrastructure Assets - Roads	13	(687,372)	(687,372)	(515,529)	<b>(574,550)</b>	(59,021)	(11%)	▼
Infrastructure Assets - Public Facilities	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Footpaths	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Drainage	13	0	0	0	<b>0</b>	0		
Plant and Equipment	13	(426,000)	(426,000)	(319,500)	<b>(99,850)</b>	219,650	69%	▲
Furniture and Equipment	13	(38,000)	(38,000)	(28,500)	<b>(9,275)</b>	19,225	67%	▲
<b>Amount attributable to investing activities</b>		<b>(444,572)</b>	<b>(444,572)</b>	<b>(333,429)</b>	<b>(392,122)</b>			
<b>Financing Activities</b>								
Loan Repayments Capital	10	(83,524)	(83,524)	(62,643)	<b>(36,262)</b>	26,381	(42%)	
Proceeds from new borrowings		370,000	370,000	370,000	<b>0</b>	(370,000)		
Self-Supporting Loan Principal	10	49,796	49,797	37,347	<b>38,840</b>	1,493	4%	
Transfer from Reserves	7	104,000	104,000	104,000	<b>0</b>	(104,000)	(100%)	▼
Transfer to Reserves	7	(425,000)	(425,000)	(318,750)	<b>(600)</b>	318,150	100%	▲
<b>Amount attributable to financing activities</b>		<b>15,272</b>	<b>15,273</b>	<b>129,954</b>	<b>1,979</b>			
<b>Closing Funding Surplus(Deficit)</b>	3	<b>1,249</b>	<b>53,847</b>	<b>1,075,404</b>	<b>1,996,163</b>			

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

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

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

**SHIRE OF NANNUP**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 31 March 2020**

	Note	Original Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
<b>Opening Funding Surplus (Deficit)</b>		814,162	1,864,842	1,864,842	<b>1,864,842</b>	(0)	(0%)	
<b>Revenue from operating activities</b>								
Rates	9	1,771,448	1,771,448	1,771,448	<b>1,774,267</b>	2,819	0%	
Operating Grants, Subsidies and Contributions	11	1,045,827	723,166	542,375	<b>791,028</b>	248,654	46%	▲
Fees and Charges		475,089	435,208	326,406	<b>404,733</b>	78,327	24%	▲
Service Charges		0	0	0	<b>0</b>	0		
Interest Earnings		60,000	59,500	44,625	<b>38,046</b>	(6,579)	(15%)	
Other Revenue		25,720	25,720	19,290	<b>30,155</b>	10,865	56%	
		<b>3,378,084</b>	<b>3,015,042</b>	<b>2,704,144</b>	<b>3,038,231</b>			
<b>Expenditure from operating activities</b>								
Employee Costs		(1,873,031)	(1,823,467)	(1,367,600)	<b>(1,268,280)</b>	(99,320)	(7%)	
Materials		(662,703)	(1,379,506)	(1,034,630)	<b>(798,436)</b>	(236,194)	(23%)	▼
Contracts		(932,457)	(932,457)	(699,343)	<b>(268,603)</b>	(430,739)	(62%)	▼
Utility Charges		(98,140)	(95,940)	(71,955)	<b>(76,800)</b>	4,845	7%	
Depreciation on Non-Current Assets		(816,280)	(816,280)	(612,210)	<b>(713,073)</b>	100,863	16%	▲
Interest Expenses		(18,098)	(18,098)	(13,574)	<b>(9,035)</b>	(4,539)	(33%)	
Insurance Expenses		(176,169)	(176,169)	(132,127)	<b>(167,214)</b>	35,087	27%	▲
Other Expenditure		(1,100)	(1,100)	(825)	<b>0</b>	(825)	(100%)	
(Profit)/Loss on Sale of Assets		(22,200)	(22,200)	(16,650)	<b>(9,947)</b>	(6,703)	(40%)	
		<b>(4,600,177)</b>	<b>(5,265,217)</b>	<b>(3,948,913)</b>	<b>(3,311,388)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		816,280	816,280	612,210	<b>713,073</b>	100,863	16%	▲
Adjust (Profit)/Loss on Asset Disposal	8	22,200	22,200	16,650	<b>9,947</b>	(6,703)	(40%)	
Adjust Provisions and Accruals		0	0	0	<b>71,601</b>	71,601		▲
<b>Amount attributable to operating activities</b>		<b>(383,613)</b>	<b>(1,411,695)</b>	<b>(615,909)</b>	<b>521,464</b>			
<b>Investing activities</b>								
Non-Operating Grants, Subsidies and Contributions	11	779,530	779,530	584,648	<b>311,976</b>	(272,672)	(47%)	▼
Proceeds from Disposal of Assets	8	70,000	70,000	52,500	<b>19,091</b>	(33,409)	(64%)	▼
Land Held for Resale		0	0	0	<b>0</b>	0		
Land and Buildings	13	(142,730)	(142,730)	(107,048)	<b>(39,515)</b>	67,533	63%	▲
Infrastructure Assets - Roads	13	(687,372)	(687,372)	(515,529)	<b>(574,550)</b>	(59,021)	(11%)	▼
Infrastructure Assets - Public Facilities	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Footpaths	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Drainage	13	0	0	0	<b>0</b>	0		
Plant and Equipment	13	(426,000)	(426,000)	(319,500)	<b>(99,850)</b>	219,650	69%	▲
Furniture and Equipment	13	(38,000)	(38,000)	(28,500)	<b>(9,275)</b>	19,225	67%	▲
<b>Amount attributable to investing activities</b>		<b>(444,572)</b>	<b>(444,572)</b>	<b>(333,429)</b>	<b>(392,122)</b>			
<b>Financing Activities</b>								
Loan Repayments Capital	10	(83,524)	(83,524)	(62,643)	<b>(36,262)</b>	26,381	(42%)	
Proceeds from new borrowings		370,000	370,000	370,000	<b>370,000</b>			
Self-Supporting Loan Principal	10	49,796	49,796	37,347	<b>38,840</b>	1,493	4%	
Transfer from Reserves	7	104,000	134,000	134,000	<b>0</b>	(134,000)	(100%)	▼
Transfer to Reserves	7	(425,000)	(425,000)	(318,750)	<b>(600)</b>	318,150	100%	▲
<b>Amount attributable to financing activities</b>		<b>15,272</b>	<b>45,272</b>	<b>159,954</b>	<b>1,979</b>			
<b>Closing Funding Surplus (Deficit)</b>	3	<b>1,249</b>	<b>53,847</b>	<b>1,075,458</b>	<b>1,996,163</b>	<b>920,704</b>	<b>86%</b>	<b>▲</b>

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

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

**SHIRE OF NANNUP**  
**STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING**  
For the Period Ended 31 March 2020

**Capital Acquisitions**

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)	Variance (d) - (c)
		\$	\$	\$	\$	\$	\$
Land and Buildings	13	(39,515)	0	0	(142,730)	<b>(39,515)</b>	(39,515)
Infrastructure Assets - Roads	13	(574,550)	0	(660,634)	(660,634)	<b>(574,550)</b>	86,084
Infrastructure Assets - Public Facilities	13	0	0	0	0	<b>0</b>	0
Infrastructure Assets - Footpaths	13	0	0	0	0	<b>0</b>	0
Infrastructure Assets - Drainage	13	0	0	0	0	<b>0</b>	0
Proceeds from Advances		0	0	(36,262)	(36,262)	<b>(36,262)</b>	0
Plant and Equipment	13	(99,850)	0	(426,000)	(426,000)	<b>(99,850)</b>	326,150
Furniture and Equipment	13	(9,275)	0	0	(38,000)	<b>(9,275)</b>	(9,275)
<b>Capital Expenditure Totals</b>		<b>(723,189)</b>	<b>0</b>	<b>(1,122,895)</b>	<b>(1,303,625)</b>	<b>(759,451)</b>	<b>363,445</b>
<b>Capital acquisitions funded by:</b>							
Capital Grants and Contributions				<b>(393,559)</b>	<b>(224,166)</b>	<b>(260,350)</b>	
Borrowings				<b>0</b>	<b>0</b>	<b>0</b>	
Other (Disposals & C/Fwd)				<b>52,500</b>	<b>70,000</b>	<b>19,091</b>	
Council contribution - Cash Backed Reserves							
Asset Management		<b>0</b>	<b>0</b>	\$813,772	(24,000)	<b>0</b>	<b>(813,772)</b>
Plant Replacement Reserve		<b>0</b>	<b>0</b>	\$549,340	(22,000)	<b>0</b>	<b>(549,340)</b>
Council contribution - operations				<b>(2,144,949)</b>	<b>(1,103,459)</b>	<b>(518,192)</b>	
<b>Capital Funding Total</b>				<b>(1,122,895)</b>	<b>(1,303,625)</b>	<b>(759,451)</b>	

**Capital**



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 1: Significant Accounting Policies**

**(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they

**Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on

**(c) Rounding Off Figures**

All figures shown in this statement are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising

**(e) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the

**(f) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid

**(g) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are

**(h) Inventories**

**General**

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of

**Land Held for Resale**

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development,

**(i) Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the

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

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of

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

<b>Asset</b>	<b>Years</b>	<b>Method</b>
Buildings	20 to 100 years	Straight Line
Furniture and Equipment	4 to 20 years	Straight Line
Plant and Equipment	5 to 20 years	Straight Line
Sealed Roads		
formation	not depreciated	
pavement	80 years	Straight Line
seal		
bituminous seals	34 years	Straight Line
asphalt surfaces	43 years	Straight Line
Gravel Roads		
formation	not depreciated	
pavement	80 years	Straight Line
Formed roads		
formation	not depreciated	
pavement	80 years	Straight Line
Footpaths - slab	50 to 60 years	Straight Line
Kerbs	100 years	Straight Line
Parks & Gardens	50 to 75 years	Straight Line
Water Supply Piping and Draing Systems	75 to 130 years	Straight Line
Bridges	90 to 110 years	Straight Line

**(k) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and

**(l) Employee Benefits**

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

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

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the

(ii) *Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future

**(m) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months

**Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or

**(n) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an

**(o) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is

**(p) Nature or Type Classifications****Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

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

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective

**Profit on Asset Disposal**

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

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial

**Interest Earnings**

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

**Other Revenue / Income**

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

**Employee Costs**

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation,

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal

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

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

**Insurance**

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

**Loss on asset disposal**

Loss on the disposal of fixed assets.

**Depreciation on non-current assets**

Depreciation expense raised on all classes of assets.

**Interest expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

**(r) Program Classifications (Function/Activity)**

Shire of Nannup operations as disclosed in these financial statements encompass the following service orientated activities/programs.



**GOVERNANCE****Objective:**

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

**Activities:**

Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and

**GENERAL PURPOSE FUNDING****Objective:**

To collect revenue to allow for the provision of services.

**Activities:**

Rates, general purpose government grants and interest revenue.

**LAW, ORDER, PUBLIC SAFETY****Objective:**

To provide services to help ensure a safer community.

**Activities:**

Supervision of various by-laws, fire prevention, emergency services and animal control.

**HEALTH****Objective:**

To provide an operational framework for good community health.

**Activities:**

Food quality, building sanitation and sewage.

**EDUCATION AND WELFARE****Objective:**

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

**Activities:**

Operation of pre-school, provision of youth support.

**HOUSING****Objective:**

Help ensure adequate housing.

**Activities:**

Maintenance of staff and rental housing.

**COMMUNITY AMENITIES****Objective:**

To provide services required by the community.

**Activities:**

Rubbish collection services, operation of tip, noise control, administration of the town planning scheme, maintenance of cemetery and maintenance

**RECREATION AND CULTURE****Objective:**

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

**Activities:**

Maintenance of halls, recreation centre and various reserves; operation of library.

**TRANSPORT****Objective:**

To provide effective and efficient transport services to the community.

**Activities:**

Construction and maintenance of streets, roads, bridges; cleaning of streets, depot maintenance.

**ECONOMIC SERVICES****Objective:**

To help promote the shire and its economic wellbeing.

**Activities:**

Assistance to tourism, area promotion, building control, noxious weeds, vermin control.

**OTHER PROPERTY AND SERVICES****Objective:**

To accurately allocate plant and labour costs across the various programs of Council.

**Activities:**

Private works operations, plant repairs and operations costs.

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 2: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$30,000 or 10% whichever is the greater.

*Please be aware that Budget Review occurs between February and March, therefore Budget review items are yet to be produced in this set of statements.*

Reporting Program	Var. \$	Timing/ Permanent
<b>Operating Revenues</b>	\$	
<b>4.1.1 PROFIT ON ASSET DISPOSAL</b>		
No Material Variance		
<b>4.1.2 FEES AND CHARGES</b>		
Fees and charges expected income has decreased due to Tip Fee reduction in income.	(39,881)	Permanent
<b>4.1.3 GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
Mainly attributable to the Lotterwest grant for Bike/Walk Trails and Fire Mitigation activity grant funds.	(322,661)	Permanent
<b>4.1.7 INTEREST EARNINGS</b>		
Interst rate falls have resulted in reduced interest earnings antiapted offseet by increased late payment of rates	(500)	Permanent
<b>4.1.8 OTHER REVENUE</b>		
No Material Varaince		
	<u><u>-\$363,042</u></u>	
<b>Operating Expense</b>		
<b>4.2.1 EMPLOYEE COSTS</b>		
There has been an increase in employee costs attrubutable to the Refuse site wages forecast for the year.	49,564	Permanent
<b>4.2.2 MATERIAL AND CONTRACTS</b>		
Incrased funding received for the Bike/Walk Trails and the Fire Mitigation activity grant funds will result in increased expenditure.	(716,803)	Permanent
<b>4.2.3 UTILITY CHARGES</b>		
Slight savings in utility charges	2,200	Permanent
<b>4.2.4 DEPRECIATION (NON CURRENT ASSETS)</b>		
No Material Variance	0	
<b>4.2.4 INTEREST EXPENSES</b>		
No Material Variance	0	
<b>4.2.5 INSURANCE EXPENSES</b>		
Decrease in insurance costs incurred in the Law and Order program	0	
<b>4.2.6 LOSS ON ASSET DISPOSAL</b>		
This adjustment resulted from the change of sale of construction crew truck from the International to the Volvo. The net book value of the Volvo was higher and so resulted in a \$50,000 greater book loss. It should be noted that this is a non-cash adjustment as the proceeds from sale of assets remains the same. The net non-cash write back was also effected by the decrease in the profit on sale of land (see 4.1.1).		
<b>4.2.7 OTHER EXPENDITURE</b>		
Refer to 4.2.1. Recruitment costs such as advertising have resulted in a permanent variation.		
	<u><u>-\$665,039.00</u></u>	
<b>Other Items</b>		
<b>Reserve Transfer In - Strategic Reserve to fund Flora and fauna Study</b>	30,000.00	Permanent
	<u><u>\$30,000.00</u></u>	

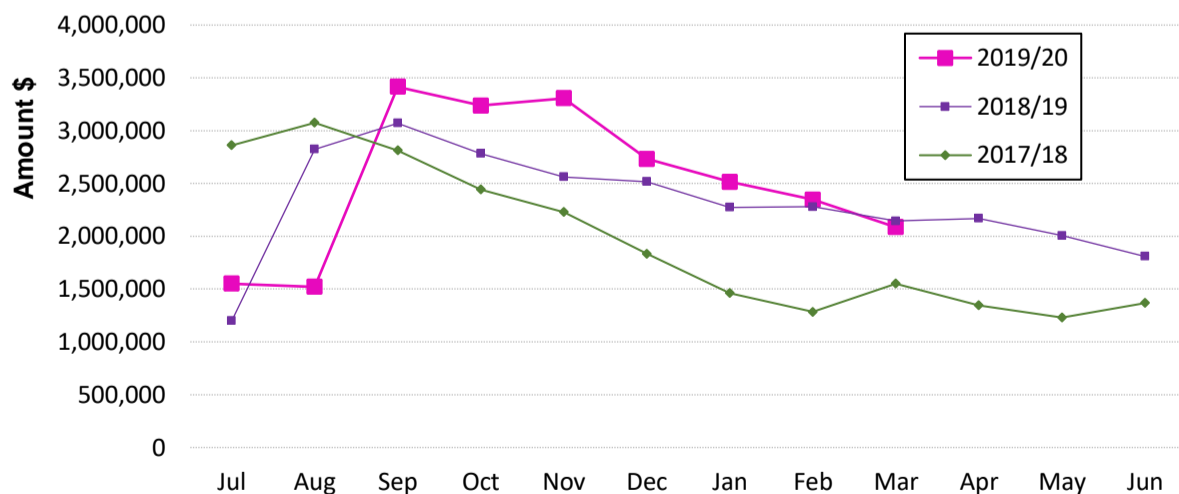
**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 3: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing 30 June 2019 \$	This Time Last Year 31 Mar 2019 \$	Current 31 Mar 2020 \$
<b>Current Assets</b>				
Cash Unrestricted	4	1,399,928	2,274,272	1,999,791
<i>Cash Restricted:</i>				
Bonds, deposits and collections		49,797		49,299
Conditions over Grants	11	169,393	0	20,393
Cash Restricted Reserve Accounts	4	2,622,747	2,017,638	2,623,344
Receivables - Rates & Rubbish		174,092	505,662	294,599
Receivables - Other	6	573,603	30,966	85,614
Interest / ATO Receivable/ Trust	6	34,765	411,548	15,339
Inventories		146,023	6,240	146,023
		5,170,347	5,246,326	5,234,402
<b>Less: Current Liabilities</b>				
Payables		(113,667)	(19,401)	(90,604)
Bonds deposits and collections		(49,797)	(19,324)	(49,299)
Provisions		(389,941)	(303,697)	(318,340)
		(553,405)	(342,422)	(458,243)
<b>Less:</b>				
Cash Reserves	7	(2,622,747)	(2,017,638)	(2,623,344)
Cash Conditions over Grants		(169,393)		(20,393)
YAC Committee		(16,250)	(16,250)	(16,250)
ATO Liability		(45,205)	(76,926)	(38,082)
Rates Received in Advance		(14,124)		(14,124)
Loans receivable - Clubs/Institutions		(49,797)	(17,429)	(50,286)
Local Government House Trust brought into account		(17,517)		(17,517)
		(2,935,034)	(2,128,243)	(2,779,996)
<b>Adjustments:</b>				
Prior year adjustment- grant carry over				
Long Service Leave provision not expected to be cleared at e		182,932	117,836	0
		182,932	117,836	0
		1,864,842	2,893,498	1,996,163

**Note 3 - Liquidity Over the Year**



**Comments - Net Current Funding Position**

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 31 March 2020

**Note 4: Cash and Investments**

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>(a) Cash Deposits</b>							
Municipal Bank Account	547,743			547,743	CBA	Tiered	At Call
Reserve Bank Account		73,344		73,344	CBA	Tiered	At Call
Trust Bank Account			23,892		CBA	Tiered	At Call
Cash On Hand	250			250	N/A	Nil	On Hand
<b>(b) Term Deposits</b>							
Municipal	504,610			504,610	WPC	2.20%	11-May-20
Municipal - At call	1,000,000			1,000,000	CBA	0.90%	At Call
Reserves		2,550,000		2,550,000	WPC	2.22%	11-Jun-20
<b>Total</b>	<b>2,052,603</b>	<b>2,623,344</b>	<b>23,892</b>	<b>4,675,947</b>			

**Comments/Notes - Investments**

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 5: Budget Amendments**

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

Please be aware that Budget Review occurs between February and March, therefore Budget review items are yet to be produced in this set of statements.

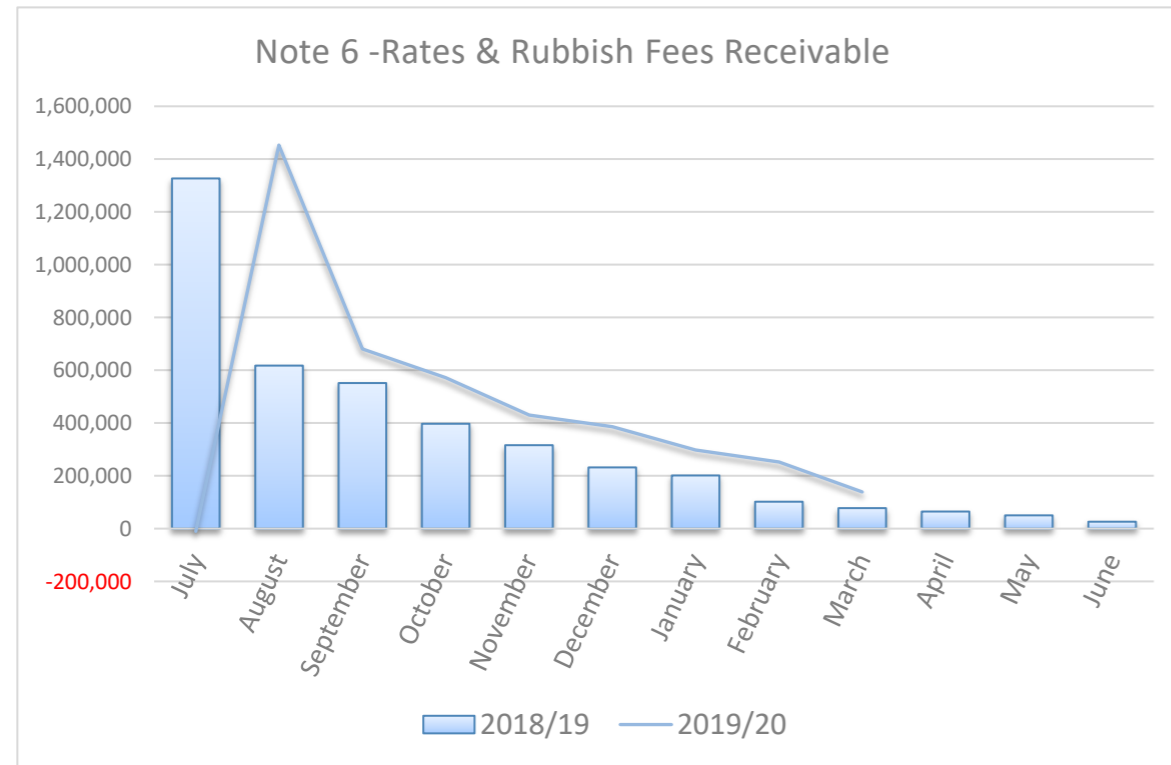
GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
<b>Budget Adoption</b>							
	Opening budget surplus	19100	Opening Surplus(Deficit)				814,162
	Surplus brought forward amendment	19168	Opening Surplus(Deficit)		1,050,680		1,864,842
	<b>Expenditure and Income Net from Original Budget</b>					(814,162)	1,050,680
<b>Governance</b>							
02	0112		Governance - Elections		2,000		1,052,680
02	0142		Governance - Councillors		2,000		1,054,680
02	0192	20020	Governance - Subscriptions			(5,000)	1,049,680
02	0162		Governance - Community Grants			(4,000)	1,045,680
02	0182	20023	Governance - Donations			(700)	1,044,980
02	0372	19168	Governance - Computer Maintenance			(25,000)	1,019,980
02	0462		Governance - Audit fees		10,000		1,026,980
02	'0362		Governance - Building & Garden Maintenance		3,000		1,029,980
02	'0382		Governance - Printing and Stationery- Consumables			(3,000)	1,026,980
02	0402		Governance - Office Equipment Maintenance		3,000		1,029,980
02	0412		Governance - Postage		2,000		1,031,980
02	'0492		Governance - Staff Training		3,000		1,034,980
05	0362		Governance - Water & sewerage		3,000		1,040,980
<b>Law &amp; Order</b>							
02	0802		Law & Order - Compliance costs			(5,000)	1,035,980
02	0602		Law & Order - Assistance to Bush Fire Brigades			(158,409)	877,571
02	0632		Law & Order - Vehicle Running Costs			(4,105)	873,466
02	0755		Law & Order - Training			(313)	873,153
02	0976		Law & Order - Fire Mitigation activity funding			(138,700)	734,453
02	0973		Law & Order - Bushfire Mitigation Works			(19,302)	715,151
06	0632		Law & Order - CESO Motor Vehicle Running Expenses			(26,780)	687,571
22	0784		Law & Order - Fire Mitigation activity funding		221,500		909,071
<b>General Purpose Funding</b>							
23	0533		General Purpose - Fees & Charges - Heavy Haulage Permits			(2,000)	907,071
25	0061		General Purpose - Interest on overdue rates		2,000		911,071
25	0261		General Purpose - Interest on instalments		2,500		911,571
'25	4873		General Purpose - Interest General			(5,000)	906,571
23	0361		General Purpose - Fees & Charges - Admin charges		200		901,771
22	'0091		General Purpose - Equalisation Grants			(24,535)	877,236
22	'0091		General Purpose - Equalisation Grants			(695,220)	182,016
22	0291		General Purpose - Local Road Grants			(19,089)	162,927
	0556		General Purpose - Strategic Reserve Contributions from		30,000		192,927
<b>Community Amenities</b>							
01	2302		Community Amenities - Cemetery Operations		3,665		196,592
02A	1762		Community Amenities - Domestic Collection			(41,575)	155,017
02A	1765		Community Amenities - Recycling Collection			(54,155)	100,862
01	1772		Community Amenities - Rubbish Site Contract			(12,773)	88,088
23	1803		Community Amenities - Mobile Bin Charges		676		232,886
23	1805		Community Amenities - Recycling Charges		2,626		235,512
23	1816		Community Amenities - Tip Fees			(23,876)	211,636
23	1816		Community Amenities - Tip Passes		1,300		212,936
01	1824		Community Amenities - Street Bin pickups			(404)	212,532
02	1772		Community Amenities - Tip Contract			(1,000)	211,532
22	3834		Economic Services - Economic Development Grants		133,000		344,532
22	1123		Education & Welfare - Community Development Grants		1,300		332,025
<b>Health Services</b>							
02	1322		Health Administration Expenses			(8,000)	324,025
<b>Economic Services</b>							
02	3966		Economic Services - Nannup Trail Infrastructure			(95,911)	228,114
02	3966		Economic Services - Trail project			(133,000)	95,114
02	3962		Economic Services - Regional Development			(35,000)	60,114
03	3963		Economic Services - Regional Development			(30,000)	30,114
22	1123		Education & Welfare - Community Development Grants		46911		77,025
<b>Education &amp; Welfare</b>							
02	1642		Education & Welfare - Community Dev Officer			(1,022.5)	76,003
02	1022		Education & Welfare - Family Day Expenses			(1,300.0)	74,703
02	1022		Education & Welfare - Family Day Expenses			(2,500.0)	72,203
02	1022		Education & Welfare - Family Day Expenses			(2,500.0)	69,703
02		1122	Education & Welfare - LDAG Expenses			(3,000.0)	66,703
02	0992		Education & Welfare - Pre-Schools Mtce			(2,053.2)	64,650
02	1612		Education & Welfare - Seniors Activites			(4,000.0)	60,650
02	1132		Education & Welfare - Youth Programs and Planning			(1,142.1)	59,507
22	1163		Education & Welfare - Family Fun Day		2,500		62,007
22	1163		Education & Welfare - Family Fun Day		2,500		64,507
22	1163		Education & Welfare - Family Fun Day		4,000		68,507
22	1163		Education & Welfare - Family Fun Day		1,472		69,979
22	1133		Education & Welfare - LDAG Income		3,000		72,979
<b>Other Property and Services</b>							
02	6802		Other Property and Services - Parts and External Work			(6,679.0)	66,300
02	4292		Other Property and Services - Private Works		1,000		67,300
02	4452		Other Property and Services - Protective Clothing			(1,000.0)	66,300
02	7672		Other Property and Services - Recruitment			(500.0)	65,800
02		4312	Other Property and Services - Training			(802.7)	64,998
02		3572	Other Property and Services -Purchase of Minor Equip			(899.0)	64,099
<b>Recreation and Culture</b>							
01	1732		Recreation & Culture - Community House			(1,889.0)	62,210
02	1732		Recreation & Culture - Community House			(141.0)	62,069
02	2432		Recreation & Culture - Recreation Centre			(65,000.0)	2,931
02A	2472		Recreation & Culture - Old Roads Board Building			(464.0)	3,395
02	2842		Recreation & Culture - Public Art Maintenance			(4,500.0)	7,895
01	2642		Recreation & Culture - Public Parks Gdns & Reserves			(21,834.6)	29,730
02	2642		Recreation & Culture - Public Parks Gdns & Reserves		16,209		13,521
<b>Transport</b>							
02	3212		Transport - Depot Office			(4,729.0)	18,250
02	3210		Transport - Footpath Program			(3,326.0)	21,576
01	3170		Transport - Local Road Construction		59,721		38,145
02A	3170		Transport - Local Road Construction		4,342		42,487
01	3380		Transport - Local road maintenance		23,079		65,566
02A	3380		Transport - Local road maintenance			(2,667.0)	62,899
02A	3410		Transport - Roadverge maintenance			(12,200.0)	50,699
02	7120		Transport - Romans Road Inv System		1,899		52,598
<b>Amended Budget Cash Position as per Council Resolution</b>				0	1,791,202	(2,552,765.9)	52,598

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

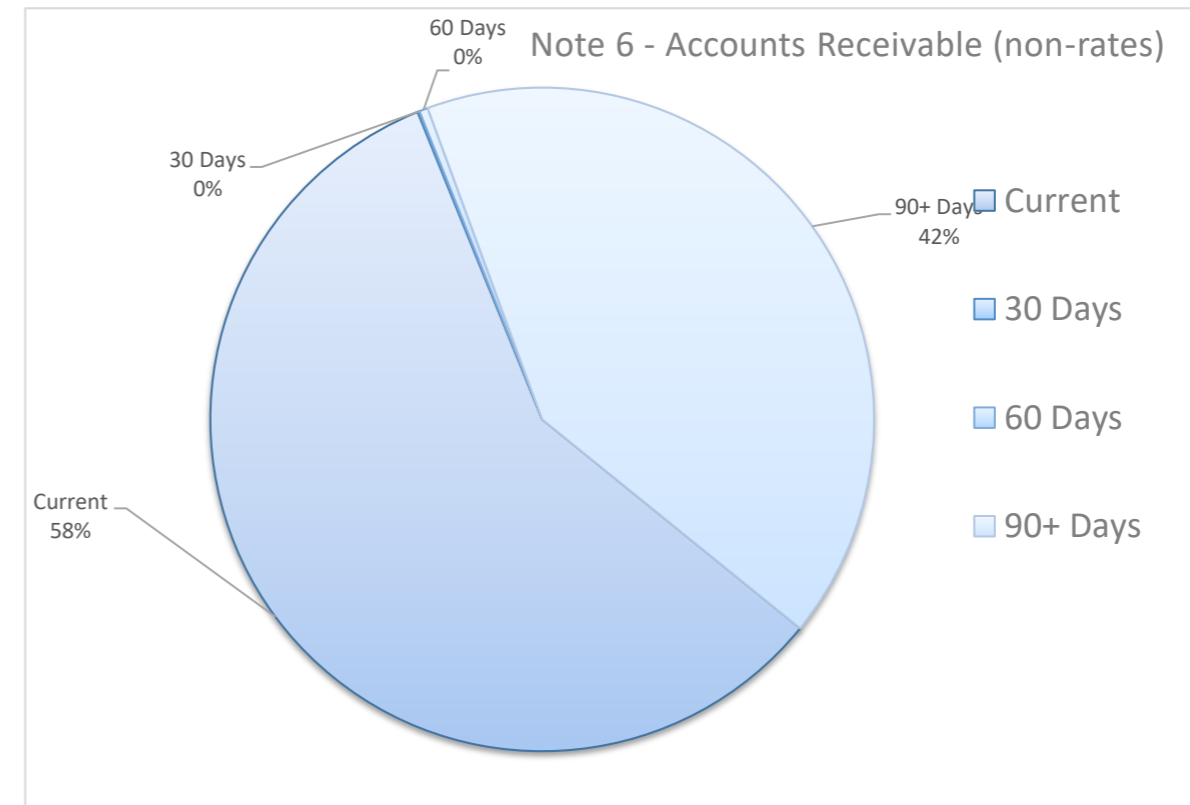
**Note 6: Receivables**

Receivables - Rates Receivable <i>Rates Only</i>	31 Mar 2020	30 June 2019
	\$	\$
Opening Arrears Previous Years	111,472	94,693
Levied this year	1,774,267	1,704,777
<u>Less</u> Collections to date	(1,588,754)	(1,687,997)
Equals Current Outstanding	<b>296,985</b>	<b>111,472</b>
<b>Net Rates Collectable</b>	<b>296,985</b>	<b>111,472</b>
% Collected	89.54%	93.81%

Receivables - General	Current	30 Days	60 Days	90+ Days	90+Days
	\$	\$	\$	\$	\$
Receivables - General	39,499	69	287	28,205	68,059
<b>Balance per Trial Balance</b>					
Sundry Debtors					37,907
Receivables - Other					63,046
<b>Total Receivables General Outstanding</b>					<b>100,953</b>
				Error Check	0.00



Comments/Notes - Receivables Rates



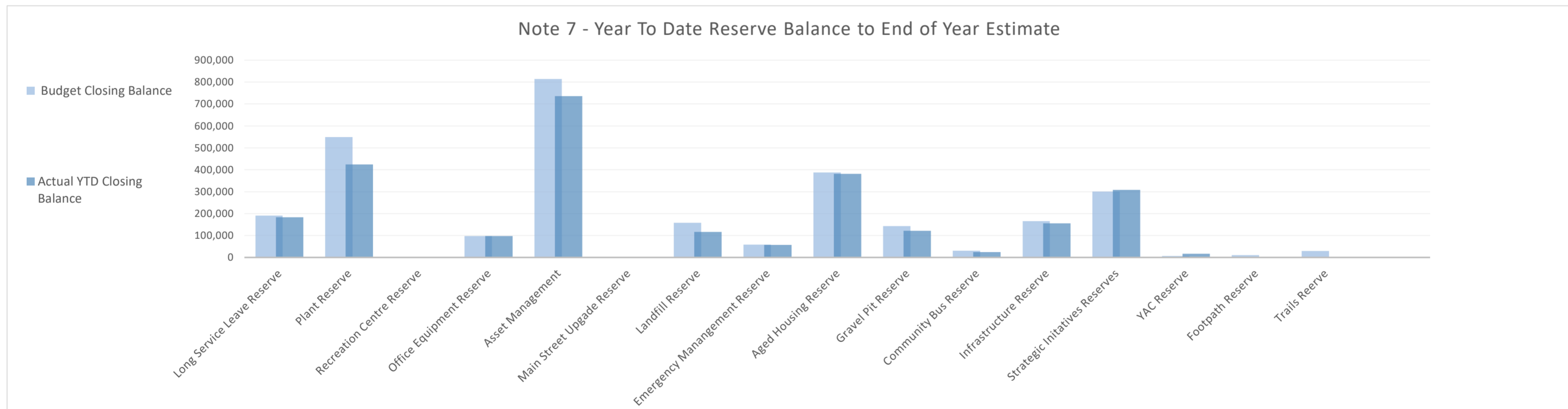
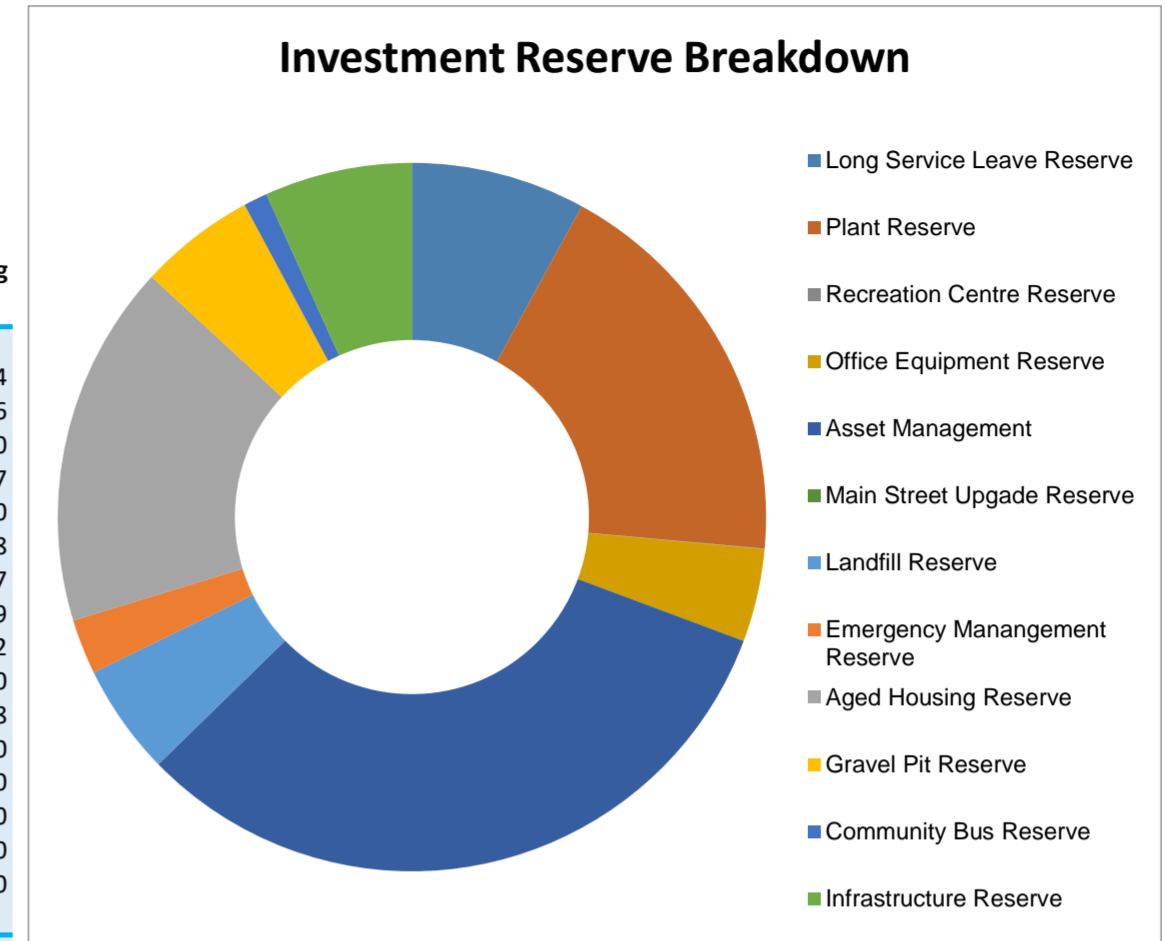
Comments/Notes - Receivables General



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 7: Cash Backed Reserve**

Name	Opening Balance 1/7/2019	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Long Service Leave Reserve	182,930	3,000	54	15,000	0	(10,000)	0	190,930	182,984
Plant Reserve	424,340	7,000	126	140,000	0	(22,000)	0	549,340	424,466
Recreation Centre Reserve	560	0	0	0	0	0	0	560	560
Office Equipment Reserve	97,549	1,000	29	30,000	0	(31,000)	0	97,549	97,577
Asset Management	735,772	12,000	218	90,000	0	(24,000)	0	813,772	735,990
Main Street Upgrade Reserve	58	0	0	0	0	0	0	58	58
Landfill Reserve	116,343	1,500	35	40,000	0	0	0	157,843	116,377
Emergency Management Reserve	57,792	1,000	17	0	0	0	0	58,792	57,809
Aged Housing Reserve	381,099	6,500	113	0	0	0	0	387,599	381,212
Gravel Pit Reserve	122,000	1,000	0	20,000	0	0	0	143,000	122,000
Community Bus Reserve	25,051	1,000	7	5,000	0	0	0	31,051	25,058
Infrastructure Reserve	155,000	1,000	0	10,000	0	0	0	166,000	155,000
Strategic Initiatives Reserves	308,000	0	0	0	0	(7,000)	0	301,000	308,000
YAC Reserve	16,250	0	0	0	0	(10,000)	0	6,250	16,250
Footpath Reserve	0	0	0	10,000	0	0	0	10,000	0
Trails Reserve	0	0	0	30,000	0	0	0	30,000	0
	<b>2,622,744</b>	<b>35,000</b>	<b>600</b>	<b>390,000</b>	<b>0</b>	<b>(104,000)</b>	<b>0</b>	<b>2,943,744</b>	<b>2,623,344</b>



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 8: Disposal of Assets**

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and Equipment</b>								0
P312	Scania 14t Tipper								0
P653	John Deere Mower								0
P181	Toyota Camry NP000	27,214	19,091		(8,123)				
F88	Konica Minolta C55E Photocopier	1,824	0		(1,824)				
		<b>29,038</b>	<b>19,091</b>	<b>0</b>	<b>(9,947)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 9: Rating Information**

RATE TYPE	Rate in	Number of Properties	Rateable Value	YTD Actual			Amended Budget				
				Rate Revenue	Interim Rates	Back Rates	Total Revenue	Rate Revenue	Interim Rate	Back Rate	Total Revenue
	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Differential General Rate</b>											
GRV	8.8980	383	6,561,664	583,857	1,585	218	585,660	0			0
UV	0.4638	208	118,073,000	547,623	(2,318)	3,367	548,671	0			0
UV Pastoral				0	0	0	0		0	0	0
<b>Sub-Totals</b>		<b>591</b>	<b>124,634,664</b>	<b>1,131,479</b>	<b>(733)</b>	<b>3,584</b>	<b>1,134,331</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Minimum Payment</b>	<b>Minimum</b>										
	<b>\$</b>										
GRV	1,013.00	353	2,535,608	357,589	0	0	357,589	0	0	0	0
UV	1,133.00	206	26,003,497	233,398	0	0	233,398	0	0	0	0
<b>Sub-Totals</b>		<b>559</b>	<b>28,539,105</b>	<b>590,987</b>	<b>0</b>	<b>0</b>	<b>590,987</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
		<b>1,150</b>	<b>153,173,769</b>	<b>1,722,466</b>	<b>(733)</b>	<b>3,584</b>	<b>1,725,318</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Concession							0				0
<b>Amount from General Rates</b>							<b>1,725,318</b>				<b>0</b>
Ex-Gratia Rates							48,949				0
Specified Area Rates							0				0
<b>Totals</b>							<b>1,774,268</b>				<b>0</b>

**Comments - Rating Information**

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 10: Information on Borrowings**

(a) Debenture Repayments

Particulars	01 Jul 2019	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$
<b>Governance</b>								
Loan 37 NCRC	33,132		13,775	18,505	19,357	14,627	1,372	1,570 *
Loan 39A NMC		262,300	22,487	31,291	239,814	231,009	7,789	9,187
	33,132	262,300	36,262	49,796	259,171	245,636	9,160	10,757

All debenture repayments were financed by general purpose revenue.

Self supporting loan income Loan 37	13,775	110330
Self supporting loan income Loan 39A	25,066	110440
<b>Total SSL principal receipts</b>	<b>38,840</b>	

(b) New Debentures

0

\* Per SSL 2019\_20

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 11: Grants and Contributions**

	Grant Provider	Type	Opening	Budget		YTD	Annual	Amended	Expected	YTD Actual		Unspent	
			Balance	Operating	Capital	Budget	Budget	Budget		Revenue	(Expended)	Grant	
			(a)	(b)		(a)+(b)	(d)	(e)	(d)+(e)		(c)	(a)+(b)+(c)	
				\$	\$	\$				\$	\$	\$	
<b>General Purpose Funding</b>													
	Grants Commission - General Equalisation	WALGGC	operating	(427,099)	(400,876)	0	(827,975)	(400,876)	24,535	(376,341)	(300,657)	300,657	0
	Grants Commission - Roads	WALGGC	operating	(268,121)	(223,187)	0	(491,308)	(223,187)	19,089	(204,098)	(167,390)	167,390	0
<b>Law, Order and Public Safety</b>													
	FESA LEVY DFES	Dept. of Fire & Emergency Serv.	Operating - Tied	0	(120,000)	0	(120,000)	(120,000)		(120,000)	(139,960)	139,960	0
	703 Bushfire Management Plan	Dept. of Fire & Emergency Serv.	Operating - Tied	(19,140)	0	0	(19,140)	0		0	(110,750)	110,750	(19,140)
	6993 Bushfire Mitigation Works	Dept. of Fire & Emergency Serv.	Operating - Tied	(9,141)	(35,262)	0	(44,403)	(35,262)	(221,500)	(256,762)	0	0	(9,141)
	963 Grant FESA - SES	Dept. of Fire & Emergency Serv.	Operating - Tied	7,888	0	0	7,888	0		0	(5,640)	5,640	7,888
	704 CESM MOA Grant	Dept. of Fire & Emergency Serv.	Operating	0	(81,746)	0	(81,746)	(81,746)		(81,746)	(64,857)	64,857	0
<b>Education and Welfare</b>													
	3664 Grants - Community Bus	Contributions	Operating	0	(2,000)	0	(2,000)	(2,000)		(2,000)	0	0	0
	1133 Local Drug Action Group	Local Drug Action Group	Operating	0	(3,000)	0	(3,000)	(3,000)	(3,000)	(6,000)	(1,874)	1,874	0
	1123 Community Development Grants	Various, Dep of Retional Dev	Operating	0	(10,472)	0	(10,472)	(10,472)	(48,211)	(58,683)	(2,707)	(11,100)	0
	1123 Community Development Grants	Local Gov Sports and Recreation	Operating								13,807		
	1123 Community Development Grants (inc Trails)	Lotterywest	Operating - Tied	(149,000)	(68,904)	0	(217,904)	(68,904)	(133,000)	(201,904)	0	0	0
	1653 Seniors	Department of Communities	Operating - Tied								(4,000)	4,000	
	1163 Family Fun Day	Various	Operating						(10,472)		0		
<b>Economic Services</b>													
	Economic Development	Contributions	Operating	0	0	0	0	0		0	(5,500)	5,500	0
	Economic Development	Trails grant	Operating								0		
											0		
<b>Recreation and Culture</b>													
	Grants - Recreation and Culture	LotteryWest	Non-operating	0	0	(133,000)	(133,000)	(133,000)		(133,000)	0	0	0
	Grants - Libraries	Good Things Foundation	Operating	0	0	0	0	0		0	(1,500)	1,500	0
<b>Transport</b>													
	Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	(306,800)	(306,800)	(306,800)		(306,800)	(111,222)	111,222	0
	MRD Grants - Capital Projects	Regional Road Group	Non-operating	0	0	(116,754)	(116,754)	(116,754)		(116,754)	(116,754)	116,754	0
	Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	(210,000)	(210,000)	(210,000)		(210,000)	(84,000)	84,000	0
				<b>(864,613)</b>	<b>(945,447)</b>	<b>(766,554)</b>	<b>(2,576,614)</b>	<b>(1,712,001)</b>	<b>(372,559)</b>	<b>(2,074,088)</b>	<b>(1,103,004)</b>	<b>1,103,004</b>	<b>(20,393)</b>
<b>SUMMARY</b>													
	Operating	Operating Grants, Subsidies and Contributions		(695,220)	(721,281)	0	(1,416,501)	(721,281)	(18,059)	(728,868)	(530,678)	530,678	0
	Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		(169,393)	(224,166)	0	(393,559)	(224,166)	(354,500)	(578,666)	(260,350)	260,350	(20,393)
	Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	(766,554)	(766,554)	(766,554)	0	(766,554)	(311,976)	311,976	0
<b>TOTALS</b>				<b>(864,613)</b>	<b>(945,447)</b>	<b>(766,554)</b>	<b>(2,576,614)</b>	<b>(1,712,001)</b>	<b>(372,559)</b>	<b>(2,074,088)</b>	<b>(1,103,004)</b>	<b>1,103,004</b>	<b>(20,393)</b>

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 March 2020**

**Note 12: Trust Fund**

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

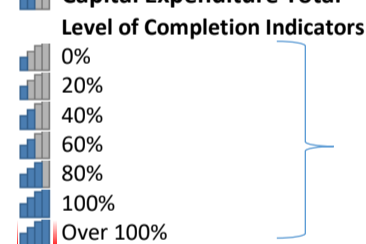
Description	Opening Balance 01 Jul 2019	Amount Received	Amount Paid	Closing Balance 31 Mar 2020
	\$	\$	\$	\$
BCITF Levy	160	(2,577)	1,969	768
BRB Levy	761	(5,238)	5,093	906
Bonds	22,018	(800)	600	22,218
Nomination Deposit	0	(400)	400	0
Donation Rec Centre Deposit	0	0	0	0
Nannup Community Bus	0	0	0	0
Trust accrued Expenses	75	0	75	0
	<b>23,014</b>	<b>(9,015)</b>	<b>8,137</b>	<b>23,891.91</b>

23,892

SHIRE OF NANNUP  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 March 2020

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
<i>Level of completion indicator, please see table at the end of this note for further detail.</i>								
<b>Buildings</b>								
<b>Housing</b>								
	Danjanerup Cottages	1614	7,800	0	7,800	0	0	7,800
	<b>Housing Total</b>		<b>7,800</b>	<b>0</b>	<b>7,800</b>	<b>0</b>	<b>0</b>	<b>7,800</b>
<b>Law, Order And Public Safety</b>								
	Buildings	0754	0	0	0	142,730	0	0
	SES Capital Upgrade	0954	31,715	0	31,715			
	<b>Law, Order And Public Safety Total</b>		<b>31,715</b>	<b>0</b>	<b>31,715</b>	<b>142,730</b>	<b>0</b>	<b>0</b>
	<b>Buildings Total</b>		<b>39,515</b>	<b>0</b>	<b>39,515</b>	<b>142,730</b>	<b>0</b>	<b>7,800</b>
<b>Furniture &amp; Office Equip.</b>								
<b>Governance</b>								
	Shire Offices	0584	9,275	0	9,275	38,000	0	9,275
	<b>Governance Total</b>		<b>9,275</b>	<b>0</b>	<b>9,275</b>	<b>38,000</b>	<b>0</b>	<b>9,275</b>
	<b>Furniture &amp; Office Equip. Total</b>		<b>9,275</b>	<b>0</b>	<b>9,275</b>	<b>38,000</b>	<b>0</b>	<b>9,275</b>
<b>Plant , Equip. &amp; Vehicles</b>								
<b>Governance</b>								
	Vehicle purchases - Office Staff	0544	38,925	0	38,925	40,000	40,000	(1,075)
	<b>Governance Total</b>		<b>38,925</b>	<b>0</b>	<b>38,925</b>	<b>40,000</b>	<b>40,000</b>	<b>(1,075)</b>
<b>Transport</b>								
	Purchase Of Plant	3564	60,925	0	60,925	386,000	386,000	(325,075)
	<b>Transport Total</b>		<b>60,925</b>	<b>0</b>	<b>60,925</b>	<b>386,000</b>	<b>386,000</b>	<b>(325,075)</b>
	<b>Plant , Equip. &amp; Vehicles Total</b>		<b>99,850</b>	<b>0</b>	<b>99,850</b>	<b>426,000</b>	<b>426,000</b>	<b>(326,150)</b>
<b>Roads (Non Town)</b>								
<b>Transport</b>								
	Local Road Construction	3170	570,381	0	570,381	558,169	558,169	12,212
	Mrd Special Bridgeworks	3180	0	0	0	70,000	70,000	(70,000)
	Footpath Program	3210	4,169	0	4,169	32,465	32,465	(28,296)
	<b>Transport Total</b>		<b>574,550</b>	<b>0</b>	<b>574,550</b>	<b>660,634</b>	<b>660,634</b>	<b>(86,084)</b>
	<b>Roads (Non Town) Total</b>		<b>574,550</b>	<b>0</b>	<b>574,550</b>	<b>660,634</b>	<b>660,634</b>	<b>(86,084)</b>
	<b>Capital Expenditure Total</b>		<b>723,189</b>	<b>0</b>	<b>723,189</b>	<b>1,267,364</b>	<b>1,086,634</b>	<b>(395,160)</b>



Percentage YTD Actual to Annual Budget  
Expenditure over budget highlighted in red.

31/03/2020



**MONTHLY FINANCIAL REPORT  
(Containing the Statement of Financial Activity)  
For the Period Ended 30 April 2020**

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

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**Shire of Nannup**  
**Information Summary**  
**For the Period Ended 30 April 2020**

## Key Information

### Report Purpose

This report is prepared to meet the requirements of *Local Government (Financial Management) Regulations 1996, Regulation 34*.

### Overview

Summary reports and graphical progressive graphs are provided on pages 2 - 3.  
*The Budget Review has been completed and is included in the reports.*

### Statement of Financial Activity by reporting program

Is presented on page 3 and shows a surplus as at 30 April 2020 of \$1,646,648.

### Items of Significance

The material variance adopted by the Shire of Nannup for the 2019/20 year is \$30,000 or 10% whichever is the greater. The following selected items have been highlighted due to the amount of the variance to the budget or due to the nature of the revenue/expenditure. A full listing and explanation of all items considered of material variance is disclosed in Note 2.

### Capital Expenditure

	% Collected / Completed	Annual Budget	YTD Budget	YTD Actual
<b>Significant Projects</b>				
<b>Grants, Subsidies and Contributions</b>				
Operating Grants, Subsidies and Contributions	84%	-\$ 945,447	-\$ 1,810,060	-\$ 796,028
Non-operating Grants, Subsidies and Contributions	41%	-\$ 766,554	-\$ 766,554	-\$ 311,976
	65%	-\$ 1,712,001	-\$ 2,576,614	-\$ 1,108,004
Rates Levied	100%	\$ 1,771,448	\$ 1,771,448	\$ 1,774,267

*% Compares current ytd actuals to annual budget*

Financial Position	Prior Year 30		Current Year 30		Note
	June 2019		June 2020		
Adjusted Net Current Assets	57%	\$ 2,904,479	\$ 1,646,648		3
Cash and Equivalent - Unrestricted		\$ 2,274,272	\$ 2,623,344		3 & 4
Receivables - Rates	45%	\$ 505,662	\$ 228,960		3 & 6
Receivables - Other	280%	\$ 30,966	\$ 86,843		3 & 6
Payables	113%	\$ 113,667	\$ 127,982		3

*% Compares current ytd actuals to prior year actuals at the same time*

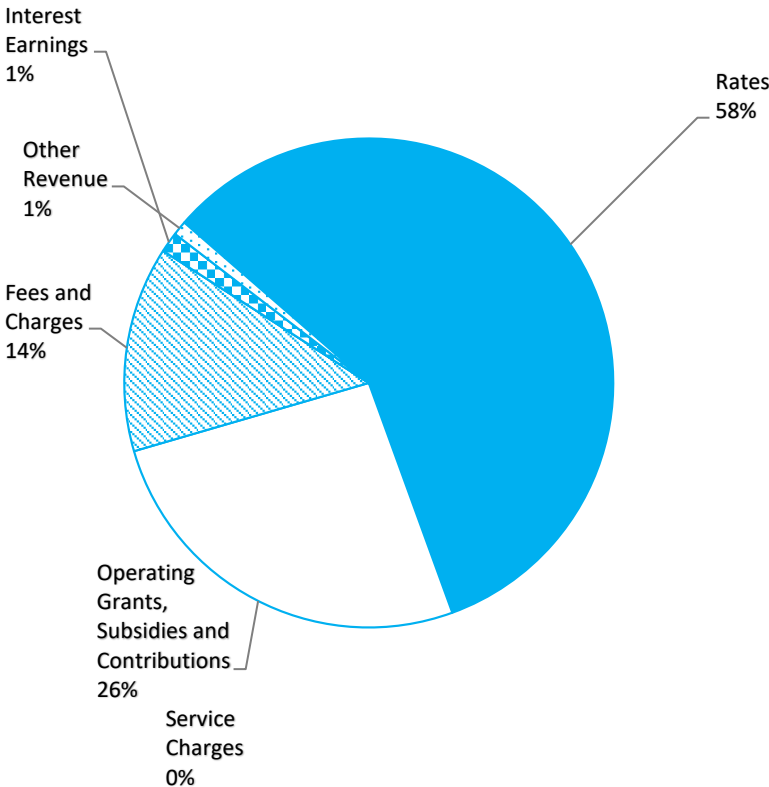
Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

## Preparation

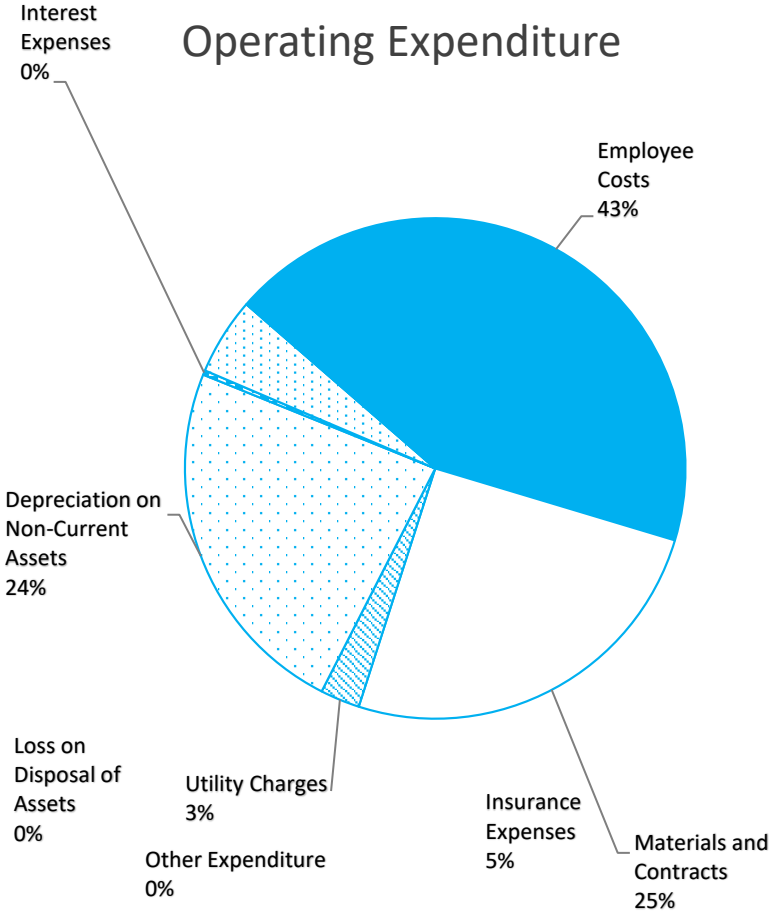
Prepared by: Susan Fitchat  
Reviewed by: David Taylor  
Date prepared: 21/05/2020

Shire of Nannup  
Information Summary  
For the Period Ended 30 April 2020

Operating Revenue



Operating Expenditure





**SHIRE OF NANNUP**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(Statutory Reporting Program)**  
**For the Period Ended 30 April 2020**

	Note	Original	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
<b>Opening Funding Surplus(Deficit)</b>		814,162	1,864,842	1,864,842	<b>1,864,842</b>	(0)	(0%)	
<b>Revenue from operating activities</b>								
Governance		0		0	<b>(0)</b>	(0)		
General Purpose Funding - Rates	9	1,771,448	1,771,448	1,771,448	<b>1,774,267</b>	2,819	0%	
General Purpose Funding - Other		775,930	29,786	24,822	<b>527,642</b>	502,820	2026%	
Law, Order and Public Safety		227,986	449,486	374,572	<b>326,860</b>	(47,711)	(13%)	
Health		16,750	16,750	13,958	<b>12,151</b>	(1,807)	(13%)	
Education and Welfare		54,644	68,116	56,763	<b>22,157</b>	(34,606)	(61%)	
Housing		20,800	20,800	17,333	<b>17,600</b>	267	2%	
Community Amenities		339,356	439,171	365,976	<b>320,183</b>	(45,793)	(13%)	
Recreation and Culture		11,940	11,940	9,950	<b>13,408</b>	3,458	35%	
Transport		116,854	116,854	97,378	<b>105</b>	(97,274)	(100%)	
Economic Services		26,975	73,886	61,572	<b>36,756</b>	(24,815)	(40%)	
Other Property and Services		15,400	15,400	12,833	<b>4,780</b>	(8,053)	(63%)	
		<b>3,378,083</b>	<b>3,013,637</b>	<b>2,806,606</b>	<b>3,055,910</b>			
<b>Expenditure from operating activities</b>								
Governance		(1,150,409)	(1,160,109)	(966,758)	<b>(787,023)</b>	179,735	19%	
General Purpose Funding		(82,344)	(82,344)	(68,620)	<b>(46,875.9)</b>	21,744	32%	
Law, Order and Public Safety		(296,534)	(649,943)	(541,619)	<b>(441,794)</b>	99,826	18%	
Health		(54,363)	(62,363)	(51,969)	<b>-47,208.94</b>	4,760	9%	
Education and Welfare		(101,206)	(118,724)	(98,937)	<b>(92,363)</b>	6,573	7%	
Housing		(34,507)	(34,507)	(28,756)	<b>(14,823)</b>	13,933	48%	
Community Amenities		(381,198)	(341,914)	(284,928)	<b>(283,603)</b>	1,325	0%	
Recreation and Culture		(275,288)	(352,909)	(294,091)	<b>(221,719)</b>	72,372	25%	
Transport		(1,041,587)	(975,468)	(812,890)	<b>(833,150)</b>	(20,260)	(2%)	
Economic Services		(342,625)	(606,536)	(505,447)	<b>(196,138)</b>	309,308	61%	
Other Property and Services		(838,546)	(847,427)	(706,189)	<b>(762,246)</b>	(56,056)	(8%)	
		<b>(4,598,607)</b>	<b>(5,232,244)</b>	<b>(4,360,203)</b>	<b>(3,726,944)</b>			
<b>Financing Costs</b>								
Community Amenities		(1,570)	(1,570)	(1,308)	<b>(1,469)</b>	(160)	12%	
		<b>(1,570)</b>	<b>(1,570)</b>	<b>(1,308)</b>	<b>(1,469)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		816,280	816,280	680,233	<b>791,911</b>	111,677	16%	▲
Adjust (Profit)/Loss on Asset Disposal	8	22,200	22,200	22,200	<b>9,947</b>	(12,253)	(55%)	
Adjust Provisions and Accruals		0		0	<b>74,578</b>	74,578		▲
<b>Amount attributable to operating activities</b>		<b>(383,614)</b>	<b>(1,381,697)</b>	<b>(852,473)</b>	<b>203,933</b>			
<b>Investing Activities</b>								
Non-operating Grants, Subsidies and Contributions	11	779,530	779,530	649,608	<b>311,976</b>	(337,632)	(52%)	▼
Proceeds from Disposal of Assets	8	70,000	70,000	58,333	<b>19,091</b>	(39,242)	(67%)	▼
Land Held for Resale		0	0	0	<b>0</b>	0		
Land and Buildings	13	(142,730)	(142,730)	(118,942)	<b>(39,515)</b>	79,427	67%	▲
Infrastructure Assets - Roads	13	(687,372)	(687,372)	(572,810)	<b>(604,500)</b>	(31,690)	(6%)	
Infrastructure Assets - Public Facilities	13	0		0	<b>0</b>	0		
Infrastructure Assets - Footpaths	13	0		0	<b>0</b>	0		
Infrastructure Assets - Drainage	13	0		0	<b>0</b>	0		
Plant and Equipment	13	(426,000)	(426,000)	(355,000)	<b>(101,882)</b>	253,118	71%	▲
Furniture and Equipment	13	(38,000)	(38,000)	(31,667)	<b>(9,275)</b>	22,392	71%	▲
<b>Amount attributable to investing activities</b>		<b>(444,572)</b>	<b>(444,572)</b>	<b>(370,477)</b>	<b>(424,105)</b>			
<b>Financing Activities</b>								
Repayment of Capital Debentures		(83,524)	(83,524)	(69,603)	<b>(40,063)</b>	29,540	(42%)	
Proceeds from new borrowings		370,000	370,000	370,000	<b>0</b>	(370,000)		
Self-Supporting Loan Principal		49,796	49,796	41,497	<b>42,641</b>	1,144	3%	
Transfer from Reserves	7	104,000	104,000	86,667	<b>0</b>	(86,667)	(100%)	▼
Transfer to Reserves	7	(425,000)	(425,000)	(354,167)	<b>(600)</b>	353,567	100%	▲
<b>Amount attributable to financing activities</b>		<b>15,272</b>	<b>15,272</b>	<b>74,394</b>	<b>1,978</b>			
<b>Closing Funding Surplus(Deficit)</b>	3	<b>1,249</b>	<b>53,845</b>	<b>716,286</b>	<b>1,646,648</b>			

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

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

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

**SHIRE OF NANNUP**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 30 April 2020**

	Note	Original Budget	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$		\$	\$	\$	%	
<b>Opening Funding Surplus (Deficit)</b>		814,162	1,864,842	1,864,842	<b>1,864,842</b>	(0)	(0%)	
<b>Revenue from operating activities</b>								
Rates	9	1,771,448	1,771,448	1,771,448	<b>1,774,267</b>	2,819	0%	
Operating Grants, Subsidies and Contributions	11	1,045,827	723,166	602,638	<b>796,028</b>	193,390	32%	▲
Fees and Charges		475,089	435,208	362,673	<b>415,434</b>	52,760	15%	▲
Service Charges		0	0	0	<b>0</b>	0		
Interest Earnings		60,000	59,500	49,583	<b>41,028</b>	(8,555)	(17%)	
Other Revenue		25,720	25,720	21,433	<b>29,152</b>	7,719	36%	
		<b>3,378,084</b>	<b>3,015,042</b>	<b>2,807,776</b>	<b>3,055,910</b>			
<b>Expenditure from operating activities</b>								
Employee Costs		(1,873,031)	(1,823,467)	(1,519,556)	<b>(1,450,596)</b>	(68,960)	(5%)	
Materials		(662,703)	(1,379,506)	(1,149,588)	<b>(848,552)</b>	(301,036)	(26%)	▼
Contracts		(932,457)	(932,457)	(777,048)	<b>(364,813)</b>	(412,234)	(53%)	▼
Utility Charges		(98,140)	(95,940)	(79,950)	<b>(85,618)</b>	5,668	7%	
Depreciation on Non-Current Assets		(816,280)	(816,280)	(680,233)	<b>(791,921)</b>	111,687	16%	▲
Interest Expenses		(18,098)	(18,098)	(15,082)	<b>(9,762)</b>	(5,320)	(35%)	
Insurance Expenses		(176,169)	(176,169)	(146,808)	<b>(167,214)</b>	20,406	14%	▲
Other Expenditure		(1,100)	(1,100)	(917)	<b>0</b>	(917)	(100%)	
(Profit)/Loss on Sale of Assets		(22,200)	(22,200)	(18,500)	<b>(9,947)</b>	(8,553)	(46%)	
		<b>(4,600,177)</b>	<b>(5,265,217)</b>	<b>(4,387,681)</b>	<b>(3,728,422)</b>			
<b>Operating activities excluded from budget</b>								
Add back Depreciation		816,280	816,280	680,233	<b>791,921</b>	111,687	16%	▲
Adjust (Profit)/Loss on Asset Disposal	8	22,200	22,200	22,200	<b>9,947</b>	(12,253)	(55%)	
Adjust Provisions and Accruals		0	0	0	<b>74,578</b>	74,578		▲
<b>Amount attributable to operating activities</b>		<b>(383,613)</b>	<b>(1,411,695)</b>	<b>(877,471)</b>	<b>203,933</b>			
<b>Investing activities</b>								
Non-Operating Grants, Subsidies and Contributions	11	779,530	779,530	649,608	<b>311,976</b>	(337,632)	(52%)	▼
Proceeds from Disposal of Assets	8	70,000	70,000	58,333	<b>19,091</b>	(39,242)	(67%)	▼
Land Held for Resale		0	0	0	<b>0</b>	0		
Land and Buildings	13	(142,730)	(142,730)	(118,942)	<b>(39,515)</b>	79,427	67%	▲
Infrastructure Assets - Roads	13	(687,372)	(687,372)	(572,810)	<b>(604,500)</b>	(31,690)	(6%)	
Infrastructure Assets - Public Facilities	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Footpaths	13	0	0	0	<b>0</b>	0		
Infrastructure Assets - Drainage	13	0	0	0	<b>0</b>	0		
Plant and Equipment	13	(426,000)	(426,000)	(355,000)	<b>(101,882)</b>	253,118	71%	▲
Furniture and Equipment	13	(38,000)	(38,000)	(31,667)	<b>(9,275)</b>	22,392	71%	▲
<b>Amount attributable to investing activities</b>		<b>(444,572)</b>	<b>(444,572)</b>	<b>(370,477)</b>	<b>(424,105)</b>			
<b>Financing Activities</b>								
Repayment of Debentures	10	(83,524)	(83,524)	(69,603)	<b>(40,063)</b>	29,540	(42%)	
Proceeds from new borrowings		370,000	370,000	370,000	<b>0</b>	0		
Self-Supporting Loan Principal		49,797	49,797	41,498	<b>42,641</b>	1,144	3%	
Transfer from Reserves	7	104,000	134,000	111,667	<b>0</b>	(111,667)	(100%)	▼
Transfer to Reserves	7	(425,000)	(425,000)	(354,167)	<b>(600)</b>	353,567	100%	▲
<b>Amount attributable to financing activities</b>		<b>15,273</b>	<b>45,273</b>	<b>99,394</b>	<b>1,978</b>			
<b>Closing Funding Surplus (Deficit)</b>	3	<b>1,250</b>	<b>53,848</b>	<b>716,288</b>	<b>1,646,648</b>	<b>930,359</b>	<b>130%</b>	<b>▲</b>

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

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

**SHIRE OF NANNUP**  
**STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING**  
For the Period Ended 30 April 2020

**Capital Acquisitions**

	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Budget (d)	Annual Budget	YTD Actual Total (c) = (a)+(b)
		\$	\$	\$	\$	\$
Land and Buildings	13	(39,515)	0	0	(142,730)	<b>(39,515)</b>
Infrastructure Assets - Roads	13	(604,500)	0	(660,634)	(660,634)	<b>(604,500)</b>
Infrastructure Assets - Public Facilities	13	0	0	0	0	<b>0</b>
Infrastructure Assets - Footpaths	13	0	0	0	0	<b>0</b>
Infrastructure Assets - Drainage	13	0	0	0	0	<b>0</b>
Proceeds from Advances		0	0	(40,063)	(40,063)	<b>(40,063)</b>
Plant and Equipment	13	(101,882)	0	(426,000)	(426,000)	<b>(101,882)</b>
Furniture and Equipment	13	(9,275)	0	0	(38,000)	<b>(9,275)</b>
<b>Capital Expenditure Totals</b>		<b>(755,172)</b>	<b>0</b>	<b>(1,126,697)</b>	<b>(1,307,427)</b>	<b>(795,235)</b>
<b>Capital acquisitions funded by:</b>						
Capital Grants and Contributions				<b>(393,559)</b>	<b>(224,166)</b>	<b>(260,350)</b>
Borrowings				<b>0</b>	<b>0</b>	<b>0</b>
Other (Disposals & C/Fwd)				<b>58,333</b>	<b>70,000</b>	<b>19,091</b>
Council contribution - Cash Backed Reserves						
Asset Management		<b>0</b>	<b>0</b>	\$813,772	(24,000)	0
Plant Replacement Reserve		<b>0</b>	<b>0</b>	\$549,340	(22,000)	0
Council contribution - operations				<b>(2,154,584)</b>	<b>(1,107,261)</b>	<b>(553,976)</b>
<b>Capital Funding Total</b>				<b>(1,126,697)</b>	<b>(1,307,427)</b>	<b>(795,235)</b>

**Capital**



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 1: Significant Accounting Policies**

**(a) Basis of Accounting**

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they

**Critical Accounting Estimates**

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and

**(b) The Local Government Reporting Entity**

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on

**(c) Rounding Off Figures**

All figures shown in this statement are rounded to the nearest dollar.

**(d) Rates, Grants, Donations and Other Contributions**

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising

**(e) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the

**(f) Cash and Cash Equivalents**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid

**(g) Trade and Other Receivables**

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are

**(h) Inventories**

**General**

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of

**Land Held for Resale**

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development,

**(i) Fixed Assets**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the

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

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of

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

<b>Asset</b>	<b>Years</b>	<b>Method</b>
Buildings	20 to 100 years	Straight Line
Furniture and Equipment	4 to 20 years	Straight Line
Plant and Equipment	5 to 20 years	Straight Line
Sealed Roads		
formation	not depreciated	
pavement	80 years	Straight Line
seal		
bituminous seals	34 years	Straight Line
asphalt surfaces	43 years	Straight Line
Gravel Roads		
formation	not depreciated	
pavement	80 years	Straight Line
Formed roads		
formation	not depreciated	
pavement	80 years	Straight Line
Footpaths - slab	50 to 60 years	Straight Line
Kerbs	100 years	Straight Line
Parks & Gardens	50 to 75 years	Straight Line
Water Supply Piping and Draing Systems	75 to 130 years	Straight Line
Bridges	90 to 110 years	Straight Line

**(k) Trade and Other Payables**

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and

**(l) Employee Benefits**

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

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

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the

(ii) *Annual Leave and Long Service Leave (Long-term Benefits)*

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future

**(m) Interest-bearing Loans and Borrowings**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months

**Borrowing Costs**

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or

**(n) Provisions**

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an

**(o) Current and Non-Current Classification**

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is

**(p) Nature or Type Classifications****Rates**

All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-

**Operating Grants, Subsidies and Contributions**

Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

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

Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective

**Profit on Asset Disposal**

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

**Fees and Charges**

Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire

**Service Charges**

Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial

**Interest Earnings**

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

**Other Revenue / Income**

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

**Employee Costs**

All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation,

**Materials and Contracts**

All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal

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

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

**Insurance**

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

**Loss on asset disposal**

Loss on the disposal of fixed assets.

**Depreciation on non-current assets**

Depreciation expense raised on all classes of assets.

**Interest expenses**

Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

**Other expenditure**

Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

**(r) Program Classifications (Function/Activity)**

Shire of Nannup operations as disclosed in these financial statements encompass the following service orientated activities/programs.

**GOVERNANCE****Objective:**

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

**Activities:**

Administration and operation of facilities and services to members of council; other costs that relate to the tasks of assisting elected members and

**GENERAL PURPOSE FUNDING****Objective:**

To collect revenue to allow for the provision of services.

**Activities:**

Rates, general purpose government grants and interest revenue.

**LAW, ORDER, PUBLIC SAFETY****Objective:**

To provide services to help ensure a safer community.

**Activities:**

Supervision of various by-laws, fire prevention, emergency services and animal control.

**HEALTH****Objective:**

To provide an operational framework for good community health.

**Activities:**

Food quality, building sanitation and sewage.

**EDUCATION AND WELFARE****Objective:**

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

**Activities:**

Operation of pre-school, provision of youth support.

**HOUSING****Objective:**

Help ensure adequate housing.

**Activities:**

Maintenance of staff and rental housing.

**COMMUNITY AMENITIES****Objective:**

To provide services required by the community.

**Activities:**

Rubbish collection services, operation of tip, noise control, administration of the town planning scheme, maintenance of cemetery and maintenance

**RECREATION AND CULTURE****Objective:**

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

**Activities:**

Maintenance of halls, recreation centre and various reserves; operation of library.

**TRANSPORT****Objective:**

To provide effective and efficient transport services to the community.

**Activities:**

Construction and maintenance of streets, roads, bridges; cleaning of streets, depot maintenance.

**ECONOMIC SERVICES****Objective:**

To help promote the shire and its economic wellbeing.

**Activities:**

Assistance to tourism, area promotion, building control, noxious weeds, vermin control.

**OTHER PROPERTY AND SERVICES****Objective:**

To accurately allocate plant and labour costs across the various programs of Council.

**Activities:**

Private works operations, plant repairs and operations costs.

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 2: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2019/20 year is \$30,000 or 10% whichever is the greater.

*Please be aware that Budget Review occurs between February and March, therefore Budget review items are yet to be produced in this set of statements.*

Reporting Program	Var. \$	Timing/ Permanent
<b>Operating Revenues</b>	\$	
<b>4.1.1 PROFIT ON ASSET DISPOSAL</b>		
No Material Variance		
<b>4.1.2 FEES AND CHARGES</b>		
Fees and charges expected income has decreased due to Tip Fee reduction in income.	(39,881)	Permanent
<b>4.1.3 GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
Mainly attributable to the Lotterwest grant for Bike/Walk Trails and Fire Mitigation activity grant func	(322,661)	Permanent
<b>4.1.7 INTEREST EARNINGS</b>		
payment of rates	(500)	Permanent
<b>4.1.8 OTHER REVENUE</b>		
No Material Variance		
	<u><u>-\$363,042</u></u>	
<b>Operating Expense</b>		
<b>4.2.1 EMPLOYEE COSTS</b>		
the year.	49,564	Permanent
<b>4.2.2 MATERIAL AND CONTRACTS</b>		
result in increased expenditure.	(716,803)	Permanent
<b>4.2.3 UTILITY CHARGES</b>		
Slight savings in utility charges	2,200	Permanent
<b>4.2.4 DEPRECIATION (NON CURRENT ASSETS)</b>		
No Material Variance	0	
<b>4.2.4 INTEREST EXPENSES</b>		
No Material Variance	0	
<b>4.2.5 INSURANCE EXPENSES</b>		
Decrease in insurance costs incurred in the Law and Order program	0	
<b>4.2.6 LOSS ON ASSET DISPOSAL</b>		
This adjustment resulted from the change of sale of construction crew truck from the International to the Volvo. The net book value of the Volvo was higher and so resulted in a \$50,000 greater book loss. It should be noted that this is a non-cash adjustment as the proceeds from sale of assets remains the same. The net non-cash write back was also effected by the decrease in the		
<b>4.2.7 OTHER EXPENDITURE</b>		
Refer to 4.2.1. Recruitment costs such as advertising have resulted in a permanent variation.		
	<u><u>-\$665,039.00</u></u>	
<b>Other Items</b>		
<b>Reserve Transfer In - Strategic Reserve</b>		
to fund Flora and fauna Study	30,000.00	Permanent
	<u><u>\$30,000.00</u></u>	

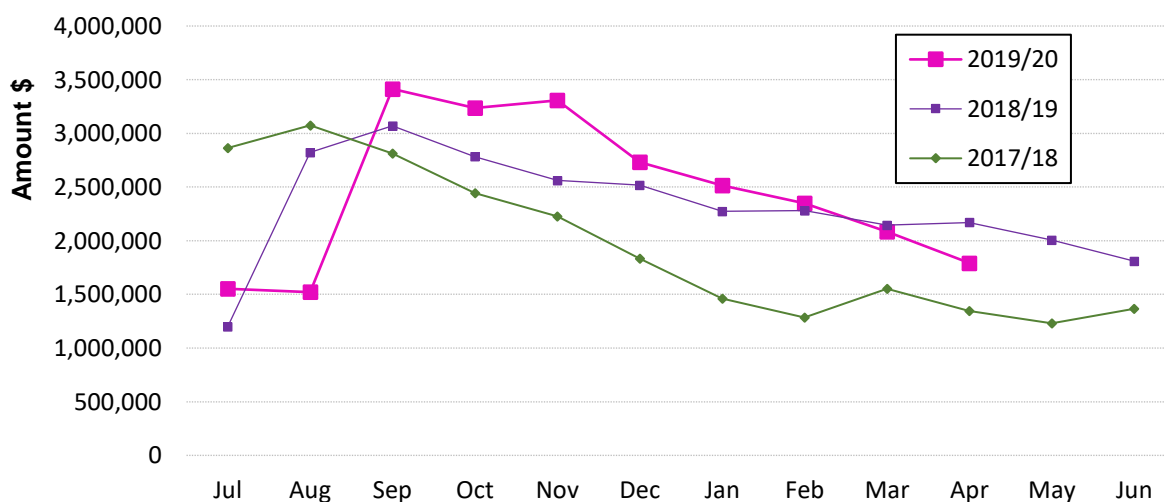
**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 3: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

	Note	Last Years Closing 30 June 2019	This Time Last Year 30 Apr 2019	Current 30 Apr 2020
		\$	\$	\$
<b>Current Assets</b>				
Cash Unrestricted	4	1,399,928	2,274,272	1,761,148
<i>Cash Restricted:</i>				
Bonds, deposits and collections		49,797		78,799
Conditions over Grants	11	169,393	0	20,393
Cash Restricted Reserve Accounts	4	2,622,747	2,017,638	2,623,344
Receivables - Rates & Rubbish		174,092	505,662	228,960
Receivables - Other	6	573,603	30,966	86,843
Interest / ATO Receivable/ Trust	6	34,765	411,548	13,836
Inventories		146,023	6,240	146,023
		5,170,347	5,246,326	4,959,346
<b>Less: Current Liabilities</b>				
Payables		(113,667)	(19,401)	(127,982)
Bonds deposits and collections		(49,797)	(19,324)	(78,799)
Provisions		(389,941)	(292,716)	(315,363)
		(553,405)	(331,441)	(522,145)
<b>Less:</b>				
Cash Reserves	7	(2,622,747)	(2,017,638)	(2,623,344)
Cash Conditions over Grants		(169,393)		(20,393)
YAC Committee		(16,250)	(16,250)	(16,250)
ATO Liability		(45,205)	(76,926)	(48,639)
Rates Received in Advance		(14,124)		(14,124)
Loans receivable - Clubs/Institutions		(49,797)	(17,429)	(50,286)
Local Government House Trust brought into account		(17,517)		(17,517)
		(2,935,034)	(2,128,243)	(2,790,554)
<b>Adjustments:</b>				
Prior year adjustment- grant carry over				
Long Service Leave provision not expected to be cleared at ei		182,932	117,836	
		182,932	117,836	0
		1,864,842	2,904,479	1,646,648

**Note 3 - Liquidity Over the Year**





**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 4: Cash and Investments**

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>(a) Cash Deposits</b>							
Municipal Bank Account	310,548			310,548	CBA	Tiered	At Call
Reserve Bank Account		73,344		73,344	CBA	Tiered	At Call
Trust Bank Account			53,391		CBA	Tiered	At Call
Cash On Hand	250			250	N/A	Nil	On Hand
<b>(b) Term Deposits</b>							
Municipal	504,610			504,610	WPC	2.20%	11-May-20
Municipal - At call	1,000,000			1,000,000	CBA	0.90%	At Call
Reserves		2,550,000		2,550,000	WPC	2.22%	11-Jun-20
<b>Total</b>	<b>1,815,408</b>	<b>2,623,344</b>	<b>53,391</b>	<b>4,438,751</b>			

**Comments/Notes - Investments**

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 5: Budget Amendments**

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

*Please be aware that Budget Review occurs between February and March, therefore Budget review items are yet to be produced in this set of statements.*

GL Code	Description	Council Resolution	Classification	Non Cash Adjustme nt	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	<b>Budget Adoption</b>						
	Opening budget surplus	19100	Opening Surplus(Deficit)				814,162
	Surplus brought forward amendment	19168	Opening Surplus(Deficit)		1,050,680		1,864,842
	<b>Expenditure and Income Net from Original Budget</b>					(814,162)	1,050,680
	<b>Governance</b>						
02	0112 Governance - Elections		Operating Expenses		2,000		1,052,680
02	0142 Governance - Councillors		Operating Expenses		2,000		1,054,680
02	0192 Governance - Subscriptions	20020	Operating Expenses			(5,000)	1,049,680
02	0162 Governance - Community Grants		Operating Expenses			(4,000)	1,045,680
02	0182 Governance - Donations	20023	Operating Expenses			(700)	1,044,980
02	0372 Governance - Computer Maintenance	19168	Operating Expenses			(25,000)	1,019,980
02	0462 Governance - Audit fees		Operating Expenses		10,000		1,026,980
02	'0362 Governance - Building & Garden Maintenance		Operating Expenses		3,000		1,029,980
02	'0382 Governance - Printing and Stationery- Consumables		Operating Expenses			(3,000)	1,026,980
02	0402 Governance - Office Equipment Maintenance		Operating Expenses		3,000		1,029,980
02	0412 Governance - Postage		Operating Expenses		2,000		1,031,980
02	'0492 Governance - Staff Training		Operating Expenses		3,000		1,034,980
05	0362 Governance - Water & sewerage		Operating Expenses		3,000		1,040,980
	<b>Law &amp; Order</b>						
02	0802 Law & Order - Compliance costs		Operating Expenses			(5,000)	1,035,980
02	0602 Law & Order - Assistance to Bush Fire Brigades		Operating Expenses			(158,409)	877,571
02	0632 Law & Order - Vehicle Running Costs		Operating Expenses			(4,105)	873,466
02	0755 Law & Order - Training		Operating Expenses			(313)	873,153
02	0976 Law & Order - Fire Mitigation activity funding		Operating Expenses			(138,700)	734,453
02	0973 Law & Order - Bushfire Mitigation Works		Operating Expenses			(19,302)	715,151
06	0632 Law & Order - CESO Motor Vehicle Running Expenses		Operating Expenses			(26,780)	687,571
22	0784 Law & Order - Fire Mitigation activity funding		Operating Revenue		221,500		909,071
	<b>General Purpose Funding</b>						
23	0533 General Purpose - Fees & Charges - Heavy Haulage Permits		Operating Revenue			(2,000)	907,071
25	0061 General Purpose - Interest on overdue rates		Operating Revenue		2,000		911,071
25	0261 General Purpose - Interest on instalments		Operating Revenue		2,500		911,571
'25	4873 General Purpose - Interest General		Operating Revenue			(5,000)	906,571
23	0361 General Purpose - Fees & Charges - Admin charges		Operating Revenue		200		901,771
22	'0091 General Purpose - Equalisation Grants		Operating Revenue			(24,535)	877,236
22	'0091 General Purpose - Equalisation Grants		Operating Revenue			(695,220)	182,016
22	0291 General Purpose - Local Road Grants		Operating Revenue			(19,089)	162,927
	0556 General Purpose - Strategic Reserve Contributions from		Operating Revenue		30,000		192,927
	<b>Community Amenities</b>						
01	2302 Community Amenities - Cemetery Operations		Operating Expenses		3,665		196,592
02A	1762 Community Amenities - Domestic Collection		Operating Expenses			(41,575)	155,017
02A	1765 Community Amenities - Recycling Collection		Operating Expenses			(54,155)	100,862
01	1772 Community Amenities - Rubbish Site Contract		Operating Expenses			(12,773)	88,088
23	1803 Community Amenities - Mobile Bin Charges		Operating Revenue		676		232,886
23	1805 Community Amenities - Recycling Charges		Operating Revenue		2,626		235,512
23	1816 Community Amenities - Tip Fees		Operating Revenue			(23,876)	211,636
23	1816 Community Amenities - Tip Passes		Operating Revenue		1,300		212,936
01	1824 Community Amenities - Street Bin pickups		Operating Expenses			(404)	212,532
02	1772 Community Amenities - Tip Contract		Operating Expenses			(1,000)	211,532
22	3834 Economic Services - Economic Development Grants		Operating Revenue		133,000		344,532
22	1123 Education & Welfare - Community Development Grants		Operating Revenue		1,300		332,025
	<b>Health Services</b>						
02	1322 Health Administration Expenses		Operating Expenses			(8,000)	324,025
	<b>Economic Services</b>						
02	3966 Economic Services - Nannup Trail Infrastructure		Operating Expenses			(95,911)	228,114
02	3966 Economic Services - Trail project		Operating Expenses			(133,000)	95,114
02	3962 Economic Services - Regional Development		Operating Expenses			(35,000)	60,114
03	3963 Economic Services - Regional Development		Operating Expenses			(30,000)	30,114
22	1123 Education & Welfare - Community Development Grants		Operating Revenue		46911		77,025
	<b>Education &amp; Welfare</b>						

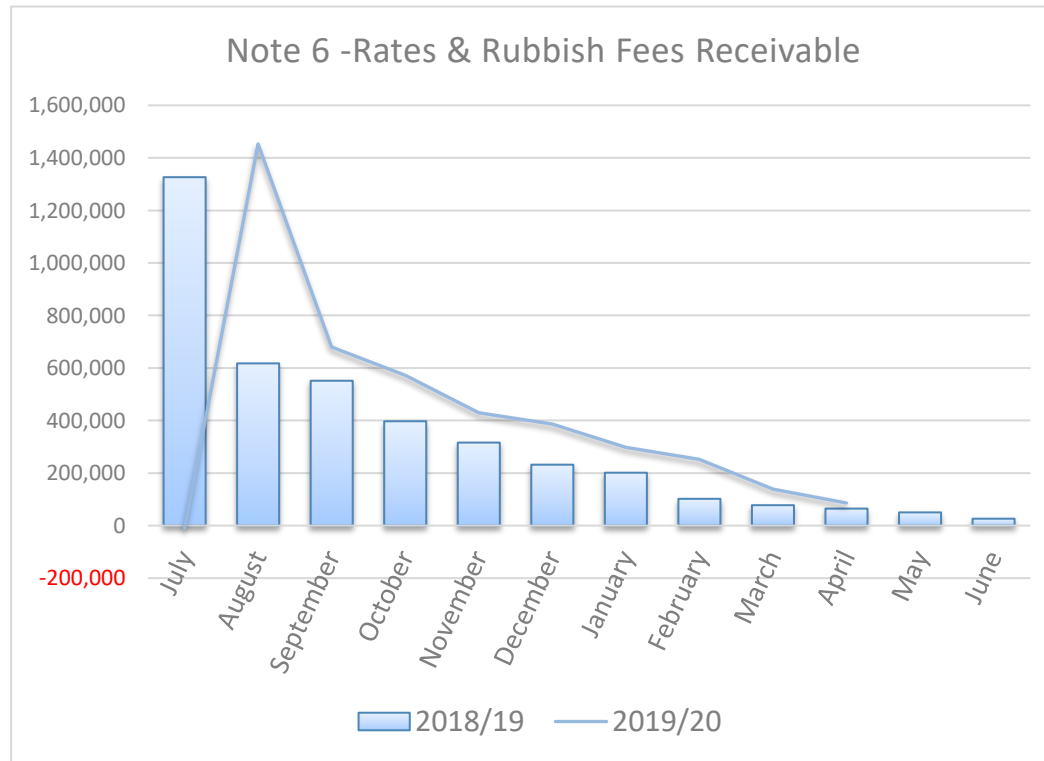
02	1642	Education & Welfare - Community Dev Officer	Operating Expenses		(1,022.5)	76,003	
02	1022	Education & Welfare - Family Day Expenses	Operating Expenses		(1,300.0)	74,703	
02	1022	Education & Welfare - Family Day Expenses	Operating Expenses		(2,500.0)	72,203	
02	1022	Education & Welfare - Family Day Expenses	Operating Expenses		(2,500.0)	69,703	
02	1122	Education & Welfare - LDAG Expenses	Operating Expenses		(3,000.0)	66,703	
02	0992	Education & Welfare - Pre-Schools Mtce	Operating Expenses		(2,053.2)	64,650	
02	1612	Education & Welfare - Seniors Activites	Operating Expenses		(4,000.0)	60,650	
02	1132	Education & Welfare - Youth Programs and Planning	Operating Expenses		(1,142.1)	59,507	
22	1163	Education & Welfare - Family Fun Day	Operating Revenue	2,500		62,007	
22	1163	Education & Welfare - Family Fun Day	Operating Revenue	2,500		64,507	
22	1163	Education & Welfare - Family Fun Day	Operating Revenue	4,000		68,507	
22	1163	Education & Welfare - Family Fun Day	Operating Revenue	1,472		69,979	
22	1133	Education & Welfare - LDAG Income	Operating Revenue	3,000		72,979	
Other Property and Services							
02	6802	Other Property and Services - Parts and External Work	Operating Expenses		(6,679.0)	66,300	
02	4292	Other Property and Services - Private Works	Operating Expenses	1,000		67,300	
02	4452	Other Property and Services - Protective Clothing	Operating Expenses		(1,000.0)	66,300	
02	7672	Other Property and Services - Recruitment	Operating Expenses		(500.0)	65,800	
02	4312	Other Property and Services - Training	Operating Expenses		(802.7)	64,998	
02	3572	Other Property and Services -Purchase of Minor Equip	Operating Expenses		(899.0)	64,099	
Recreation and Culture							
01	1732	Recreation & Culture - Community House	Operating Expenses		(1,889.0)	62,210	
02	1732	Recreation & Culture - Community House	Operating Expenses		(141.0)	62,069	
02	2432	Recreation & Culture - Recreation Centre	Operating Expenses		(65,000.0)	2,931	
02A	2472	Recreation & Culture - Old Roads Board Building	Operating Expenses		(464.0)	3,395	
02	2842	Recreation & Culture - Public Art Maintenance	Operating Expenses		(4,500.0)	7,895	
01	2642	Recreation & Culture - Public Parks Gdns & Reserves	Operating Expenses		(21,834.6)	29,730	
02	2642	Recreation & Culture - Public Parks Gdns & Reserves	Operating Expenses	16,209		13,521	
Transport							
02	3212	Transport - Depot Office	Operating Expenses		(4,729.0)	18,250	
02	3210	Transport - Footpath Program	Operating Expenses		(3,326.0)	21,576	
01	3170	Transport - Local Road Construction	Operating Expenses	59,721		38,145	
02A	3170	Transport - Local Road Construction	Operating Expenses	4,342		42,487	
01	3380	Transport - Local road maintenance	Operating Expenses	23,079		65,566	
02A	3380	Transport - Local road maintenance	Operating Expenses		(2,667.0)	62,899	
02A	3410	Transport - Roadverge maintenance	Operating Expenses		(12,200.0)	50,699	
02	7120	Transport - Romans Road Inv System	Operating Expenses	1,899		52,598	
<b>Amended Budget Cash Position as per Council Resolution</b>				0	1,791,202	(2,552,765.9)	52,598

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

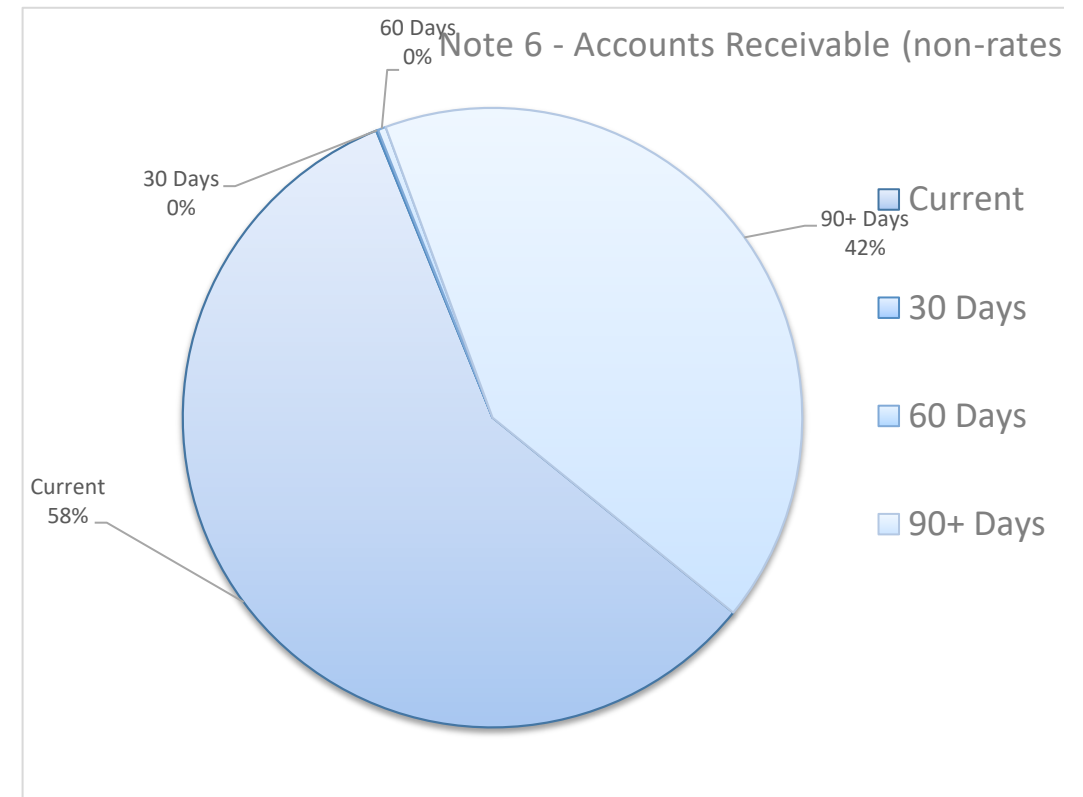
**Note 6: Receivables**

Receivables - Rates Receivable <i>Rates Only</i>	30 Apr 2020	30 June 2019
	\$	\$
Opening Arrears Previous Years	111,472	94,693
Levied this year	1,774,267	1,704,777
<u>Less</u> Collections to date	(1,635,167)	(1,687,997)
Equals Current Outstanding	<b>250,572</b>	<b>111,472</b>
<b>Net Rates Collectable</b>	<b>250,572</b>	<b>111,472</b>
% Collected	92.16%	93.81%

Receivables - General	Current	30 Days	60 Days	90+ Days	90+Days
	\$	\$	\$	\$	\$
Receivables - General	39,499	69	287	28,205	68,059
<b>Balance per Trial Balance</b>					
Sundry Debtors					39,136
Receivables - Other					61,543
<b>Total Receivables General Outstanding</b>					<b>100,679</b>
				Error Check	0.00



Comments/Notes - Receivables Rates

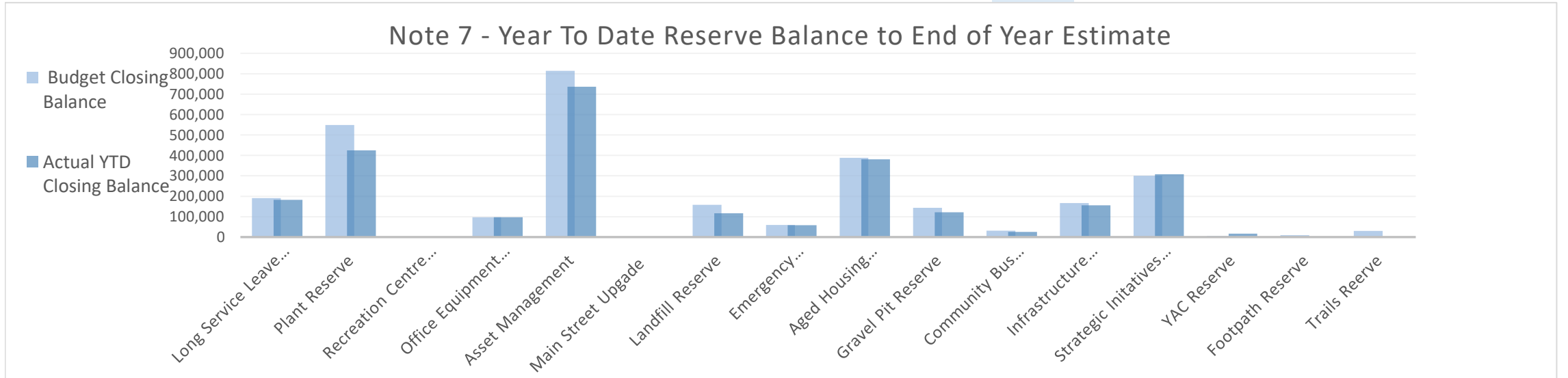
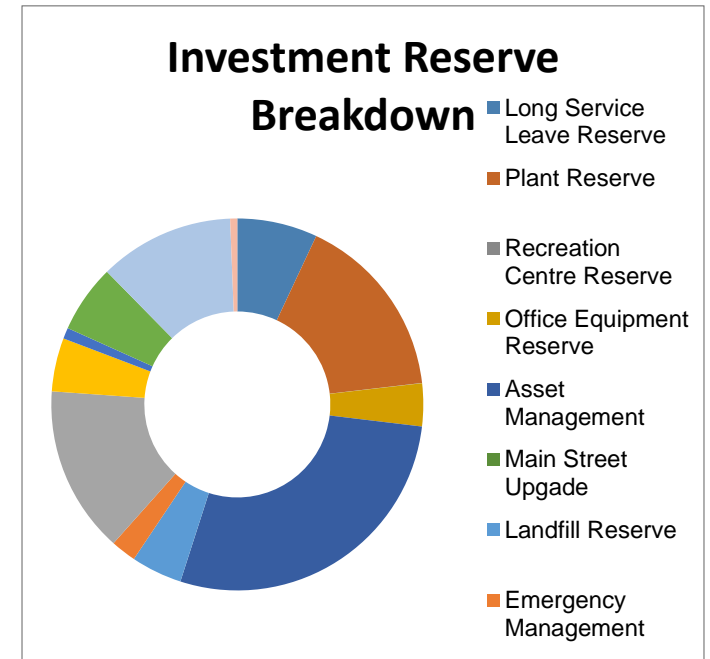


Comments/Notes - Receivables General

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 7: Cash Backed Reserve**

Name	Opening Balance 1/7/2019	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
Long Service Leave Reserve	182,930	3,000	54	15,000	0	(10,000)	0	190,930	182,984
Plant Reserve	424,340	7,000	126	140,000	0	(22,000)	0	549,340	424,466
Recreation Centre Reserve	560	0	0	0	0	0	0	560	560
Office Equipment Reserve	97,549	1,000	29	30,000	0	(31,000)	0	97,549	97,577
Asset Management	735,772	12,000	218	90,000	0	(24,000)	0	813,772	735,990
Main Street Upgrade	58	0	0	0	0	0	0	58	58
Landfill Reserve	116,343	1,500	35	40,000	0	0	0	157,843	116,377
Emergency Management	57,792	1,000	17	0	0	0	0	58,792	57,809
Aged Housing Reserve	381,099	6,500	113	0	0	0	0	387,599	381,212
Gravel Pit Reserve	122,000	1,000	0	20,000	0	0	0	143,000	122,000
Community Bus Reserve	25,051	1,000	7	5,000	0	0	0	31,051	25,058
Infrastructure Reserve	155,000	1,000	0	10,000	0	0	0	166,000	155,000
Strategic Initiatives Reserves	308,000	0	0	0	0	(7,000)	0	301,000	308,000
YAC Reserve	16,250	0	0	0	0	(10,000)	0	6,250	16,250
Footpath Reserve	0	0	0	10,000	0	0	0	10,000	0
Trails Reerve	0	0	0	30,000	0	0	0	30,000	0
	<b>2,622,744</b>	<b>35,000</b>	<b>600</b>	<b>390,000</b>	<b>0</b>	<b>(104,000)</b>	<b>0</b>	<b>2,943,744</b>	<b>2,623,344</b>



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 8: Disposal of Assets**

Asset Number	Asset Description	YTD Actual				Amended Budget			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
	<b>Plant and Equipment</b>	\$	\$	\$	\$	\$	\$	\$	\$
P312	Scania 14t Tipper								0
P653	John Deere Mower								0
P181	Toyota Camry NP000	27,214	19,091		(8,123)				
F88	Konica Minolta C55E Photocopier	1,824	0		(1,824)				
		<b>29,038</b>	<b>19,091</b>	<b>0</b>	<b>(9,947)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
For the Period Ended 30 April 2020

**Note 9: Rating Information**

	Rate in	Number of Properties	Rateable Value	YTD Actual			Total Revenue	Amended Budget			
				Rate Revenue	Interim Rates	Back Rates		Rate Revenue	Interim Rate	Back Rate	Total Revenue
<b>RATE TYPE</b>	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Differential General Rate</b>											
GRV	8.8980	383	6,561,664	583,857	1,585	218	585,660	0			0
UV	0.4638	208	118,073,000	547,623	(2,318)	3,367	548,671	0			0
UV Pastoral				0	0	0	0		0	0	0
<b>Sub-Totals</b>		<b>591</b>	<b>124,634,664</b>	<b>1,131,479</b>	<b>(733)</b>	<b>3,584</b>	<b>1,134,331</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Minimum Payment</b>	<b>\$</b>										
GRV	1,013.00	353	2,535,608	357,589	0	0	357,589	0	0	0	0
UV	1,133.00	206	26,003,497	233,398	0	0	233,398	0	0	0	0
<b>Sub-Totals</b>		<b>559</b>	<b>28,539,105</b>	<b>590,987</b>	<b>0</b>	<b>0</b>	<b>590,987</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
		<b>1,150</b>	<b>153,173,769</b>	<b>1,722,466</b>	<b>(733)</b>	<b>3,584</b>	<b>1,725,318</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Concession							0				0
<b>Amount from General Rates</b>							<b>1,725,318</b>				<b>0</b>
Ex-Gratia Rates							48,949				0
Specified Area Rates							0				0
<b>Totals</b>							<b>1,774,268</b>				<b>0</b>

**Comments - Rating Information**

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 10: Information on Borrowings**

(a) Debenture Repayments

Particulars	01 Jul 2019	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget
			\$	\$	\$	\$	\$	\$
<b>Governance</b>								
Loan 37 NCRC	33,132		15,344	18,505	17,788	14,627	1,469	1,570
Loan 39A NMC		262,300	24,719	31,291	237,581	231,009	8,419	9,187
	33,132	262,300	40,063	49,796	255,369	245,636	9,887	10,757

All debenture repayments were financed by general purpose revenue.

Self supporting loan income Loan 37	15,343
Self supporting loan income Loan 39A	27,298
<b>Total SSL principal receipts</b>	<b>42,641</b>

(b) New Debentures

0

\* Per SSL 2019\_20



**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**Note 11: Grants and Contributions**

	Provider	Type	Opening	Budget		YTD	Annual	Amended	Expected	YTD Actual		Unspent
			Balance	Operating	Capital	Budget	Budget	Budget		Revenue	(Expended)	Grant
			(a)	(b)		(a)+(b)	(d)	(e)	(d)+(e)	(c)	(a)+(b)+(c)	
				\$	\$	\$	\$	\$	\$	\$	\$	
<b>General Purpose Funding</b>												
Grants Commission - General	WALGGC	operating	(427,099)	(400,876)	0	(827,975)	(400,876)	24,535	(376,341)	(300,657)	300,657	0
Grants Commission - Roads	WALGGC	operating	(268,121)	(223,187)	0	(491,308)	(223,187)	19,089	(204,098)	(167,390)	167,390	0
<b>Law Order and Public Safety</b>												
FESA LEVY DFES	DFES	Operating - Tied	0	(120,000)	0	(120,000)	(120,000)		(120,000)	(139,960)	139,960	0
Bushfire Management Plan	DFES	Operating - Tied	(19,140)	0	0	(19,140)	0		0	(110,750)	110,750	(19,140)
Bushfire Mitigation Works	DFES	Operating - Tied	(9,141)	(35,262)	0	(44,403)	(35,262)	(221,500)	(256,762)	0	0	(9,141)
Grant FESA - SES	DFES	Operating - Tied	7,888	0	0	7,888	0		0	(5,640)	5,640	7,888
CESM MOA Grant	DFES	Operating	0	(81,746)	0	(81,746)	(81,746)		(81,746)	(64,857)	64,857	0
<b>Education and Welfare</b>												
Grants - Community Bus	Contributions	Operating	0	(2,000)	0	(2,000)	(2,000)		(2,000)	0	0	0
Local Drug Action Group	LDAG	Operating	0	(3,000)	0	(3,000)	(3,000)	(3,000)	(6,000)	(1,874)	1,874	0
Community Development Grants	Various	Operating	0	(10,472)	0	(10,472)	(10,472)	(48,211)	(58,683)	(2,707)	(11,100)	0
Community Development Grants	LGSR	Operating								13,807		
(inc Trails)	Lotterywest	Operating - Tied	(149,000)	(68,904)	0	(217,904)	(68,904)	(133,000)	(201,904)	0	0	0
Seniors	Communities	Operating - Tied								(4,000)	4,000	
Family Fun Day	Various	Operating						(10,472)		(5,000)		
<b>Economic Services</b>												
Economic Development	Contributions	Operating	0	0	0	0	0		0	(5,500)	5,500	0
<b>Recreation and Culture</b>												
Grants - Recreation and Culture	LotteryWest	Non-operating	0	0	(133,000)	(133,000)	(133,000)		(133,000)	0	0	0
Grants - Libraries	Good Things Foundation	Operating	0	0	0	0	0		0	(1,500)	1,500	0
<b>Transport</b>												
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	(306,800)	(306,800)	(306,800)		(306,800)	(111,222)	111,222	0
MRD Grants - Capital Projects	Regional Road Group	Non-operating	0	0	(116,754)	(116,754)	(116,754)		(116,754)	(116,754)	116,754	0
Grant - Regional Road Group	Regional Road Group	Non-operating	0	0	(210,000)	(210,000)	(210,000)		(210,000)	(84,000)	84,000	0
<b>TOTALS</b>			<b>(864,613)</b>	<b>(945,447)</b>	<b>(766,554)</b>	<b>(2,576,614)</b>	<b>(1,712,001)</b>	<b>(372,559)</b>	<b>(2,074,088)</b>	<b>(1,108,004)</b>	<b>1,103,004</b>	<b>(20,393)</b>
Operating	Operating Grants, Subsidies and Contributions		(695,220)	(721,281)	0	(1,416,501)	(721,281)	(18,059)	(728,868)	(535,678)	530,678	0
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		(169,393)	(224,166)	0	(393,559)	(224,166)	(354,500)	(578,666)	(260,350)	260,350	(20,393)
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	(766,554)	(766,554)	(766,554)	0	(766,554)	(311,976)	311,976	0
<b>TOTALS</b>			<b>(864,613)</b>	<b>(945,447)</b>	<b>(766,554)</b>	<b>(2,576,614)</b>	<b>(1,712,001)</b>	<b>(372,559)</b>	<b>(2,074,088)</b>	<b>(1,108,004)</b>	<b>1,103,004</b>	<b>(20,393)</b>

**SHIRE OF NANNUP**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 30 April 2020**

**Note 12: Trust Fund**

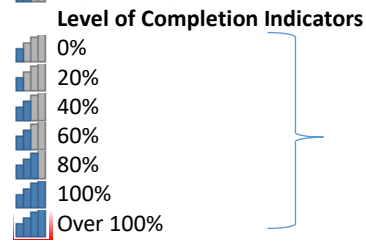
Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2019	Amount Received	Amount Paid	Closing Balance 30 Apr 2020
	\$	\$	\$	\$
BCITF Levy	160	(2,717)	2,737	140
BRB Levy	761	(5,396)	5,876	281
Bonds	22,018	(800)	600	22,218
Nomination Deposit	0	(400)	400	0
Donation Rec Centre Deposit	0	0	0	0
Nannup Community Bus	0	0	0	0
Trust accrued Expenses	75	0	75	0
	<b>23,014</b>	<b>(9,313)</b>	<b>9,688</b>	<b>22,639.16</b>

SHIRE OF NANNUP  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 30 April 2020

Note 13: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Strategic Reference / Comment
		New/Upgrade	Renewal	Total YTD	Annual Budget	YTD Budget	YTD Variance	
		\$	\$	\$	\$	\$	\$	
<b>Buildings</b>								
<b>Housing</b>								
	Danjanerup Cottages	1614	7,800	0	7,800	0	0	7,800
	<b>Housing Total</b>		<b>7,800</b>	<b>0</b>	<b>7,800</b>	<b>0</b>	<b>0</b>	<b>7,800</b>
<b>Law, Order And Public Safety</b>								
	Buildings	0754	0	0	0	142,730	0	0
	SES Capital Upgrade	0954	31,715	0	31,715			
	<b>Law, Order And Public Safety Total</b>		<b>31,715</b>	<b>0</b>	<b>31,715</b>	<b>142,730</b>	<b>0</b>	<b>0</b>
	<b>Buildings Total</b>		<b>39,515</b>	<b>0</b>	<b>39,515</b>	<b>142,730</b>	<b>0</b>	<b>7,800</b>
<b>Furniture &amp; Office Equip.</b>								
<b>Governance</b>								
	Shire Offices	0584	9,275	0	9,275	38,000	0	9,275
	<b>Governance Total</b>		<b>9,275</b>	<b>0</b>	<b>9,275</b>	<b>38,000</b>	<b>0</b>	<b>9,275</b>
	<b>Furniture &amp; Office Equip. Total</b>		<b>9,275</b>	<b>0</b>	<b>9,275</b>	<b>38,000</b>	<b>0</b>	<b>9,275</b>
<b>Plant , Equip. &amp; Vehicles</b>								
<b>Governance</b>								
	Vehicle purchases - Office Staff	0544	38,925	0	38,925	40,000	40,000	(1,075)
	<b>Governance Total</b>		<b>38,925</b>	<b>0</b>	<b>38,925</b>	<b>40,000</b>	<b>40,000</b>	<b>(1,075)</b>
<b>Transport</b>								
	Purchase Of Plant	3564	62,957	0	62,957	386,000	386,000	(323,043)
	<b>Transport Total</b>		<b>62,957</b>	<b>0</b>	<b>62,957</b>	<b>386,000</b>	<b>386,000</b>	<b>(323,043)</b>
	<b>Plant , Equip. &amp; Vehicles Total</b>		<b>101,882</b>	<b>0</b>	<b>101,882</b>	<b>426,000</b>	<b>426,000</b>	<b>(324,118)</b>
<b>Roads (Non Town)</b>								
<b>Transport</b>								
	Local Road Construction	3170	600,331	0	600,331	558,169	558,169	42,163
	Mrd Special Bridgeworks	3180	0	0	0	70,000	70,000	(70,000)
	Footpath Program	3210	4,169	0	4,169	32,465	32,465	(28,296)
	<b>Transport Total</b>		<b>604,500</b>	<b>0</b>	<b>604,500</b>	<b>660,634</b>	<b>660,634</b>	<b>(56,133)</b>
	<b>Roads (Non Town) Total</b>		<b>604,500</b>	<b>0</b>	<b>604,500</b>	<b>660,634</b>	<b>660,634</b>	<b>(56,133)</b>
	<b>Capital Expenditure Total</b>		<b>755,172</b>	<b>0</b>	<b>755,172</b>	<b>1,267,364</b>	<b>1,086,634</b>	<b>(363,177)</b>



Percentage YTD Actual to Annual Budget  
Expenditure over budget highlighted in red.

**Attachment 12.9.1**

SHIRE OF NANNUP ACCOUNTS FOR PAYMENT April 2020				
* Please note that most Fire, Road and Community Expenditure are externally funded.				
Chq/EFT/DD	Date	Name	Description	Amount
EFT12489	16/04/2020	AUSTRALIA POST	CONSUMABLES	\$ 5.27
EFT12490	16/04/2020	B & B STREET SWEEPING PTY LTD	DRAIN CLEANING	\$ 5,577.00
EFT12491	16/04/2020	JP REPAIRS	PLANT MAINTENANCE AND REPAIRS	\$ 1,054.00
EFT12492	16/04/2020	SOUTHERN LOCK & SECURITY	ALARM SERVICE FEE	\$ 140.43
EFT12493	16/04/2020	ARBOR GUY	DEAD TREE FELLING	\$ 19,338.00
EFT12494	16/04/2020	EDGE PLANNING & PROPERTY	PLANNING SERVICE	\$ 3,858.25
EFT12495	16/04/2020	SOUTH WEST COMPRESSORS PTY LTD	PLANT MAINTENANCE AND REPAIRS	\$ 515.79
EFT12496	16/04/2020	SOUTH WEST ISUZU	PLANT MAINTENANCE AND REPAIRS	\$ 2,235.00
EFT12497	16/04/2020	BRANDINO PTY LTD	CAMPING ADVERTS	\$ 247.50
EFT12498	16/04/2020	COVS PARTS PTY LTD	PLANT MAINTENANCE AND REPAIRS	\$ 342.24
EFT12499	16/04/2020	COMPASS RENOVATIONS	SES REPAIRS AND MAINTENANCE	\$ 4,057.99
EFT12500	16/04/2020	CITY & REGIONAL FUELS	DIESEL	\$ 3,793.33
EFT12501	16/04/2020	NANNUP DELI	VBFB MEALS	\$ 1,161.16
EFT12502	16/04/2020	BROOKS HIRE	HIRE OF PLANT	\$ 1,955.36
EFT12503	16/04/2020	OFFICEWORKS	STATIONERY	\$ 436.94
EFT12504	16/04/2020	NANNUP HOT BREAD SHOP	REFRESHMENTS AND FUNCTIONS	\$ 116.84
EFT12505	16/04/2020	CHUBB FIRE & SECURITY	NANNUP RECREATION CENTRE - REPAIRS AND MAINTENANCE	\$ 1,696.64
EFT12506	16/04/2020	FISKE ENTERPRISES PTY LTD	LIBRARY CARDS	\$ 302.50
EFT12507	16/04/2020	BUSSELTON PEST & WEED CONTROL	PEST AND TERMITE TREATMENT FOR BUILDINGS	\$ 3,256.00
EFT12508	16/04/2020	LANDGATE	RURAL UV GENERAL REVALUATION 2019/2020	\$ 8,076.60
EFT12509	16/04/2020	HARVEY NORMAN AV/IT SUPERSTORE BUSSELTON	MINOR EQUIPMENT - PHONE	\$ 1,343.00
EFT12510	16/04/2020	KLEENHEAT GAS PTY. LTD.	ANNUAL FEE	\$ 158.40
EFT12511	16/04/2020	NANNUP NEWSAGENCY	STATIONERY AND MINOR EQUIPMENT	\$ 635.52
EFT12512	16/04/2020	NANNUP EZIWAY SELF SERVICE STORE	GAS BOTTLES TOWN HALL	\$ 316.10
EFT12513	16/04/2020	NANNUP COMMUNITY RESOURCE CENTRE	ADVERTISING	\$ 495.60
EFT12514	16/04/2020	PRESTIGE PRODUCTS	CONSUMABLES	\$ 189.09
EFT12515	16/04/2020	THE PAPER COMPANY OF AUSTRALIA PTY LTD	STATIONERY	\$ 123.75
EFT12516	16/04/2020	ROD'S AUTO ELECTRICS	CONSUMABLES	\$ 153.42
EFT12517	16/04/2020	SOUTH REGIONAL TAFE	TRAINEE	\$ 1,316.25
EFT12518	16/04/2020	IT VISION	TRAINING COURSE	\$ 863.50
EFT12519	16/04/2020	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	ALERTS MODULE - MARKET CREATIONS	\$ 1,155.00
EFT12520	16/04/2020	WOODLANDS DISTRIBUTORS & AGENCIES	CONSUMABLES	\$ 137.50
			<b>Total EFT payments - April 2020</b>	<b>\$ 65,053.97</b>

20452	03/04/2020	CITY OF BUSSELTON	WALGA TRAINING COURSE	\$ 441.70
20453	16/04/2020	AUSTRALIA POST	VBFB NANNUP BROOK	\$ 44.00
20454	16/04/2020	TELSTRA	INTERNET AND TELEPHONE	\$ 130.34
			<b>Total Cheque payment s- April 2020</b>	<b>\$ 616.04</b>

DD10733.1	08/04/2020	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$ 12,747.32
DD10733.2	08/04/2020	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 327.02
DD10733.3	08/04/2020	SUNSUPER SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 103.85
DD10733.4	08/04/2020	ASGARD INFINITY EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 425.92
DD10733.5	08/04/2020	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 606.18
DD10733.6	08/04/2020	JOLLEY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 43.23
DD10733.7	08/04/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 418.08
DD10733.8	08/04/2020	AMG SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 325.32
DD10733.9	08/04/2020	MARITIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 52.33
DD10752.1	22/04/2020	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	SUPERANNUATION CONTRIBUTIONS	\$ 8,053.26
DD10752.10	22/04/2020	MARITIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 61.56
DD10752.2	22/04/2020	HOSTPLUS SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 833.01
DD10752.3	22/04/2020	FIRST WRAP PLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 327.02
DD10752.4	22/04/2020	SUNSUPER SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 103.85
DD10752.5	22/04/2020	ASGARD INFINITY EWRAP SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 425.92
DD10752.6	22/04/2020	JOLLEY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	\$ 46.31
DD10752.7	22/04/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 418.08
DD10752.8	22/04/2020	AMG SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 304.26
DD10752.9	22/04/2020	LIFETRACK SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 131.67
DD10767.1	30/04/2020	AUSSIE BROADBAND - DIRECT DEBIT	NBN FIXED WIRELESS	\$ 99.00
DD10767.10	30/04/2020	CALTEX AUSTRALIA	FUEL	\$ 203.06
DD10767.11	30/04/2020	CLEANAWAY	RECYCLE BINS	\$ 7,963.68
DD10767.12	30/04/2020	GO GO MEDIA * DIRECT DEBIT*	MONTHLY ON HOLD MESSAGES	\$ 75.90
DD10767.13	30/04/2020	MAIA FINANCIAL PTY LTD	DELL, ANNITTEL, TSG, APRIL TO JUNE 2020	\$ 2,298.60
DD10767.2	30/04/2020	SYNERGY	ELECTRICITY	\$ 8,194.91
DD10767.3	30/04/2020	TELSTRA	TELEPHONE AND MOBILE USAGE	\$ 2,476.32
DD10767.4	30/04/2020	TOLL TRANSPORT PTY LTD	FREIGHT	\$ 38.13

DD10767.6	30/04/2020	WESTNET	WESTNET	\$ 69.90
DD10767.7	30/04/2020	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 39 AND 37 PRINCIPAL AND INTEREST	\$ 4,528.59
DD10767.8	30/04/2020	SG FLEET AUSTRALIA P/L	MONTHLY FLEET CHARGE	\$ 1,610.91
DD10767.9	30/04/2020	BP AUSTRALIA	FUEL	\$ 148.59
DD10769.1	30/04/2020	CALL ASSOCIATES PTY LTD - INSIGHT & CONNECT	MONTHLY CALL CHARGES	\$ 85.80
			<b>Total Direct Debit payment - April 2020</b>	<b>53,547.58</b>

**Shire of Nannup Trust Fund**

Chq/EFT/DD	Date	Name	Description	Amount
EFT TRF	30/04/2020	SHIRE OF NANNUP	Admin Fees	\$ 33.25
			<b>Total Trust payments - April 2020</b>	<b>\$ 33.25</b>

<b>TOTAL PAYMENTS APRIL 2020</b>	
Municipal Payments	\$ 119,217.59
Trust Payments	\$ 33.25
	<b>\$ 119,250.84</b>

## Attachment 12.10.1

<b>Policy Number:</b>	ADM 4
<b>Policy Type:</b>	Administration Policy
<b>Policy Name:</b>	<b>Purchasing</b>
<b>Policy Owner:</b>	Manager Corporate Services
<b>Authority:</b>	Shire of Nannup

### OBJECTIVES

- To ensure compliance with the Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended).
- To deliver a best practice approach and procedures to purchasing for the Shire of Nannup.
- To ensure consistency for all purchasing activities that integrates with all the Shire of Nannup's operational areas.

### 2 WHY DO WE NEED A PURCHASING POLICY?

The Shire of Nannup is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This policy:

- Provides the Shire of Nannup with an effective way of purchasing goods and services.
- Ensures that purchasing transactions are carried out in a fair and equitable manner.
- Strengthens integrity and confidence in the purchasing system.
- Ensures that the Shire of Nannup receives value for money in its purchasing.
- Ensures that the Shire of Nannup considers the environmental impact of the procurement process across the life cycle of goods and services.
- Ensures the Shire of Nannup is compliant with all regulatory obligations.
- Promotes effective governance and definition of roles and responsibilities.
- Provides transparency for the public and industry concerning the Shire of Nannup's purchasing practices.

### 3. ETHICS & INTEGRITY

All officers and employees of the Shire of Nannup shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Nannup.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- all purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire of Nannup's policies and Code of Conduct;
- purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- all processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed; and
- any information provided to the Shire of Nannup by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or relevant legislation.

#### **4. VALUE FOR MONEY**

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Nannup. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing decision should consider:

- all relevant whole-of-life costs and benefits (whole of life cycle costs for goods and whole of contract life costs for services) including transaction costs associated with acquisition, delivery and distribution, as well as other costs, such as but not limited to, holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. This should include the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

## **5. SUSTAINABLE PROCUREMENT**

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

Local Government is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise negative environmental and social impacts. Sustainable considerations must be balanced against value for money outcomes.

Practically, sustainable procurement means the Shire of Nannup shall endeavour at all times to identify and procure products and services that:

- Demonstrate environmental best practice in energy efficiency and/or consumption which can be demonstrated through suitable rating systems and eco-labelling.
- Demonstrate environmental best practice in water efficiency.
- Are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- Products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.
- For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;
- For new buildings and refurbishments – where available use renewable energy and technologies.

## **6. LOCAL PURCHASE**

Local businesses may be given preference on the supply of goods and services to Council subject to:

- Their ability to provide the goods/services in accordance with the specification;
- Their ability to complete the contract within the time specified; and
- The economic benefit to the community of awarding the purchase locally.



## 7. PURCHASING THRESHOLDS

Where the value of procurement (excluding GST) over the full contract period (including options to extend) is, or is expected to be:

Amount of Purchase	Model Policy
Up to \$5,000	Direct purchase from suppliers requiring one verbal quotation.
\$5,001 and up to \$50,000	Obtain at least two verbal or written quotations (unless exempted by proven procurement history).
\$50,001 and up to \$250,000	Obtain three written quotations under a formal Request for Quotation process.
\$250,000 and above	Public Exempt arrangements or Public Tender

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

### 7.1 Up to 5,000 (exc GST)

Where the value of procurement of goods or services does not exceed \$5,000, purchase on the basis of one verbal quotation is permitted. However it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies.

### 7.2 \$5,001 - \$50,000 (exc GST)

At least two verbal or written quotations (or a combination of both) are required. Where this is not practical (e.g. due to limited suppliers) it must be noted in records relating to the process.

The general principles for obtaining verbal quotations are:

- Ensure that the requirement / specification is clearly understood by the Shire of Nannup employee seeking the verbal quotations.
- Ensure that the requirement is clearly, accurately and consistently communicated to each of the suppliers being invited to quote.
- Read back the details to the Supplier contact person to confirm their accuracy.

- Written notes detailing each verbal quotation must be made.

Where the procurement range is between **5,001** and **\$50,000**, one verbal or written quotation may be obtained from a supplier that has a proven procurement history to Council for the supply of similar goods or services, even if not a sole supplier situation.

Record keeping requirements must be maintained in accordance with record keeping policies.

### **7.3 \$50,001 - \$250,000 (ex GST)**

Obtain at least three written quotes by formal Request for Quotation process. The responsible officer is expected to demonstrate due diligence in seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

**NOTES:** The general principles relating to written quotations are:

- An appropriately detailed specification under a formal Request for Quotation (RFQ) should communicate requirement(s) in a clear, concise and logical fashion.
- The request for written quotation should include as a minimum:
  - Written Specification
  - Selection Criteria to be applied
  - Price Schedule
  - Conditions of responding
  - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

### **7.4 Over \$250,000 (exc GST)**

**Tender Exempt** arrangements (i.e. WALGA PSA, CUA or other tender exemption under *F&G Reg.11(2)*) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation.

OR

**Public Tender** undertaken in accordance with the *Local Government Act 1995* and relevant to the Shire of Nannup Policy and procedures.

The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:

- A detailed specification; and
- Pre-determined selection criteria that assesses all best and sustainable value considerations.

The purchasing decision is to be evidenced using an evaluation report template.

## **8. REGULATORY COMPLIANCE**

### **8.1 Tender Exemption**

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11(2) of the Functions and General Regulations apply.

### **8.2 Sole Source of Supply (Monopoly Suppliers)**

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

**Note:** The application of the "sole source of supply" provision should only occur in limited cases as procurement experience indicates that generally more than one supplier is able to provide requirements.

### **8.3 Anti-Avoidance**

The Shire of Nannup shall not enter into two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$150,000, thereby avoiding the need to publicly tender.

### **8.4 Tender Criteria and Panel**

The Shire of Nannup shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

An evaluation panel shall be established prior to advertising a tender and include a mix of skills and experience relevant to the nature of the purchase.

For requests with a total estimated (ex GST) price of

- Between \$50,001 up to \$250,000 the panel must contain a minimum of 2 members; and
- \$250,000 and above, the panel must contain a minimum of 3 members.

### **8.5 Advertising Tenders**

Tenders are to be advertised in a state-wide publication (e.g. “The West Australian” newspaper, Local Government Tenders section), preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include:

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted; and
- particulars identifying a person from whom more detailed information as to tendering may be obtained

Detailed information shall include;

- detailed specifications of the goods or services required;
- the criteria for deciding which tender shall be accepted;
- whether or not the Shire of Nannup has decided to submit a tender;
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted; and
- such other information as the Shire of Nannup decides should be disclosed to those interested in submitting a tender.

### **8.6 Issuing Tender Documentation**

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential in case clarifications, addendums or further communication is required prior to the close of tenders. All potential tenderers must have equal access to this information in order for the Shire of Nannup not to compromise its duty to be fair.

### **8.7 Tender Deadline**

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

## **8.8 Opening of Tenders**

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Council Officer. The details of all tenders received and opened shall be recorded in the Tender Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial -in-confidence to the Local Government. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Nannup officers present at the opening of tenders.

## **8.9 No Tenders Received**

Where the Shire of Nannup has invited tenders and no compliant submissions have been received, direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,001 up to \$250,000 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

## **8.10 Tender Evaluation**

Tenders that have not been rejected shall be assessed by the Shire of Nannup by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

## **8.11 Addendum to Tender**

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Nannup may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

## **8.12 Minor Variation**

After the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Nannup and tenderer have entered into a Contract, a minor variation may be made by the Shire of Nannup.

A minor variation is one that will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

### 8.13 Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include the name of the successful tenderer and the total value of consideration of the winning offer.

The details and total value of consideration for the winning offer must also be entered into the Tender Register at the conclusion of the tender process.

## 9. RECORDS MANAGEMENT

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- Tender documentation;
- Internal documentation;
- Evaluation documentation;
- Enquiry and response documentation;
- Notification and award documentation.

For a direct purchasing process this includes:

- Quotation documentation;
- Internal documentation;
- Order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Nannup's internal records.

Related Policies	
Related Procedures/Documents	
Delegated Level	
Adopted	OM 22 March 2007
Reviewed	OM 25 January 2018 OM 28 May 2020

