

Ordinary Council Meeting

9 September 2025

APPENDICES

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Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

Appendix 11.1.A

WALGA 2025 Annual General Meeting Agenda

WALGA

Annual General Meeting

Agenda

Tuesday, 23 September 2025

Perth Convention and Exhibition Centre
21 Mounts Bay Road, Perth WA

Bellevue Ballroom 1 & 2

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- 1 **OPENING**
- 2 **RECORD OF APOLOGIES**
- 3 **ANNOUNCEMENTS**
- 4 **ADOPTION OF AGM STANDING ORDERS**

The Annual General Meeting Standing Orders are contained within this Agenda ([Attachment 1](#)).

MOTION

That the WALGA Annual General Meeting Standing Orders be adopted.

- 5 **CONFIRMATION OF PREVIOUS MINUTES**

The Minutes of the 2024 WALGA Annual General Meeting are contained within this Agenda ([Attachment 2](#)), along with a report on the action taken on the 2024 AGM resolutions ([Attachment 3](#)).

MOTION

That the Minutes of the 2024 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.

- 6 **ADOPTION OF ANNUAL REPORT**

The 2024-2025 Annual Report, including the 2024-2025 Audited Financial Statements, will be distributed to Members separately.

MOTION

That the 2024-2025 Annual Report, including the 2024-2025 Audited Financial Statements, be received.

7 CONSIDERATION OF EXECUTIVE AND MEMBER MOTIONS

7.1 PROVISION OF MEDICAL SERVICES IN REMOTE AND VERY REMOTE LOCAL GOVERNMENTS

Shire of Lake Grace to move:

MOTION

That WALGA calls on the Western Australian Government and WA Grants Commission to:

- 1. increase the Medical Facilities Cost Adjuster component of the Financial Assistance Grants to Local Governments; and**
- 2. recalculate distributions to those Local Governments in remote and very remote locations that are providing block cash payments to attract and retain general practitioners to allow affected Councils to redirect ratepayer funds to Local Government responsibilities.**

IN BRIEF

- Remote and very remote Local Governments are filling a critical gap in primary healthcare.
- The Medical Facilities Cost Adjuster under the Financial Assistance Grants in WA is calculated and distributed by the WA Grants Commission.
- The Adjuster does not reflect actual costs, leaving a significant funding gap for Local Governments.
- The Shire of Lake Grace is requesting block funding and a recalculation criterion to remote and very remote local governments, distributed via the Financial Assistance Grants (Medical Facilities Cost Adjuster).

MEMBER COMMENT

The Shire of Lake Grace is the lead Shire in the “Local Government Rural Health Funding Alliance” which also consists of the Shires of Gnowangerup, Jerramungup, Ravensthorpe, Narembeen, Jerramungup and Kojonup.

The Shire of Lake Grace, on behalf of the Alliance successfully presented a motion at the Australian Local Government Association (ALGA) National General Assembly, calling on the Australian Government to increase Financial Assistance Grants and recalibrate their distribution to better support rural councils funding general practitioner (GP) services. The motion was carried unanimously.

Remote and very remote Local Governments are filling a critical gap in primary healthcare. Local Governments are the third sphere of government yet are delivering on behalf of the State and Commonwealth. These Local Governments are stepping into primary healthcare provision due to insufficient Commonwealth and State financial support to GPs and specific incentives for remote and very remote communities. This is not their legislated responsibility, yet these six Local Governments are contributing over \$1.475 million annually in cash, plus housing, vehicles, and surgeries to attract and retain GPs where there is geographical isolation, small populations and diverse health needs.

The Medical Facilities Cost Adjuster under the Financial Assistance Grants in WA is calculated and distributed by the WA Grants Commission. It recognizes only 82% of a 3-

year rolling average, capped at \$85,000–\$100,000. It does not reflect actual costs, which often exceed \$200,000–\$300,000 per GP per community. It then leaves a significant funding gap (e.g. Shire of Kojonup received \$0 despite spending \$250,000 as it was provided to a third party local not-for-profit to engage the GP and Practice).

The Shire of Lake Grace is requesting block funding and a recalculation criterion to remote and very remote local governments, distributed via the Financial Assistance Grants (Medical Facilities Cost Adjustor). This would reduce the unsustainable burden on ratepayer funds, ensure continuity of care and return ratepayer funds to core local government services.

These Local Governments are not creating the problem — rather they are solving it. They are collaborating regionally, implementing multi-site rural generalist models that requires economies of scale as a group, and ensuring reasonable travel distances for locals to GPs. Without their intervention, communities would face worsening health outcomes and risks to their economic viability.

This motion aligns with the top four priorities identified by band 4 WALGA member Local Governments as requiring solutions in 2025.

The comparative Government health spend between major city residents and rural and remote Australia is \$848 per person less in the regions (NRHA). People in the bush are 2.9 times more likely to be hospitalized; 2.8 times more likely to be hospitalized for reasons that are potentially preventable and 2.7 times more likely to die from potentially avoidable causes.¹

Life expectancy in remote areas, compared with major cities is 13 years less for males and 7 years for females.² Telehealth is not a viable substitute for resident GPs — it risks deskilling local clinicians and eroding continuity of care.

The Alliance of Councils has prepared a position paper to raise awareness and suggest a solution to attract and retain GPs in their rural and remote communities, where current Commonwealth and State government policy settings are inadequate.

Reference Document

- [January 2025 Position Paper – Provision of Remote GP Services](#)

SECRETARIAT COMMENT

Access to primary healthcare is the responsibility of the Australian and State Governments. In some rural and remote areas, the current health system does not provide equitable service. Access to primary health is a critical issue for a large proportion of WALGA members. Local Government support of primary healthcare services creates a financial impost and diverts funding from other Local Government services and functions.

In 2023, WALGA commissioned Rural Health West (RHW) to survey WA Local Governments to ascertain the extent to which Local Governments were providing financial or in-kind support to secure primary healthcare services. The [Survey Report](#) provides a

¹ Royal Flying Doctors Service, 2023

² Royal Flying Doctors Service, 2023

comprehensive dataset on the cost, nature, and geographical location of Local Government support, as well as evidence that Local Government support was predominantly focused on General Practice services.

This issue has also been identified as a priority for the sector at a number of forums, including the October 2024 Band 4 Local Governments meeting and the May 2025 Zone meetings. WALGA has also been working with the Local Government Rural Health Alliance in the development of their advocacy.

WALGA has begun a renewed advocacy campaign, with targeted asks of the Australian and State Governments to improve access to primary health services in rural and remote areas, to remove the need for Local Government intervention.

A revised [Rural and Remote Health Advocacy Position](#) aligned to the finding and recommendations of the Survey Report is tabled for the September 2025 State Council. The proposed revisions provide a stronger position on the responsibility of the Australian and State Governments for primary healthcare provision and addressing the cost impost on Local Government, compelled to intervene where the current health system is failing.

The revised position aligns with the wider healthcare reform platform to enable advocacy partnerships and to provide a level of flexibility for the advocacy campaign in response to Government announcements.

The Lake Grace motion and WALGAs ongoing advocacy align on the need for financial reimbursement for Local Government support for essential primary health care services. WALGA's approach, does not specifying how reimbursement to Local Governments should be undertaken, or which Local Governments should be eligible. This approach aims to provide flexibility to achieve the same outcome, such as utilising the upcoming renewal of the National Health Reform Agreement.

7.2 HOMELESSNESS – SHORT-TERM ACCOMMODATION SOLUTIONS

City of Kalgoorlie Boulder to move:

MOTION

That WALGA advocate to the State Government to provide culturally appropriate short-term accommodation options and wrap-around support services that provide sustainable homelessness solutions in regional centres across Western Australia.

IN BRIEF

- The City of Kalgoorlie-Boulder's motion aligns with Western Australia's All Paths Lead to Home - 10-Year Strategy on Homelessness 2020–2030. The Strategy prioritises place-based responses for Aboriginal people, including culturally appropriate short-term accommodation and wrap-around support.
- The motion addresses a critical gap in current policy by focusing on temporary homelessness or street presence which is not covered in state or national strategies.

MEMBER COMMENT

Shelter WA's Policy Position on Ending Homelessness in WA highlights the overrepresentation of Aboriginal people in homelessness services and calls for short-stay options and self-determination in service delivery. The motion reinforces the importance of Housing First principles and the need for coordinated responses; specifically, that all governments ensure people with lived experience of homelessness are central to the design and delivery of homelessness services.

The motion highlights a growing disconnect between the practical realities faced by Local Government in the requirement for short-term accommodation for First Nations people in their communities. WALGA's advocacy position on homelessness acknowledges that Local Governments can support responses to homelessness through planning, health, and community development functions, it does not consider them as lead agencies. Local Governments are increasingly forced to lead this space due to the lack of a coordinated state-wide response and support.

Historically, many regional centres and cities have been meeting places for different Aboriginal communities with these areas offering a place where individuals can meet to conduct cultural business, socialise with family and friends, shop, and attend medical and other appointments. While some stay with family and friends, in many cases in overcrowded conditions, others are street present. Additional risks are posed for those with a limited experience of living in larger regional cities.

Homelessness data is typically captured through the Australian Census which does not accurately capture short-term or seasonal homelessness. Discussions with other WA regional Local Governments has identified that significant numbers of remote Aboriginal community members travel to regional centres and cities especially during the summer period. These Local Governments and their stakeholders are ill-equipped to support their needs ranging from temporary culturally appropriate and safe accommodation to food provision.

Typically, when Local Governments step up in this area, state-funded systems often pull back, particularly in regional cities. This is an understandable consequence of under-resourced and failing systems but does not advance efforts to solve street presence or seasonal homelessness.

While Local Governments interact closely with people experiencing homelessness and have valuable local knowledge, they do not have the resources, funding, or specialist workforce to lead homelessness responses especially in regional areas when street present people increase during particular times of the year. In the All Paths Leads to Home, State Government acknowledges this and views Local Governments as key partners in coordinating local, place-based efforts and facilitating referrals to appropriate services.

The State Government, primarily through the Department of Communities, is responsible for leading and funding homelessness responses, including the provision of social and affordable housing and specialist services. It coordinates with other State agencies across justice, health, mental health, and education to address the systemic causes of homelessness – functions that are beyond the capacity and remit of local governments. However, homelessness is not included in this remit as, by definition, the Department provides homes in remote communities.

The State Government recognises that effective responses require partnerships. It seeks to leverage the local knowledge, planning tools, and community connections of Local Governments, while retaining responsibility for funding, policy, and service coordination which does not include short-term accommodation for visiting Aboriginal community members across regional WA.

In 2021, the Australian Local Government Association co-signed a landmark national agreement to close the gap, setting targets in education, employment, health, justice, safety, housing, land and waters, and Indigenous language preservation. The agreement includes a target to increase the proportion of Aboriginal and Torres Strait Islander people living in appropriately sized (not overcrowded) housing to 88%.

The 2021 Census showed there were 122,000 people in Australia experiencing homelessness on Census night – 48 people per 10,000. Aboriginal and Torres Strait Islander people were disproportionately homeless – 307 out of 10,000 Aboriginal and Torres Strait Islander people were experiencing homelessness.

However, neither the Closing the Gap agreement, the Closing the Gap 2024 Annual Report and Commonwealth 2025 Implementation Plan, nor the 2024 National Housing and Homeless Plan Summary Report include any consideration for addressing transitional homelessness – only overcrowding issues.

The City of Kalgoorlie-Boulder recently completed a collaborative, landmark national study on Anti-social Behaviour and Transitional Aboriginal Homelessness. The research project included engagement with local and state government agencies and key providers in over eight locations in Western Australia, the Northern Territory, and South Australia, to assess existing strategies, pinpoint gaps, and explore potential solutions that enhance local government efforts in this regard.

A Housing and Homelessness motion was raised by the City of Kalgoorlie-Boulder at the 2025 Australian Local Government Association (ALGA) National General Assembly in

Canberra in July and was approved for submission to the Federal Government for consideration.

SECRETARIAT COMMENT

Aboriginal Short Stay Accommodation (Short Stays) are designed to provide safe, culturally appropriate and affordable short-term accommodation for Aboriginal people who travel to regional centres to access services, or for business, cultural or family reasons.

There are three existing Aboriginal Short Stays operating in regional Western Australia: Broome, Derby and Kalgoorlie. The State Government acknowledges that these Short Stays are in high demand. Planning is underway by the Department of Housing and Works to develop an additional three new Short Stays in Geraldton, Kununurra and Perth.

Short Stays are a response to homelessness. WALGA does not currently have an advocacy position on short-stay accommodation, but does have a [Homelessness Advocacy Position](#). WALGA is currently reviewing the Homelessness Advocacy Position as part of a regular advocacy position review process. To inform the review, WALGA is currently surveying all Local Governments to gather information on the extent of Local Government engagement with homelessness and the extent of services, including accommodation options, available within their Local Government areas.

7.3 REVISION OF THE LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996 IN RELATION TO THE HOLDING OF AND ATTENDANCE AT MEETINGS BY ELECTRONIC MEANS

Shire of Dardanup to move:

MOTION

That WALGA advocates for a change to the Local Government (Administration) Regulations 1996 in relation to the holding of and attendance at meetings by electronic means to allow elected members to attend more than 50% of meetings remotely, only if each instance more than 50% in the rolling year is justified and approved by the Shire President or Deputy Shire President.

IN BRIEF

- This motion addresses the need for greater flexibility for Councillors in the Shire of Dardanup (and potentially other local governments) who, due to work (e.g. FIFO), family, or personal commitments, may be away from the local area for extended periods.
- The motion seeks to:
 - ensure Councillors can still represent and serve the community effectively during such absences;
 - reduce disruption to Council operations by expanding access to remote and electronic meeting participation;
 - reflect the evolving demographic of Elected Members, including new parents, FIFO workers, shift workers, and those with disabilities or mobility issues;
 - remove logistical and bureaucratic barriers that limit participation by some Councillors; and
 - promote equity, inclusivity, and engagement by adapting Council practices to meet modern workforce and lifestyle realities.
- Ultimately, the motion supports more inclusive and efficient Council operations by enabling all elected members to participate fully, regardless of their personal circumstances.

MEMBER COMMENT

The Local Government Administration Regulations 1996 provides as follows:

14C. Attendance at meetings by electronic means may be authorised (Act s. 5.25(1)(ba))

(3) The mayor, president or council cannot authorise a member to attend a meeting (the proposed meeting) under subregulation (2)(b) if the member's attendance at the proposed meeting under that authorisation would result in the member attending more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, under an authorisation under subregulation (2)(b)

Additionally, the regulations also set out:

14D. Meetings held by electronic means (Act s. 5.25(1)(ba))

(2A) The council cannot authorise a meeting (the proposed meeting) to be held under subregulation (2)(c) if holding the proposed meeting under that authorization would result in more than half of the meetings (including the proposed meeting) of the council or committee, in the relevant period, being held under an authorization under subregulation (2)(c).

(Emphasis added)

Therefore, under the current regulations neither a Council nor a Councillor can hold or attend more than 50% of the meetings electronically.

This motion is proposed in response to the unique circumstances within the Shire of Dardanup, and potentially other local governments, who due to their professional commitments, such as FIFO (Fly In Fly Out), or other circumstances, may be required to work away from the local area for extended period - sometimes up to 50% of their time.

The motion seeks to address the challenges faced by Councillors when taking leave or managing personal, family or work commitments. It aims to ensure that these circumstances do not hinder their ability to effectively represent and serve the community. By supporting this motion, the Council can implement measures that provide flexibility in these situations, ultimately allowing Councillors to fulfil their duties without unnecessary disruption.

The intent of the motion is to ensure that the work of the Council continues to operate effectively and efficiently during periods when individual Councillors may be temporarily unavailable (in person) i.e. having a Councillor/s who works away from time to time or even 50% of the time. This motion will also assist with when Councillors who already work away go on leave or have other family commitments.

By implementing greater flexibility, such as expanding access to remote and electronic Council and Committee meeting participation, the Council can support ongoing engagement, reduce disruption to Council operations, and ensure inclusive representation from a broader demographic of elected members.

The demographic of elected and potential elected members to Shire Councils has changed and is evolving. If we want to encourage participation, we need to adapt to the way we engage and allow engagement.

Financial, physical, employment and locational restrictions need to be taken into account for the engagement ability of elected members to advocate for their rate payer base.

The current percentage provision of remote / electronic meeting ability available, while acceptable for the majority of elected members, is insufficient for the minority of elected members who are engaged, though restriction to contribute through logistical or bureaucratic barriers.

Key considerations should be given to workforce realities i.e. FIFO or workers with demanding employment schedules; diverse demographics, equity in participation and encouraging engagement.

This demographic change includes new mothers and parents of young children, FIFO workers, Shift workers & Disabled or Mobility impaired. All of these groups can and do provide diverse opinions and experience to the overall group of elected members.

SECRETARIAT COMMENT

Regulations 14C and 14D of the *Local Government (Administration) Regulations 1996* were introduced in 2022 to provide flexibility for the sector but reflect an expectation that Local Governments should prioritise in person meetings and in person Council Member attendance. Under regulation 14C a Council or Committee Member may attend a meeting by electronic means only if authorised by the Mayor / President or Council. Electronic attendance cannot be authorised if it would exceed the 50% cap.

It is important that Council Meetings remain accessible for members of the community to attend and participate. In many cases, in person meetings may best achieve this outcome. However, the introduction of livestreaming requirements for Class 1 and 2 Local Governments, and widespread adoption by many smaller Local Governments, has changed the way the community accesses and engages with Council Meetings. In addition, Local Government experience to date indicates that Council Members are able to effectively participate in meetings when attending electronically.

Removing the 50% cap on electronic attendance could enable Councils to make a policy decision regarding the balance of electronic and in person attendance that best meets the expectations of their community and the needs of Council Members. This could support greater diversity in candidates and Council Members and may also assist Local Governments seeking independent persons as members of their Audit Risk and Improvement Committees. Council, and the Mayor or President as the decision maker, would be accountable to the community for the decision to authorise additional electronic attendance.

7.4 RATION EXEMPTION ADVOCACY MOTION

City of Bunbury to move:

MOTION

That WALGA, in addition to its current advocacy positions 2.1.1 and 2.1.2 relating to rating exemptions, advocate to the WA Government for the introduction of a reimbursement model, whereby the WA Government repays Local Government the greater of:

- 1. 75% of the value of rates lost in applying the charitable purposes exemption; or**
- 2. 1% of the total rate revenue of the Local Government.**

IN BRIEF

- City of Bunbury Impact:
 - 443 properties (85 organizations) receive rate exemptions
 - \$1.67M annual revenue loss (3.4% of rates)
 - Significantly affects City's ability to fund community services
- Scale of Charitable Exemptions:
 - 407 properties (\$1.23M) are specifically for charitable purposes
 - Represents majority of exempted properties under Section 6.26(2)
- Current System Issues:
 - Exemptions extended beyond original intention
 - Includes non-charitable purposes
 - Creates unfair burden on other ratepayers
- Proposed Solution:
 - Better definition of 'charitable purposes' needed
 - Recommend WA Government establish reimbursement system
 - Suggest threshold based on local government band levels

MEMBER COMMENT

The City of Bunbury faces significant financial impacts from rate exemptions granted under Section 6.26(2) of the *Local Government Act*, with 443 properties currently exempt due to charitable or religious purposes. This represents a substantial annual revenue loss of \$1.67 million (3.4% of total rates), affecting the City's capacity to deliver community services and facilities.

WALGA has established advocacy positions calling for reform, particularly focusing on the need to review rating exemption categories and address the expanding scope of charitable purpose definitions. Of particular concern is that exemptions have extended beyond their original intention, now encompassing non-charitable commercial activities of charitable organizations.

This matter requires urgent attention as the current system creates an inequitable burden on other ratepayers and impacts the financial sustainability of Local Governments in delivering essential community services.

The City of Bunbury currently has 443 properties with 85 organisations that have a rate exemption under Section 6.26(2) of the *Local Government Act* due to properties being used for charitable or religious purposes. This equates to a loss of rate revenue of \$1,667,522 in

2024/25, or 3.4% of rates which has a significant impact on the City to fund services and facilities for the Bunbury community. Of these properties, 407 (\$1,227,021) are used for charitable purposes.

The following is a comparison with other known Local Governments (as at October 2024).

Council	Number of Rate Exempt Properties	Total Number of Properties	Percentage of Rate Exempt Properties	Loss of Revenue from Rate Exemptions	Total Rate Revenue	Percentage of Loss Revenue
City of Bunbury	443	17,194	2.6%	\$1,667,522	\$49,690,996	3.4%
City of Busselton	171	25,327	0.7%	\$1,296,212	\$64,960,318	2.0%
City of Geraldton	158	19,487	0.8%	\$1,700,000	\$54,080,426	3.1%
Shire of Harvey	44	13,245	0.3%	\$99,000	\$29,482,269	0.3%
City of Wanneroo	374	88,589	0.4%	Not Provided		

WALGA already has four documented Advocacy Positions relating to this matter, the two most applicable being:

2.1.1 Rating Exemptions Review

A broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act 1995; and

2.1.2 Rating Exemptions Charitable Purposes

1. *Amend the Local Government Act 1995 to clarify that Independent Living Units should only be exempt from rates where they qualify under the Commonwealth Aged Care Act 1997;*
2. *Either:*
 - a. *amend the charitable organisations section of the Local Government Act 1995 to eliminate exemptions for commercial (non-charitable) business activities of charitable organisations; or*
 - b. *establish a compensatory fund for Local Governments, similar to the pensioner discount provisions, if the State Government believes charitable organisations remain exempt from payment of Local Government rates.*
3. *Request that a broad review be conducted into the justification and fairness of all rating exemption categories currently prescribed under Section 6.26 of the Local Government Act 1995.*

Exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers. It is considered that in the absence of amendments to better define 'charitable purposes', that the WA Government considers reimbursement to local governments once exemptions exceed a defined threshold, which could be set based on Local Government band levels.

SECRETARIAT COMMENT

In addition to the WALGA Advocacy Positions 2.1.1 and 2.1.2 as mentioned in the Member comment for this item, WALGA also has the following relevant positions on rating exemptions:

2.1.3 Rating Exemptions – Department of Housing: Leasing to Charitable Organisations

Position Statement	That WALGA advocate to the Minister for Housing to include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.
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2.1.4 Rating Exemptions – Rate Equivalency Payments

Position Statement	Legislation should be amended so rate equivalency payments made by LandCorp and other Government Trading Entities are made to the relevant Local Governments instead of the State Government.
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2.1.5 Rating Restrictions – State Agreement Acts

Position Statement	Resource projects covered by State Agreement Acts should be liable for Local Government rates.
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7.5 RATEABILITY OF MISCELLANEOUS LICENSES

Shire of Mount Magnet to move:

MOTION

That WALGA:

1. **Formally oppose any move by the Local Government Minister to introduce amendments to the *Local Government Act* to restrict the application of rates on Miscellaneous Licenses.**
2. **Develop an advocacy position on sector consultation prior to any amendment to the *Local Government Act*.**
3. **Undertake a financial analysis of the cost to the Mining Industry of the rating of Miscellaneous Licenses compared to the benefit to the Local Government sector.**

IN BRIEF

- The Supreme Court determined on 8 July 2025 that occupied Miscellaneous Licenses are rateable under s 6.26(1) of the *Local Government Act*.
- The Minister for Local Government announced on 1 August 2025 that an amendment of the *Local Government Act* would be swiftly introduced to Parliament to provide certainty to Local Governments and the resources sector that Miscellaneous Licenses are not rateable.

MEMBER COMMENT

The *Local Government Act 1995* s 6.26 (1) sets out the intent that all occupied land utilized for purposes other than charitable, benevolent, or other purposes of the Crown is rateable.

Subsequent to the enactment of the *Local Government Act 1995*, significant amendments were made to the terms of a Miscellaneous License in the *Mining Act 1978* through the *Mining Amendment Act 1998*.

Miscellaneous Licenses are one of a number of tenement types granted in respect to mineral resource recovery by the Department of Local Government, Industry Regulation and Safety (LGIRS). The defined purposes for the grant of a Miscellaneous License is set out in the Mining Regulations 1981 r 42B, of which constitute significant infrastructure and construction necessary for the operations necessary to a mining enterprise.

The *Mining Amendment Act 1998* amended the term of the Miscellaneous license from a 5-year term with further two 5-year possible extensions; to a 21-year term with two possible further 21-year term extensions.

This amendment was made to explicitly facilitate the construction of permanent infrastructure – an evolution that clearly signals a shift in their functional and economic significance.

The introduction of the Fringe Benefits Tax in 1986 had a devastating impact on regional communities across Australia as Fly in Fly out work took hold, and unrated remote work camps replaced local workers, while often increasing traffic on Local Government owned assets such as airports and short stay accommodation intended for tourists, but used to house overflow crews.

Justice Solomon stated in his deliberations that:

"It is also noteworthy that the local government has a substantive role to play in the grant of a miscellaneous licence over any land (including Crown land). Given that a miscellaneous licence is often used for the development of significant infrastructure, the need for the involvement of local government is self-evident. Even a cursory perusal of the items listed in reg 42B indicates that it refers to facilities and infrastructure that would ordinarily be of direct concern to a local government.

It is noteworthy that the role of local government in the granting of other mining tenements is more limited. That feature of the Mining Act 1978 suggests that local government is likely to be more concerned or directly engaged with the activity on a miscellaneous licence than on other mining tenements."

Road Agreements

The Local Government in which a Miscellaneous License is held for the purpose of road construction, will often enter an agreement for maintenance of that road. The agreement is voluntary in basis, however, the cost of drafting and regulating compliance with the agreement is reported by many Local Governments to be both financially and resource hungry.

There have been reports made by Local Governments of agreements taking years to be completed, of costs to take legal action to enforce compliance, and the regular inspections to ensure undertaking are met.

These costs are outside the scope of road agreements and borne by the Local Government.

Much of the resource fields of Western Australia are located in Band 4 Local Governments, in very remote areas. While the Mining Company has access to legal and corporate resources, Local Governments are under-resourced and unequal in the negotiations.

Mining Camps

Significant environmental health services are provided to remote Mining Camps by Local Government, including commercial kitchen licensing, inspection and regulation; sewerage/wastewater treatment systems and monitoring, inspection and compliance; swimming pool inspections including water monitoring; all other services offered to a town-based business, with the cost of distance to travel and the complication of many more residents.

During an epidemic or outbreak of communicable disease, the Local Government in remote areas holds the statutory responsibility for incident control.

This service is increasingly difficult to resource with qualified officers choosing not to live and work remotely.

Mining Camps situated on a Miscellaneous License or Mining Lease have on occasion been approved by the Minister as rateable under the GRV methodology, upon application by the Local Government. This area of land is excised from the tenement for the purpose of the valuation.

The process for this to occur is protracted, requires the Mining Camp to have been operational for 12 months already and is at the discretion of the Minister. The Mining Company is required to provide input to the decision in the interest of fairness.

These already GRV-rated camps would be exempt from any rating of miscellaneous licenses as they have already been excised from the tenement.

Pipelines, powerlines, conveyor systems, tunnel, bridge, aerodrome, communications facilities, power generation and transmission facilities, storage or transportation facility for minerals or mineral concentrates, and pump stations

Each of the above purposes conveys a restricted access to the land on which they are constructed by tourists, small prospectors and local Traditional Owners. In many cases they are constructed on an underlying pastoral property which also pays rates on the same parcel.

Borefield, bore

These purposes require less restriction of access, but are also valued at a lower rate under the *Valuation of Land Act* than other purposes.

On this one piece of land, for each of the purposes above, the pastoral activity is curtailed despite the cost of the pastoral lease remitted to the State Treasury, and the rates to the Local Government.

The rateable value of a Miscellaneous License under the *Valuation of Land Act* is five times the rent on the tenement which is set out in the Mining Regulations 1981. Currently the rent on a Miscellaneous License is \$27 per ha, with the exception of a license granted for the search of ground water which is valued at \$112 per ha.

Rent payable on an underlying exploration license is \$1.55 per ha.

Tenement holder remits to -

- **Treasury** – rent on the exploration license, for the Miscellaneous License, (in addition to royalty applicable on the principle Mining Tenement activity).
- **Local Government** – rates on the exploration license only.

The Pastoralist remits to –

- **Treasury** – rent on the pastoral lease
- **Local Government** – rates on the pastoral lease.

On occasion the Mining Company will provide extra funds through a Community Benefit scheme to a community through philanthropic gifting which is spent in accordance with the ideological values of the board, land access purposes, and often to charities or causes that are outside of the regions in which the minerals are extracted through ESG programs. These donations do not correlate to rigorous statutory Integrated Planning and Reporting process undertaken by the Local Government.

The Local Government is increasingly constrained financially and further burdened by compliance with regulations – particularly in the regions where the minerals are extracted. Service provision that falls within the statutory scope of the State Government is being devolved to Local Government, including housing for State employees, medical services, security to community, provision of agency services such as Transport, Health, Human Services. These are by and large unfunded and under resourced by the State Government.

Planning options are significantly constrained through land banking of Mining Companies with tenements in townsites and on town commons.

Conversely, the GDP provided by the Mining Industry in Australia for quarter 1 of 2025 alone reached \$84.1B.

This inequity of wealth distribution has been evidenced through recent actions taken by Councils to increase rates to adequately fund the deficiency in their budget in accordance with the *Local Government Act* requirements. At that time, the Minister for Local Government publicly stated that the proposal "did not meet the values of consistency, equity and fairness".

In handing down his decision, Justice Solomon concluded with

"It is plain from the terms of the provisions referred to above [s6.26] that the object of imposing rates is to raise revenue for local government to undertake its activities. Specifically, the imposition of rates allows a local government to make up any budget deficiency. The Act thus reflects a direct link between the imposition of rates and the local government's ability to undertake its activities. As noted above, the local government plays a direct role and function in the grant of a miscellaneous licence. Plainly, the more significant the infrastructure proposed to occupy the miscellaneous licence, the greater will be the role played and the activity undertaken by the local government. In my view, a construction that exempts land from rates which is the subject of a miscellaneous licence and is occupied by significant infrastructure, sits most uncomfortably with the plain object of the statutory provisions concerning the local government's power to impose rates.

The second factor stems from the wording of s 6.26(2) itself. The exemptions in s 6.26(2)(a) - (k) relate overwhelmingly to charitable, benevolent, religious and public or civic purposes. That sits harmoniously with the theme of s 6.26(2)(a)(i). A construction that would exempt from rating, land that may be occupied by critical infrastructure facilitating the creation of profits for private interests, runs counter to the charitable and civic theme of s 6.26(2).

In my view, the Shire's construction provides greater harmony with the relevant object of the rating provisions of the LGA. "

The judiciary—our independent and impartial arbiter of legislative intent—has clearly affirmed the rateability of Miscellaneous Licenses, not only through statutory interpretation but also through a reasoned understanding of their practical implications.

To disregard this position through swift legislative action, without sector wide consultation is to undermine the very principles of legal clarity and administrative fairness upon which our governance is built.

The AGM is requested to support the actions taken by the Shire of Mount Magnet to rate Miscellaneous Licenses in accordance with the judgement recently handed down by the Supreme Court, and further request WALGA to undertake a full financial analysis of the cost to the mining industry of this action, and the financial benefit to Local Government in Western Australia.

SECRETARIAT COMMENT

At the time of the distribution of this Agenda, State Council has not considered an item relating to Miscellaneous Licences.

However, item 8.2 in the September 2025 State Council Agenda relates to rating of Miscellaneous Licences. The recommendation in that report is that WALGA:

1. Advocate for Local Governments to continue to have the ability to rate miscellaneous licences under the *Mining Act 1978*; and
2. Oppose legislative amendments that seek to exempt occupied miscellaneous licence land from rating.
3. Continue to advocate for a broad review to be conducted into the justification and fairness of all rating exemption categories currently prescribed under section 6.26 of the *Local Government Act 1995*.

This item will be considered by State Council at the meeting on 5 September.

In relation to point 2 of the motion –

As a matter of course WALGA always advocates for consultation on legislative and regulatory amendments, however formalising this position has merit.

In relation to point 3 of the motion –

WALGA would need to determine the scope and cost of this analysis before considering in the context of WALGA's existing budget.

8 CLOSURE

Upon the completion of business, the Chair will close the meeting.

Attachment 1: AGM Standing Orders

WALGA Annual General Meeting Standing Orders

1. INTERPRETATIONS

For the purposes of these Standing Orders, if not inconsistent with the context, the following words shall have the following meanings:

- 1.1 **"Absolute Majority"** means:
a majority of delegates of the Association whether present and voting or not.
- 1.2 **"Association"** means:
all or any part of the Western Australian Local Government Association.
- 1.3 **"Delegate or Deputy Delegate"** means:
those persons duly nominated, from time to time, to represent a Member Local Government at a meeting of the Association.
- 1.4 **"Deputy President"** means:
the Deputy President for the time being of the Association.
- 1.5 **"Meeting"** means:
an Annual or Special General Meeting of the Association.
- 1.6 **"Member Local Government"** means:
a Local Government admitted to ordinary membership of the Association in accordance with the provisions of the Constitution.
- 1.7 **"President"** means:
the President for the time being of the Association.
- 1.8 **"Simple Majority"** means:
a majority of the delegates from the Association that are present and voting.

2. CONDUCT OF MEETINGS

The proceedings and business of meetings of the Association shall be conducted according to these Standing Orders.

3. NOTICE OF MEETING

3.1 Annual General Meeting

The Chief Executive Officer of the Association shall give at least ninety (90) days notice of an Annual General Meeting to all Member Local Governments, advising of the closing date for submission of motions for inclusion on the agenda.

3.2 Special General Meeting

A Special General Meeting of the Association is to be held if a request is received by the Association President, in accordance with the requirements of the Association's Constitution. No business shall be transacted at a Special General Meeting other than that for which the Special General Meeting was called.

3.3 Notice shall be given at the destinations appearing in the records of the Association.

Notice will be deemed to have been delivered immediately if transmitted electronically or on the second working day after posting.

4. QUORUM

4.1 The Association shall not conduct business at a meeting unless a quorum is present.

4.2 At any meeting of the Association greater than one half of the delegates who are eligible to vote must be present to form a quorum.

4.3 The Association is not to transact business at a meeting unless a quorum is present.

4.4 If a quorum has not been established within the 30 minutes after a meeting is due to begin then the Association can be adjourned –

- (a) by the President or if the President is not present at the meeting, by the Deputy President;
- (b) if neither the President nor Deputy President is present at the meeting, by a majority of delegates present;
- (c) if only one delegate is present, by that delegate; or
- (d) if no delegate is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.

4.5 If at any time during a meeting a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been adjourned and the person presiding is to reschedule it for some future time.

4.6 Notice of a meeting adjourned because of absence of a quorum is to be given to all Member Local Governments.

5. MEETINGS OPEN TO THE PUBLIC

The business of the Association shall be open to the public except upon such occasions as the Association may by resolution otherwise decide.

6. ORDER OF BUSINESS

Unless the Association should decide otherwise, the order of business at meetings of the Association, with the exception of special meetings or an adjourned meeting, shall be as follows:

- (a) Record of attendance and apologies;
- (b) Announcements;
- (c) Confirmation of minutes of previous meetings;
- (d) President's report;
- (e) Financial report for the financial year; and
- (f) Consideration of Executive and Member Motions.

7. VOTING ENTITLEMENTS

- 7.1** Each Member Local Government shall be entitled to be represented at any meeting of the Association.
- 7.2** Only eligible and registered delegates may vote.
- 7.3** A delegate shall be entitled to exercise one vote on each matter to be decided. Votes are to be exercised in person.
- 7.4** A delegate unable to attend any meeting of the Association shall be entitled to cast a vote by proxy.
- 7.5** A proxy shall be in writing and shall nominate the person in whose favour the proxy is given, which person need not be a delegate. Proxy authorisations shall be delivered to the Chief Executive Officer of the Association before the commencement of the meeting at which the proxy is to be exercised and shall be signed by the delegate or by the Chief Executive Officer of the Member Local Government that nominated the delegate.

8. SPECIAL URGENT BUSINESS

At any time during a meeting a delegate may, with the approval of an absolute majority, introduce a motion relating to special urgent business that calls for an expression of opinion from the meeting.

In presenting an item of special urgent business, a delegate shall have sufficient copies of the motion in writing for distribution to all delegates present at the

meeting and, where practicable, give prior notice to the President of such intention.

9. PRESIDENT

In the construction of these Standing Orders unless the context requires otherwise, the word "*President*" shall in the absence of the President include the Deputy President or the delegate chosen by resolution to preside at any meeting of the Association.

10. DELEGATE AND DEPUTY DELEGATE

10.1 In the construction of these Standing Orders unless the context requires otherwise, the word "delegate" shall in the absence of the delegate include the deputy delegate.

10.2 A deputy delegate acting in the capacity of a delegate unable to attend a meeting of the Association shall exercise all rights of that delegate.

11. PRESIDENT TO PRESIDE

11.1 The President shall preside at all meetings of the Association, but in absence of the President, the Deputy President shall preside.

11.2 In the absence of the President and the Deputy President, the delegates shall choose by resolution, a delegate present to preside at the meeting.

12. SPEAKING PROTOCOL

12.1 Only registered delegates and members of the Association's State Council shall be entitled to speak at meetings of the Association.

12.2 The first person that is entitled to speak at a meeting who attracts the attention of the person presiding shall have precedence in speaking.

12.3 Speakers are to use the microphones supplied.

12.4 When addressing a meeting, speakers are to:

- (a) rise and remain standing unless unable to do so by reason of sickness or disability;
- (b) address the meeting through the person presiding;
- (c) state their name and Local Government before otherwise speaking;

- (d) refrain from reading comment printed in the agenda paper in support of a motion, but may identify key points or make additional comment; and
 - (e) refrain from using provoking or discourteous expressions that are calculated to disturb the peaceful current of debate.
- 12.5** Mobile phones shall not be switched on while the meeting is in session.
- 13. DEBATE PROCEDURES**
- 13.1** A delegate moving a substantive motion may speak for –
 - (a) 5 minutes in his or her opening address; and
 - (b) 3 minutes in exercising the right of reply.
- 13.2** Other speeches for or against motions are to be limited to 3 minutes unless consent of the meeting is obtained which shall be signified without debate.
- 13.3** No delegate, except the mover of a motion in reply, is to speak more than once on the same motion except by way of personal explanation.
- 13.4** As soon as the right of reply has been exercised, the motion is to be forthwith put to the vote without further comment.
- 13.5** No discussion shall take place on any motion unless it is moved and seconded. Only one amendment on any one motion shall be received at a time, and such amendment shall be disposed of before any further amendment can be received. Any number of amendments may be proposed.
- 13.6** The provisions of these Standing Orders applicable to motions apply mutatis mutandis to amendments, except that the mover of an amendment shall have no right of reply.
- 13.7** When a motion has been moved and seconded, the person presiding shall at once proceed to take a vote thereon unless a delegate opposes it or an amendment is proposed.
- 13.8** No more than two delegates shall speak in succession on one side, either for or against the question before the meeting, and if at the conclusion of the second speaker's remarks, no delegate speaks on the other side, the motion or amendment may be put to the vote.
- 13.9** Notwithstanding clause 13.7, where a composite motion is moved which embodies the core aspects of subsequent motions listed on the agenda, a delegate whose motion has been superseded shall have the opportunity to speak on the question of the composite motion before it is put.

Once a composite motion has been carried, no further debate shall be permitted in respect of the superseded motions.
- 13.10** At any time during a debate, but after the conclusion of a delegate's comments, a delegate who has not spoken during the debate may move, without discussion, "that the question be now put". If that motion is seconded and carried by a majority, the question shall be submitted at once to the meeting, after the mover has replied.
- 14. QUESTIONS**
Any delegate seeking to ask a question at any meeting of the Association shall direct the question to the President.
- 15. POINT OF ORDER**
A delegate who is addressing the President shall not be interrupted except on a point of order, in which event the delegate shall wait until the delegate raising the point of order has been heard and the question of order has been disposed of, whereupon the delegate so interrupted may, if permitted, continue.
- 16. MOTION - SUBSTANCE TO BE STATED**
A delegate seeking to propose an original motion or amendment shall state its substance before addressing the meeting thereon and, if so required by the President, shall put the motion or amendment in writing.
- 17. PRIORITY OF SPEAKERS**
If two or more delegates wish to speak at the same time, the President shall decide who is entitled to priority.
- 18. PRESIDENT TO BE HEARD**
Whenever the President signifies a desire to speak during a debate, any delegate speaking or offering to speak is to be silent, so that the President may be heard without interruption.

19. WITHDRAWAL OF MOTION

A motion or amendment may be withdrawn by the mover with the consent of the meeting, which shall be signified without debate, and it shall not be competent for any delegate to speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.

20. PRESIDENT MAY CALL TO ORDER

The President shall preserve order, and may call any delegate to order when holding an opinion that there shall be cause for so doing.

21. RULING BY PRESIDENT

The President shall decide all questions of order or practice. The decision shall be final and be accepted by the meeting without argument or comment unless in any particular case the meeting resolves that a different ruling shall be substituted for the ruling given by the President. Discussions shall be permitted on any such motion.

22. RESOLUTIONS

22.1 Except as otherwise provided in the Association Constitution and these Standing Orders, all motions concerning the affairs of the Association shall be passed by a simple majority.

22.2 Any matter considered by the Association at a Special Meeting shall not be passed unless having received an absolute majority.

23. NO DISCUSSION

Where there is no discussion on a motion, the President may deem the motion to be passed unless the meeting resolves otherwise.

24. PERMISSIBLE MOTIONS DURING DEBATE

24.1 When a motion is under debate, no further motion shall be moved except the following:

- (a) that the motion be amended;
- (b) that the meeting be adjourned;
- (c) that the debate be adjourned;
- (d) that the question be now put;
- (e) that the meeting proceed with the next item of business; or
- (f) that the meeting sits behind closed doors.

24.2 Any delegate who has not already spoken on the subject of a motion at the close of the speech of any other delegate, may move without notice any one of the motions listed in clause 24.1 (b)-(f) and, if the motion is seconded, it shall be put forthwith.

24.3 When a debate is adjourned, the delegate who moves the adjournment shall be the first to speak on the motion when the debate is resumed unless the delegate advises of no desire to speak on the motion. Where this occurs, the President shall then call for further speakers, with the exception of those delegates who have previously spoken (unless the meeting otherwise agrees).

25. RESCISSION OF RESOLUTION

25.1 At the same meeting

Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may, by simple majority at the same meeting at which it is passed, rescind or alter a resolution if all delegates who were present at the time when the original resolution was passed are present.

25.2 At a Future Meeting

Unless a greater majority is required for a particular kind of decision under the Standing Orders (in which event that shall be the majority required), the Association may rescind or alter a resolution made at an earlier meeting:

- (a) by simple majority, where the delegate intending to move the motion has, through the Chief Executive Officer, given written notice of the intended motion to each delegate at least seven (7) days prior to the meeting; or
- (b) by absolute majority, in any other case.

26. METHOD OF TAKING VOTES

The President shall, in taking a vote on any motion or amendment, put the question first in the affirmative, and then in the negative and may do so as often as is necessary to enable formation and declaration of an opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands or by an electronic key pad voting system.

- 27. DIVISION**
The result of voting openly is determined on the count of official voting cards and, immediately upon a vote being taken, a delegate may call for a division.
- 28. ALL DELEGATES TO VOTE**
- 28.1** At meetings of the Association, a delegate present at the meeting when a question is put shall vote on the question.
- 28.2** Each delegate shall be entitled to exercise one deliberative vote on any matter considered.
- 29. PRESIDENT'S RIGHT TO VOTE**
The President shall have a casting vote only.
- 30. SUSPENSION OF STANDING ORDERS**
- 30.1** In cases of urgent necessity or whilst the Association is sitting behind closed doors, any of these Standing Orders may be suspended on a motion duly made and seconded, but that motion shall not be declared carried unless a simple majority of the delegates voting on the question have voted in favour of the motion.
- 30.2** Any delegates moving the suspension of a Standing Order shall state the object of the motion, but discussion shall not otherwise take place.
- 31. NO ADVERSE REFLECTION ON ASSOCIATION**
A delegate shall not reflect adversely upon a resolution of the Association, except on a motion that the resolution be rescinded.
- 32. NO ADVERSE REFLECTION ON DELEGATE**
A delegate of the Association shall not reflect adversely upon the character or actions of another delegate nor impute any motive to a delegate unless the Association resolves, without debate, that the question then before the Association cannot otherwise be adequately considered.
- 33. MINUTES**
- 33.1** The Chief Executive Officer of the Association is to cause minutes of the meeting to be kept and preserved.
- 33.2** The minutes of a meeting are to be submitted to the next Annual or Special General Meeting for confirmation.
- 33.3** Copies of the minutes will be supplied to all delegates prior to the meeting.

WALGA

Annual General Meeting

Minutes

Wednesday, 9 October 2024

Perth Convention and Exhibition Centre
21 Mounts Bay Road, Perth WA

1 OPENING

The Chair declared the meeting open at 2:58pm.

2 RECORD OF APOLOGIES

- Shire of Dowerin
- Shire of Carnarvon
- Shire of Merredin
- Shire of Ngaanyatjaraku

3 ANNOUNCEMENTS

Nil

4 ADOPTION OF AGM ASSOCIATION STANDING ORDERS

The Annual General Meeting Association Standing Orders were contained within the Agenda.

RESOLUTION

Moved: President Chris Mitchell JP, Shire of Broome

Seconded: President Cr Laurene Bonza, Shire of Dundas

That the Annual General Meeting Association Standing Orders be adopted.

CARRIED

5 CONFIRMATION OF PREVIOUS MINUTES

The Minutes of the 2023 WALGA Annual General Meeting were contained within the Agenda, along with a report on the action taken on the 2023 AGM resolutions.

RESOLUTION

Moved: Cr Karen Wheatland, City of Melville

Seconded: President Chris Antonio, Shire of Northam

That the 2023 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.

CARRIED

6 ADOPTION OF ANNUAL REPORT

The 2023-2024 Annual Report, including the 2023-2024 Audited Financial Statements, was distributed to Members separately.

RESOLUTION

Moved: President Paige McNeil, Shire of Mundaring

Seconded: President Chris Antonio, Shire of Northam

That the 2023-2024 Annual Report, including the 2023-2024 Audited Financial Statements, be received.

CARRIED

7 CONSIDERATION OF EXECUTIVE AND MEMBER MOTIONS

7.1 AMENDMENTS TO THE CAT ACT 2011 - ALLOW LOCAL GOVERNMENTS TO MAKE LOCAL LAWS TO CONTAIN CATS TO THE OWNER'S PROPERTY

Shire of Esperance and Shire of Dardanup

ALTERNATE MOTION

Moved: President Cr Tyrell Gardiner, Shire of Dardanup

Seconded: President Cr Ronald Chambers, Shire of Esperance

That WALGA:

1. Advocate to the State Government to make changes to the *Cat Act 2011* to permit local laws to be made to the following effect:
 - a. Cats are to be confined to the cat owner's residence premises;
 - b. Cats within public places are to be under effective control and not to create a nuisance;
 - c. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;
 - d. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.
2. Develop a model Cat Local Law in consultation with and agreement with the Department of Local Government, Sport and Cultural Industries, The Joint Standing Committee on Delegated Legislation, and the WA Feral Cat Working Group that provides for the following:
 - Cats are to be confined to the cat owner's residence premises, unless under effective control;
 - Cats within public places are to be under effective control and not to create a nuisance at all times;
 - Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance; and
 - Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute Majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.

AMENDMENT

Moved: Cr Karen Wheatland, City of Melville

Seconded: Cr Chontelle Stone, City of Cockburn

Insert the words "Subject to Part 1", at the start of Part 2.

THE AMENDMENT WAS PUT AND CARRIED

THE SUBSTANTIVE MOTION AS AMENDED WAS PUT

That WALGA:

- 1. Advocate to the State Government to make changes to the *Cat Act 2011* to permit local laws to be made to the following effect:**
 - a. Cats are to be confined to the cat owner's residence premises;**
 - b. Cats within public places are to be under effective control and not to create a nuisance;**
 - c. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;**
 - d. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.**
- 2. Subject to Part 1, Develop a model Cat Local Law in consultation with and agreement with the Department of Local Government, Sport and Cultural Industries, The Joint Standing Committee on Delegated Legislation, and the WA Feral Cat Working Group that provides for the following:**
 - a. Cats are to be confined to the cat owner's residence premises, unless under effective control;**
 - b. Cats within public places are to be under effective control and not to create a nuisance at all times;**
 - c. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance; and**
 - d. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute Majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.**

CARRIED

Two Local Governments submitted items on this matter. In accordance with WALGA's criteria for motions, when motions of a similar objective are received, they are to be consolidated.

CONSOLIDATED MOTION

That WALGA advocate to the State Government to make changes to the *Cat Act 2011* to permit local laws to be made to the following effect:

- 1. Cats are to be confined to the cat owner's residence premises;**
- 2. Cats within public places are to be under effective control and not to create a nuisance;**
- 3. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;**
- 4. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.**

SHIRE OF ESPERANCE SUBMISSION:

MOTION

That WALGA request the State Government make changes to the *Cat Act 2011* to allow Local Governments to make local laws to contain cats to the owner's property.

MEMBER COMMENT

The Joint Standing Committee on Delegated Legislation has advised the Shire of its reasons why a Local Government cannot create a local law to deal with wandering cats or cats that are creating a nuisance.

Local Governments are therefore unable to enact local laws to effectively deal with cats to meet the expectations of the community due to inconsistencies with the *Cat Act 2011*.

Amendments therefore need to be made to the *Cat Act 2011* to allow the effective management of cats.

SECRETARIAT COMMENT

The Motion generally aligns with current [WALGA advocacy](#) in relation to a review of the *Cat Act 2011*:

That the Local Government sector advocates for a commitment from the State Government...to prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

The 2019 Review included proposals that penalties should be incurred when cats wander/trespass on property without consent or cats should be confined to their property.

SHIRE OF DARDANUP SUBMISSION:

MOTION

That WALGA develop a model Cat Local Law in consultation and agreement with the Department of Local Government, Sport and Cultural Industries, the Joint Standing Committee on Delegated Legislation and the WA Cat Feral Working Group that provides for the following:

1. Cats are to be confined to the cat owner's residence premises, unless under effective control;
2. Cats within public places are to be under effective control and not to create a nuisance at all times;
3. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;
4. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute Majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law.

MEMBER COMMENT

The Shire of Dardanup in 2022 attempted to bring its local law in line with that of other Local Governments where provisions have been included that expressly require cat owners to have effective control of their cats, and that makes it an offence for a cat to be in other places, where the occupier of that place has not given approval.

At its meeting of 25th of January 2023, the Shire of Dardanup resolved [09-23] as follows:

THAT Council:

1. *In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed 'Shire of Dardanup Cats Local Law 2023' [Appendix ORD: 12.4.2C] in order to seek community comment.*
2. *Provides a copy of the proposed Local Law and public notice to the Minister for Local Government; and*
3. *After the close of the public consultation period, requests the Chief Executive Officer to submit a report on any submissions received on the proposed Local Law to enable Council to consider the submissions made and to determine whether to make the Local Law in accordance with section 3.12(4).*

The Local Law was advertised, and no public submissions were received. A Submission from the Department of Local Government, Sport and Cultural Industries were received and considered by Council in November 2023. Council resolved [273-23] as follows:

THAT Council:

1. *Receives the submission received from the Department of Local Government, Sport and Cultural Industries in respect of the Shire of Dardanup Cats Local Law 2023.*
2. *Notes that there were no public submissions received in respect of the Shire of Dardanup Cats Local Law 2023.*
3. *By Absolute Majority decision, adopts the Shire of Dardanup Cats Local Law 2023 [Appendix ORD: 12.4.1D] inclusive of the following minor amendments:*
 - *Clause 1.1: Citation changed to italics;*
 - *Clause 1.4: Changed both the citation title and "Government Gazette" to italics.;*
 - *Clause 1.5: In the definition of Act, changed the citation to italics;*
 - *The words ", in the opinion of an authorised person," deleted from Clause 2.1(1); Clause 2.2(1)(b) and Clause 2.4(2).*
 - *Clause 3.1(1) Amended to give clarity that the Shire acknowledges the local law process in the designation of cat prohibited areas by adding the words "after following the process for amending a local law pursuant to the Local Government Act." after the words 'Schedule 3';*
 - *Clause 4.8 Conditions – amend subclause (1)(a) to read: (a) each cat kept on the premises to be kept so as not to create a nuisance; and*
 - *Clause 4.8 Conditions – deletes subclause (1)(b) that read "(b) that the premises must be adequately fenced (and premises will be taken not to be adequately fenced if there is more than one escape of a cat from the premises);" ; and renumber the following subclauses accordingly.*
4. *Publishes a copy of the adopted local law in the Government Gazette.*
5. *Gives a copy of the adopted gazette ready Local Law to the Minister for Local Government.*

6. *After the local law has been published in the Gazette, gives local public notice as per section 1.7 of the Local Government Act 1995 advising:*
 - *The title of the local law;*
 - *Summarizing the purpose and effect of the local law;*
 - *Specifying the day on which the local law comes into operation; and*
 - *Advising the location of copies of where the local law may be inspected or obtained.*
7. *Supplies copies of the local law, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation within 10 working days of the gazettal publication date of the local law.*

The Joint Standing Committee in Delegated Legislation (the Committee) considered the Shire of Dardanup Cats Local Law 2023 at its meeting held 13th of March 2024 and outlined that the Committee believed the proposed local law is contrary to the *Cat Act 2011*. The Committee therefore requires that Council agree to undertaking amendments to the Local Law at its meeting on 27th of March 2024 and by 3rd of April 2024.

The Committee requests the following undertakings:

1. *Within 6 months:*
 - *delete the definition of **effective control** in clause 1.5*
 - *delete clause 2.2*
 - *amend clause 4.4(f) to ensure it is not inconsistent with the Cat Act 2011*
 - *correct the typographical error in the clause reference beneath the heading to Schedule 3.*
2. *All consequential amendments arising from undertaking 1 will be made.*
3. *Clauses 2.2 and 4.4(f) will not be enforced in a manner contrary to undertaking 1.*
4. *Where the local law is made publicly available by the Shire, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking.*

Whilst Council in March resolved to undertake the changes required by the Committee, Council in July 2024 when presented with the amendment local law, did not initiate the making of the amendment local law.

Officers have written to the Committee, providing it with the outcome of the Council decision. At the time of writing this report the Committee's response had not yet been received.

There are no direct legal implications of seeking WALGA form a position on the local law, however, should the motion be successful and WALGA is able to convince the State Government of the merits, then the motion may lead to possible changes to State Government Policy and Legislation.

Cat Act 2011

The authority for a Local Government to create a local law under the *Cat Act 2011* is provided in section 79 of the *Cat Act 2011*. The *Cat Act 2011* sets out the requirements inter alia for registration and sterilisation of cats, as well as the requirements for cat management

facilities. The Cat Regulations 2012 set out the requirements for cats to be microchipped and registered, as well as the approval requirements for cat breeders.

In the paragraphs that follow, the Shire of Dardanup will not name any of these Local Governments that have Cat local laws in place, so as to not do these Local Governments in with the Joint Standing Committee on Delegated Legislation (the Committee). The Shire understands that the Committee may require those Local Governments that have local laws with such provisions, to amend these local laws in future, in order to ensure it is in line with the Committee's direction as given to the Shire of Dardanup. For that reason, this report will refer more broadly to other Local Governments within Western Australia that have such local laws.

Within Western Australia there are a number of Local Governments that have Cat Local Laws that require cats to be under effective control when in a public place. Some of these Cat Local Laws also make it an offence for a cat to be in a place, other than a public place, without the express permission of the occupier of that place. These local laws also require cats not to create a nuisance in either a public place, or other places. There are also Property and Public Places Local Laws, that allow Council's to make designations of areas, by absolute majority and to erect a sign to give effect to such designations.

These provisions seem sensible and require that a cat cannot simply go onto someone else's private property without their permission, that cats are under effective control in public places and are prohibited from entering areas of sensitive ecological values. [The WA Feral Cat Working Group provided the Shire of Dardanup with an information sheet with reference to existing Cat Local Laws \(names of Local Governments redacted\), and a legal opinion received from Castledine Gregory in relation to this. This also includes reference to the WA Labor Party's party Platform for 2023.](#)

WALGA's support for the development of a model Cat Local Law that incorporates these provisions as standard provisions are sought so as to ensure this is accepted in advance by the Department of Local Government, Sport and Cultural Industries and the Joint Standing Committee on Delegated Legislation. By doing this, it will save a lot of frustration for Local Governments having to go through a local law development and/or review process and will also ensure that adequate provisions to control cats are included in the local law. This will assist greatly in dealing with complaints from residents in relation to the nuisances caused by cats and will also assist greatly in enforcement efforts by Local Government rangers.

SECRETARIAT COMMENT

Many Local Governments have made Cat Local Laws prohibiting cats from being on land under the care, control and management of the Local Government, as currently provided for under the *Cat Act 2011*.

It is established through numerous disallowance motions by Parliament's Delegated Legislation Committee that the *Cat Act 2011* does not provide the requisite heads of power for a Local Government to make Cat Local Laws requiring cats to be confined to the owner's residence or being prevented from roaming in any public place throughout the district.

Although not currently achievable, the intent of this Motion can be considered upon successful advocacy for a review of the *Cat Act 2011* and provision of the necessary heads of power that allow Cat Local Laws to prevent cats from wandering.

7.2 ADVOCACY FOR LEGISLATIVE REFORMS TO COUNTER LAND-BANKING

Town of Bassendean

RESOLUTION

Moved: Mayor Kath Hamilton, Town of Bassendean

Seconded: Cr Jennie Carter, Town of Bassendean

That WALGA:

- 1. In line with its 2020-2025 Strategic Plan to provide a Sector Vision that enables Local Governments to be agile enhancing community wellbeing and economic prosperity, develops a draft Advocacy Position for Legislative Reforms to address Land-Banking practices including, but not limited to consideration of the following:**
 - a. Prohibiting demolition of habitable housing until a Development Application (DA) has been approved;**
 - b. development applications that result in the demolition of existing habitable housing be time limited so that reasonable time periods for project commencement and project completion are conditions of the development application.**
 - c. provide Local Authorities with the ability to apply a “penalty fee” over and above any differential rating on vacant land, where the time conditions on the development application in (b) have not been met.**
 - d. Development of a mandatory register of unoccupied residential properties, with the ability of Local Governments to apply rates or levies on long term unoccupied residential properties, which could increase incrementally over time.**
- 2. Distributes the draft “WALGA Advocacy Position for Legislative Reforms to counter Land-Banking” to all West Australian Local Authorities for comment, and that a subsequent report be provided for consideration by WALGA Zones.**

CARRIED

MEMBER COMMENT

The Victorian Government recently introduced the ability to tax long term unoccupied residential properties (i.e. a residential property left vacant for six months or more in a year). Victorian Councils welcomed these changes to “Vacant Residential Land Tax” (VRLT) emphasising that it is a significant step forward in addressing longstanding land-banking issues that plague many municipalities.

Tighter controls that prevent the demolition of viable housing stock prior to Development Approvals (DA) assists in closing a loophole, that has to date, increased the numbers of long term unsightly vacant blocks negatively affecting the amenity of suburbs and towns. The introduction of a levy on long term unoccupied residential homes is designed to encourage occupation or rental of those homes. In turn DA approvals that subsequently require the demolition of viable housing stock should require commencement and completion of the new development within reasonable timelines.

This will alleviate the strain on the housing market by avoiding premature demolition with the intention to retain viable housing for occupancy for as long as possible, leading to a positive impact on rental availability and affordability. All of this can be accomplished without negatively affecting the development potential of a site.

Reference Documents

Link to media "New legislation to boost housing supply and combat land-banking" by Shire of Maribyrnong: <https://www.maribyrnong.vic.gov.au/News/New-legislation-to-boost-housing-supply-and-combat-land-banking>.

Link to media "How the world is tackling issue of empty homes" by The Guardian: <https://www.theguardian.com/society/2017/aug/02/how-the-world-is-tackling-issue-of-empty-homes>.

SECRETARIAT COMMENT

Part 1a and 1b

Under Schedule 2 Clause 61 (1) of the Planning and Development (Local Planning Scheme) Regulations 2015 (LPS Regulations) the demolition of a single house, and any associated structure, are exempt from requiring development approval, unless the proposal is located in a heritage-protected place. Further demolition works are regulated by the *Building Act 2011* and the Building Regulations 2012, and thus the removal of a dwelling would require the issuance of a building permit before demolition is undertaken. Local Governments as permit authorities are required to issue building permits within statutory timeframes. There are limited reasons why a Local Government can refuse to issue a building permit, including where the necessary development approval has not been issued. The proposal outlined in the Town of Bassendean's motion would require amendments to both the planning and building regulatory frameworks.

It should also be noted that under the LPS Regulations and State Planning Policy 3.1 Residential Design Codes (SPP3.1) most proposals for single houses are also exempt from requiring development approval. Most proposals for grouped and multiple dwellings do require development approval.

Local Governments are able to limit the validity period of a development approval and a building permit, with substantial commencement being required before the expiry date to ensure the ongoing validity of the approval. Common lengths of approval are 24 and 48 months.

Part 1c

The LPS Regulations Schedule.2, cl.71 provides that an approved development must be substantially commenced...if no period is specified in the approval, within the period of two years commencing on the date the determination is made or the period specified or as approved, with the approval lapsing if development is not substantially commenced within the determined period.

Part (c) of the proposal, appears to seek a modified penalty to be prescribed in Planning and Development Regulation 42, enabling an infringement notice to be issued, where residential development is not substantially commenced before expiry of the approval period.

It should be noted that if the time period for commencement of development expires, the approval expires and the development application process would need to restart if the developer so chooses to proceed. Applying a penalty to an expired application would likely require amendments to the LPS Regulations and potentially the *Planning and Development Act 2005*. The modified penalty under the planning framework is currently set at \$500.

Part 1d

Proposal for mandatory register of unoccupied residential properties

Implementing the proposed register would require legislative amendment and regulatory provisions to enable collection of evidence that a habitable residential property is unoccupied continually for a prescribed period, to inform entry of a property into the register.

Proposal for application of a differential rate to residential improved and long-term unoccupied properties

- Local Government Act section 6.33(1)(b) already enables a differential rate to be levied for a purpose for which the land is held or used as determined by the Local Government e.g. Some Local Governments currently levy a differential rate for “residential improved and vacant” property.
- It is unclear if section 6.33 provisions can be interpreted as enabling Local Government to levy scaled differential rates applicable to specified timeframes that an improved residential property has been unoccupied. This may require confirmation from the Department of Local Government, Sport and Cultural Industries subject to advice from the State Solicitor’s Office. If section 6.33 cannot be interpreted to enable this, then a legislative amendment would be required.

Proposal for a “levy” to be applied to long term unoccupied residential properties.

Local Government Act section 6.16 limits Local Government imposition of fees and charges to goods or services provided the Local Government.

This proposal intends a penalty for long-term unoccupied residential property, which under written law would require legislative amendment to create an offence and prescribe a modified penalty / court proceedings.

7.3 ADVOCACY FOR EXPANSION OF DIFFERENTIAL RATING TO INCLUDE LONG TERM UNOCCUPIED COMMERCIAL BUILDINGS (PROPERTY ACTIVATION LEVY)

Town of Bassendean

RESOLUTION

Moved: Mayor Kath Hamilton, Town of Bassendean

Seconded: Cr Dakota Krispyn, Shire of Harvey

That WALGA:

1. Explores expanding Item 2.1.8 Differential Rates of its Advocacy Position Statement to consider inclusion of the following:
 - a. Advocating for Local Authorities to have the ability to apply a differential rate to long term unoccupied commercial buildings; and
 - b. Developing legislation that requires commercial property owners to demonstrate that in order to avoid the imposition of a differential rate on unoccupied commercial property the property;
 - i. is commercially habitable with annual investment in maintenance
 - ii. remains connected to essential services
 - iii. is undergoing periodic compliance checks and,
 - iv. has a plan in place to redevelop or make operational.
 - c. Develop legislation that enables Local Government to provide exemptions to the above differential rating based on an approved periodic activation program for the vacant commercial property by the Local Government.
2. Distributes the draft expanded WALGA Advocacy Position for Differential Rates to counter long term unoccupied commercial buildings to all West Australian Local Authorities for comment, and that a subsequent report be made available for consideration by WALGA Zones.

CARRIED

MEMBER COMMENT

The Northern Territory Government enabled Darwin to apply a "*Property Activation Levy*" to address long term vacant land or unoccupied commercial buildings, endeavouring to activate or beautify properties that generally have a negative impact the overall amenity and vibrancy of streetscapes. The Property Activation Levy incorporates the following:

- Owners of unoccupied commercial property are provided a reasonable grace period to activate their property without incurring the levy.
- Any property meeting the minimum number of listed activation options does not incur the surcharge levy applicable only to long term unoccupied commercial buildings.
- Revenue raised from the Property Activation Levy, is used on revitalisation projects of public places and land.

The purpose of the property activation levy is to encourage owners of unoccupied commercial buildings to activate and maintain their properties to improve commercial precincts with a focus on the following objectives:

- To improve the amenity of commercial precincts for residents, workers and visitors / tourists.
- Support adjoining business operators by encouraging activation of all commercial premises within precincts.
- Improve the liveability, attractiveness, safety and cultural activity of these precincts.
- Encourage the commercial precincts to thrive.

Some of the suggested activation (that must include ongoing maintenance) for unoccupied commercial premises are listed below, noting this list is not exhaustive:

- Inset graphics, art displays or other visual installations on ground level external windows and walls.
- Repaint or retile and improve ground level frontage and associated awnings over the footpath.
- Include rotating shop displays (for example Christmas, Easter, local events) or community spaces, such as for group activities, classes or study areas.
- Where setback from the road reserve exists, undertake improved landscaping.

Reference Documents:

Link to the "*Property Activation Levy*" document is below, and outlines a diverse number of suggested options for the activation and beautification of vacant land or unoccupied mixed use premises:

https://treasury.nt.gov.au/_data/assets/pdf_file/0010/901495/derelict-vacant-property-levy.pdf.

SECRETARIAT COMMENT

WALGA's Advocacy Position 2.1.8 Differential Rates is below:

Position Statement	Section 6.33 of the <i>Local Government Act 1995</i> should be reviewed in contemplation of time-based differential rating, to encourage development of land.
Background	Concern at the amount of vacant land remaining in an undeveloped state for an extensive period of time and holding up development opportunities.

Local Government Act section 6.33(1)(b) already enables a differential rate to be levied for a purpose for which the land is held or used as determined by the Local Government e.g. Some Local Governments currently levy a differential rate for "residential improved and vacant" property. This can be extended to "commercial improved" and "commercial undeveloped".

7.4 ACTION ON ASBESTOS FOR WESTERN AUSTRALIA

Shire of Dundas

RESOLUTION

Moved: President Cr Laurene Bonza, Shire of Dundas

Seconded: Cr Erin Sergeant, City of Kwinana

That WALGA advocates for the state and federal governments to take urgent action to assist Local Governments and their communities in safely removing asbestos, including providing targeting funding programs.

CARRIED

MEMBER COMMENT

The Asbestos Safety and Eradication Agency (ASEA) [2024-2030 Strategic Plan](#) identifies, more than in previous plans, the risk posed by the increasing degradation of asbestos and the need for action. State governments are currently considering the plan, but any adoption of the plan must be supported by additional funding and support from Local Governments and their communities.

There are a range of ways that asbestos management impacts Local Governments. In [WALGA's Submission](#) on the ASEA Strategic Plan, it was identified:

Asbestos management is an ongoing and increasing challenge for Local Government, particularly asbestos management during and following emergency events, illegal disposal of asbestos into the environment through Local Government services, and the regulation of the asbestos removal industry.

Local Governments in regional and remote areas face additional significant and complex challenges, including the limited availability and cost of suitably qualified contractors, large areas of asbestos contaminated land requiring remediation and limited ability to fund asbestos removal and communities where property with asbestos is under, or not, insured.

A whole government package of support and funding is needed to address this issue and ensure that communities are not impacted and that asbestos is removed and not just managed through legislation.

The Asbestos National Strategic Plan (ANSP) for the 2024-2030 consultation aims to address the pressing issue of asbestos-related diseases in Australia. However, the current focus of the consultation is primarily on compliance rather than actively pursuing the funding and comprehensive removal of asbestos, which is crucial for safeguarding public health.

Australia grapples with one of the highest rates of mesothelioma globally, primarily caused by asbestos exposure. Western Australia faces a higher incidence rate of mesothelioma compared to other regions, emphasising the urgency of effective asbestos management.

The ANSP endeavours to enhance asbestos awareness and promote its safe management, removal, and disposal nationwide; it is all compliance-based. It aims to eliminate asbestos-related diseases through collaboration between the Australian government, states, and territories. The plan's key objectives include eradicating asbestos-related diseases, supporting affected individuals, and advocating for a global ban on asbestos production and trade.

To implement the ANSP for 2024-2030, the Asbestos and Silica Safety and Eradication Agency (ASSEA) seeks endorsement from states and territories, including Western Australia. Should Western Australia endorse the plan, a jurisdictional action plan aligned with the ANSP would be devised to address state-specific priorities and challenges.

However, the current consultation lacks a strong emphasis on funding and actively pursuing asbestos removal to improve the ANSP and ensure a more comprehensive approach; it's imperative to advocate for increased funding and prioritise the active removal and safe disposal of asbestos across affected areas of Western Australia.

SECRETARIAT COMMENT

The ASEA Strategic Plan has identified an increasing need to take action on asbestos. As the material degrades over time there is an increasing human health risk and costs associated with removal escalate. As identified in the AGM item, WALGA's recent [Submission](#) on the ASEA Strategic Plan noted that Asbestos management is an ongoing and increasing challenge for Local Governments, particularly in regional areas, and additional focus is needed. The approach of providing targeted funding and support would assist regional Local Government to address issues such as limited availability and cost of suitably qualified contractors and ability to fund asbestos removal.

7.5 ADDRESSING THE IMPRACTICALITY OF LOCAL GOVERNMENTS FUNDING DEPARTMENT OF COMMUNITIES AND GOVERNMENT REGIONAL OFFICER HOUSING

Shire of Dundas

RESOLUTION

Moved: President Cr Laurene Bonza, Shire of Dundas

Seconded: President Cr Kirrilee Warr, Shire of Chapman Valley

That WALGA advocates to the State Government for the State Government to fully fund construction and maintenance of Department of Communities (Social) and Government Regional Officer Housing.

CARRIED

MEMBER COMMENT

All remote and regional Local Governments face challenges in attracting and retaining staff which is also true of State Govt Depts, such as Police and the Education Dept. The provision of good housing is critical in attracting staff to these areas. Any Local Governments that are exposed to the boom-bust cycle of mining, face significant challenges related to the funding and provision of the Department of Community and Government Regional Officers' Housing (GROH). The volatile boom and bust cycles of the mining industry creates an even more financially risky environment for Local Governments to invest in housing. Most remote and regional Local Government areas are smaller and have the least capacity to raise funding through rates due their smaller population bases. Budgets are already stretched to provide community infrastructure for these communities.

- Boom and bust cycles in resource-dependent communities: The mining industry is inherently volatile, with periods of rapid growth (booms) followed by significant downturns (busts). This cycle profoundly affects local economies and property values. When Local Governments invest in housing during a boom, they face the risk of property values plummeting during a bust. Currently, the nickel crisis is an example of how quickly and severely property values can decline, leaving Local Governments with significant financial losses and underutilized assets.
- Impractical Investment: Local Governments are not in a position to absorb the financial risks associated with building houses with a long-term, 'lease back' agreement to recover their investment. Housing investments should be stable and predictable, (which is not the case in resource-dependent communities). If smaller Local Governments are seeking to borrow funds for these builds, they are then denied an opportunity to borrow for other community infrastructure projects that may be more of a local priority.
- State Responsibility: The function to supply and maintain Department of Communities and GROH housing in remote communities is a State Govt responsibility and should be funded through state taxes and royalties.

All remote and regional Local Governments urge WALGA to advocate for the State government to fully fund construction and maintenance of Department of Communities and GROH housing. Local Governments should not bear the financial risks associated with the provision of social and State agency housing. Funding of this housing by Local Governments impacts their sustainability and ability to fund their core responsibilities for their communities such as, asset management, staff retention, and roads.

SECRETARIAT COMMENT

The GROH Program provides housing for public sector employees providing essential services in regional and remote locations to attract and retain staff. The Department of Communities uses partnerships to increase supply of GROH housing in addition to its own capital investment and refurbishment programs. Partnerships include build to lease agreements, which Local Governments are eligible to apply to. The Department of Communities also provides subsidised rental accommodation to eligible low-income households across Western Australia commonly referred to as public or social housing. Public housing is owned and managed directly by the Department of Communities. Social housing can be owned and or maintained by a third party, typically Community Housing Providers.

In a 2024 WALGA survey, 100 percent of respondents viewed housing as a major challenge in their Local Government area and 64 percent stating that the lack of Government Regional Officer Housing (GROH) housing is “very challenging” or “extremely challenging”.

Housing supply continues to be a priority issue for both the Australian and State Government. The Australian Government's 2024-2 budget included an additional \$1 billion to states and territories to deliver new housing including for connecting essential services such as water, power, sewerage and roads. This investment underpins the Federal Government commitment to increasing housing supply through the National Housing Accord, Housing Australia Future Fund and Social Housing Accelerator initiatives. The WA Government committed an additional \$43.8 million to the GROH program in the 2024-25 State Budget. The State budget also included \$400 million to expand the Social and Affordable Housing Investment Fund and \$179 million for maintenance of existing social and GROH housing.

WALGA is advocating for the State Government to work with the Local Government sector on the delivery of these investments, including ensuring member views are considered in relation to critical housing need. WALGA's 2025 State Election platform calls for State Government to create a comprehensive long-term strategy to address the entrenched shortage of social, affordable and key worker housing and to undertake a review of the GROH program to improve coordination and responsiveness to regional housing needs and provide Local Government's with greater scope to invest in GROH housing.

7.6 ADVOCACY FOR ACCESSIBILITY

Town of Victoria Park

RESOLUTION

Moved: Mayor Karen Vernon, Town of Victoria Park

Seconded: Cr Jordan Wright, City of Wanneroo

That WALGA develops an Advocacy Position calling for the WA Government to adopt the Liveable Housing Design Standards for accessibility as part of the National Construction Code, consistent with WALGA's 2020-2025 Strategic Plan Sector Vision to enable inclusive Local Governments enhancing community wellbeing and economic prosperity.

CARRIED

MEMBER COMMENT

Advocacy for adoption of National Construction Code minimum accessibility standards:

- Several years ago, at the direction of Commonwealth and State Ministers, the Australian Building Codes Board (ABCB) undertook a rigorous consultation process with experts and stakeholders to develop minimum accessibility requirements for Class 1a buildings (houses) and Class 2 sole-occupancy units (apartments) in the National Construction Code (NCC). The objective was to ensure that housing is designed to meet the needs of the community, including those with disability and older Australians.
- In 2021, minimum accessibility provisions were introduced for residential housing and apartments into the NCC based on Liveable Housing Design Guidelines (LHDG) silver standards.
- The NCC 2022 has seven minimum standards ensuring all new homes are accessible, with modifications including step-free entrances and showers, and wider doors and corridors that can accommodate wheelchairs and walking aids.
- The 2023 Disability Royal Commission Report recommended that all states and territories should adopt the minimum LHDG standards as soon as possible.
- In 2024, the ABCB has estimated that the additional cost to implement the minimum accessible design standards is between \$2,900 and \$4,400 per home, depending on the type of dwelling. The features covered by the LHDG standards are not a big ask and our communities will end up with better quality housing that is future-proof.
- To date, the WA Government, along with NSW, are the only states who have not adopted the NCC minimum LHDG silver standards.

SECRETARIAT COMMENT

The National Construction Code (NCC) is a uniform set of technical provisions for the design and construction of buildings and other structures, and plumbing and drainage systems throughout Australia.

The NCC is produced and maintained by the Australian Building Codes Board (ABCB) on behalf of the Commonwealth and all State and Territory government and is given legal effect through legislation at the state and territory level. The NCC is reviewed every 3 years, based on required regulatory practices, industry research, public feedback and policy directions.

The goal of the NCC is to enable the achievement of nationally consistent, minimum necessary standards of relevant safety (including structural safety and safety from fire), health, amenity and sustainability objectives efficiently. The NCC has traditionally included a part focused on access for people with a disability, setting out deemed-to-comply solutions and general building requirements for buildings based on their classification, for class 2-9 buildings. For the 2022 edition of the NCC new requirements titled the 'livable housing design' requirements, based on the Livable Housing Design Guidelines (silver level), were incorporated into both volumes of the NCC.

These requirements apply to all dwelling types, including new Class 1a (single house) buildings. The purpose of these changes was to help increase the stock of housing that is adaptable and better able to meet the needs of older people and people with mobility limitations. The Deemed-to-Comply provision of the new requirements, called the [ABCB Livable Housing Design Standard](#), covers:

- Providing step-free access to the home.
- Making doorways and hallways easier to use for people with reduced mobility.
- Providing extra space in the bathroom and toilet.
- Wall reinforcing in the bathroom and toilet, to make it easier to install grabrails if needed in the future.

The NCC is implemented into Western Australia's building regulatory system through amendments to the Building Regulations 2012, with the NCC 2022 commencing operation in WA on 1 May 2023, following a 12-month transition period. In announcing the implementation of the NCC 2022, the State Government indicated that it had considered the current challenges facing the building and construction industry and as a result decided that some provisions, including energy efficiency, would have a longer transitional period and that the mandatory liveable (accessible) housing provisions would not be applied in Western Australia. In making this determination the Government indicated it would continue to monitor the situation in the building industry and the housing market. New South Wales and South Australia also determined to not support the new requirements. There is no indication, at time of writing, that the State Government has progressed in its consideration of the livable housing design requirements.

WALGA's Building Act and Regulations Advocacy Position

Assessments of the effectiveness of building control systems across Australia have recognised that there is diminishing public confidence in the building and construction industry, and that change is required to ensure buildings are safe and perform to expected standards. Now more than ever the focus is on Local Government building departments to deliver good governance, local leadership and sustainable services that meet the needs of their communities whilst supporting local jobs and economic growth.

The Association has the following endorsed positions:

1. Support the retention of Local Government as the primary permit authority in Western Australia for decisions made under the *Building Act 2011*.
2. Supports mandatory inspections for all classes of buildings, however, Local Government should not be solely responsible for all mandatory inspections.

3. Advocate for the State Government to urgently prioritise legislative reform that addresses systemic failures in the current building control model and to provide clarification on the role of Local Government in building control to ensure building legislation supports the following objectives:
 - a. Quality buildings that are cost efficient.
 - b. Functional, safe and environmentally friendly buildings.
 - c. Good decision making in all aspects of building.
 - d. Efficiency and effectiveness in building management, administration and regulation.
 - e. Openness and accountability with respect to all building matters.
 - f. Recognition of the rights and responsibilities of all parties in building matters in an equitable manner.
4. Existing and proposed building control related fees and charges to be cost recovery for Local Government.
5. WALGA will work with members, state agencies and industry groups to develop training opportunities and to promote the Local Government building surveying profession to ensure sustainability of Local Government building control services.
6. WALGA supports the Australian Building Codes Boards Trajectory for Low Energy Buildings by supporting Local Governments to meet community strategic objectives of a net zero carbon future by 2050 through work with members, state agencies and industry groups.

8 CLOSURE

Upon the completion of business, the Chair declared the meeting closed at 3:51pm.

Attachment 3: Action Taken on Resolutions of the 2024 Annual General Meeting

Resolution	Comment/Update
<p>7.1 Amendments to the <i>Cat Act 2011</i> – Allow Local Governments to make Local Laws to contain cats to the owner's property</p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. Advocate to the State Government to make changes to the <i>Cat Act 2011</i> to permit local laws to be made to the following effect: <ol style="list-style-type: none"> a. Cats are to be confined to the cat owner's residence premises; b. Cats within public places are to be under effective control and not to create a nuisance; c. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance; d. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law. 2. Subject to Part 1, Develop a model Cat Local Law in consultation with and agreement with the Department of Local Government, Sport and Cultural Industries, The Joint Standing Committee on Delegated Legislation, and the WA Feral Cat Working Group that provides for the following: <ol style="list-style-type: none"> a. Cats are to be confined to the cat owner's residence premises, unless under effective control; 	<p>State Council endorsed this item in December 2024.</p> <p>WALGA's relevant Advocacy Position (position 2.12.1 Review of the <i>Cat Act 2011</i> and <i>Dog Act 1976</i>) has been updated.</p> <p>Correspondence has been sent to the Minister for Local Government requesting the CAT Act be reviewed to provide Local Governments with the ability to contain cats on an owner's property.</p> <p>In addition, work has commenced on developing a template Cat Local Law to assist Local Government to make local laws to the extent of the current local law-making powers.</p>

<ul style="list-style-type: none"> b. Cats within public places are to be under effective control and not to create a nuisance at all times; c. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance; and d. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute Majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law. 	
<p>7.2 Advocacy for Legislative Reforms to Counter Land-Banking</p> <p>That WALGA:</p> <ol style="list-style-type: none"> 1. In line with its 2020-2025 Strategic Plan to provide a Sector Vision that enables Local Governments to be agile enhancing community wellbeing and economic prosperity, develops a draft Advocacy Position for Legislative Reforms to address Land-Banking practices including, but not limited to consideration of the following: <ul style="list-style-type: none"> a. Prohibiting demolition of habitable housing until a Development Application (DA) has been approved; b. development applications that result in the demolition of existing habitable housing be time limited so that reasonable time periods for project commencement and project completion are conditions of the development application. c. provide Local Authorities with the ability to apply a “penalty fee” over and above any differential rating on vacant 	<p>This item was referred by State Council to the Environment Policy Team and the Governance Policy Team for further work in December 2024.</p> <p>Regarding the planning related items within this resolution: The demolition of single houses is generally a form of development exempt from requiring development approval, and only a demolition permit is required for the complete or partial demolition, dismantling or removal of a building or an incidental structure. The current planning and building legislation do not allow the conditioning of approval or refusal of a building permit in a manner proposed by the AGM resolution.</p> <p>In respect to items 1. c and d and item 2, a legal consultant has been contracted to review the legislation and suggest ways to address these recommendations.</p> <p>A combined meeting of the Governance and Environment Policy teams has been scheduled for 12 September 2025 with a view to prepare a State Council Agenda item for the December 2025 meeting.</p>

<p>land, where the time conditions on the development application in (b) have not been met.</p> <p>d. Development of a mandatory register of unoccupied residential properties, with the ability of Local Governments to apply rates or levies on long term unoccupied residential properties, which could increase incrementally over time.</p> <p>2. Distributes the draft “WALGA Advocacy Position for Legislative Reforms to counter Land-Banking” to all West Australian Local Authorities for comment, and that a subsequent report be provided for consideration by WALGA Zones.</p>	
<p>7.3 Advocacy for Expansion of Differential Rating to include Long Term Unoccupied Commercial Buildings (Property Activation Levy)</p> <p>That WALGA:</p> <p>1. Explores expanding Item 2.1.8 Differential Rates of its Advocacy Position Statement to consider inclusion of the following:</p> <p>a. Advocating for Local Authorities to have the ability to apply a differential rate to long term unoccupied commercial buildings; and</p> <p>b. Developing legislation that requires commercial property owners to demonstrate that in order to avoid the imposition of a differential rate on unoccupied commercial property the property;</p> <p>i. is commercially habitable with annual investment in maintenance</p> <p>ii. remains connected to essential services</p>	<p>This item was referred by State Council to the Governance Policy Team for further work in December 2024.</p> <p>A legal consultant has been contracted to review the legislation and suggest ways to address these recommendations.</p> <p>A combined meeting of the Governance and Environment Policy teams has been scheduled for 12 September 2025 with a view to prepare a State Council Agenda item for the December 2025 meeting.</p>

<ul style="list-style-type: none"> <ul style="list-style-type: none"> iii. is undergoing periodic compliance checks and, iv. has a plan in place to redevelop or make operational. c. Develop legislation that enables Local Government to provide exemptions to the above differential rating based on an approved periodic activation program for the vacant commercial property by the Local Government. <p>2. Distributes the draft expanded WALGA Advocacy Position for Differential Rates to counter long term unoccupied commercial buildings to all West Australian Local Authorities for comment, and that a subsequent report be made available for consideration by WALGA Zones.</p>	
<p>7.4 Action on Asbestos for Western Australia</p> <p>That WALGA advocates for the state and federal governments to take urgent action to assist Local Governments and their communities in safely removing asbestos, including providing targeting funding programs.</p>	<p>This item was referred by State Council to the Environment Policy Team for further work in December 2024.</p> <p>WALGA is engaging at the State and National level on this issue, including through membership of the WA Interagency Asbestos Group and nationally the Asbestos Safety Eradication Agency reference group and has raised the issues impacting Local Governments in relation to safe removal and disposal, including ensuring statewide options.</p>
<p>7.5 Addressing the Impracticality of Local Governments Funding Department of Communities and Government Regional Officer Housing</p> <p>That WALGA advocates to the State Government for the State Government to fully fund construction and maintenance of Department of Communities (Social) and Government Regional Officer Housing.</p>	<p>This item was referred by State Council to the People and Place Policy Team for further work in December 2024.</p> <p>The People and Place Policy Team considered this item in March and resolved to address the item as part of WALGA's advocacy approach on this issue.</p>

<p>7.6 Advocacy for Accessibility</p> <p>That WALGA develops an Advocacy Position calling for the WA Government to adopt the Liveable Housing Design Standards for accessibility as part of the National Construction Code, consistent with WALGA's 2020-2025 Strategic Plan Sector Vision to enable inclusive Local Governments enhancing community wellbeing and economic prosperity.</p>	<p>This item was referred by State Council to the Environment Policy Team for further work in December 2024.</p> <p>Liveable Housing Design Standard as part of the National Construction Code provides a set of technical provisions that if complied with enable dwellings to better meet the needs of the community, including older people and people with mobility limitations. The code specifies seven minimum standards to ensure all new homes are accessible with modifications including step-free entrances and showers and wider doors and corridors that can accommodate wheelchairs and walking aids.</p> <p>All states enact the NCC through state legislation and regulation. A range of states are taking different approaches in terms of adopting the liveable housing requirements, but at time of writing all states except NSW and Western Australia have adopted the liveable housing provisions.</p> <p>The NCC 2022 only became operational in WA on 1 May 2025. With the appointment of a new Commerce Minister following the 2025 State Election, WALGA again raised the prospects of WA adopting the standard at its meeting with the Minister in July 2025.</p>
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Appendix 11.1.B

Summary of WALGA Annual General Meeting
Motions and Recommended
Shire of Collie Position

Western Australia Local Government Association (WALGA) Annual General Meeting 2025 Motions

	Title	Motion	In Brief	Voting
4	Adoption of AGM Standing Orders	That the WALGA Annual General Meeting Standing Orders be adopted.	N/A	For
5	Confirmation of Previous Minutes	That the Minutes of the 2024 WALGA Annual General Meeting be confirmed as a true and correct record of proceedings.	N/A	For
6	Adoption of Annual Report	That the 2024-2025 Annual Report, including the 2024-2025 Audited Financial Statements, be received.	N/A	For
7.1	Provision of Medical Services in Remote and Very Remote Local Governments	That WALGA calls on the Western Australian Government and WA Grants Commission to: 1. increase the Medical Facilities Cost Adjuster component of the Financial Assistance Grants to Local Governments; and 2. recalculate distributions to those Local Governments in remote and very remote locations that are providing block cash payments to attract and retain general practitioners to allow affected Councils to redirect ratepayer funds to Local Government responsibilities.	<ul style="list-style-type: none"> • Remote and very remote Local Governments are filling a critical gap in primary healthcare. • The Medical Facilities Cost Adjuster under the Financial Assistance Grants in WA is calculated and distributed by the WA Grants Commission. • The Adjuster does not reflect actual costs, leaving a significant funding gap for Local Governments. • The Shire of Lake Grace is requesting block funding and a recalculation criterion to remote and very remote local governments, distributed via the Financial Assistance Grants (Medical Facilities Cost Adjustor). 	For
7.2	Homelessness – Short-Term Accommodation Solutions	That WALGA advocate to the State Government to provide culturally appropriate short term accommodation options and wrap-around support services that provide sustainable homelessness solutions in regional centres across Western Australia.	<ul style="list-style-type: none"> • The City of Kalgoorlie-Boulder's motion aligns with Western Australia's All Paths Lead to Home - 10-Year Strategy on Homelessness 2020–2030. The Strategy prioritises place-based responses for Aboriginal people, including culturally appropriate short-term accommodation and wrap-around support. • The motion addresses a critical gap in current policy by focusing on temporary homelessness or street presence which is not covered in state or national strategies. 	For

	Title	Motion	In Brief	Voting
7.3	Revision of the Local Government (Administration) Regulations 1996 in Relation to the Holding of and Attendance at Meetings by Electronic Means	That WALGA advocates for a change to the Local Government (Administration) Regulations 1996 in relation to the holding of and attendance at meetings by electronic means to allow elected members to attend more than 50% of meetings remotely, only if each instance more than 50% in the rolling year is justified and approved by the Shire President or Deputy Shire President.	<ul style="list-style-type: none"> • This motion addresses the need for greater flexibility for Councillors in the Shire of Dardanup (and potentially other local governments) who, due to work (e.g. FIFO), family, or personal commitments, may be away from the local area for extended periods. • The motion seeks to: <ul style="list-style-type: none"> ○ ensure Councillors can still represent and serve the community effectively during such absences; ○ reduce disruption to Council operations by expanding access to remote and electronic meeting participation; ○ reflect the evolving demographic of Elected Members, including new parents, FIFO workers, shift workers, and those with disabilities or mobility issues; ○ remove logistical and bureaucratic barriers that limit participation by some Councillors; and ○ promote equity, inclusivity, and engagement by adapting Council practices to meet modern workforce and lifestyle realities. • Ultimately, the motion supports more inclusive and efficient Council operations by enabling all elected members to participate fully, regardless of their personal circumstances. 	For

	Title	Motion	In Brief	Shire of Collie Voting
7.4	Ration Exemption Advocacy Motion	<p>That WALGA, in addition to its current advocacy positions 2.1.1 and 2.1.2 relating to rating exemptions, advocate to the WA Government for the introduction of a reimbursement model, whereby the WA Government repays Local Government the greater of:</p> <ol style="list-style-type: none"> 1. 75% of the value of rates lost in applying the charitable purposes exemption; or 2. 1% of the total rate revenue of the Local Government. 	<ul style="list-style-type: none"> • City of Bunbury Impact: <ul style="list-style-type: none"> ○ 443 properties (85 organizations) receive rate exemptions ○ \$1.67M annual revenue loss (3.4% of rates) ○ Significantly affects City's ability to fund community services • Scale of Charitable Exemptions: <ul style="list-style-type: none"> ○ 407 properties (\$1.23M) are specifically for charitable purposes ○ Represents majority of exempted properties under Section 6.26(2) • Current System Issues: <ul style="list-style-type: none"> ○ Exemptions extended beyond original intention ○ Includes non-charitable purposes ○ Creates unfair burden on other ratepayers • Proposed Solution: <ul style="list-style-type: none"> ○ Better definition of 'charitable purposes' needed ○ Recommend WA Government establish reimbursement system ○ Suggest threshold based on local government band levels 	For
7.5	Rateability of Miscellaneous Licenses	<p>That WALGA:</p> <ol style="list-style-type: none"> 1. Formally oppose any move by the Local Government Minister to introduce amendments to the Local Government Act to restrict the application of rates on Miscellaneous Licenses. 2. Develop an advocacy position on sector consultation prior to any amendment to the <i>Local Government Act</i>. 3. Undertake a financial analysis of the cost to the Mining Industry of the rating of Miscellaneous Licenses compared to the benefit to the Local Government sector. 	<ul style="list-style-type: none"> • The Supreme Court determined on 8 July 2025 that occupied Miscellaneous Licenses are rateable under s 6.26(1) of the <i>Local Government Act</i>. • The Minister for Local Government announced on 1 August 2025 that an amendment of the <i>Local Government Act</i> would be swiftly introduced to Parliament to provide certainty to Local Governments and the resources sector that Miscellaneous Licenses are not rateable. 	For



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Appendix 11.2.A

**CP1-021 – Council Committees, Working
Groups, Reference Groups and External
Committees Policy**



POLICY NO:-

CP1-021 – COUNCIL COMMITTEES, WORKING GROUPS, REFERENCE GROUPS AND EXTERNAL COMMITTEES

GOVERNANCE INFORMATION			
Procedure Link:	N/A	Administrative Policy Link:	

ADMINISTRATION INFORMATION							
History	1	CP1-021	OCM	9/09/25	Res: XXXX	Synopsis:	Policy created.
Version:	2						

1. RESPONSIBLE DIRECTORATE

Chief Executive Officer

2. PURPOSE OR OBJECTIVE

This policy is to provide for the governance of Council Committees, Operational Working Groups, Community Project Reference Groups and External Committees, inclusive of requirements for establishment, appointment and reporting.

3. SCOPE / DEFINITION

This Policy applies to the Shire of Collie.

Council Committee means a Committee established under the Section 5.8 of the *Local Government Act 1995 (LG Act)*, or Section 38 of the *Emergency Management Act 2005*, or Section 67 of the *Bush Fires Act 1954*. The purpose of the Council Committee is directly linked to a statutory function of Council.

Operational Working Group means a group created for the sole purpose of providing technical advice on operational matters in a manner that complements staff competencies. An Operational Working Group has no direct tie to a statutory function of Council.

Community Project Reference Group means a group convened in relation to a specific policy development, planning process, capital project or other time limited project and provide a mechanism to engage with the community to achieve specific pre-determined objectives. These groups are established for a fixed period only.

External Committees / Groups means groups that are operated by organisations external to the Shire of Collie and are not subject to this policy even if they have as members, elected members or officers appointed to represent the interests of the Shire.

Committee Member means a person appointed to a Council Committee and includes Councillors, Community Members and/or Organisational Representatives.

Community Members means a person appointed to represent their own views.

Organisational Representative means a person appointed to represent views of the organisation, industry/business sector, community group or club.

4. POLICY

Council and the Shire will promote and facilitate diverse participation in Council committees and Reference groups, seeking to include community members from a range of backgrounds.

4.1 Council Committees

Under Section 5.8 of the *Local Government Act 1995*, the Council may establish Committees to assist the Council and may also delegate to a Committee the ability to exercise the powers and discharge the duties of the Council. Committees report to the Council and can be established for a particular purpose, with a completion date, or can be ongoing. Committees assist good governance when they share the workload and responsibilities of the Council as a whole.

4.1.1 Purpose

Council Committees make recommendations for consideration by members of the Council or may have delegated functions based on their Terms of Reference which would have been adopted by Council. Only the Council has the right to change the Committee Terms of Reference or alter/disband or establish any new Council Committees at any time.

A Council Committee either discharges the duties or exercises the statutory powers of the Council under delegation or assists Council in its performance of those powers and duties by directly advising Council. Unless delegated otherwise, the Council has the right to accept, reject or amend any recommendation made by a committee to Council.

The objectives of a Council Committee must relate to the statutory functions of Council, be strategic in nature and must not relate to the operational function of the Shire.

4.1.2 Establishment / Terms of Reference

The Terms of Reference of each Council Committee must set out the terms of membership to cease at the date of the local government elections, after which time members may be appointed for a further term. Appointment of members can only be made by way of a formal decision of the Council by absolute majority.

A biennial review of each Council Committee's purpose (and delegation if applicable) must be undertaken prior to the local government elections to determine whether they are relevant and whether the Council Committee is still required.

The Terms of Reference should include:

- a) The objectives of the committee;
- b) The number of Council members and other persons (community members or organisational representatives) to be appointed to the committee;
- c) Details of the delegation of any powers or duties to the committee under section 5.16 of the LG Act.

- d) Details of officers responsible for providing assistance to the committee.
- e) Appointment of Presiding and Deputy Presiding Member.

4.1.3 Meeting Procedure

Meetings will be convened, conducted and recorded in accordance with the Shire of Collie Standing Orders Local Law and *Local Government (Administration) Regulations 1996*.

Council Committee members are bound by *Local Government (Model Code of Conduct) Regulations 2021*, CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process and financial interest obligations under the LG Act.

4.1.4 Reporting Information to Council

Officers are to ensure that all recommendations listed in the Council Committee minutes are referred to Council (as a written report) for consideration at the next Ordinary Council Meeting, where practicable.

4.2 Operational Working Groups

4.2.1 Purpose

An Operational Working Group may be established to provide advice on operational matters in a manner that complements staff competencies. An Operational Working Group will provide opportunity for community members, organisational representatives or technical experts to provide comment, advice, local knowledge, information and feedback regarding plans, services and programs.

The objective of Operational Working Groups must be operational in effect with the aim to solely provide advice to officers in the performance of their administrative or operational roles. For this reason and to reinforce the role of Council under S2.7 of the *Local Government Act 1995*, Councillors do not participate in Operational Working Groups.

4.2.2 Establishment / Terms of Reference

To establish an Operational Working Group, the CEO must prepare a Terms of Reference which:

- a) Sets the purpose and objective of the group in alignment with the Strategic Community Plan / Corporate Business Plan.
- b) Determines the length of the group's term and any extensions.
- c) Endorses the criteria for membership and composition of the group.
- d) Reporting requirements.

These groups are coordinated and led by Shire Officers and membership does not include Councillors.

4.2.3 Meeting Procedure

Meetings will be conducted in an informal manner leading to greater opportunities for discussion.

- Meetings do not require quorum;
- Meetings to be convened on an as needs basis;
- Potential for members with conflicts of interest to participate in discussion.

4.2.4 Reporting Information to Council

To ensure Council are aware of Operational Working Groups, their purpose and topics of discussion and meeting outcomes:

- Meeting notes are to be published on the electronic shared network drive / Councillor Portal;
- Councillors are to be updated periodically by officers at Council Forums or Workshops.

4.3 **Community Project Reference Groups**

4.3.1 Purpose

Community Project Reference Groups specifically relate to policy development, planning processes, capital projects or other time limited projects and provide opportunity for community members, organisational representatives and/or technical experts to collaborate and deliberate in order to develop meaningful feedback, advice, and to share local knowledge and information on a specific topic and for a fixed period of time.

4.3.2 Establishment / Terms of Reference

A Community Project Reference Group may be established throughout the year as an engagement mechanism to develop community consensus on matters that have broad competing needs. Each group will be formed for a fixed period of time and with a bespoke Terms of Reference which ensures balanced membership depending on the specific pre-determined project objectives. These groups are coordinated and led by Shire Officers and membership may include Councillors.

4.3.3 Meeting Procedure

Meeting structure, duration and style will be determined for each group as part of the engagement design process and depends on the specific pre-determined project objectives. Meetings will generally be conducted in an informal manner, in some cases more of a workshop style, and in a way that fosters discussion. This may include:

- Meetings not requiring a quorum;
- Meetings convened on an as needs basis;
- Potential for members with conflicts of interest to participate in discussion;
- Customised reporting to Councillors depending on the matter at hand and project context.

4.3.4 Reporting Information to Council

To ensure Council are aware of Community Project Reference Groups, their purpose and topics of discussion and meeting outcomes:

- Meeting notes are to be published on the electronic shared network drive / Councillor Portal;
- Councillors are to be updated periodically by officers at Council Forums or Workshops.

4.4 External Committee / Groups

Being a Council Delegate representing the Shire of Collie is an important role and carries with it a high level of responsibility. It is important to ensure that the most appropriate person is appointed for a delegate position and that clear guidance is given as to the obligations of the role.

Council will only consider the appointment of a delegate/s to an external committee or group in the following circumstances:

- a) Where the body/group/organisation represents state or regional interests that are likely to impact upon the Shire of Collie;
- b) Where the body/group/organisation represents local interests and the Council has a direct financial interest in the affairs of that group; or
- c) Where the body/group/organisation represents local interests and the group occupies Council property.

4.5 Councillor Delegates

4.5.1 Method of Appointing Councillors to Council Committees or External Committees / Groups

At a meeting of the Council where a Councillor is to be appointed to a Council Committee or External Committee / Group and there are more nominations than vacancies, the Chief Executive Officer is to conduct a secret ballot using the first past the post system to establish the preferred delegate or delegates to fill the position. In the event of a tied vote for a position, lots will be drawn by the Chief Executive Officer to determine the preferred delegate.

The Shire President or Presiding Member is then to call for a resolution of Council for the preferred delegate or delegates to be appointed to the vacant position and for the next preferred delegate to be appointed the deputy for the position to carry out the duties of the appointed Councillor in his or her absence when required.

Where a Councillor has indicated their desire to nominate for a delegate position and the time for acceptance of nominations closes prior to the next available Council meeting, the Chief Executive Officer is to forward the relevant nomination and subsequently advise Council of the nomination, so that it can be considered and ratified through the normal process. Where the number of nominations from Councillors exceed the number of vacant positions, the Chief Executive Officer will consult with the Shire President to determine an order of preference based on experience in the position of Councillor and interest and merit in the vacant position.

4.5.2 Delegate Roles and Responsibilities

Where a Councillor has been endorsed as Council's delegate for a Council Committee or External Committee / Group the delegate shall:

- a) Understand that their appointment / membership is as a representative of the Council and is by right of their position with Council;

- b) Ensure their availability to attend scheduled meetings, and where they are unable to do so, provide prior apology to the respective Presiding Member. The delegate must also provide timely notice of anticipated absences to any deputy delegate where one is appointed;
- c) Ensure that in participating and contributing to decision making of the external committee, body or organisation the delegate communicates and is cognisant of Council's determined position on matters before the external organisation;
- d) Perform the functions and duties of a delegate in accordance with the standards set out in the *Local Government (Model Code of Conduct) Regulations 2021* and CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process; and
- e) Keep Council informed of the activities and achievements of the external committee, body or organisation in a timely manner.

Where a delegate has failed to attend three successive external organisation meetings, with or without apology, during a period where leave of absence has not been granted, the Council shall consider appointing a replacement delegate to ensure that the purpose and integrity of Council's participation in the external organisation is maintained.

If a delegate is unable to fulfil their commitment to an external organisation then the delegate must advise the Chief Executive Officer so that Council's consideration of appointing a replacement delegate can be facilitated and subsequent formal advice to the external organisation attended to.

5. REFERENCE DOCUMENTS

Local Government Act 1995.

Local Government (Administration) Regulations 1996.

Local Government (Model Code of Conduct) Regulations 2021

Shire of Collie Policy - CP1-019 – Elected Member Code of Conduct Behaviour Complaints Management Process.



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Appendix 11.2.B

**Committee Instrument of Appointment &
Terms of Reference**



XXXXXXXXXX COMMITTEE

**INSTRUMENT OF APPOINTMENT
&
TERMS OF REFERENCE**

2025

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1 INTRODUCTION

- 1.1 The Council of the Shire of Collie (the "Council") establishes this committee under the powers given in Section 5.8 of the *Local Government Act 1995*, the committee to be known as the XXXXXXXXXX Committee, (the "Committee").
- 1.2 The Council appoints to the Committee those persons to be members of the Committee by resolution of Council. Membership of the Committee shall, unless otherwise specified, be for a term ceasing on the day prior to local government elections being held. Council may appoint members for a further term at the next available meeting following the elections.
- 1.3 The Committee provides appropriate advice and recommendations to the Council on matters relevant to its Terms of Reference (ToR). This is in order to facilitate informed decision-making by the Council in relation to the legislative functions and duties of the local government that have not been delegated to the Chief Executive Officer ("CEO").

2 COMIITTEE AIMS & OBJECTIVES – GENERIC

The following objectives are generic to all Council committees:

- 2.1 To consider, advise and assist the local government in performing specified functions or fulfilling required responsibilities within the Shire of Collie district;
- 2.2 Where appropriate, to liaise with relevant agencies and other persons in the development, review and testing of Council policy and strategic objectives;
- 2.3 To carry out research and other activities as directed by the Council or prescribed by the regulations; and
- 2.4 To fulfil the objectives and/or undertake the specific tasks as a Committee of Council specified in 'Section 2 - Committee Aims & Objectives – Generic' and 'Section 3 - Committee Objectives – Specific'.
- 2.5 To ensure that all members dealings are carried out in accordance with the Shire of Collie Code of Conduct for Council Members, Committee Members and Candidates.

(Details of tasks to be endorsed by Council by resolution when the committee is established or as amended from time to time by Council resolution).

3 COMMITTEE OBJECTIVES - SPECIFIC

The XXXXXXXXXX Committee shall have the following objectives:

- 5.1 To
- 5.2 To

Any variation to these objectives is not to be considered by the Committee unless approved by Council.

4 MEMBERSHIP

- 4.1 The Council shall appoint, by Absolute Majority, members for the Committee for a period of two years or until the next Ordinary Council election.
- 4.2 The members, taken collectively, will have a broad range of skills and experience relevant to the function of the Committee.
- 4.3 In accordance with provisions of Section 5.9 of the *Local Government Act 1995*, the Committee is to comprise of **Councillors, Officers and Other Persons**.

5 MANAGEMENT / PROCEDURES

- 5.1 The formation and conduct of the Committee shall be in accordance with the requirements of the *Local Government Act 1995* and any other statutory requirements.
- 5.2 The CEO or delegated nominee will preside until the position of Presiding member is filled in accordance with Schedule 2.3 clause 3 of the *Local Government Act 1995*.
- 5.3 The Committee shall appoint a Presiding Member and Deputy Presiding Member to conduct its business in accordance with the following provisions of Section 5.12 of the *Local Government Act 1995*.
- 5.4 The Presiding Member shall ensure that business is conducted in accordance with the Shire of Collie Standing Orders and that minutes of the proceedings are kept in accordance with Section 5.22 of the *Local Government Act 1995*.
- 5.5 Shire of Collie Local Law Standing Orders apply to all Shire of Collie committees.
- 5.6 Quorum for a meeting shall be at least 50% of the number of offices, whether vacant or not. A decision of the Committee does not have effect unless it has been made by a simple majority.
- 5.7 A Council Officer shall be appointed by the Council CEO to prepare agendas and minutes on behalf of the Committee.
- 5.8 The Committee shall meet regularly on an as needs basis at intervals sufficient to administer the affairs of the Committee.
- 5.9 Minutes of each Committee meeting shall be presented to Council in a format consistent with Council Standing Orders.
- 5.10 The Council may adopt, amend, reject or refer back to the Committee any issues arising from the minutes.
- 5.11 The Committee shall not direct Council Staff on any matter as all staffing matters are the responsibility of the Council CEO.

- 5.12 The Committee shall not raise matters at meetings that are outside of the Committee's Specific Objectives including staffing, administrative or operational matters.
- 5.13 The Committee will not have the authority or power to commit the Shire of Collie or any association, organisation, group or individual to expenditure without Council endorsement.
- 5.14 The Committee may call upon consultants or guests with specific expertise or as the need arises and invite them to attend meetings. Such persons shall not be entitled to vote on any decision arising from such meetings.
- 5.15 No member of the Committee is permitted to make public comment on behalf of the Committee or the Shire of Collie.

6 DELEGATED POWERS

- 6.1 The Committee is an Advisory Committee and as such, all decisions of the committee shall be presented as recommendations to Council for consideration. Committee recommendations shall not be binding on Council and must be endorsed by Council to take effect.
- 6.2 The Council reserves the right to delegate powers to the Committee if circumstances require delegation. The Delegation shall be recorded in the Council minutes prior to the delegation being exercised.

7 TERMINATION OF COMMITTEE

Termination of the Committee shall be:

- 7.1 In accordance with the *Local Government Act 1995*; or
- 7.2 At the direction of Council; or
- 7.3 On the specified date.

8 AMENDMENT TO THE INSTRUMENT OF APPOINTMENT AND DELEGATION

- 8.1 This document may only be altered by the Council through direct resolution of Council.

9 OFFICER(S) RESPONSIBLE FOR MANAGEMENT OF THE COMMITTEE

- 9.1 The Chief Executive Officer shall appoint an officer relative to the Committee's Terms of Reference to manage the committee. In normal circumstances this is the relevant Director or the Governance Coordinator.
- 9.2 The appointed officer shall provide the secretarial and administrative support through his/her Directorate.



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Appendix 11.3.A

DLGSC – Communications Agreement
Consultation Paper



Department of
**Local Government, Sport
and Cultural Industries**



Communications Agreement Consultation Paper

Local Government Reforms

Background

The *Local Government Amendment Act 2023* (2023 Amendment Act) was passed by Parliament in May 2023 and made a series of amendments to the *Local Government Act 1995* (the Act).

The 2023 Amendment Act implements several key reforms, including those relating to local government elections, as well as some changes which are yet to commence. These include the requirement for a communications agreement between the council and the administration of a local government.

To implement these reforms, the Western Australian (WA) Government has prepared the draft Local Government Regulations Amendment Regulations 2025 and the draft Local Government (Default Communications Agreement) Order 2025.

These proposed draft regulations and the draft order are published on the Department of Local Government, Sport and Cultural Industries (DLGSC) website and are available for public comment until **Friday 22 August 2025**. This consultation paper sets out the aims of these reforms and the proposed legislative requirements.

DLGSC invites local governments, council members, CEOs, local government employees and members of the community to consider the proposed regulations and provide feedback. The feedback received will inform the finalisation of draft regulations and the draft order and the implementation of these changes.

Submissions can be made to DLGSC's Act Review team by:

1. email to actreview@dlgsc.wa.gov.au
2. post to:
DLGSC Act Review
PO Box 8349
PERTH BUSINESS CENTRE WA 6849

Your say and your privacy

Submissions will be treated as public documents unless explicitly requested otherwise.

If you do not consent to your submission being treated as a public document, you should mark it as confidential, or specifically identify the confidential information, and include an explanation.

Please note, even if your submission is treated as confidential by DLGSC, it may still be disclosed in accordance with the requirements of the *Freedom of Information Act 1995* (WA) or any other applicable written law.

DLGSC reserves the right to redact any content that could be regarded as racially vilifying, derogatory or defamatory to an individual or an organisation.

Establishing regulations for communications agreements

The communications agreement is intended to function as a fundamental governance instrument within each local government to set out minimum expectations for formal communications between council members and employees of the local government.

Communications agreements currently exist between each Minister of the WA Government and the agencies that support them. These agreements set out who Ministers and their staff may contact within an agency, what they may request, how they can expect their request to be dealt with and when they can expect a response.

In a local government context, new sections 5.92A – 5.92C inserted by the 2023 Amendment Act provide that:

- each local government must have a communications agreement which deals with the matters required by the Act and regulations
- a local government may adopt a communications agreement by the council and the CEO **both agreeing** to its terms
- if a local government does not adopt or is unable to adopt a communications agreement, the default communications agreement set out in a ministerial order applies.

The draft Local Government Regulations Amendment Regulations 2025 seek to address minimum requirements for and enforcement of communications agreements.

Administration Regulations (amending regulations 3 to 8)

Amending regulations 3 to 8 set out a series of amendments to the Local Government (Administration) Regulations 1996 to deal with communications agreements.

Amending regulation 4 inserts a definition of communications agreements into the regulations.

Amending regulation 5 clarifies that the regulations regarding the employee code of conduct apply to employees of the local government, not contractors.

Amending regulation 6 requires the employee code of conduct to require a local government employee to comply with the communications agreement.

Amending regulation 7 inserts new regulations 28C and 28D.

Regulation 28C provides that in addition to the matters set out in the to be proclaimed section 5.92A of the Act, a communications agreement needs to set out the circumstances in which correspondence sent by the Mayor or President on behalf of the local government must be provided to all council members by the CEO.

Regulation 28D provides that there must be certain minimum content in a communications agreement adopted by a local government and its CEO.

Subregulation (1) provides definitions of an administrative matter and a request for information.

Subregulation (2) provides that a communications agreement must address:

- how council members and committee members can make requests for information
- the time within which a response to a request for information must be given
- the way in which information must be provided in response to a request for information
- a dispute resolution process
- which local government employees, council members and committee members may communicate or have dealings with relating to requests for information.

Subregulation (3) clarifies that the communications agreement does not apply to:

- deliberations at a council or committee meeting
- the process that needs to be undertaken for the recruitment, performance review or employment termination of the CEO.

This recognises that a Mayor or President and duly authorised council members may need to communicate with employees or contractors of the local government other than through the CEO to facilitate the recruitment, performance review or termination process.

Subregulation (4) provides that a communications agreement must address:

- how council members and committee members can make request for administrative assistance
- the time within which a response to a request for administrative assistance must be given
- the way in which information must be provided in response to a request for administrative assistance
- which local government employees, council members and committee members may communicate or have dealings with relating to administrative matters.

Subregulation (5) provides for circumstances where commissioners are administering the local government. This regulation provides that the commissioner may request information or assistance in the manner determined by the commissioner from any local government employee and that, if requested, it must be provided to the commissioner as soon as practicable. Where there is a dispute, it is resolved by the commissioner (or the chair commissioner if there is more than one commissioner).

This reflects that the circumstances that require the appointment of commissioners are unique, and as a result a commissioner should typically not be constrained by a communications agreement when undertaking the process required to restore good government to a local government district.

Regulation 8 provides for the default communications agreement ministerial order to be made prior to 19 October 2025.

Model code of conduct (amending regulations 9 & 10)

To ensure council and committee members comply with the communications agreement, it is proposed that contraventions of the agreement be dealt with under the code of conduct for council members, committee members and candidates.

Amending regulation 10(1) provides that a contravention of section 5.92(3) of the Act, which states that a council member or committee member must comply with the communications agreement, will be a behavioural breach. This means that the breach is dealt with internally by the local government, rather than through the Local Government Standards Panel process. Circumstances where a council member involves themselves in the administration of the local government without authority, or where a council member seeks to direct a local government employee, will remain a rule of conduct breach.

Amending 10(2)-(3) makes an amendment to clause 20 of the model code of conduct. Clause 20 currently provides that a council member or candidate cannot direct a local government employee. This amendment clarifies that the rule of conduct against directing a local government employee does not apply where the council member is acting consistently with the communications agreement in seeking information or administrative assistance.

Default Communications Agreement Order

The 2023 Amendment Act inserted new section 5.92B, which provides for the Minister for Local Government, by order, to set out a form of default communications agreement. This will be considered the communications agreement of the local government at any time that the local government has not adopted a communications agreement of its own or the agreement has expired.

A local government's communications agreement will expire at the end of the local government's caretaker period following an ordinary election, or otherwise at the end of the employment of the CEO who agreed to that communications agreement.

It is important to note the range of circumstances where a local government will fall onto this default agreement. If unable to form an agreement of their own, a local government will be bound by this default agreement. If local governments and CEOs wish to alter something contained in the default agreement, they will need to reach an agreement on an alternative communications agreement.

The proposed default communications agreement is contained in Schedule 1 of the draft Local Government (Default Communications Agreement) Order 2025.

Preliminary provisions (Division 1 of the draft order)

The preliminary components of the agreement include definition and application clauses which address how the agreement is to be interpreted and applied.

The definition of an 'administrative matter' is important in that it clarifies what is considered an administrative matter for a council members' potential request.

Clause 3 (Application) provides that this agreement does not apply to:

- deliberations at a council or committee meeting (which to be dealt with by standardised meeting procedures)
- the process of CEO recruitment, performance reviews or termination of employment, in accordance with the CEO employment standards of the local government.

This covers practical situations, such as the Mayor or President needing to engage closely with the local government's human resources function and consultants in relation to certain instances of managing the employment of the CEO.

General provisions (Division 2 of the draft order)

Clauses 4 to 7 provide a series of general provisions.

Clause 4 addresses the general principles of the agreement:

- That the CEO supports council and committee members to fulfill their functions, including by providing information and administrative assistance that allows them to do so, and ensuring that employees communicate with council members in accordance with the agreement.
- That the council and committee members conduct themselves in accordance with the agreement to ensure the orderly running of the local government.

Clause 5 provides that, in general, all council members should receive a copy of formal correspondence sent by the Mayor or President on behalf of the local government. This reflects the Mayor or President's role of as a spokesperson of the local government, consistent with the decisions of the council. In exceptional circumstances the Mayor or President can decide it is not appropriate to provide such correspondence to all council members. If this is done where exceptional circumstances do not exist, it may constitute a breach of the agreement by the Mayor or President.

Clause 6 clarifies that requests for information or administrative should not be made during social or incidental dealings with employees or contractors, as these interactions are not an appropriate time to seek information.

Clause 7 clarifies that this agreement does not prevent social or incidental dealings or communications between council members and employees.

Clause 8 provides for the nomination of employees by the CEO, which is an important aspect of this agreement as it provides for who within the local government council members may speak with. This is similar to the approved contacts list used for WA Government communications agreements between Ministers and their agency(s).

These employees should be the most relevant employees for the council members to appropriately interact with, such as a local government's governance team, their directors (or equivalents), the executive assistant to the CEO, the communications manager or similar roles.

The clause specifies the number of employees to be nominated for each class of local government, reflecting the size of those local governments. It further clarifies that a CEO may specify that the employee is nominated for particular types of enquiries, such as nominating a communications manager for media enquiries. The CEO is required to maintain an up to date register for council and committee members of these employees and what they are able to be contacted for.

Clause 9 makes clear that the CEO determines who responds to a request for information.

Clause 10 further clarifies that nothing in this agreement requires a CEO or any other employee to respond to a request outside of office hours.

Requests for information generally (Division 3 of the draft order)

Clauses 11 to 16 deal with general requirements that apply to all requests for information.

Clause 11 provides for council and committee members to make requests for information.

Clause 12 sets out the types of information a member may request and the types of additional information a Mayor or President may request from the local government; however, this clause does not limit what information may be sought.

Clause 13 addresses certain things a council member must provide to assist the local government to respond to the request. This includes an appropriate scope, or a copy of correspondence received by the council member where they are seeking advice that relates to the correspondence.

Clause 14 deals with the circumstances where information does not need to be provided to a member, being:

- where the agreement has not been followed
- if the council member is not entitled to that information
- if the information is not held by the local government and unable to be reasonably obtained
- if in the CEO's view, preparing or providing the information would require substantial diversion of the local government's resources.

Clause 15 deals with disputes regarding the provision of information. This provision provides that a council member who is unhappy with a refusal of information may dispute the matter. Initially this should be sought to be resolved at a meeting between the council member, Mayor or President and CEO. If this does not resolve the matter, the council member should refer the matter to the council to resolve whether the information should be provided or not.

Clause 16 clarifies that the Mayor or President may discuss a media enquiry with the CEO or an appropriate nominated employee without making a request for information. This reflects that media enquiries often require urgent responses that are best dealt with promptly.

Responding to requests for information (Division 4 of the draft order)

Clause 17 to 24 deal with responding to requests for information that do not relate to administrative assistance.

Clause 17 provides that this division does not relate to an administrative request for information.

Clause 18 provides that a request for information is to be made to the CEO or an appropriate nominated employee in writing by email or such other electronic means approved by the CEO (such as a portal or similar).

Clause 19 requires the CEO to ensure that a request is acknowledged in writing within 2 working days of the request being made. This does not require the CEO to personally acknowledge the request, just ensure that a mechanism is established for their acknowledgement.

Clause 20 provides that for the purpose of responding to a request for information the CEO or other appropriate employee can discuss the request with the member for the purpose of clarifying the scope or subject of the request and enabling the request to be considered amended as a result of those discussions.

Clause 21 deals with the provision of a response to a request by providing:

- The request must be dealt with as soon as practicable.
- If a request relates to a matter on the agenda of an upcoming council or committee meeting, best endeavours are made to provide the response before that meeting.
- Requests are dealt with within 10 working days by either providing a final response or providing notice of when the final response will be given.
- Final responses should be in writing and include any advice or information relating to the request.
- If the final response is to refuse or partially refuse the request, the reasons for the refusal are given to the council member.

Clause 22 provides that a response to a request for information should generally be provided to all council members and relevant committee members, ensuring all members receive the same information. However, there are proposed exceptions to this where:

- The request is for advice on correspondence received by an individual council member. In these cases, the advice should only be given to the member or members who received the correspondence.
- The request relates to matters that only the Mayor or President can request; in which case those replies should only be given to the Mayor or President.
- The council member and the CEO agree that the matter should be treated confidentially because it is appropriate in the particular circumstances.

Clause 23 provides that the member may discuss the response to their request with the CEO or an appropriate nominated employee in order to clarify or address queries with the response.

Clause 24 provides that the CEO may arrange for a briefing, meeting or other discussion for members on the particular information requested. Members may be provided with information through these avenues, including members being able to seek further information following a briefing, meeting or other discussion.

Responding to administrative requests (Division 5 of the draft order)

Clause 25 to 28 deal with responding to administrative requests.

Clause 25 provides that administrative requests encompass an administrative request for information or a request for administrative assistance.

Clause 26 provides that a member may request administrative assistance regarding an administrative matter.

Clause 27 provides that these requests are:

- To be made to the CEO or the appropriate nominated employee.
- These requests may be made verbally, but the CEO or employee can refuse to deal with the request unless it is in writing.
- If a request is made in writing it must be made via email or other electronic means approved by the CEO (such as a portal).

Clause 28 deals with the provision of a response to an administrative request by providing:

- The request must be dealt with as soon as practicable.
- Requests are dealt with within 10 working days by either providing a final response or providing notice of when the final response will be given.
- Final responses to an administrative request may be verbally or in writing.

Commissioners (Division 6 of the draft order)

Clauses 29 and 30 deal with this agreement in relation to a commissioner appointed to administer a local government.

Clause 29 provides that the agreement applies to a commissioner as if the commissioner were the council and the Mayor or President.

Clause 30 provides that the commissioner:

- may request information from any local government employee for provision to the commissioner as soon as practicable
- where there is a dispute, it is to be resolved by the commissioner or the chair commissioner (if there is more than one commissioner).

This reflects that the circumstances that require the appointment of commissioners are unique, and as a result a commissioner should typically not be constrained by a communications agreement when undertaking the process required to restore good government to a local government district.



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Shire of
Collie

Ordinary Council Meeting
9 September 2025

Appendix 11.3.B

**Draft Local Government (Default
Communications Agreement) Order 2025**

Local Government (Default Communications Agreement) Order 2025

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Local Government (Default Communications Agreement) Order 2025

Made by the Minister under section 5.92B of the Act.

1. Citation

This order is the *Local Government (Default Communications Agreement) Order 2025*.

2. Commencement

This order comes into operation on 19 October 2025.

3. Default communications agreement

For the purposes of section 5.92B(1) of the Act, the form of communications agreement is set out in Schedule 1.

Note for this clause:

Under section 5.92B(2) of the Act, for the purposes of section 5.92A of the Act, the form of communications agreement set out in Schedule 1 is taken to be a local government's communications agreement at any time when the local government does not have a communications agreement of its own under section 5.92C of the Act.

Schedule 1 — Default communications agreement

[cl. 3]

Division 1 — Preliminary provisions

1. Introduction

For the purposes of section 5.92A of the *Local Government Act 1995* (the *Act*), this is the local government's communications agreement between the council of the local government (the *council*) and the chief executive officer of the local government (the *CEO*).

2. Terms used

(1) In this agreement —

Act has the meaning given in clause 1;

administrative matter, in relation to a council member or committee member, means the following —

- (a) the scheduling of council meetings or committee meetings;
- (b) the council member's or committee member's compliance obligations under the Act, including in relation to disclosure of financial interests and gifts;
- (c) information technology support for the council member or committee member;
- (d) arrangements for the council member or committee member to attend training or a conference;
- (e) event invitations received by the council member or committee member;
- (f) the council member's or committee member's entitlement to a fee, allowance, reimbursement or superannuation contribution payment under the Act;
- (g) any other matter of an administrative nature;

administrative request has the meaning given in clause 25;

administrative request for information means a request for information that relates only to an administrative matter;

adopted standards means —

- (a) the standards adopted by the local government under section 5.39B of the Act; or
- (b) if the local government has not adopted standards under section 5.39B of the Act — the standards taken under section 5.39B(5) of the Act to be the local government's adopted standards;

appropriate nominated employee means the following —

- (a) in relation to a request for information — an employee nominated under clause 8(1) and (3) in relation to —
 - (i) all requests for information; or
 - (ii) a type of request for information that includes the request for information;
- (b) in relation to a media enquiry to be discussed under clause 16(1) — an employee nominated under clause 8(1) and (4)(a) in relation to —
 - (i) all media enquiries; or
 - (ii) a type of media enquiry that includes the media enquiry;
- (c) in relation to a request for administrative assistance — an employee nominated under clause 8(1) and (4)(b) in relation to —
 - (i) all requests for administrative assistance; or
 - (ii) a type of request for administrative assistance that includes the request for administrative assistance;

CEO has the meaning given in clause 1;

class 1 local government has the meaning given in the *Local Government (Constitution) Regulations 1998* regulation 2A(a);

class 2 local government has the meaning given in the *Local Government (Constitution) Regulations 1998* regulations 2A(b) and 2B(3);

class 3 local government has the meaning given in the *Local Government (Constitution) Regulations 1998* regulations 2A(c) and 2B(4);

class 4 local government has the meaning given in the *Local Government (Constitution) Regulations 1998* regulations 2A(d) and 2B(5);

committee means a committee of the council;

council has the meaning given in clause 1;

employee means an employee of the local government;

mayor or president includes a councillor performing the functions of the mayor or president under Part 5 Division 3 of the Act;

request for administrative assistance has the meaning given in clause 26;

request for information has the meaning given in clause 11;

requesting member, in relation to a request for information or a request for administrative assistance, means the council member or committee member who made the request;

working day means a day other than —

- (a) a Saturday or a Sunday; or
 - (b) a public holiday throughout the State; or
 - (c) a public holiday in an area that is or includes the district or any part of the district.
- (2) If any other term used in this agreement is given a meaning in section 1.4 of the Act or the *Interpretation Act 1984* section 5, it has the same meaning in this agreement.
- (3) A reference in this agreement to a council member or committee member performing a function under a written law other than the Act does not include a reference to the council member or committee member performing a function in a capacity other than that of council member or committee member under the Act.

3. Application

- (1) This agreement applies to a person who is a council member, committee member or employee when acting in their capacity as such.
- (2) Despite subclause (1), this agreement does not apply to anything that a council member, committee member or employee does as part of —
- (a) the deliberations at a council or committee meeting; or

- (b) recruiting, reviewing the performance of or terminating the employment of the CEO in accordance with the adopted standards.

Division 2 — General provisions

4. General principles

The council and the CEO agree to the following general principles —

- (a) the CEO will support council members and committee members to perform their functions under the Act and any other written law;
- (b) without limiting paragraph (a), the CEO will ensure that —
 - (i) requests for information and requests for administrative assistance made by council members and committee members are responded to in accordance with this agreement; and
 - (ii) employees deal and communicate with council members and committee members in accordance with this agreement;
- (c) council members and committee members will ensure that —
 - (i) their dealings and communications with employees are in accordance with this agreement; and
 - (ii) their requests for information and requests for administrative assistance are made in accordance with this agreement; and
 - (iii) they only request information that is relevant to their functions under the Act or any other written law.

5. Correspondence sent by mayor or president on behalf of local government

- (1) Correspondence sent by the mayor or president on behalf of the local government must be provided to all council members by the CEO.
- (2) Subclause (1) does not apply to correspondence if the mayor or president is satisfied that, because of particular circumstances, it is appropriate not to provide the correspondence to all council members.

6. Requests must not be made during social or incidental dealing or communication

A council member or committee member must not make a request for information or a request for administrative assistance during a social or incidental dealing or communication with an employee.

7. Incidental or social interactions permitted

Subject to clause 6, nothing in this agreement prohibits social or incidental dealings or communications between —

- (a) a council member or committee member; and
- (b) an employee.

8. Nominated employees

- (1) The CEO may nominate employees for the purposes of this agreement.
- (2) The CEO must nominate at least the following number of employees under subclause (1) —
 - (a) if the local government is a class 1 local government — 4 employees;
 - (b) if the local government is a class 2 local government — 3 employees;
 - (c) if the local government is a class 3 local government — 2 employees;
 - (d) if the local government is a class 4 local government — 1 employee.
- (3) An employee nominated under subclause (1) must be nominated in relation to —
 - (a) all requests for information; or
 - (b) a type of request for information.
- (4) An employee nominated under subclause (1) may be nominated in relation to either or both of the following —
 - (a) all media enquiries or a type of media enquiry;
 - (b) all requests for administrative assistance or a type of request for administrative assistance.

-
- (5) The CEO must ensure that —
- (a) an up-to-date register of employees nominated under subclause (1) is available to council members and committee members; and
 - (b) the register specifies, for each employee nominated under subclause (1), the matters in relation to which the employee is nominated under subclauses (3) and (4).

9. CEO may direct who responds

Despite anything else in this agreement, the CEO may direct which employee is to respond to a particular request for information or request for administrative assistance.

10. No response required out of hours

Nothing in this agreement requires the CEO or another employee to respond to a request for information or a request for administrative assistance outside of office hours.

Division 3 — Requests for information generally

11. Council member or committee member may make request for information

A council member or committee member may make a request (a *request for information*) for —

- (a) access to information held by the local government under section 5.92 of the Act or otherwise; or
- (b) other information.

12. Information that may be requested

- (1) A request for information may be for advice or other information regarding any of the following —
 - (a) a service, project or initiative being delivered by the local government;
 - (b) how the local government usually manages a particular matter, issue, service or query;

- (c) budgeting or financial information, including details of the costs of any service, project or initiative delivered or proposed to be delivered by the local government;
 - (d) an issue or situation of broad public concern or interest within the district;
 - (e) preparing a motion to council or a committee;
 - (f) correspondence received by the council member or committee member;
 - (g) an administrative matter.
- (2) The mayor or president may make a request for information for advice or other information regarding any of the following —
 - (a) publicly representing the local government at a media appearance or other event (including advice or other information in the form of a briefing or speaking notes);
 - (b) correspondence to be sent by the mayor or president;
 - (c) arranging a formal meeting or an official event.
- (3) This clause does not limit what information may be the subject of a request for information.

13. Requirements applicable to requests for information

- (1) The information the subject of a request for information must be relevant to the functions of the requesting member under the Act or another written law.
- (2) A request for information must be —
 - (a) limited in scope to the specific information that the council member or committee member requires; and
 - (b) accompanied by any supporting information that may assist the local government to respond to the request.
- (3) A request for information regarding correspondence received by the council member or committee member must include a copy of the correspondence.

14. Certain information not required to be provided

Nothing in this agreement requires information to be provided to a council member or committee member in response to a request for information if —

- (a) the request for information is not made in accordance with this agreement; or
 - (b) the information is information mentioned in section 5.92(4) of the Act; or
 - (c) the information —
 - (i) is not held by the local government; and
 - (ii) is held by a person or body other than the local government; and
 - (iii) cannot reasonably be obtained by the local government;
- or
- (d) the CEO decides that preparing or providing the information would divert a substantial and unreasonable portion of the local government's resources away from its other functions.

15. Disputes regarding final response to request for information

- (1) If the final response to a request for information includes a refusal to provide some or all of the information the subject of the request, the requesting member may notify the CEO in writing that there is a dispute regarding the final response.
- (2) A dispute regarding the final response to a request for information must be discussed at a meeting between the mayor or president, the CEO and the requesting member.
- (3) If the dispute is not resolved at the meeting —
 - (a) the requesting member may refer the dispute to the council; and
 - (b) the council may determine the dispute.

- (4) The council's determination of the dispute —
 - (a) may override a decision made by the CEO under clause 14(d); and
 - (b) is final.

16. Mayor or president may discuss media enquiry without making request for information

- (1) The mayor or president may discuss a media enquiry with the CEO or an appropriate nominated employee, either verbally or in writing, without making a request for information.
- (2) Subclause (1) does not prevent the mayor or president from making a request for information in relation to a media enquiry.

Division 4 — Requests for information other than administrative requests for information

17. Application

This Division does not apply to or in relation to an administrative request for information.

18. Making a request for information

- (1) A request for information must be made to the CEO or an appropriate nominated employee.
- (2) A request for information must be made in writing by —
 - (a) email; or
 - (b) other electronic means approved by the CEO.

19. Receipt of request must be acknowledged

The CEO must ensure that receipt of a request for information is acknowledged in writing within 2 working days after the day on which the request is made.

20. Request may be discussed and amended

For the purposes of responding to a request for information, the CEO or an appropriate nominated employee may do either or both of the following —

- (a) discuss the request for information with the requesting member, including for the purpose of clarifying the scope of the information the subject of the request;
- (b) if the requesting member requests an amendment to the scope of the information the subject of the request for information — deal with the request for information as if it were so amended.

21. Responding to a request for information

- (1) The CEO must ensure that the requesting member is given a final response to their request for information as soon as practicable.
- (2) If a request for information relates to a matter included in the agenda for an upcoming council or committee meeting, the CEO must make best endeavours to ensure that the requesting member is given a final response to the request before the meeting.
- (3) Without limiting subclause (1) or (2), the CEO must ensure that, within 10 working days after the day on which a request for information is made, the requesting member is given —
 - (a) a final response to the request; or
 - (b) notice that a final response cannot be given within that period and an estimate as to when a final response will be given.
- (4) The final response to a request for information must —
 - (a) be in writing; and
 - (b) include any advice or other information provided in response to the request for information.
- (5) If the final response includes a refusal to provide some or all of the information the subject of the request for information, the response must set out the reasons for that refusal.

22. When final response must be provided to other members

- (1) A copy of the final response to a request for information given to the requesting member must be provided to —
 - (a) all council members; and
 - (b) if the final response is relevant to the work of a committee — any members of the committee who are not council members.
- (2) Subclause (1) does not apply if —
 - (a) the request for information is a request for advice regarding correspondence and the final response is provided to all council members and committee members who received the correspondence; or
 - (b) the request for information is for advice or other information regarding any of the matters mentioned in clause 12(2); or
 - (c) the requesting member and the CEO agree that —
 - (i) the final response is confidential; or
 - (ii) because of particular circumstances, it is appropriate not to provide the final response to all council members and relevant committee members under subclause (1).

23. Requesting member may discuss final response

- (1) The requesting member may discuss the final response to their request for information with the CEO or an appropriate nominated employee, either verbally or in writing.
- (2) During a discussion under subclause (1), the requesting member may be provided with additional information for the purpose of clarifying, or addressing queries in relation to, the final response.

24. CEO may arrange for briefing, meeting or discussion in relation to final response

- (1) The CEO may arrange for some or all council members and committee members to attend a briefing, meeting or other discussion in relation to a final response to a request for information.

- (2) During a briefing, meeting or other discussion arranged under subclause (1), council members and committee members may be provided with additional information for the purpose of clarifying, or addressing queries in relation to, the final response.

Division 5 — Administrative requests for information and requests for administrative assistance

25. Term used: administrative request

In this Division —

administrative request means a request that is either or both of the following —

- (a) an administrative request for information;
- (b) a request for administrative assistance.

26. Council member or committee member may request assistance regarding administrative matter

A council member or committee member may make a request (a *request for administrative assistance*) for assistance regarding an administrative matter.

27. Making an administrative request

- (1) An administrative request must be made to the CEO or an appropriate nominated employee.
- (2) Subject to subclause (3), an administrative request may be made verbally or in writing.
- (3) If an administrative request is made verbally, the CEO or an appropriate nominated employee may refuse to deal with the request unless it is made in writing.
- (4) An administrative request that is in writing must be made by —
 - (a) email; or
 - (b) other electronic means approved by the CEO.

28. Responding to an administrative request

- (1) The CEO must ensure that the requesting member is given a final response to their administrative request as soon as practicable.
- (2) Without limiting subclause (1), the CEO must ensure that, within 10 working days after the day on which an administrative request is made, the requesting member is given —
 - (a) a final response to the request; or
 - (b) notice that a final response cannot be given within that period and an estimate as to when the response will be given.
- (3) A final response to an administrative request may be given verbally or in writing.

Division 6 — Provision in relation to commissioner

29. Application of agreement to commissioner

This agreement applies to a commissioner of the local government as if the commissioner were the council and the mayor or president.

30. Requests for information by commissioner

- (1) Despite clause 29, a commissioner of the local government may make a request for information or a request for administrative assistance to the CEO or another employee in the manner determined by the commissioner.
- (2) The CEO must ensure that the commissioner is given a final response to the request made under subclause (1) —
 - (a) as soon as practicable; and
 - (b) in the manner requested by the commissioner (which may include in writing or in a briefing).
- (3) A dispute regarding a request made under subclause (1) must be determined by —
 - (a) if there are joint commissioners and 1 of them is appointed to be the chairperson — the chairperson; or
 - (b) otherwise — the commissioner who made the request.

- (4) The chairperson's or commissioner's determination of the dispute —
- (a) may override a decision made by the CEO under clause 14(d); and
 - (b) is final.

Minister for Local Government



Shire of
Collie

Ordinary Council Meeting
9 September 2025

Appendix 11.4.A

BGGC Minutes – 21 August 2025

BUNBURY GEOGRAPHE GROUP OF COUNCILS



Minutes

for the

Bunbury Geographe Group of Councils Meeting

held on

FRIDAY, 21 August 2025

1. OPENING

The Chair opened the meeting at 9:30am

2. ACKNOWLEDGEMENT OF COUNTRY

We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community.

We pay our respects to all members of the Aboriginal communities and their culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

3. ATTENDANCE AND APOLOGIES

Attendance

Gary Clark (Acting CEO)	Shire of Capel
Cr Doug Kitchen	Shire of Capel
Natalie Hopkins (Acting CEO)	Shire of Dardanup
Cr Tyrrell Gardiner	Shire of Dardanup
Annie Riordan	Shire of Harvey
Cr Michelle Campbell	Shire of Harvey
Phil Anastasakis	Shire of Collie
Cr Ian Miffing	Shire of Collie
Nick O'Conner	Shire of Donnybrook/Balingup (Via Electronic Means)
Cr Vivienne McCarthy	Shire of Donnybrook/Balingup (Via Electronic Means)

Guests

Cr Joe Italiano	Shire of Collie
-----------------	-----------------

Apologies

Andre Schonfeldt	Shire of Dardanup
Alan Ferris	City of Bunbury
MR Jaysen de San Miguel	City of Bunbury

4. **BUSINESS ARISING**

The Chair Gary Clark requested the suspension of standing orders.

Moved: Cr Gardiner

Seconded: Cr Kitchen

That standing orders be suspended.

Carried Unanimously

4.1 BGGC MOU Report

1.1 Bunbury Geographe Group of Councils MOU Review

Author	Acting Chief Executive Officer, G Clark
Nature of the Decision	Advocacy
Attachments	1.1.1 Minutes of BGGC Working Group 8 May 2025
Confidential Status	N/A

Reinstate standing orders:

Moved: Cr Kitchen

Seconded: Cr Campbell

Carried unanimously

Proposal

That the Bunbury Geographe Group of Councils CEO Working Group engage with all relevant stakeholders to:

1. Develop a draft governance model
2. Develop draft strategic regional priorities
3. Develop a resourcing plan to deliver the strategic regional priorities
4. Develop a contributions proposal to fund the resourcing plan
5. Recommend the most effective member group for the region
6. Complete the above by 31 March 2026

Background

The BGGC Working Group considered a discussion paper on the future of the BGGC following concerns about the effectiveness of the group. The attached minutes provide the discussion paper and background to this report.

The BGGC Working Group decided that Member Councils be requested to consider the following:

1. Continuation of a voluntary regional association.
2. Consider a financial contribution of up to \$330,000 based on proportional capacity of population ratios to fund the employment of an Executive Officer to support the voluntary association in developing a set of strategic goals based around the agreed themes within the Memorandum of Understanding in the 2025/2026 financial budgets of the member Council's.
3. Agreed to a meeting schedule that mirrors the South West Zone of WALGA and that these meetings be held with due regard to the Zone meetings and that the members of the Zone be appointed members for the Bunbury Geopraphe Group of Council's.
4. Request the CEO Working Group to source governance agreements operating from others regional groups in Western Australia or other States that demonstrate a best practice model of successful collaboration and present these to the elected member group for consideration, considering other legal and governance arrangements.
5. Requests each member to consider contributing proportionally to the overall operating costs of the Bunbury Geopraphe Group of Councils as detailed within the report.

The following summarises the feedback from Member Councils on the above.

1. Continuation of a voluntary regional association

All Member Councils want to continue with a voluntary regional association. Bunbury has suggested that this should be the four coastal local governments.

2. Financial contributions to fund an Executive Officer

Four of the Member Councils were not prepared to increase contributions to fund an Executive Officer to the extent suggested.

The Shire of Dardanup suggested a part time Executive Officer. The Shire of Harvey considered that there had been insufficient development of the governance model, role definition and fully detailed objectives to consider the funding for the position in the 2025-26 Budget. The Shire of Donnybrook Balingup advised it is not able to fund an Executive Officer.

3. Align the meeting schedule with the WALGA Zone meetings

All Member Councils agreed to this suggestion.

4. Governance Agreement

All Member Councils agreed to this suggestion.

5. Proportional Contributions

The Shire of Donnybrook Balingup would prefer an 'opt in' project funding model.

Comment

There are clearly regional matters that are best addressed by a regional association for the benefit of participating local governments. Based on the responses from Member Councils, more work needs to be done on the governance model, the strategic focus, which local governments participate and how contributions are made to fund the regional priorities.

This work could be done over the next six months so that recommendations can be made by March. Member Councils would then have time to budget for the agreed funding model.

Statutory Framework

Local Framework

Section 3.1 of Local Government Act

State Framework

There are no state frameworks relevant to this item.

Federal Framework

There are no federal frameworks relevant to this item.

Implications

Financial Implications

Budget

The group has approximately \$28,000 in unallocated funds available.

Long Term

Unknown

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

Member Councils and Chief Executive Officers, Bunbury, Collie, Dardanup, Harvey, Capel and Donnybrook Balingup.

Internal Consultation

No internal consultation has occurred.

Moved: Cr Gardiner

Seconded: Cr Kitchen

That the meeting resume standing orders.

Carried Unanimously

Recommendation

Amended Recommendation:

Moved: Cr Gardiner

Seconded: Cr Campbell

Carried Unanimously

That the CEO Working Group engage with all relevant stakeholders to:

- 1. Develop a draft governance model**
- 2. Fund the development of the draft governance model from the existing surplus funds up to \$20,000**
- 3. Develop a contributions proposal to fund the governance model**
- 4. Recommend the most effective member group for the region**
- 5. Complete the above by 31 March 2026**

4.2 FOGO Update

5. WRAP UP / NEXT STEPS / WAY FORWARD

Items for Discussion

BGTP Discussion – Extension of the marketing until the end of September. Proposal to renew for 12 months.

Recommendation:

That funding for BGTP to run through to 30 June 2026. Decision will be made to the future of the partnership, with decision to be made for the future for 31 March 2026.

Moved: Cr Miffling

Seconded: Cr Kitchen

Carried Unanimously

31 March 2026 meeting to be a half day workshop CEO's and Mayors/Shire Presidents.

6. CLOSE

Meeting closed at 10:55am



Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

**Appendix 11.5.A
Delegations Register**



Shire of Collie

Delegations Register

2025/26

Delegations under the legislation that enables Local Governments to make delegations.

SHIRE OF COLLIE



DELEGATIONS REGISTER

2025/26

Presented for Council Review 9 September 2025

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Shire of Collie

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Delegation Register

Shire of Collie

1. Local Government Act 1995 Delegations

1 Introduction

Council is responsible for the overall governance of the Shire's functions. The Chief Executive Officer (CEO) is responsible for the day-to-day management of the administration of the Shire's functions amongst other functions such as advising Council.

Delegation of authority, where allowed, allows for efficient and timely decision making by local governments. Conditions or limitations may be incorporated into delegations such as limiting the circumstances in which a delegation can be exercised or imposing financial or other limits to the delegated power.

The delegation of a power or duty does not preclude a delegator from exercising or performing that power or duty itself or by acting through any employee authorised, by job description or otherwise, to carry out a function as the agent of, and on behalf of, the local government in accordance with approved policies.

A person granted a delegation is not obliged to exercise the delegated power and may, if circumstances indicate, refer the decision back to the delegator. Legislation varies in how delegation of authority is provided for, including limitations, conditions and reporting or review requirements. Reviews of delegations, where required by law, are the responsibilities of the delegator.

Under the *Local Government Act 1995* (the Act) and some other legislation, persons affected by specified decisions made under delegated authority have a right under Part 9 Division 1 of the Act to lodge an objection to the decision, which must be considered by Council, and/or to seek a review of the decision by the State Administrative Tribunal.

1.1 Delegations by Local Government

The Act allows for the local government (Council) to delegate to the Chief Executive Officer the exercise of any of its power or the discharge of any of its duties under the Act (except for matters referred to in section 1.2 below) in order to effectively manage the day-to-day operations of the Shire.

The main consideration for a local government when deciding if it should delegate a power or duty is whether the delegation will improve the efficiency of the local government's operations whilst ensuring that its policies are consistently implemented.

Some legislation may restrict the local government to delegating a power or function only to the local government CEO, although some acts provide for the local government to delegate to persons other than the CEO, such as other local government employees or committees. The CEO may further delegate those powers to other officers only if sub-delegation is permitted by the legislation.

The Act also allows for the CEO to delegate any powers or discharge of any of the CEO's duties to another employee other than the power of delegation itself (s5.44(4)). There is no power other than for the CEO to delegate a power.

Delegation Register

Shire of Collie

1. Local Government Act 1995 Delegations

The ability to delegate a statutory function, power or duty must be described in a piece of legislation and is known as the power of delegation. It may be stated as a duty, function or power depending on the legislation. Delegations or authorisations may occur under legislation other than the Act, its regulations and the local government's local law including but not limited to:

- *Local Government Act 1995*
- *Planning and Development Act 2005*
- *Dog Act 1976*
- *Cat Act 2011*
- *Bush Fires Act 1954* and any local law created under that Act
- *Litter Act 1979*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Caravan Parks and Camping Grounds Act 1995*
- *Control of Vehicle (Off-Road Areas) Act 1978*
- *Building Act 2011*
- *Food Act 2008*

A Council delegation is not required where the legislation confers a specified function or power directly on the CEO or another defined class of authorised persons.

1.2 Matters which cannot be delegated

The following cannot be delegated by Council to the CEO under the Act (s5.43):

- Any power or duty that requires a decision of an absolute majority of the Council
- Accepting a tender which exceeds an amount determined by the local government
- Appointing an auditor
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government
- Any of the local government's powers under
 - s.5.98 – Fees etc for council members
 - s.5.98A – Allowance for deputy President
 - s.5.99 – Annual fee for council members in lieu of fees for attending meetings
 - s.5.99A – Allowances for council members
 - s.5.100 – Payment for certain committee members
- Borrowing money on behalf of the local government
- Hearing or determining an objection of a kind referred to in s9.5
- The power under s9.49A(4) to authorise a person to sign documents on behalf of the local government
- Any power or duty that requires the approval of the Minister for the Governor

1.3 Conditions

The following conditions apply to delegations:-

- The delegations commence from 1 September 2025 and remain in place until Council next reviews the delegations.

Delegation Register

Shire of Collie

1. Local Government Act 1995 Delegations

- The Chief Executive Officer as empowered by the *Local Government Act 1995* may delegate these delegations to other officers of Council as authorised by Council resolution and statutes. These sub delegations to other Council officers are not to be sub delegated further to any other officers.
- The Chief Executive Officer is to place constraints and limitations upon delegations as deemed necessary.
- Delegation of decision making powers are to be recorded in the Delegations Register.
- Officers exercising powers given by delegation are to keep records of when the power or duty was exercised, and the persons, or classes of persons directly affected by the exercise of the power or duty.
- The requirements of Financial Interest and other Interest provisions that may imply influence on the officer are to be adhered to at all times, where an officer has such an interest the decision is to be referred to the Chief Executive Officer.

Delegation Register

Shire of Collie

2. Local Government Act 1995 Delegations

2 Local Government Act 1995 Delegations

2.1 Council to Committees of Council

2.1.1 Audit, Risk & Improvement Committee

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits
Delegate:	Audit, Risk & Improvement Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none">1. Authority to meet with the Shire's Auditor at least once every year on behalf of the Council [s.7.12A(2)].2. Authority to:<ol style="list-style-type: none">a. examine the report of the Auditor and determine matters that require action to be taken by the Shire; andb. ensure that appropriate action is taken in respect of those matters [s.7.12A(3)].3. Authority to review and endorse the Shire's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil. Sub-delegation is prohibited by s.7.1B.

Compliance Links:	Department of Local Government, Sport and Cultural Industries Operational Guideline No. 09 - The appointment, function and responsibilities of Audit Committees Audit and Risk Committee Terms of Reference
Record Keeping:	Audit, Risk & Improvement Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

Version Control:

1	Delegated by Council at the Shire of Collie OCM held 9 August 2023, by resolution 9329
2	
3	

Delegation Register

Shire of Collie

2. Local Government Act 1995 Delegations

2.1.2 Behaviour Complaints Committee *******(NEW)*******

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees
Express Power or Duty Delegated:	<i>Local Government (Model Code of Conduct) Regulations 2021:</i> Clause 12 Dealing with a complaint Clause 13 Dismissal of complaint
Delegate:	Behaviour Complaints Committee
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur [MCC.cl.12(1) and (3)]. In making any finding the Committee must also determine reasons for the finding [MCC.cl.12(7)]. 2. Where a finding is made that a breach has occurred, authority to: <ol style="list-style-type: none"> a. take no further action [MCC.cl.12(4(a))]; or b. prepare and implement a plan to address the behaviour of the person to whom the complaint relates [MCC.cl.12(4)(b), (5) and (6)]. 3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal [MCC.cl.13(1) and (2)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy CP1-019 Elected Member Code of Conduct Behaviour Complaints Management Process. b. That part of a Committee meeting which deals with a Complaint will be held behind closed doors in accordance with s.5.23(2)(b) of the Act. c. The Committee is prohibited from exercising this Delegation where a Committee Member in attendance at a Committee meeting is either the Complainant or Respondent to the Complaint subject of a Committee agenda item. d. In the event of (c) above, the Committee may resolve to defer consideration to a future meeting at which the conflicted Committee Member is absent and a Deputy Committee Member is in attendance.

Delegation Register

Shire of Collie

2. Local Government Act 1995 Delegations

	NOTE TO Conditions (c) AND (d): The purpose of these Conditions is to require that a Committee Member who is identified as either the Complainant or Respondent is required to recuse themselves by notifying the Presiding Member of their intention to be an apology for the meeting at which the Complaint is an agenda item.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Council Policy CP1-019 Elected Members Code of Conduct Behaviour Complaints Management Code of Conduct for Council Members, Committee Members and Candidates
Record Keeping:	Committee Minutes shall record the details of each decision made under this delegation in accordance with the requirements of Administration Regulation 19.

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2. Local Government Act 1995 Delegations

2.2 Council to CEO

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

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this Subdivision s.3.31(2) General Procedure for entering property s.3.39(1) Power to remove and impound s.3.40A(1) Abandoned vehicle wreck may be taken s.9.24(1)(c) and (2)(b) Prosecutions, commencing <i>Local Government (Miscellaneous Provisions) Act 1960</i> s.449 Pounds, establishing; poundkeepers and rangers, appointing
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to authorise persons for the purposes of <i>Part 3, Division 3, Subdivision 2 – Certain provisions about land</i> - to exercise the Local Government's powers under s.3.25 to 3.27 inclusive, to issue and administer notices requiring certain things to be one by owner or occupier of land [s.3.24] 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)] [moved to 2.2.3 Power of Entry] 2. Authority to authorise an employee to remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)]. 3. Authority to authorise persons to commence prosecutions for offences under the <i>Local Government Act 1995</i> and any Local Laws made under the <i>Local Government Act 1995</i> [s.9.24(1)(c) and (2)(b)]. 4. Authority to authorise an employee to remove and impound a vehicle that has been determined as an abandoned vehicle wreck [s.3.40A(1)]. 5. Authority to appoint fit and proper persons as poundkeepers or rangers [Misc.Prov.s.449].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. A register of Authorisations is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions.

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	c. <u>Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</u>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Operations
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. A register of Authorisations is to be maintained as a Local Government Record.</p> <p>b. Only persons who are appropriately qualified and trained may be authorised to perform relevant functions.</p> <p>c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</p>

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

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2. Local Government Act 1995 Delegations

2.2.2 Performing Functions Outside the District

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Operations
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant Budget allocation and the performance of the functions does not negatively impact service levels within the District. Where these conditions are not met, the matter must be referred for Council decision.

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

Version Control:

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2.2.3 Compensation - Damage Incurred when Performing Executive Functions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. <u>Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</u>
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

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2. Local Government Act 1995 Delegations

2.2.4 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a Local Law [s3.28]. 2. <u>Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)]</u> 3. Authority to give notice of entry [s.3.32]. 4. Authority to seek and execute an entry under warrant [s.3.33]. 5. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 6. Authority to give notice and effect entry by opening a fence [s.3.36].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property. b. When exercising authority to authorise persons under s.3.31(2): <ul style="list-style-type: none"> • A register of Authorisations is to be maintained as a Local Government Record. • Only persons who are appropriately qualified and trained may be appointed as Authorised persons. • Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Operations
	Director Development Services
Function	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local government functions under this Act, other than entry under a Local Law [s3.28]. 2. Authority to authorise persons to enter onto land, premises or thing, without consent of the owner / occupier, unless the owner / occupier objects [s.3.31(2)] 3. Authority to give notice of entry [s.3.32]. 4. Authority to seek and execute an entry under warrant [s.3.33]. 5. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 6. Authority to give notice and effect entry by opening a fence [s.3.36].
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	<ol style="list-style-type: none"> a. Delegated authority under s.3.34(1) and (3) may only be used, where there is risk to public safety or property. b. When exercising authority to authorise persons under s.3.31(2): <ul style="list-style-type: none"> • A register of Authorisations is to be maintained as a Local Government Record. • Only persons who are appropriately qualified and trained may be appointed as Authorised persons. c. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.
Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Community Emergency Services Manager
	Senior Ranger
Function	Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Delegated authority under s.3.34(1) and (3) may only be used, where there is risk to public safety or property.

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

Version Control:

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2. Local Government Act 1995 Delegations

2.2.5 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 2.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 2.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.

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

Version Control:

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2.2.6 Confiscated or Uncollected Goods

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	<p>Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p>NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated - refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.</p>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	<p>Director Development Services</p> <p>Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$5,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</p> <p>NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated - refer Delegated Authority 1.2.1 Authorise Persons to Perform Specified Functions.</p>

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

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2.2.7 Disposal of Sick or Injured Animals

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.

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

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2.2.8 Close Thoroughfares to Vehicles

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] c. <u>WALGA – Limited to temporary road closures only. Permanent closure of roads must be determined by Council and subject to compliance with <i>Land Administration Act 1987 s.58.</i></u>

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Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Operations
Function:	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] c. WALGA – Limited to temporary road closures only. Permanent closure of roads must be determined by Council and subject to compliance with Land Administration Act 1987 s.58.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. <i>Land Administration Act. 1987</i>
Record Keeping:	

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2.2.9 Control Reserves and Certain Unvested Facilities

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire of Collie that the Shire of Collie could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)].
Council Conditions on this Delegation:	Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.
Record Keeping:	

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2.2.10 Obstruction of Footpaths and Thoroughfares

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

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Operations
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ul style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping:	

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2.2.11 Gates Across Public Thoroughfares

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.12 Public Thoroughfare – Dangerous Excavations

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

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2. Local Government Act 1995 Delegations

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

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2. Local Government Act 1995 Delegations

2.2.13 Crossing – Construction, Repair and Removal

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Council Conditions on this Delegation:	Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996 .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Operations
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996 .

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2. Local Government Act 1995 Delegations

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.14 Private Works on, over or under Public Places

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

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2. Local Government Act 1995 Delegations

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

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2. Local Government Act 1995 Delegations

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

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to give notice to a land owner / occupier if it is considered that clearing the owner / occupier's land may cause local government land with a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.16 Expressions of Interest for Goods and Services

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate and Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services and the intention of the Expression of Interest is to enable a restricted tender in accordance with the Local Government Act 1995.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy CS3.23 Purchasing Policy</p>
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.17 Tenders for Goods and Services – Call Tenders

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(1), (2) When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to invite tenders although not required to do so [F&G r.13]. 3. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 4. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 5. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)].
Council Conditions on this Delegation:	<p>Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where:</p> <ol style="list-style-type: none"> i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or ii. a current supply contract expiry is imminent; and iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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2. Local Government Act 1995 Delegations

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
CEO Conditions on this Sub-Delegation: <i>Conditions on the delegation also apply to sub-delegation.</i>	Director Corporate & Community Services Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget where: <ul style="list-style-type: none"> i. the proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; or ii. a current supply contract expiry is imminent; and iii. the value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. the tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Primary and Annual Returns. Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy CS3.23 Purchasing Policy
Record Keeping:	

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2. Local Government Act 1995 Delegations

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

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2)(j) Exercising contract extension options r.18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders r.20(1), (2), (3) Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)]. 2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine the extent to which each tender satisfies the criteria for deciding which tender to accept [F&G r.18(4)]. 4. Authority to decline to accept any tender [F&G r.18(5)]. 5. Authority to accept the next most advantageous tender if, within 6-months of accepting a tender, a contract has not been entered into <u>OR</u> the local government and the successful tenderer agree to terminate the contract [F&G r.18(6) & (7)]. 6. Authority to determine whether variations in goods and services required are minor variations, and to negotiate with the successful tenderer to make minor variations <u>before</u> entering into a contract [F&G r.20(1) and (3)]. 7. Authority to choose the next most advantageous tender to accept, if the chosen tenderer is unable or unwilling to form a contract to supply the varied requirement <u>OR</u> the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer [F&G r.20(2)]. 8. Authority to vary a tendered contract, <u>after</u> it has been entered into, provided the variation/s are necessary for the goods and services to be supplied, and do not change the

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2. Local Government Act 1995 Delegations

	<p>scope of the original contract or increase the contract value beyond 5% [F&G r.21A(a)].</p> <p>9. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
Council Conditions on this Delegation:	<p>a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>b. In accordance with s.5.43(b), tenders may only be accepted under this delegation, where:</p> <ol style="list-style-type: none"> The total consideration under the resulting contract is \$250,000 or less; The expense is included in the adopted Annual Budget; and The tenderer has complied with requirements under F&G r.18(2) and (4). <p>c. A decision to vary a tendered contract <u>before</u> entry into the contract [F&G r.20(1) and (3)] must include evidence that the variation is minor in comparison to the total goods or services that tenderers were invited to supply.</p> <p>d. <u>A decision to vary a tendered contract after entry into the contract [F&G r.21A(a)] must comply with the adopted Purchasing Policy C3.23 and must include evidence that the variation is necessary and does not change the scope of the contract.</u></p> <p>d. A decision to renew or extend the contract must only occur where the original contract contained the option to renew or extend its term as per r.11(2)(j) and that the contractor's performance has been reviewed and the review evidences the rationale for entering into the extended term.</p>
Express Power to Sub-Delegate:	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Operations
	Director Development Services
	Director Corporate & Community Services
Function	<p>1. Authority to determine whether or not to reject tenders that do not comply with requirements as specified in the invitation to tender [F&G.r.18(2)].</p>

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2. Local Government Act 1995 Delegations

	<p>2. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>3. Authority to assess, by written evaluation, tenders that have not been rejected, to determine the extent to which each tender satisfies the criteria for deciding which tender to accept [F&G r.18(4)].</p>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. Exercise of authority under F&G.r.18(2) requires consideration of whether or not the requirements as specified in the invitation to tender have been expressed as mandatory and if so, discretion may not be capable of being exercised – consider process contract implications.</p> <p>b. The Tender Evaluation Panel is to consist of a minimum of three panel members with the Director Corporate & Community Services or Manager Governance being one of the three panel members.</p>

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Technical Services Coordinator
	Manager Operations
	Governance Coordinator
Function	<p>1. Authority to assess, by written evaluation, tenders that have not been rejected, to determine the extent to which each tender satisfies the criteria for deciding which tender to accept [F&G r.18(4)].</p>
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	The Tender Evaluation Panel is to consist of a minimum of three panel members with the Director Corporate & Community Services or Governance Coordinator being one of the three panel members.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy CS3.23 Purchasing Policy</p>
Record Keeping:	

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2.2.19 Tenders for Goods and Services - Exempt Procurement ***NEW***

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government												
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO												
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11(2) When tenders have to be publicly invited (<i>exemptions</i>)												
Delegate:	Chief Executive Officer												
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is expected to be included in the adopted Annual Budget [F&G.r.11(2)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine to contract directly with a suitable supplier [F&G r.11(2)(f)]. 												
Council Conditions on this Delegation:	<p>a. Tender exempt procurement under F&G.r.11(2) may only be approved where the total consideration under the resulting contract is expected to be less than the maximum \$value specified for the following categories:</p> <table border="1"> <thead> <tr> <th>Category</th><th>Maximum Value for individual contracts</th></tr> </thead> <tbody> <tr> <td>WALGA Preferred Supplier Program [F&G.r.11(2)(b)]</td><td>\$500,000</td></tr> <tr> <td>Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]</td><td>\$500,000</td></tr> <tr> <td>Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]</td><td>\$900,000</td></tr> <tr> <td>Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]</td><td>\$500,000</td></tr> <tr> <td>Goods or services supplied by a person registered on the</td><td>\$500,000*</td></tr> </tbody> </table>	Category	Maximum Value for individual contracts	WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000	Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000	Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$900,000	Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000	Goods or services supplied by a person registered on the	\$500,000*
Category	Maximum Value for individual contracts												
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$500,000												
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$500,000												
Goods or services that are determined to be unique so that it is unlikely that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$900,000												
Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$500,000												
Goods or services supplied by a person registered on the	\$500,000*												

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

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy CS3.23 Purchasing Policy</p>
Record Keeping:	

Version Control:

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2. Local Government Act 1995 Delegations

2.2.20 Renewal or Extension of Contracts during a State of Emergency

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(ja)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to execute a renewal or extension to the term of a contract that will expire within 3 months, for a term of not more than 12 months from the original expiry date, without calling for tenders [F&G r.11(2)(ja)].</p> <p>This authority relates to:</p> <ul style="list-style-type: none"> contracts not formed through a public tender, where the total value of the original term and the proposed extension or renewal exceeds \$100 000, and contracts formed through a public tender.
Council Conditions on this Delegation:	<p>a. The authority to apply the renewal or extension option may be exercised where one or more of the following principles applies:</p> <ol style="list-style-type: none"> It is exercised at the sole discretion of the Local Government; It is in the best interests of the Local Government; It is deemed necessary to facilitate the role of Local Government in relation to the State of Emergency declaration; It has potential to promote local and/or regional economic benefits. <p>b. This authority may only be exercised where the total consideration for the renewal or extension is \$100,000 or less.</p> <p>c. Contracts may only be renewed or extended where there is an adopted and available budget for the proposed goods and services, OR where the expenditure from an alternative available budget allocation has been authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8(1)(c).</p>

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2. Local Government Act 1995 Delegations

	<p>d. The decision to extend or renew a contract must be made in accordance with the objectives of the Purchasing Policy.</p> <p>e. This authority may only be exercised where the total consideration under the resulting contract is \$100,000 or less.</p> <p>f. The CEO cannot sub-delegate this authority.</p>
Express Power to Sub-Delegate:	Not applicable

Compliance Links:	<p>Local Government (Functions and General) Regulations 1996</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy CS3.23 Purchasing Policy</p>
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.21 Procurement of Goods or Services required to address a State of Emergency

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> Regulation 11 'When tenders have to be publicly invited' Tender exemption under subregulation 11(2)(aa) Associated definition under subregulation 11(3)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, only to be exercised when a State of Emergency declaration is in force and applies to all or part of the District, to: <ol style="list-style-type: none"> Determine that particular goods or services with a purchasing value >\$100,000 are required for the purposes of addressing the impact, consequences or need arising from the hazard to which the State of Emergency declaration relates [F&G r11(3)(b)]; and Undertake tender exempt purchasing activity to obtain the supply of those goods or services identified in accordance with point 1 above [F&G r.11(2)(aa)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> This authority may only be exercised where the goods or services are urgently required, and it is not possible for Council to meet within an appropriate timeframe. Compliance with the Purchasing Policy is required, but only to the extent that such compliance will not incur an unreasonable delay in providing the required urgent response to the State of Emergency hazard. The rationale for non-compliance with Purchasing Policy must be evidenced in accordance with the Record Keeping Plan. Where a relevant budget allocation is not available and a purchase is necessary in response to a State of Emergency, the expenditure from an alternative available budget allocation must be authorised in advance by the Mayor or President (i.e. before the expense is incurred) in accordance with LGA s.6.8. The CEO is to inform Council Members after the exercise of this delegation, including details of the contract specification, scope and purchasing value and the rationale for determining that the goods or services were urgently required in response to the State of Emergency declaration.

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2. Local Government Act 1995 Delegations

	e. The CEO cannot sub-delegate this authority.
Express Power to Sub-Delegate:	Not applicable

Compliance Links:	Local Government (Functions and General) Regulations 1996 WALGA Subscription Service – Procurement Toolkit Council Policy CS3.23 Purchasing Policy
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.22 Procurement of Goods or Services *** NEW ***

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to purchase goods and services.
Council Conditions on this Delegation:	Authority to purchase goods and services up to \$250,000. Authority to purchase goods and services \$250,000 and above require a Council resolution.
Express Power to Sub-Delegate:	Not applicable

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title	Delegated Amount
	Director Corporate & Community Services	\$125,000
	Director Development Services	\$125,000
	Director Operations	\$125,000
	Finance & Business Excellence Coordinator	\$10,000
	Manager Information Services	\$10,000
	Manager ICT	\$10,000
	Manager Planning & Development Services	\$10,000
	Manager Operations	\$20,000
	Manager Recreation Services	\$2,000
	Swimming Pool Manager	\$2,000
	Community Emergency Services Manager	\$2,000
	Human Resource Coordinator	\$5,000

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2. Local Government Act 1995 Delegations

Purchasing Card	Community Emergency Services Manager	\$1,000
	Executive Assistant	\$1,000
	Manager Roche Park Recreation Centre	\$1,000
	Procurement Officer	\$1,000
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Delegated amount in accordance with annual budget thresholds and the approved Responsible Officer.</p> <p>Purchase Orders are to be raised by a Shire Officer and Authorised by another delegated Authorising Shire Officer for capital expenditure above \$5,000 to ensure adequate Separation of Duties.</p> <p>Goods and Services must be confirmed as received by a Verifying Officer. This Verifying Officer must be separate to the Authorising Officer to ensure adequate Separation of Duties.</p>	

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy CS3.23 Purchasing Policy
Record Keeping:	Delegates exercising powers given by delegation are to keep records of exercised delegation in the Records Management System – 'Executed Delegations Register'.

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2. Local Government Act 1995 Delegations

2.2.23 Disposing of Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property <i>Local Government (Functions and General) Regulations 1996:</i> R.30 Dispositions of property excluded from Act s.3.58
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to dispose of property to: <ol style="list-style-type: none"> the highest bidder at public auction [s.3.58(2)(a)]. the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)] Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. Authority to dispose of property, that is prescribed as exempt from the provisions of s.3.58: <ol style="list-style-type: none"> disposal of land to an adjoining owner, where the market value is less than \$5,000 and the delegate has determined that the land would not be of benefit to anyone other than the adjoining owner. [F&G.r.30(2)(a)] disposal of land, by lease, to an employee of the local government for use as the employee's residence [F&G.r.30(2)(d)]. disposal of land, by lease, for a period of less than 2 years during all or any of which time the lease dose not give the lessee the exclusive use of the land. [F&G..r.30(20)(e)] disposal of land, by lease, of a residential property to a person for residential purposes [F&G.r.30(2)(f)]. disposal of property (other than land / buildings), where the property is disposed within 6 months after it has been unsuccessfully put out to auction, public tender or private treaty via Statewide public notice[F&G.r.(2A)]

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2. Local Government Act 1995 Delegations

	<p>(f) disposal of property, other than land / buildings, where the market value is determined as less than \$20,000. [F&G r.30(3)(a)]</p> <p>(g) disposal of property, other than land / buildings, where the entire consideration received for the disposal is used to purchase other property AND the total value of the other property is not more, or worth more, than \$75,000. [F&G.r.30(3)(b)]</p>
Council Conditions on this Delegation:	<p>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</p> <p>b. When determining the method of disposal:</p> <ul style="list-style-type: none"> Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> Reserve price has been set by independent valuation. Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> Negotiate the sale of the property up to a -10% variance on the valuation; and Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. A disposal under Functions and General Regulations 30(2)(a),(f), (2A) or (3)(a),(b), the disposal method selected must obtain a best value outcome for the Local Government. A disposal under Functions and General Regulations 30(2)(d), must be assessed as equitable in context of disposals to other employees of the Local Government. Disposal methodology must consider and where practicable demonstrate environmentally responsible outcomes.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

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Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title Director Corporate & Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>a. Disposal plant, equipment and furniture assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</p> <p>b. When determining the method of disposal:</p> <ul style="list-style-type: none"> Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> Reserve price has been set by independent valuation. Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> Negotiate the sale of the property up to a -10% variance on the valuation; and Consider any public submissions received and determine if to proceed with the disposal, ensuring reasons for the decision are recorded. A disposal under Functions and General Regulations 30(2)(a),(f), (2A) or (3)(a),(b), the disposal method selected must obtain a best value outcome for the Local Government. A disposal under Functions and General Regulations 30(2)(d), must be assessed as equitable in context of disposals to other employees of the Local Government. Disposal methodology must consider and where practicable demonstrate environmentally responsible outcomes. <p>Delegates must comply with the Administrative Policies and Procedures approved by the CEO.</p>

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2. Local Government Act 1995 Delegations

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><u>Local Government Act 1995</u> – s.3.58 Disposal of Property</p> <p><u>Local Government (Functions and General) Regulations 1995</u> – r.30</p> <p>Dispositions of property excluded from Act s. 3.58</p> <p>Council Policy Disposal of Property</p> <p><u>Land Administration Act 1987</u> – where Ministerial approval is required before Crown Land may be disposed of.</p>
Record Keeping:	<p>Delegates exercising powers given by delegation are to keep records of exercised delegation in the Records Management System – ‘Executed Delegations Register’.</p>

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2. Local Government Act 1995 Delegations

2.2.24 Acquisition of Interest in Land by Lease or other Short Term Instrument *****New*****

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limits on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.59 Commercial enterprises by local governments <i>Local Government (Functions and General) Regulations 1996:</i> r.8A Amount prescribed for major land transactions; exempt land transactions prescribed r.8 Exempt land transactions prescribed
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to acquire an interest in land (includes buildings), by lease or other short term instrument ONLY, where the total value of the consideration and anything done by the Shire of Collie is less than the threshold amount for a major land transaction [s.3.59(1), r.8A(1)]. 2. Authority to acquire an interest in land by lease or other short term instrument ONLY through an exempt land transaction [s.3.59(1), r.8(1)]: <ol style="list-style-type: none"> a. without intending to produce a profit to the Local Government; and b. without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Delegation excludes authority to purchase in fee simple land or buildings and is therefore limited to leases, rental or other short term acquisition instruments that do not commit the Local Government for a period greater than 12 months. b. Delegation is limited to acquisitions that are necessary to achieve an objective determined by Council resolution, including objectives identified in the adopted Corporate Business Plan, a Policy or Strategy and for which an associated budget allocation has been included, and is available, in the Annual Budget. NOTE - <u>Examples</u> of acquisitions necessary to achieve an approved objective may include; hire a venue for a community event or short term lease of storage space for equipment while a refurbishment is completed. c. Where the acquisition total consideration value is greater than \$20,000, the value is to be verified by at least one written valuation obtained from a suitably licensed valuer

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	<p>not more than 3-months prior to the execution of the associated acquisition contract.</p> <p>d. In accordance with s.5.43, this delegation is limited to acquisitions that have a total consideration value of \$20,000 or less.</p> <p>e. Documents that give effect to an acquisition under this delegation, must be executed by a person duly authorised under s.9.49A.</p>
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 s.3.59 Commercial enterprises by local Government s.9.49A Execution of documents s.6.2 Annual Budget Corporate Business Plan as adopted by Council</p> <p>Local Government (Functions and General) Regulations 1995 – Regulations 8A and 8</p> <p>Residential Tenancy Act 1987 Commercial Tenancy (Retail Shops) Agreements Act 1985</p>
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.25 Payments from the Municipal or Trust Funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> <u>Authority to develop procedures that implement appropriate internal controls and risk mitigation for the authorisation and payment of accounts by any method, including but not limited to; cheques, credit cards, computer encryption devices and passwords, purchasing transaction cards, petty cash systems, etc.</u> Authority to make payments from the municipal or trust funds [FM.r.12(1)(a)].
Council Conditions on this Delegation:	Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title	Chq Signing/ Cash Withdraw	EFT & Payroll Authority
	Authority to make payments from the municipal or trust funds [r.12(1)(a)].		
	Director Corporate & Community Services	Yes	Yes
	Director Development Services	Yes	Yes
	Finance & Business Excellence Coordinator	Yes	Yes

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2. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. Payments by Cheque and EFT must be approved jointly by two Delegates, one of whom must be the CEO, Director Corporate & Community Services or Finance & Business Excellence Coordinator. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the Purchase Order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.
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Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p><u>Local Government Act 1995</u></p> <p><u>Local Government (Financial Management) Regulations 1996</u> - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p><u>Local Government (Audit) Regulations 1996</u></p> <p>Department of Local Government, Sport and Cultural Industries <u>Operational Guideline No.11 – Use of Corporate Credit Cards</u></p> <p>Department of Local Government, Sport and Cultural Industries: <u>Accounting Manual</u></p>
Record Keeping:	Delegates exercising powers given by delegation are to keep records of exercised delegation in the Records Management System – 'Executed Delegations Register'.

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2. Local Government Act 1995 Delegations

2.2.26 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire of Collie [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Shire of Collie [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Shire of Collie [s.6.12(1)(c)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Write-off a rates or service charge debt up to \$500. b. A debt may only be waived where the write off relates to accrued interest. c. A concession may only be granted where a request is made in writing (except for the writing off minor amounts under \$10 associated with interest). d. <i>Food Act 2008</i> fees for registration, notification and assessment may be waived for applications that are of a charitable or community nature.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title	Amount
	Director Corporate & Community Services	\$5,000
	Finance & Business Excellence Coordinator	\$300
	Accountant	<\$50
	Senior Finance Officer	<\$50
	Director Development Services	Up to \$200 per individual request relating to Animal fees and charges
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> a. Write-off a rates or service charge debt up to \$500. b. A debt may only be waived where the write off relates to accrued interest. c. A concession may only be granted where a request is made in writing (except for the writing off minor amounts under \$10 associated with interest). 	

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2. Local Government Act 1995 Delegations

	d. Food Act 2008 fees for registration, notification and assessment may be waived for applications that are of a charitable or community nature.
Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns Collection of Rates Debts – refer Delegations: Agreement as to Payment of Rates and Service Charges Recovery of Rates or Service Charges Recovery of Rates Debts – Require Lessee to Pay Rent Recovery of Rates Debts – Actions to Take Possession of the Land
Record Keeping:	Delegates exercising powers given by delegation are to keep records of exercised delegation in the Records Management System – ‘Executed Delegations Register’.

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2.2.27 Power to Invest and Manage Investments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	All investment activity must comply with the Financial Management Regulation 19C and Council Policy CS3.8.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate & Community Services
	Finance & Business Excellence Coordinator
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ol style="list-style-type: none"> 1. Condition in accordance with the investment policy, and in the absence of the Director Corporate & Community Services, the Finance & Business Excellence Coordinator may have the delegated authority as per above. 2. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. 3. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.

Compliance Links:	<ul style="list-style-type: none"> • <u>Local Government (Financial Management) Regulations 1996</u> – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a)) • Council Policy CS3.8 • <u>Local Government Act 1995</u> - s6.14 • <u>Local Government (Financial Management) Regulations 1996</u> – r19, r28 and r49 • The Trustees Amendment Act 1997 - Part III Investments • Australian Accounting Standards
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Record Keeping:	Delegates exercising powers given by delegation are to keep records of exercised delegation in the Records Management System – ‘Executed Delegations Register’.
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2. Local Government Act 1995 Delegations

2.2.28 Rate Record Amendment

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate & Community Services
	Finance & Business Excellence Coordinator
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Requirements of s6.40 if the Act.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Local Government Act 1995 – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.29 Agreement as to Payment of Rates and Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. b. Agreements must be consistent with the terms of Council Policy CS3.22.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate & Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<ul style="list-style-type: none"> a. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. b. Agreements must be consistent with the terms of Council Policy CS3.22.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Council Policy CS3.22
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.30 Determine Due Date for Rates or Service Charges

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Director Corporate & Community Services</p> <p>a. Excludes determining the due date and instalment due dates applicable to levying rates as part of the adoption of the annual budget.</p> <p>NOTE - Financial Management Reg.64 specifies that instalment due dates are to be determined when adopting the annual budget.</p> <p>b. Decisions under this delegation are limited to determining due date and instalment</p>

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

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2. Local Government Act 1995 Delegations

2.2.31 Recovery of Rates or Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Corporate & Community Services
	Finance & Business Excellence Coordinator
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil.

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

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2. Local Government Act 1995 Delegations

2.2.32 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Collie [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Council Conditions on this Delegation:	Decisions under this delegation must comply with Council Policy CS3.16.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Director Corporate & Community Services
	Decisions under this delegation must comply with Council Policy CS3.16.

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s.6.60</p> <p>Council Policy CS3.16</p>
Record Keeping:	

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2. Local Government Act 1995 Delegations

2.2.33 Recovery of Rates Debts - Actions to Take Possession of the Land

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.64(1) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Shire of Collie [s.6.71]. 2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Decisions under this delegation must comply with Council Policy 3.16. b. <u>In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</u> c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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2. Local Government Act 1995 Delegations

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title Director Corporate & Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	<p>Decisions under this delegation must comply with Council Policy 3.16.</p> <p>b. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / changes through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.</p> <p>c. Exercise of this delegation must comply with the procedures set out in Schedule 6.3 of the Local Government Act 1995.</p> <p>d. Any action to take possession of the land must be supported by the CEO via a memo and subject to a report to Council to obtain Council endorsement.</p>

Compliance Links:	<p>Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.</p> <p>Local Government Act 1995 – Part 6, Division 6 Subdivision 6 and Schedule.6.3 prescribe procedures relevant to exercise of authority under this delegation.</p> <p>Local Government (Financial Management) Regulations 1996 – regulations 72 – 78 prescribe forms and procedures relevant to exercise of authority under this delegation.</p>
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2. Local Government Act 1995 Delegations

2.2.34 Rate Record – Objections

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate & Community Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination under this Delegation.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

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2.2.35 Extend Time for Lodging an Objection

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Director Corporate & Community Services
	Nil.

Compliance Links:	Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
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2.2.36 Shire of Collie Local Laws

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> <i>Section 3.18 – Performing executive functions under:</i> Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012 Shire of Collie Bush Fire Brigades Local Law 2017 Shire of Collie Cemeteries Local Law 2019 Shire of Collie Dogs Local Law 2010 Shire of Collie Extractive Industries Local Law 2015 Shire of Collie Fencing Local Law 2001 Shire of Collie Health Local Law 2001 Shire of Collie Parking Local Laws 2012 Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 Shire of Collie Standing Orders Local Law 2017
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to administer and enforce the Shire's Local Laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the Shire's Local Laws and the authority to subdelegate this function.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Corporate & Community Services
	Director Operations
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil.

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

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2. Local Government Act 1995 Delegations

2.2.37 Information to be Available to the Public

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

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

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3. Building Act 2011 Delegations

3 Building Act 2011 Delegations

3.1 Council to CEO

3.1.1 Grant a Building Permit

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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3. Building Act 2011 Delegations

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Building Surveyor Technician
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Building Act 2011 s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit s.17 Uncertified application to be considered by building surveyor Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT <i>Building Services (Registration Act) 2011 – Section 7</i> <i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.2 Demolition Permits

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

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Shire of Collie

3. Building Act 2011 Delegations

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Building Act 2011 s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011 — Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.3 Occupancy Permits or Building Approval Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

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3. Building Act 2011 Delegations

Compliance Links:	Building Act 2011 s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.4 Designate Employees as Authorised Persons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].
Council Conditions on this Delegation:	<p>Decisions under this delegated authority to be in accordance with r.5 of the Building Regulations 2012.</p> <p>NOTE: An <i>authorised person</i> for the purposes of sections 96(3) and 99(3) is <u>not</u> an <i>approved officer</i> or <i>authorised officer</i> for the purposes of Building Reg. 70.</p>
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<i>Building Act 2011:</i> s.97 each designated authorised person must have an identity card.
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.5 Building Orders

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to make Building Orders in relation to: <ol style="list-style-type: none"> Building work Demolition work An existing building or incidental structure [s.110(1)]. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. Authority to revoke a building order [s.117]. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> take any action specified in the order ; or commence or complete any work specified in the order; or if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Delegation Register

Shire of Collie

3. Building Act 2011 Delegations

Compliance Links:	<u>Building Act 2011:</u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT.
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.6 Inspection and Copies of Building Records

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	Building Act 2011 - s.146 Confidentiality
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.7 Authorise persons to commence proceedings

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

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

Compliance Links:	Building Act 2011 - s.146 Confidentiality
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.8 Referrals and Issuing Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.145A Local Government functions
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Collie's District [s.145A(2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.9 Private Pool Barrier – Alternative and Performance Solutions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliant with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Building Surveyor Technician
	Manager Planning and Development
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Director Development Services
	Nil

Compliance Links:	.
Record Keeping:	

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3. Building Act 2011 Delegations

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3. Building Act 2011 Delegations

3.1.10 Smoke Alarms – Alternative Solutions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Building Surveyor Technician
	Manager Planning and Development
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping:	

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3. Building Act 2011 Delegations

3.1.11 Appoint approved officers and authorised officers

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A). <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i> 2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2). <i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 <u>and</u> authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i>
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<i>Building Regulations 2012:</i> r 70(3) each authorised officer must be issued a certificate of appointment.
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4 Bush Fires Act 1954 Delegations

4.1 Council to CEO and Bush Fire Control Officer

4.1.1 Make Request to FES Commissioner – Control of Fire

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

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.2 Prohibited Burning Times - Vary

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government s.17(10) Prohibited burning times may be declared by Minister (power of delegation to Chief Bush Fire Control Officer for ONLY powers under s.17(7) and (8))
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	President and Chief Bush Fire Control Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
Council Conditions on this Delegation:	Decisions under s.17(7) must comply with the procedural requirements of s.17(7B) and (8).
Express Power to Sub-Delegate:	NIL – Sub-delegation is prohibited by s.48(3)

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.3 Prohibited Burning Times – Control Activities

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 4. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 5. Authority to recover the cost of measures taken by the Shire of Collie or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

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4. Bush Fires Act 1954 Delegations

Compliance Links:	
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4. Bush Fires Act 1954 Delegations

4.1.4 Restricted Burning Times – Vary and Control Activities

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i></p> <p>s.18(5), (11) Restricted burning times may be declared by FES Commissioner</p> <p>s.22(6) and (7) Burning on exempt land and land adjoining exempt land</p> <p>s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions</p> <p>s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p><i>Bush Fire Regulations 1954:</i></p> <p>r.15 Permit to burn (Act s.18), form of and apply for after refusal etc.</p> <p>r.15C Local Government may prohibit burning on certain days</p> <p>r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times</p>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].

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Shire of Collie

4. Bush Fires Act 1954 Delegations

	<p>6. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</p> <p>7. Authority to recover the cost of measures taken by the Shire of Collie or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</p>
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.5 Control of Operations Likely to Create Bush Fire Danger

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

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

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4. Bush Fires Act 1954 Delegations

4.1.6 Burning Garden Refuse / Open Air Fires

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25 <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].

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Shire of Collie

4. Bush Fires Act 1954 Delegations

Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Community Emergency Services Manager
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.7 Firebreaks

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring: <ol style="list-style-type: none"> a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. d. determine that these matters have been acted upon to the satisfaction of the Shire of Collie. 2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Community Emergency Services Manager
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	.
Record Keeping:	

Delegation Register

Shire of Collie

4. Bush Fires Act 1954 Delegations

Version Control:

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4. Bush Fires Act 1954 Delegations

4.1.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and <ol style="list-style-type: none"> Of those Officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Collie [s.38(5A)]. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.9 Control and Extinguishment of Bush Fires

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]: a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Community Emergency Services Manager
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil

Compliance Links:	.
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.10 Recovery of Expenses Incurred through Contraventions of this Act

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

Compliance Links:	
Record Keeping:	

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4. Bush Fires Act 1954 Delegations

4.1.11 Prosecution of Offences

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> s.59(3) Prosecution of offences
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Delegate:	Chief Executive Officer Director Development Services Community Emergency Services Manager * Senior Ranger and Ranger *
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].
Council Conditions on this Delegation:	* Community Emergency Services Manager, Senior Ranger and Ranger are limited to function 2 only..
Express Power to Sub-Delegate:	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>

Compliance Links:	
Record Keeping:	

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5. Cat Act 2011 Delegations

5 Cat Act 2011 Delegations

5.1 Council to CEO

5.1.1 Cat Registrations

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none">1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].3. Authority to cancel a cat registration [s.10].4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire of Collie's District [Regs. Sch. 3 cl.1(4)].
Council Conditions on this Delegation:	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Delegation Register

Shire of Collie

5. Cat Act 2011 Delegations

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services Rangers
Function	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.
Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Customer Service and Finance Officers
Function	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.
Compliance Links:	<p>Cat Regulations 2012</p> <ul style="list-style-type: none"> r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) <p>Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.</p>
Record Keeping:	

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5. Cat Act 2011 Delegations

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5. Cat Act 2011 Delegations

5.1.2 Cat Control Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Collie's District [s.26].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Compliance Links:	<i>Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice..</i>
Record Keeping:	

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Development Services
	Senior Ranger
	Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil.

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5. Cat Act 2011 Delegations

5.1.3 Approval to Breed Cats

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
Council Conditions on this Delegation:	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
	Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .

Compliance Links:	Cat Regulations 2012: r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
Record Keeping:	

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5. Cat Act 2011 Delegations

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5. Cat Act 2011 Delegations

5.1.4 Recovery of Costs – Destruction of Cats

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Development Services
	Senior Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Nil.

Compliance Links:	
Record Keeping:	

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5. Cat Act 2011 Delegations

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

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

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

Compliance Links:	
Record Keeping:	

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5. Cat Act 2011 Delegations

5.1.6 Applications to Keep Additional Cats

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Council Conditions on this Delegation:	Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Sub-Delegate/s: <i>Appointed by CEO</i>	Position
	Director Development Services
	Senior Ranger
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> ..

Record Keeping:	

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5. Cat Act 2011 Delegations

5.1.7 Reduce or Waiver Registration Fee

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995..

Compliance Links:	
Record Keeping:	

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5. Cat Act 2011 Delegations

5.2 Cat Act Delegations - CEO to Employees

5.2.1 Infringement Notices – Extensions and Withdrawals***NEW***

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
Delegate/s:	Director Development Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none">1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
CEO Conditions on this Delegation:	a.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
Record Keeping:	

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6. Dog Act 1976 Delegations

6 Dog Act 1974 Delegations

6.1 Dog Act Delegations Council to CEO

6.1.1 Appoint Registration Officer

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

Compliance Links:	
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6. Dog Act 1976 Delegations

6.1.2 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$200 [s.10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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6. Dog Act 1976 Delegations

6.1.3 Refuse or Cancel Registration

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept iv. the dog is required to be microchipped but is not microchipped; or v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Collie's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]

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Shire of Collie

6. Dog Act 1976 Delegations

Council Conditions on this Delegation:	The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	<i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6) .
Record Keeping:	

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6. Dog Act 1976 Delegations

6.1.4 Grant Exemption as to Number of Dogs Kept at Premises

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.26(3) Limitation as to numbers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to approve, and determine conditions that apply to, an exemption as to the limit to the number of dogs that can be kept at a premises [s.26(3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. Decisions under this delegation must comply with the relevant provisions of the Dog Act 1976 and the Shire of Collie Dogs Local Law, including: <ul style="list-style-type: none"> Consider and be satisfied that for any particular premises the provisions of the <i>Dog Act 1976</i> relating to kennel establishments need not be applied in the circumstances [s.26(3)]. Apply the provisions of s.26(4). Conditions that must be applied to an approved exemption, include: <ul style="list-style-type: none"> Fencing at the premises must be adequate and maintained to prevent the dogs from leaving the premises, to the satisfaction of the CEO. Registrations for each dog subject of the approved exemption must be current and maintained. An exemption applies only to the dogs registered and listed in the approval and as such cannot be transferred to another dog.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

6.1.5 Kennel Establishments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Application processing and decisions under this delegation are to comply with the Shire of Collie Dogs Local Law.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	Director Development Services

Compliance Links:	
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

6.1.6 Recovery of Moneys Due Under this Act

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

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Compliance Links:	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

6.1.7 Dispose of or Sell Dogs Liable to be Destroyed

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)]. b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

6.1.8 Declare Dangerous Dog

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Council Conditions on this Delegation:	The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

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

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) and (2) Local government may revoke declaration or proposal to destroy
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Council Conditions on this Delegation:	The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Sub-Delegate/s: <i>Appointed by CEO</i>	Position Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – See s.33H(5) of the <i>Dog Act 1976</i>
Record Keeping:	

Version Control:

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Delegation Register

Shire of Collie

6. Dog Act 1976 Delegations

6.1.10 Deal with Objection to Notice to Revoke Dangerous Dog Declaration or Destruction Notice

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33H(5) Local government may revoke declaration or proposal to destroy
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
Council Conditions on this Delegation:	The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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Shire of Collie

6. Dog Act 1976 Delegations

6.1.11 Determine Recoverable Expenses for Dangerous Dog Declaration

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to the maximum amount prescribed, having regard to expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
Council Conditions on this Delegation:	The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s: <i>Appointed by CEO</i>	Position Title
	Director Development Services
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

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

Version Control:

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Delegation Register

Shire of Collie

7. Food Act 2008 Delegations

7 Food Act 2008 Delegations

7.1 Council to CEO

7.1.1 Determine Compensation

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Delegate:	Director Development Services Environmental Health Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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Shire of Collie

7. Food Act 2008 Delegations

7.1.2 Prohibition Orders and Certificates of Clearance

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Delegate:	Director Development Services Environmental Health Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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Shire of Collie

7. Food Act 2008 Delegations

7.1.3 Food Business Registrations

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Delegate:	Director Development Services Environmental Health Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Council Conditions on this Delegation:	<p>In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to:</p> <ul style="list-style-type: none"> • Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA • Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1 • WA Priority Classification System • Verification of Food Safety Program Guideline
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

Version Control:

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7. Food Act 2008 Delegations

7.1.4 Appoint Authorised Officers and Designated Officers

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

Compliance Links:	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers .
Record Keeping:	

Version Control:

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7. Food Act 2008 Delegations

7.1.5 Debt Recovery and Prosecutions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.

Compliance Links:	
Record Keeping:	

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8. Graffiti Vandalism Act 2016 Delegations

8 Graffiti Vandalism Act 2016 Delegations

8.1 Council to CEO

8.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

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

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal..
Record Keeping:	

Version Control:

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8. Graffiti Vandalism Act 2016 Delegations

8.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	

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Delegation Register

Shire of Collie

8. Graffiti Vandalism Act 2016 Delegations

8.1.3 Obliterate Graffiti on Private Property

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

Compliance Links:	
Record Keeping:	

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8. Graffiti Vandalism Act 2016 Delegations

8.1.4 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Compliance Links:	
Record Keeping:	

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9. Public Health Act 2016 Delegations

9 Public Health Act 2016 Delegations

9.1 Council to CEO

9.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Council Conditions on this Delegation:	Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express Power to Sub-Delegate:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2.</i>
Record Keeping:	

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9. Public Health Act 2016 Delegations

9.1.2 Enforcement Agency Reports to the Chief Health Officer

Delegator: <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Delegate:	Environmental Health Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Collie [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	

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9. Public Health Act 2016 Delegations

9.1.3 Designate Authorised Officers

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

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9. Public Health Act 2016 Delegations

Compliance Links:	<p><i>Public Health Act 2016</i></p> <ul style="list-style-type: none">s.20 Conditions on performance of functions by enforcement agencies.s.25 Certain authorised officers required to have qualifications and experience.s.26 Further provisions relating to designationss.27 Lists of authorised officers to be maintaineds.28 When designation as authorised officer ceasess.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officerss.30 Certificates of authoritys.31 Issuing and production of certificate of authority for purposes of other written lawss.32 Certificate of authority to be returned.s.136 Authorised officer to produce evidence of authority <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	

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9. Public Health Act 2016 Delegations

9.1.4 Give Enforcement Orders and Issue Clearance Certificates

*** NEW***

Delegator: <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.216 Issue of Enforcement Orders s.218 Extension of period of compliance with enforcement order s.223 Certificate of clearance to be given in certain circumstances s.224 Request for assessment
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to: <ol style="list-style-type: none"> 1. Give an enforcement order in accordance [s.216]. 2. Extend the period for compliance specified in the order [s.218]. 3. Give a certificate of clearance (in the Department of Health approved form) where an assessment report of an authorised officer finds the enforcement order has been complied with and there is no longer a serious public health risk to be prevented or mitigated [s.223]. 4. Where requested under s.224, cause an assessment by another authorised officer to be made for the purposes of s.233 (clearance certificate) and give notice of a decision to not give a clearance certificate after assessment [s.224(2)].
Council Conditions on this Delegation:	a. Content of enforcement order must comply with s.217 provisions.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

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9. Public Health Act 2016 Delegations

Compliance Links:	<p><i>Public Health Act 2016</i></p> <ul style="list-style-type: none">s.20 Conditions on performance of functions by enforcement agencies.s.25 Certain authorised officers required to have qualifications and experience.s.26 Further provisions relating to designationss.27 Lists of authorised officers to be maintaineds.28 When designation as authorised officer ceasess.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officerss.30 Certificates of authoritys.31 Issuing and production of certificate of authority for purposes of other written lawss.32 Certificate of authority to be returned.s.136 Authorised officer to produce evidence of authoritys.217 Contents of enforcement order <p><i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i></p> <p><i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i></p>
Record Keeping:	

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9. Public Health Act 2016 Delegations

9.1.5 Enforcement Orders - Implement and Recover Costs *** NEW***

Delegator: <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.219 Enforcement agency may implement enforcement order s.221 Recovery of costs incurred by or on behalf of enforcement agency
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to take any action reasonably necessary to implement sufficient compliance with an enforcement order that has not been complied with [s.219(2)]. 2. Authority to sign a certificate stating the amount of any costs and the manner in which they were incurred as evidence of the matters certified [s.221(2)].
Council Conditions on this Delegation:	a. Costs incurred in taking action under s.219 are to be recovered, including recovery in a court of competent jurisdiction [s.221(1)].
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].

Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority s.220 Application of Criminal and Found Property Disposal Act 2006 <i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i> <i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i>
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9. Public Health Act 2016 Delegations

9.1.6 Dealing with Seized Items

Delegator: <i>Power / Duty assigned in legislation to:</i>	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.260 Return of seized item s.262 Cost of destruction or disposal of forfeited items s.263 Return of forfeited items s.264 Compensation
Delegate:	Environmental Health Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine if no contravention of the Public Health Act 2016 has occurred and return seized items or forfeited items to the person from whom the items were seized or to any other person who is determined to be entitled to it [s.260 and 263]. 2. Authority to recover the cost of destruction or disposal of forfeited items [s.262]. 3. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority s.217 Contents of enforcement order <i>Criminal Investigation Act 2006, Parts 6 and 13 – refer s.245 of the Public Health Act 2016</i> <i>The Criminal Code, Chapter XXVI – refer s.252 of the Public Health Act 2016</i>
Record Keeping:	

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9. Public Health Act 2016 Delegations

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9. Public Health Act 2016 Delegations

9.1.7 Appoint Designated Officer – Information Sharing

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

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10. Planning and Development Delegations

10 Planning and Development Act 2005 Delegations

10.1 Council to CEO

10.1.1 Illegal Development

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

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10. Planning and Development Delegations

Compliance Links:	
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10. Planning and Development Delegations

10.2 Local Planning Scheme 6 Council to CEO

10.2.1 Development Applications

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 10, cl.82(1) Delegation by local government</i>
Express Power or Duty Delegated:	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2</i></p> <ul style="list-style-type: none"> cl.18 Advertising structure plan cl.50 Advertising local development plan cl.64 Advertising applications cl.66 Consultation with other authorities cl.68 Determination of applications cl.70 Form and date of determination cl.77 Amending or cancelling applications <p><i>Planning and Development (Development Assessment Panel) Regulations 2011</i></p> <ul style="list-style-type: none"> r.17A Amendment or cancellation of development approval by responsible authority. <p>Shire of Collie Local Planning Scheme 6</p> <ul style="list-style-type: none"> cl. 18 'A' Uses cl.36(4) Variation to site and development requirements
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Interpret and apply the provisions of Local Planning Scheme 6 and any relevant statutory planning framework, including Local and State Planning Policies; 2. To determine development applications by issuing refusals, deemed refusals, approvals with relevant conditions and amendments to development approvals in respect of applications determined under delegated authority.
Council Conditions on this Delegation:	<p>This delegation may be exercised by the delegated officer in the following circumstances only:</p> <p><i>Development</i></p> <ol style="list-style-type: none"> a. To approve any development application for 'P' or 'D' uses and impose reasonable conditions. Subject to compliance with Scheme and Policy requirements. b. To approve any development application for an 'A' use and impose reasonable conditions. c. Subject to compliance with Scheme and Policy requirements and where no valid objections are received during the advertising period. d. To refuse applications where the use is defined under the Scheme, but is an 'X' use under the applicable zone.

10. Planning and Development Delegations

	<ul style="list-style-type: none"> e. To refuse applications for 'D' uses which do not comply with the provisions of the Local Planning Scheme and/or Deemed Provisions. f. To approve and impose relevant conditions, or refuse, an Application for Development Approval- Home Occupation/ Home Business. g. To approve development applications on local reserves if the proposed development is consistent with the purpose of the Reserve, the Objectives of the Scheme, and any relevant adopted Local Planning Policy. When relating to Council managed land, approval may only be granted where the application relates to an approved lease and is within an approved lease boundary. h. To approve an Application for Development Approval for a "Use Not Listed" that is consistent with the purpose and objectives of the zone, subject to no valid objections being received during the advertising period. i. To approve, or refuse an Application for Development Approval for Advertising Signs. j. To approve, or refuse any development applications for outbuildings in all zones which do not comply with the setback, floor area and height requirements of Local Planning Policy 2.1. Approval is subject to no adverse effects being foreseen on the surrounding area and no valid objections being received during the advertising period, if required. k. Refer an Application for Development Approval to relevant public authorities or utility service providers for comment. (Cl. 66) l. Advertise an Application for Development Approval for public comment. (Cl.64) m. Advertise a Structure Plan, Activity Centre Plan or Local Development Plan for public comment and comments from relevant public authorities and service providers (Cl.18, Cl.34, Cl.50) n. Modify a development standard or requirements prescribed under Local Planning Scheme No.6 or an adopted Local Planning Policy. Subject to compliance with Cl. 36- Variations to site and development requirements of the Scheme To amend a Development Approval to extend the period within which Development Approval is to be substantially commenced (Cl. 77) <p><i>Existing approvals</i></p> <ul style="list-style-type: none"> o. To amend or delete any condition to which a development approval is subject (Cl.77). Subject to the Development Approval being issued under delegated authority. p. To amend an aspect of a Development Approval which, if amended, would not substantially change the development approved. (Cl.77) q. To cancel a development approval. (Cl. 77)
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10. Planning and Development Delegations

	<p>Residential Design Codes</p> <ul style="list-style-type: none"> r. To approve, or refuse the erection or extension/alteration of any single house, ancillary dwelling, outbuilding, external fixture, boundary wall, fence, patio, pergola, verandah, garage, carport or swimming pool that does not meet the deemed-to-comply requirement under State Planning Policy 7.3 Residential Design Codes. Approval is subject to no valid objections being received during the advertising period and the proposal being consistent with Cl. 67 of the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2 Deemed Provisions. s. To approve, or refuse variations to SPP 7.3- Residential Design Codes and Local Planning Policy 2.1- Outbuildings, where the R Codes apply and the proposal does not comply with the setback, floor area, height and material requirements. Approval is subject to no adverse effects being foreseen on the surrounding area and no valid objections being received during the advertising period, if required. <p>Submissions and Responses to Applications (where Shire is not the determining authority)</p> <ul style="list-style-type: none"> t. To provide a response to applications on behalf of the Shire, where the Shire is not the determining authority. i.e Exploration License, Clearing Permit etc. Subject to the applications not being of the greater public interest and being likely to impact on the surrounding area. u. To provide a response on behalf of the Shire to policy changes and reform initiatives which are not Shire policy. v. To prepare a Responsible Authority Report for the Regional Joint Development Assessment Panel as required. <p>Notwithstanding all authorities above, the following condition applies to the exercise of authority:</p> <ul style="list-style-type: none"> a. Any application for subdivision in the opinion of the Chief Executive Officer to be controversial or of public interest to be referred to Council prior to the Shire making its recommendation to the Western Australian Planning Commission or the State Administrative Tribunal. b. Any application in the opinion of the Chief Executive Officer to be controversial or of public interest to be determined by Council. c. All non-compliance with approvals which cannot be resolved between affected parties and Shire of Collie staff to be referred to Council for determination.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

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10. Planning and Development Delegations

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10. Planning and Development Delegations

10.2.2 Subdivision

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995</i> s.5.42 Delegations of some powers or duties to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005, Part 10, Division 2, Section 142</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Provide advice including the imposition of reasonable conditions, to the Western Australian Planning Commission or the State Administrative Tribunal in relation to applications for subdivision/amalgamation, strata schemes and survey strata schemes; 2. To clear conditions and endorse diagrams of survey as they relate to subdivision approvals; 3. Advertise an application in a local newspaper circulating in the area or notify adjoining/nearby owners of a proposal and invite submissions.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Any application for subdivision in the opinion of the Chief Executive Officer to be controversial or of public interest to be referred to Council prior to the Shire making its recommendation to the Western Australian Planning Commission or the State Administrative Tribunal. b. Any application in the opinion of the Chief Executive Officer to be controversial or of public interest to be determined by Council. c. All non-compliance with approvals which cannot be resolved between affected parties and Shire of Collie staff to be referred to Council for determination.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

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

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

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10. Planning and Development Delegations

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10. Statutory Authorisations and Delegations to Local Government from State Government

11 Statutory Authorisations and Delegations to Local Government from State Government Entities

11.1 Environmental Protection Act 1986

11.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)]

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EV401

ENVIRONMENTAL PROTECTION ACT 1986

Section 20

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

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EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

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

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.1.3 Noise Management Plans – Construction Sites

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Environment

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Western Australia
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No. 71. 16-May-2014
Page: 1548 [Pdf](#) - [2Mb](#)

EV405

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.2 Planning and Development Act 2005

11.2.1 Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

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

Dated the 2nd day of June 2016



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

SCHEDULE

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

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

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

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

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



HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of June 2016

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

10. Statutory Authorisations and Delegations to Local Government from State Government

11.2.2 WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

PLANNING AND DEVELOPMENT ACT 2005 INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

Preamble

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

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

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

Schedule 1

1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - i. a type of development; and/or
 - ii. land within an area,

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

2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.3 Main Roads Act 1930

11.3.1 Traffic Management - Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)

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

**RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS**

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

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

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

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

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

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

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

Page 1 of 2

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

Dated:

THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS

WAS AFFIXED BY

COMMISSIONER OF MAIN ROADS

FOR THE TIME BEING IN THE
PRESENCE OF:

Signature of Witness

Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

.....(*Insert name of Local Government*)..... agrees to unconditionally observe,
perform and be bound by the above conditions.

THE COMMON SEAL of

[Insert name of Local Government]

Was hereunto affixed pursuant to a
resolution of the Council in the
presence of:

Signature of Chief Executive Officer

Signature of Witness

Name of Witness (please print)

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.3.2 Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

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

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

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

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

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

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
)
)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE PRESENCE OF:)

Signature of Witness

Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be
bound by the above conditions.

THE COMMON SEAL OF THE)
.....)
WAS AFFIXED PURSUANT TO A RESOLUTION)
OF THE COUNCIL IN THE PRESENCE OF)

Chief Executive Officer

Witness

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government

11.4 Road Traffic (Vehicles) Act 2012

11.4.1 Approval for Certain Local Government Vehicles as Special Use Vehicles



Government of Western Australia
Department of Transport
Driver and Vehicle Services

ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

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

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

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

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

CONDITIONS

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

Delegation Register

Shire of Collie

10. Statutory Authorisations and Delegations to Local Government from State Government



Government of Western Australia
Department of Transport

Driver and Vehicle Services

- (a) have words clearly set out on the sides of the vehicle which state the name of the local government in question together with the words "Ranger", "Ranger Services", or words to similar unambiguous effect; and
- (b) where the vehicle is a station wagon or van, have the words "Ranger", "Ranger Services", or words to similar unambiguous effect clearly set out on the back of the vehicle.

This condition 7 is not intended to prevent the use of additional words on the vehicle.

Christopher Davers
Assistant Director, Strategy and Policy
Driver and Vehicle Services
Department of Transport

Dated the 5th day of September 2017

[Approval for ranger vehicles to fit and use yellow flashing lights \(transport.wa.gov.au\)](http://transport.wa.gov.au)

Extracted on line on 15 March 2021

Shire of Collie

[illegible]

Delegation Register

Shire of Collie

The sub delegations as outlined in this document
are authorised by:

Signed: _____

Name: **MR PHIL ANASTASAKIS**
Chief Executive Officer

Date: _____



Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

Appendix 14.1.A

**Shire of Collie Disability Access and Inclusion
Plan 2025-2029**

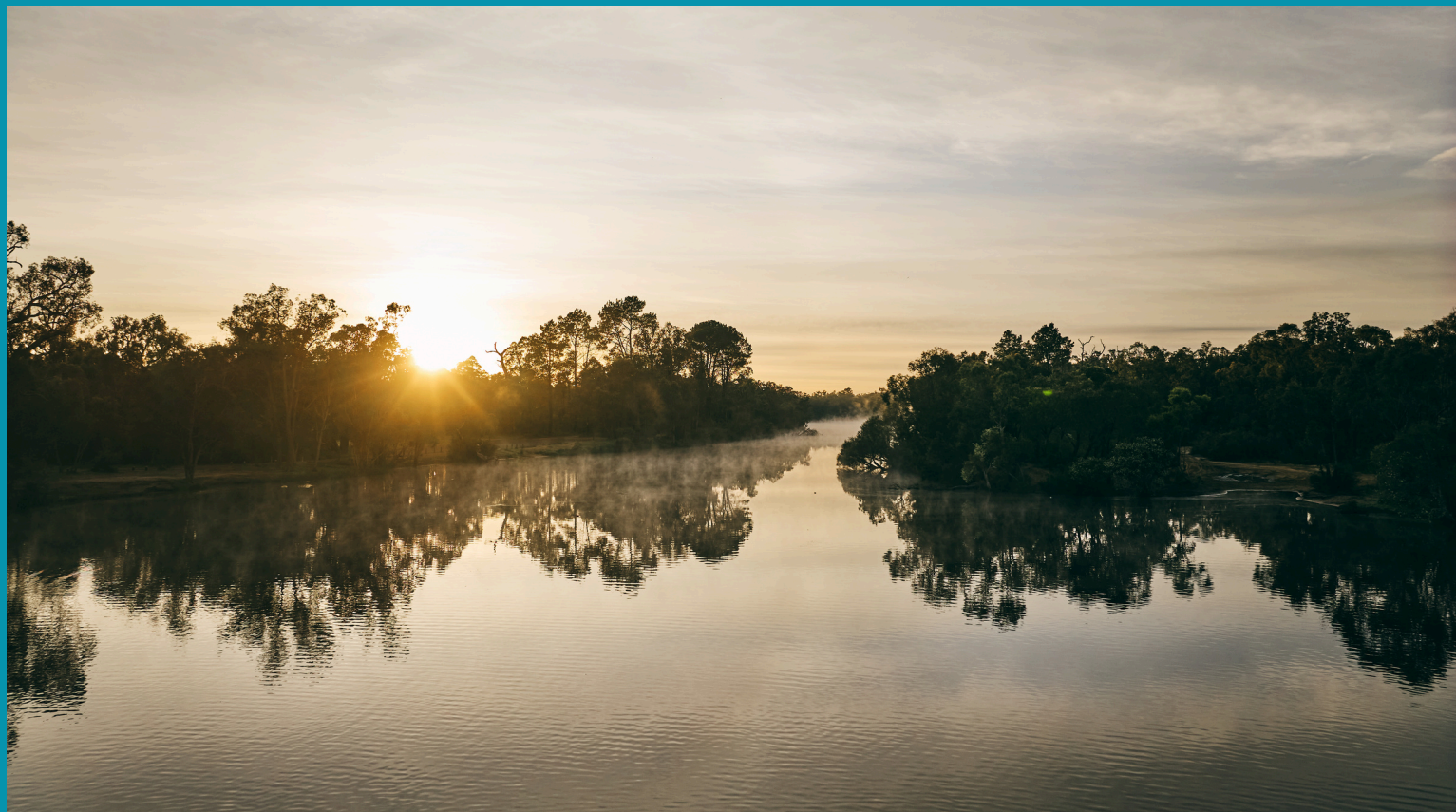
Disability, Access and Inclusion Plan

2025 – 2029



**Shire of
Collie**

**“A connected, committed, creative
and inclusive community”**



Acknowledgement of Country

The Shire of Collie acknowledges the Traditional Custodians of the land, the Wiilman and Kaniyang people of the Noongar Nation, and pays our respects to Elders, past, present and emerging. We thank them for the contributions they have made to life in the Shire of Collie and to this region.

Definitions

Disability: A disability is any continuing condition that restricts everyday activities.

Access: Access refers to an individual's physical ability to get to, into, and around facilities and services.

Inclusion: Inclusion refers to social inclusion, in that all people of diverse abilities and backgrounds have the opportunity to participate as fully as possible in programs and services provided by organisations, in an integrated and holistic manner, and in a welcoming community.

Alternative Formats

The Disability, Access and Inclusion Plan 2025 to 2029 is available on the Shire of Collie's website at www.collie.wa.gov.au. This document is also available upon request in alternative formats, including standard and large print, or electronically by email.

Language Assistance

If you do not speak or read English but would like information about this document, please ring the Translating and Interpreting Service (TIS) on 131 450 and ask them to contact the Shire of Collie on (08) 9734 9000

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- 6. Integrated Planning and Reporting Framework, Access and Inclusion, Demographics**
- 7. Legislation, Consultation**
- 8. Consultation Process, Consultation Findings**
- 9. Achievements to Date, Guiding Objectives**
- 10. Deliverables 2025 to 2029**
- 11. Reviewing the Plan, Reporting on the Plan, References**

The Shire of Collie acknowledges the environment plays a substantial role in determining the extent to which a person experiences disability and recognises it has an important role to play in creating accessible and welcoming communities (including but not limited to physical, digital and social environments), as this can assist in reducing the impact of disability amongst community members.

The Shire of Collie also recognises the Access and Inclusion Plan has relevance for many other community members who may experience access difficulties, including:

- Families with young children
- Seniors
- People with temporary disability through injury or illness
- People with language barriers

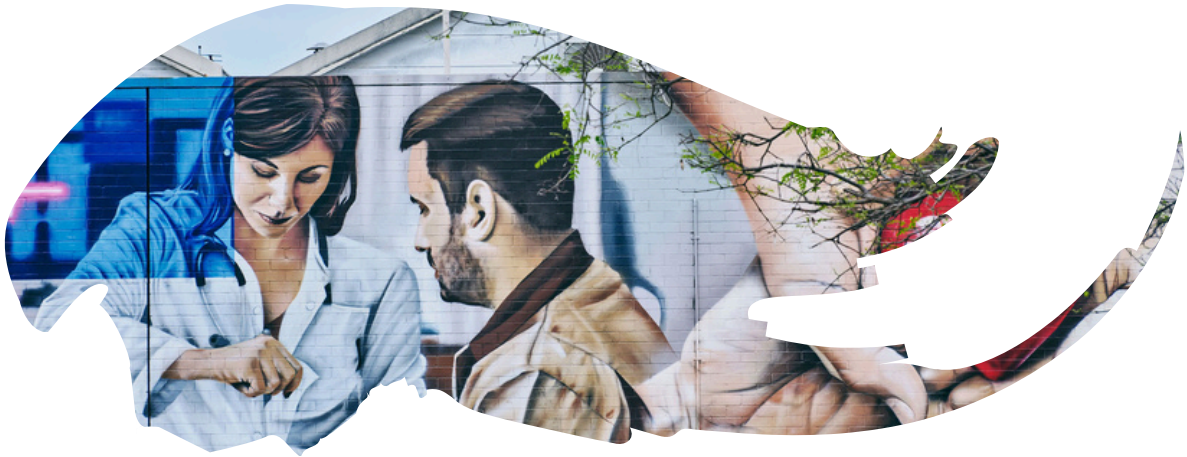
Message from the Shire President

Collie is a diverse community with a wide range of needs, and the town is committed to fostering independence for individuals of all abilities, ensuring that everybody can engage in everyday services and actively participate in the fantastic opportunities the town offers. The aim of this Access and Inclusion Plan is to ensure services and facilities are open, inclusive, and accessible for everyone. We have reached out to all sectors of the community to ensure everyone provided meaningful input into the direction for the new Plan. As a town, we aim to provide public spaces that facilitate a diverse range of activities, strengthen social bonds, and ensure a connected community. This Plan will guide us on our way forward to delivering access and inclusion for all.



Ian Miffling

Shire President, Shire of Collie



Executive Summary

A Disability, Access and Inclusion Plan helps local governments plan and ensure appropriate access and inclusion in their communities.

The Plan not only supports people with disabilities, but also others in our community who experience access and inclusion barriers such as, the elderly, parents with prams, people from culturally and linguistically diverse backgrounds, people who identify as Aboriginal or Torres Strait Islander, and people who identify as part of the LGBTQIA+ community.

This Plan fulfils the requirements of the Western Australian Disability Services Act 1993 (amended 2004), which requires all local government authorities to develop and implement a Disability Access and Inclusion Plan (DAIP) to ensure people with a disability have equal access to facilities and services. Additional legislation underpinning the Plan is the WA Equal Opportunity Act and the Commonwealth Disability Discrimination Act 1992.

A Disability Access and Inclusion Plan (DAIP) is a strategic document mandated by the Disability Services Act 1993, designed to ensure local governments and other public authorities plan and implement actions to improve access and inclusion for people with disabilities. This DAIP aims to foster equal participation for people with disabilities in community life, aligning with broader efforts to make Collie a more accessible and inclusive place for all.

The Shire's Role

The aim of this Access and Inclusion Plan is to guide the town with the coordination of services and activities to ensure all community members have equal access to:

1. Services and events
2. Facilities and buildings
3. Information
4. Customer service
5. Complaints processes
6. Public consultations
7. Employment opportunities at the Shire of Collie



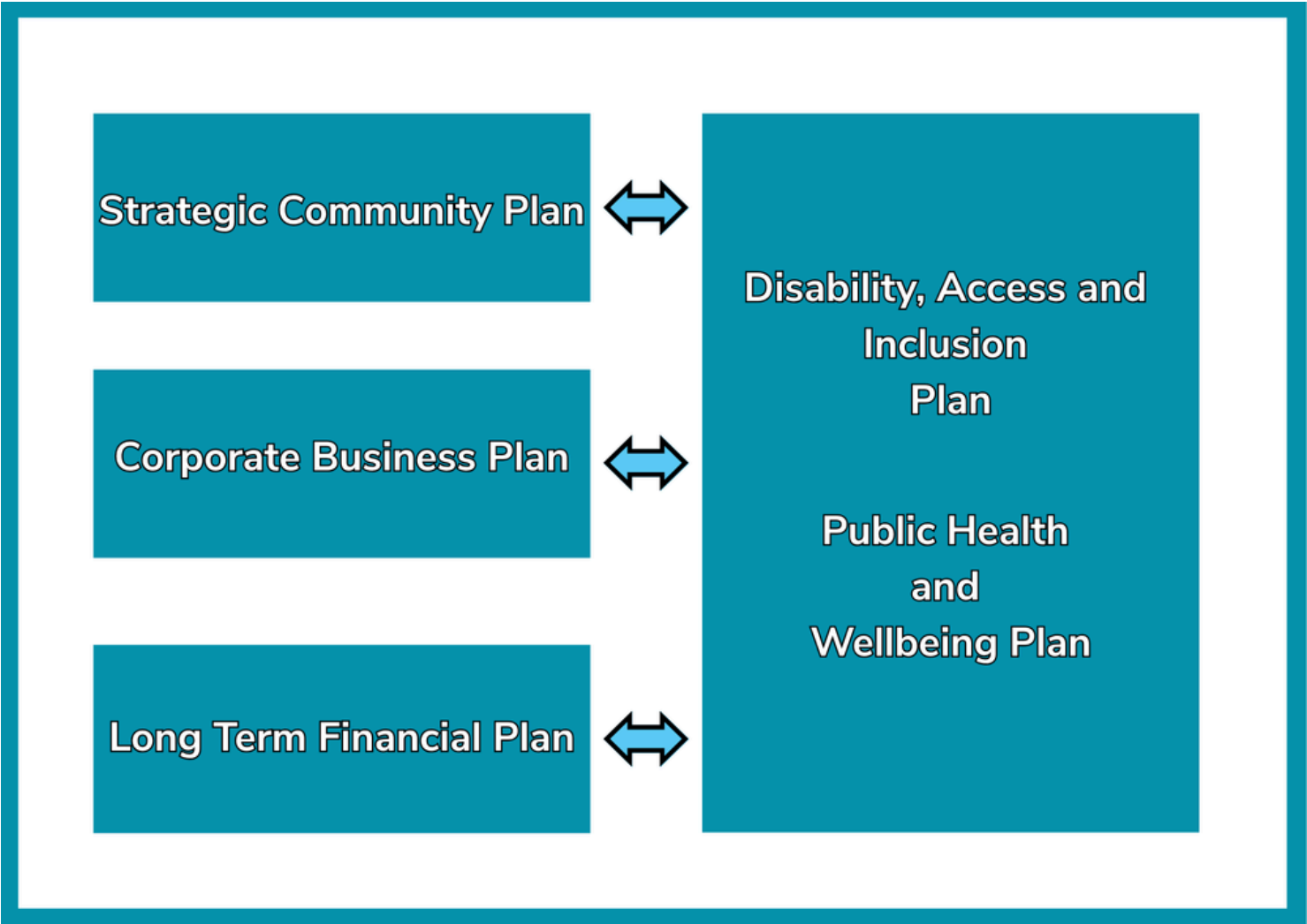
Alignment to the Shire of Collie Strategic Community Plan

The development and implementation of this Plan aligns with the Shire of Collie's Strategic Community Plan, particularly that the Shire;

- Values people with disabilities as essential community members who contribute meaningfully to the social, economic, and cultural fabric of Collie.
- Recognises that community diversity and inclusiveness strengthen community life.
- Is dedicated to consulting with people with disabilities, their families, and disability organisations to address accessibility barriers.
- Ensures agents and contractors adhere to DAIP goals to create an inclusive environment.
- Supports local community groups and businesses in fostering accessible environments.
- Will ensure recruitment policies actively encourage applications from people with disabilities.

Integrated Planning and Reporting Framework

The Disability, Access and Inclusion Plan is one of several key documents that guide the Shire of Collie’s strategic direction and day-to-day operations. The diagram below shows how this Plan aligns with the Shire’s Strategic Community Plan and integrates with other planning and reporting frameworks.



Access and Inclusion

The Shire of Collie is committed to building an accessible and inclusive community for people of all ages, abilities and backgrounds.

The Shire’s Access and Inclusion Plan complies with and expands on the seven required Disability Access and Inclusion Plan outcome areas under the Disability Services Act 1993. This can be downloaded from <http://www.disability.wa.gov.au>

Demographics

According to the 2021 Census, the Shire of Collie has a population of approximately 8,357 residents. The median age is 43 years, reflecting an ageing population with 21.8% aged 65 years and over.

- 5.4% of the population identify as Aboriginal and/or Torres Strait Islander.
- 6.3% of people reported needing assistance with core activities due to disability.
- 8.1% speak a language other than English at home.
- The average household size is 2.3 persons.

The demographic profile highlights the importance of inclusive planning that supports people with disability, older adults, families with young children, and individuals from culturally and linguistically diverse backgrounds.

Legislation

The Disability Services Act 1993 (amended 2004) requires all local governments to have and implement a Disability Access and Inclusion Plan (DAIP), which must be reviewed at least every five years. The Act adopts consistent definitions and assurances as outlined in other related Acts and Conventions, including:

- Western Australian Equal Opportunity Act 1984 (amended 1988)
- Commonwealth Disability Discrimination Act 1992
- United Nations Convention of the Right of Persons with a Disability

The Act defines disability as that which:

- is attributable to an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment or a combination of those impairments;
- is permanent, or likely to be permanent;
- may or may not be of a chronic or episodic nature; results in;
- substantially reduced capacity of the person for communication, social interaction, learning or mobility; and a need for continuing support services.

The Act further requires that:

- All practicable measures must be undertaken to ensure the AIP is implemented by the Shire of Collie and its contractors
- Public consultation must be undertaken with key stakeholders and advertised
- The AIP must be made available in alternative formats on request
- The AIP must be lodged with the Disability Services Commission
- The AIP must be available via the Shire of Collie's website
- Progress of the AIP must be reported annually to the Department of Communities (Disability Services)
- The AIP progress is to be reported in the Shire's Annual Report.

Consultation

In developing this Plan, the Shire of Collie undertook extensive consultation with community members, stakeholders, and service providers.

Key activities included:

- An internal review of the 2017–2021 DAIP, identifying successes and ongoing barriers.
- A community-wide survey available online and in print.
- Direct engagement with individuals with disability and advocacy organisations.
- Public notices in local newspapers and on the Shire website.
- Consultation/Engagement sessions with community members, service providers and Shire staff.

Feedback received informed the development of strategies to ensure all community members can participate fully in public life.

Consultation Process

The Shire of Collie adhered to the Disability Services Act 2004 regulations, calling for public submissions through local newspapers and the Shire's website during the consultation period from March to April 2023. Community input was gathered via:

- Advertisements in local print media.
- Announcements on the Shire's website.
- Direct engagement with individuals with disabilities and disability service providers.



Consultation Findings

The community feedback gathered highlighted several areas for improvement:

- Improve accessibility at public events, including designated wheelchair viewing areas, accessible temporary parking options, and consideration of mobile accessibility resources.
- Upgrade ACROD parking bays, including relocating bays currently on private property.
- Address physical access barriers across the Shire, including the need for footpaths (e.g., Roberts Street), accessible seating along trails, and improved entry to public buildings and commercial premises.
- Improve access to public toilets, including the weight of doors and general facility design.
- Enhance the accessibility and privacy of the front counter at the administration office.
- Provide clear, consistent, and accessible information through improved website usability, Easy Read formats, social media content, and signage.
- Support non-verbal communication through visual aids at key community locations.
- Ensure staff are trained in inclusive service delivery and disability awareness, with improvements to induction processes and support for online service access.
- Improve the accessibility of recruitment processes, with support provided to applicants and staff requiring adjustments or agency assistance.
- Promote job opportunities across inclusive platforms and improve early engagement with relevant networks.
- Strengthen public engagement by improving the accessibility of consultation materials and advertising opportunities for participation across multiple channels.

Achievements to Date

Since the implementation of the previous Access and Inclusion Plan, the Shire of Collie has made significant progress in improving access and inclusion across the community, including:

- Customer Service Training – Delivered disability awareness and inclusive service training to Shire staff and Councillors.
- Events – Incorporated accessibility measures such as quiet zones, inclusive seating, and mobility access at community events.
- Parks and Garden Upgrades – Improved pathways, seating, and playground infrastructure to support universal access.
- Restroom Facility Audits and Upgrades – Conducted audits and upgraded amenities to enhance accessibility across public toilets.
- Governance – Began recording and publishing Council meetings online to increase public access.
- Parking – Installed or upgraded ACROD bays in key locations to improve proximity and usability.
- Grants and Programs – Secured funding to support inclusion-focused initiatives, infrastructure improvements, and community participation programs.

Guiding Objectives of the Access and Inclusion Plan (2025–2029)

The following key goals align with the seven outcome areas set by the Western Australian Disability Services Act 1993 (amended 2004). These objectives provide the foundation for all actions in the Shire of Collie's Access and Inclusion Plan. They ensure that people with disability have the same opportunities as others to participate in all aspects of community life, access services and information, and engage with the Shire as valued members of the community.

1. Service Access People with disability have equal opportunities to access the Shire's services and events.
2. Accessible Facilities People with disability have the same opportunities as others to access the Shire's buildings and facilities.
3. Information Accessibility People with disability receive information in accessible formats for equal access.
4. Quality of Service People with disability experience the same level of service from Shire staff as others in the community.
5. Complaints and Feedback People with disability have equal opportunities to make complaints to the Shire of Collie.
6. Public Consultation People with disability have equal opportunities to participate in public consultations held by the Shire of Collie.
7. Employment Opportunities People with disability have equal opportunities for employment with the Shire of Collie.

Deliverables - 2025 to 2029

This Access and Inclusion Plan is a testament to the Shire of Collie's ongoing commitment to fostering an inclusive community for all its members, ensuring equal access and opportunities for individuals with disabilities to live, work, and thrive in Collie.

1. People with disability have the same opportunities as other people to access the services of, and any events organised by the Shire.

- Identify and preference the use of accessible venues and locations for events organised/sponsored/funded by the Shire.
- Establish and maintain a register of accessible venues, facilities, and transport options throughout the Shire for organisations and event holders to use when organising an event or providing services.
- Consider transport needs and ease of access when planning events and delivery of services, including clear communication of options.
- Develop, in partnership with people with disability and the wider community, a co-design plan for access to major events and services (e.g. in emergency situations).

2. People with disability have the same opportunities as other people to access Shire buildings and facilities.

- Continue to provide timely responses to rectifying damaged Shire facilities and infrastructure (e.g. footpaths and drainage) and ensure communication of progress to affected community.
- Leisure and information facilities to continue to be monitored and reviewed for access and inclusion, and relevant Shire Officers trained to support and provide assistance.
- Undertake an assessment of all Shire community facilities to ensure compliance with relevant standards regarding access.
- Develop a map in an accessible format to show pedestrians and wheelchair users how best to get around, providing information on community facilities, transport, disability access, bathrooms, and facilities.
- Review 'place' planning policies to improve access to facilities by powered mobility devices, prams, and wheelchairs.
- Buildings and restroom facilities to be reviewed in conjunction with the Shire's Asset Management Plan and policies to support disability access.
- Parks, amenities, garden gate access, and footpaths to be monitored and reviewed annually to ensure they are wheelchair accessible.

3. People with disability receive information from the Shire in a format that will enable them to access the information as readily as other people are able to access it.

- Ensure Shire information can be printed or made available on demand in a format that is accessible to them (e.g. Large print).
- Shire to encourage community groups to share resources and information, and thus provide more activities and or extend participation to more residents.
- Acknowledge and respect the preference to receive hard copy information and that some people prefer not to use technology and provide information in traditional formats such as noticeboards, billboards, newsletters (print and electronic) and mail drops.

4. People with disability receive the same level and quality of service from the staff of the Shire as other people receive.

- Provide relevant Shire employees and volunteers with disability awareness training that includes communicating with people with disability, making information accessible and using Easy English, and statutory obligations when related to their role.
- Conduct an annual training needs survey of staff to identify and address training needs around access and inclusion.
- As part of the Shire's induction process, staff are provided access to the Disability Access and Inclusion Plan.

5. People with disability have the same opportunities as other people to make complaints to the Shire.

- Review the complaints process considering accessibility of information, requirements of people with disability or English as their second language, and the supports and resources available.

6. People with disability have the same opportunities as other people to participate in the Shire-led public consultation.

- Encourage an inclusive and respectful environment for people with disabilities in Shire's represented committees and forums.
- Shire will consider the needs of people with disabilities in the development of consultation and engagement strategies.

7. People with disability have the same opportunities as other people to obtain and maintain employment with the Shire

- Ensure community awareness of employment opportunities with the Shire through disability employment program providers.
- Promote volunteerism among Disability Employment Service providers and other service organisations to improve the rate of involvement of people with disability in volunteer work.
- Ensure recruitment practices are inclusive and encourage people with disability to apply for employment with the Shire

Reviewing the Plan

The successful implementation of this Plan relies on a collaborative and inclusive approach, engaging both internal and external stakeholders. Progress against the Plan's goals and objectives will be monitored on an ongoing basis and formally reviewed through an annual report submitted to the State Disability Service. This report will detail achievements, identify areas for improvement, and guide future actions.

The Shire of Collie is committed to continuous improvement and values community input. Community members are encouraged to provide feedback and suggestions on the Plan, or share ideas to enhance access and inclusion across the Shire.

For feedback or enquiries, please contact the Shire of Collie at (08) 9734 9000 or email colshire@collie.wa.gov.au.

Reporting on the Access and Inclusion Plan

The Shire will document Access and Inclusion Plan progress annually through its Annual Report and a prescribed progress report to the Department of Communities by July each year. Reporting will cover:

- Progress toward achieving Access and Inclusion Plan outcomes.
- Agents and contractors' contributions to DAIP goals.
- Strategies for informing agents and contractors about DAIP objectives.

References

2021 Census QuickStats: Shire of Collie (abs.gov.au)

Photo Credits

Russel Ord 2024



Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

**Appendix 14.2.A
Light Vehicle Replacement**

LIGHT VEHICLE REPLACEMENT 2025/26

Role	Current Vehicle	Replacement Vehicle*	Current Budget			Proposed Budget			Budget Amendment		
			Cost	Trade in	Reserve Funded	Cost	Trade in	Reserve Funded	Cost	Trade in	Reserve Funded
Ranger	n/a - retained for manager operations, as per August OCM	Isuzu Dmax (4WD + Pod)	\$ 75,000	\$ -	\$ 53,400	\$ 65,000	\$ -	\$ 53,400	(\$ 10,000)	\$ -	\$ -
Director Corporate and Community Services	2016 Holden Captiva - 102CO	Subaru Outback or Isuzu MUX	\$ -	\$ -	\$ -	\$ 70,000	\$ 10,000	\$ 60,000	\$ 70,000	\$ 10,000	\$ 60,000
Manager Operations	2023 Mazda CX5 – 104CO	Isuzu Dmax (2WD)	\$ 60,000	\$ 10,000	\$ 50,000	\$ 45,000	\$ 10,000	\$ 35,000	(\$ 15,000)	\$ -	(\$ 15,000)
Parks and Gardens	2015 Isuzu MUX 4x2 ute - 113CO	Ford Ranger	\$ 44,000	\$ 10,000	\$ 34,000	\$ 44,000	\$ 10,000	\$ 34,000	\$ -	\$ -	\$ -
Parks and Gardens	2014 Colorado Dual Cab – CO485	Ford Ranger	\$ 44,000	\$ 10,000	\$ 34,000	\$ 44,000	\$ 10,000	\$ 34,000	\$ -	\$ -	\$ -
Director Development Services	2020 Holden Calais – 109CO	Subaru Outback or Isuzu MUX	\$ 70,000	\$ 25,000	\$ 45,000	\$ 70,000	\$ 15,000	\$ 45,000	\$ -	(\$ 10,000)	\$ -
Manager Community & Recreation	2014 Holden Wagon – 106CO	Subaru Crosstrek	\$ 45,000	\$ 10,000	\$ 35,000	\$ 45,000	\$ 10,000	\$ 35,000	\$ -	\$ -	\$ -
Manager ICT	None, new purchase	Subaru Crosstrek	\$ 45,000	\$ -	\$ 45,000	\$ -	\$ -	\$ -	(\$ 45,000)	\$ -	(\$ 45,000)
TOTAL			\$ 383,000	\$ 65,000	\$ 296,400	\$ 383,000	\$ 65,000	\$ 296,400	\$ -	\$ -	\$ -

* Replacement vehicles to be purchased will match the specified models or a comparable alternative, subject to availability and budget constraints



Shire of
Collie

Ordinary Council Meeting
9 September 2025

Appendix 14.3.A

Financial Management Report July 2025



Monthly Financial Report

For the period ended 31 July 2025



SHIRE OF COLLIE

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 31 July 2025

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF COLLIE
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE
FOR THE PERIOD ENDED 31 JULY 2025

Revenue

Rates
Grants, subsidies and contributions
Fees and charges
Interest revenue
Other revenue

Expenses

Employee costs
Materials and contracts
Utility charges
Depreciation
Finance costs
Insurance
Other expenditure

Capital grants, subsidies and contributions
Profit on asset disposals
Loss on asset disposals

Net result for the period

Other comprehensive income for the period

Items that will not be reclassified subsequently to profit or loss

Changes in asset revaluation surplus
Share of comprehensive income of associates accounted for using the equity method

Total other comprehensive income for the period

Total comprehensive income for the period

	2025/26 YTD Actual	2025/26 Budget	2025/26 YTD Budget	2024/25 Actual
	\$	\$		\$
Rates	8,130,310	8,052,978	8,049,428	7,718,980
Grants, subsidies and contributions	87,906	3,437,731	71,038	2,758,660
Fees and charges	1,814,390	2,818,949	1,766,318	2,753,006
Interest revenue	15,962	323,755	25,167	251,754
Other revenue	134,772	354,221	28,270	141,197
	10,183,340	14,987,634	9,940,221	13,623,597
Employee costs	(670,614)	(7,510,236)	(628,799)	(6,405,639)
Materials and contracts	(225,304)	(5,478,277)	(468,596)	(5,131,998)
Utility charges	(21,586)	(664,570)	(53,764)	(648,718)
Depreciation	(241,895)	(2,932,710)	(236,888)	(2,769,370)
Finance costs	(13,410)	(59,965)	(5,585)	(46,770)
Insurance	0	(351,176)	(29,149)	(359,059)
Other expenditure	0	(630,199)	(34,690)	(148,800)
	(1,172,809)	(17,627,133)	(1,457,471)	(15,510,354)
	9,010,531	(2,639,499)	8,482,750	(1,886,757)
Capital grants, subsidies and contributions	0	1,501,421	2,416	180,568
Profit on asset disposals	0	0	0	9,339
Loss on asset disposals	0	0	0	(12,860)
	0	1,501,421	2,416	177,047
Net result for the period	9,010,531	(1,138,078)	8,485,166	(1,709,710)
Other comprehensive income for the period				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Changes in asset revaluation surplus	0	0	0	0
Share of comprehensive income of associates accounted for using the equity method	0	0	0	0
Total other comprehensive income for the period	0	0	0	0
Total comprehensive income for the period	9,010,531	(1,138,078)	8,485,166	(1,709,710)

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

SHIRE OF COLLIE
STATEMENT OF COMPREHENSIVE INCOME
BY PROGRAM
FOR THE PERIOD ENDED 31 JULY 2025

	2025/26 YTD Actual	2025/26 Budget	2025/26 YTD Budget	2024/25 Actual
Revenue	\$	\$		\$
Governance	14,490	393,721	29,560	108,573
General Purpose Funding	8,150,470	10,705,928	8,077,515	9,823,522
Law, order, public safety	59,656	641,032	51,839	847,948
Health	14,721	20,130	0	16,331
Education and welfare	0	11,500	915	25,000
Housing	363	6,293	524	6,537
Community amenities	1,749,072	2,268,780	1,735,934	2,244,172
Recreation and culture	28,490	275,424	22,901	269,025
Transport	0	187,638	15,594	9,340
Economic services	31,306	446,588	5,389	111,852
Other property and services	134,772	30,600	2,466	148,973
	10,183,340	14,987,634	9,942,637	13,611,273
Expenses				
Governance	(45,846)	(822,977)	(72,809)	(616,184)
General Purpose Funding	(73)	(58,751)	(14,123)	(59,633)
Law, order, public safety	(67,440)	(1,158,969)	(97,191)	(1,346,361)
Health	(10,243)	(70,403)	(5,457)	(146,093)
Education and welfare	(13,590)	(99,685)	(19,144)	(131,803)
Housing	(313)	(6,569)	(547)	(5,383)
Community amenities	(211,938)	(2,518,706)	(206,437)	(3,562,912)
Recreation and culture	(205,107)	(3,674,328)	(287,468)	(3,302,281)
Transport	(287,844)	(3,143,835)	(263,698)	(3,265,009)
Economic services	(36,678)	(905,218)	(49,719)	(691,316)
Other property and services	(280,328)	(5,107,727)	(440,878)	(2,324,286)
	(1,159,400)	(17,567,168)	(1,457,471)	(15,451,261)
Finance Costs				
Governance	(24)	(853)	0	(175)
Community amenities	0	(4,538)	0	(4,759)
Recreation and culture	(13,350)	(33,878)	0	(18,727)
Transport	0	(20,643)	0	(22,907)
Other property and services	(35)	(53)	0	(202)
	(13,409)	(59,965)	0	(46,770)
	9,010,531	(2,639,499)	8,485,166	(1,886,758)
Non Operating				
Capital grants, subsidies and contributions	0	1,501,421	0	180,568
Profit on asset disposals	0	0	0	9,340
Loss on asset disposals	0	0	0	(12,860)
	0	1,501,421	0	177,048
Net result for the period	9,010,531	(1,138,078)	8,485,166	(1,709,710)
Other comprehensive income for the period				
<i>Items that will not be reclassified subsequently to profit or loss</i>				
Changes in asset revaluation surplus	0	0		0
Share of comprehensive income of associates accounted for using the equity method	0	0		0
Total other comprehensive income for the period	0	0		0
Total comprehensive income for the period	9,010,531	(1,138,078)	8,485,166	(1,709,710)

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

SHIRE OF COLLIE
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

		Adopted	YTD		Variance*	Variance*	
	2024/25	Budget	Budget	YTD	\$	%	Var.
Note	Actual	Estimates	Estimates	Actual	(c) - (b)	((c) - (b))/(b)	
	\$	(a)	(b)	(c)	\$	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	7,718,980	8,052,978	8,049,428	8,130,310	80,882	1.00%	
Grants, subsidies and contributions	2,758,660	3,437,731	71,038	87,906	16,868	23.75%	
Fees and charges	2,753,006	2,818,949	1,766,318	1,814,390	48,072	2.72%	
Interest revenue	251,754	323,755	25,167	15,962	(9,205)	(36.58%)	
Other revenue	141,197	354,221	28,270	134,772	106,502	376.73%	▲
Profit on asset disposals	9,339	0	0	0	0	0.00%	
	13,632,936	14,987,634	9,940,221	10,183,340	243,119	2.45%	
Expenditure from operating activities							
Employee costs	(6,405,639)	(7,510,236)	(628,799)	(670,614)	(41,815)	(6.65%)	
Materials and contracts	(5,131,998)	(5,478,277)	(468,596)	(225,304)	243,292	51.92%	▲
Utility charges	(648,718)	(664,570)	(53,764)	(21,586)	32,178	59.85%	
Depreciation	(2,769,370)	(2,932,710)	(236,888)	(241,895)	(5,007)	(2.11%)	
Finance costs	(46,770)	(59,965)	(5,585)	(13,410)	(7,825)	(140.11%)	
Insurance	(359,059)	(351,176)	(29,149)	0	29,149	100.00%	
Other expenditure	(148,800)	(630,199)	(34,690)	0	34,690	100.00%	
Loss on asset disposals	(12,860)	0	0	0	0	0.00%	
	(15,523,214)	(17,627,133)	(1,457,471)	(1,172,809)	284,662	19.53%	
Non cash amounts excluded from operating activities	2(c) 2,772,891	2,940,013	236,888	241,895	5,007	2.11%	
Amount attributable to operating activities	882,613	300,514	8,719,638	9,252,426	532,788	6.11%	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	180,568	1,501,421	2,416	0	(2,416)	(100.00%)	
Proceeds from financial assets at amortised cost - self supporting loans	(20,359)	14,744	7,273	7,273	0	0.00%	
	160,209	1,702,765	9,689	7,273	(2,416)	(24.94%)	
Outflows from investing activities							
Acquisition of property, plant and equipment	(90,657)	(2,589,500)	(49,582)	(980)	48,602	98.02%	
Acquisition of infrastructure	(2,344,394)	(937,270)	(93,485)	(72,677)	20,808	22.26%	
Payments for financial assets at amortised cost - self supporting loans	(500,000)	0	0	0	0	0.00%	
	(2,935,051)	(3,526,770)	(143,067)	(73,657)	69,410	48.52%	
Non-cash amounts excluded from investing activities	2(c) 0	0	0	0	0	0.00%	
Amount attributable to investing activities	(2,774,842)	(1,824,005)	(133,378)	(66,384)	66,994	50.23%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Leases liabilities recognised	0	0	0	0	0	0.00%	
Proceeds from new borrowings	500,000	0	0	0	0	0.00%	
Transfer from reserves	97,500	2,142,602	2,142,602	2,142,602	0	0.00%	
	597,500	2,142,602	2,142,602	2,142,602	0	0.00%	
Outflows from financing activities							
Payments for principal portion of lease liabilities	(33,502)	(37,303)	(1,075)	(1,075)	0	0.00%	
Repayment of borrowings	(207,231)	(213,666)	(17,424)	(17,424)	0	0.00%	
Transfer to reserves	(853,929)	(427,071)	(427,071)	(427,071)	0	0.00%	
	(1,094,662)	(678,040)	(445,570)	(445,570)	0	0.00%	
Amount attributable to financing activities	(497,162)	1,464,562	1,697,032	1,697,032	0	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	2(a) 2,930,455	94,740	94,740	541,064	446,324	471.10%	▲
Amount attributable to operating activities	882,613	300,514	8,719,638	9,252,426	532,788	6.11%	
Amount attributable to investing activities	(2,774,842)	(1,824,005)	(133,378)	(66,384)	66,994	50.23%	▲
Amount attributable to financing activities	(497,162)	1,464,562	1,697,032	1,697,032	0	0.00%	
Surplus or deficit after imposition of general rates	541,064	35,811	10,378,032	11,424,138	1,046,106	10.08%	▲

KEY INFORMATION

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

▲ Indicates a variance with a positive impact on the financial position.

▼ Indicates a variance with a negative impact on the financial position.

Refer to Note 3 for an explanation of the reasons for the variance.

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

SHIRE OF COLLIE
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 JULY 2025

	Actual 30 June 2025	Actual as at 31 July 2025
	\$	\$
CURRENT ASSETS		
Cash and cash equivalents	4,835,317	4,521,967
Trade and other receivables	3,391,818	13,065,186
Other financial assets	103,964	99,524
Inventories	138,405	147,421
Other assets	521,906	888,815
TOTAL CURRENT ASSETS	8,991,410	18,722,913
NON-CURRENT ASSETS		
Trade and other receivables	677,684	677,684
Other financial assets	517,500	517,500
Property, plant and equipment	27,979,331	28,228,999
Infrastructure	159,728,751	159,688,805
Right-of-use assets	49,389	16,409
TOTAL NON-CURRENT ASSETS	188,952,655	189,129,397
TOTAL ASSETS	197,944,065	207,852,310
CURRENT LIABILITIES		
Trade and other payables	1,038,815	1,513,843
Contract liabilities	3,222,499	3,270,595
Lease liabilities	9,302	8,227
Borrowings	213,665	199,330
Employee related provisions	782,694	780,968
Other provisions	0	0
TOTAL CURRENT LIABILITIES	5,266,975	5,772,963
NON-CURRENT LIABILITIES		
Lease liabilities	7,696	7,696
Borrowings	1,213,264	1,210,175
Employee related provisions	43,626	43,626
Other provisions	3,240,607	3,240,607
TOTAL NON-CURRENT LIABILITIES	4,505,193	4,502,104
TOTAL LIABILITIES	9,772,168	10,275,067
NET ASSETS	188,171,897	197,577,243
EQUITY		
Retained surplus	35,729,998	46,850,874
Reserve accounts	4,219,746	2,504,216
Revaluation surplus	148,222,153	148,222,153
TOTAL EQUITY	188,171,897	197,577,243

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

SHIRE OF COLLIE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 25 August 2025

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

MATERIAL ACCOUNTING POLICES

Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
 - Property, plant and equipment
 - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease accounting

SHIRE OF COLLIE
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 JULY 2025

2 NET CURRENT ASSETS INFORMATION

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

Current assets

Cash and cash equivalents
Trade and other receivables
Other financial assets
Inventories
Other assets

Less: current liabilities

Trade and other payables
Other liabilities
Lease liabilities
Borrowings
Employee related provisions
Other provisions

Net current assets

Less: Total adjustments to net current assets

Closing funding surplus / (deficit)

Note	Adopted Budget Opening 1 July 2025	Actual as at 30 June 2025	Actual as at 31 July 2025
	\$	\$	\$
	5,043,545	4,835,317	4,521,967
	2,504,672	3,391,818	13,065,186
	78,341	103,964	99,524
	19,321	138,405	147,421
	1,150,000	521,906	888,815
	8,795,879	8,991,410	18,722,913
	(1,414,389)	(1,038,815)	(1,513,843)
	(2,416,721)	(3,222,499)	(3,270,595)
	(37,303)	(9,302)	(8,227)
	(213,666)	(213,665)	(199,330)
	(759,871)	(782,694)	(780,968)
	(50,000)	0	0
	(4,891,950)	(5,266,975)	(5,772,963)
	3,903,929	3,724,435	12,949,950
2(b)	(3,809,189)	(3,183,371)	(3,697,524)
	94,740	541,064	9,252,426

(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets

Less: Reserve accounts
Add: Current liabilities not expected to be cleared at the end of the year
- Current portion of lease liabilities
- Current portion of borrowings
- Current portion of contract liability held in reserve
- Current portion of employee benefit provisions held in reserve

Total adjustments to net current assets

	(4,160,933)	(4,219,746)	(2,504,216)
	37,303	9,302	8,227
	213,666	213,665	199,330
	100,775	0	0
	0	813,408	(1,400,865)
2(a)	(3,809,189)	(3,183,371)	(3,697,524)

(c) Non-cash amounts excluded from operating activities

Adjustments to operating activities

Add: Depreciation
Movement in current contract liabilities associated with restricted cash

Total non-cash amounts excluded from operating activities

Adopted Budget Estimates 30 June 2026	YTD Budget Estimates 31 July 2025	YTD Actual 31 July 2025
\$	\$	\$
2,932,710	236,888	241,895
7,303	0	0
2,940,013	236,888	241,895

SHIRE OF COLLIE

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD ENDED 31 JULY 2025

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2025-26 year is \$50,000 and 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Other revenue	106,502	376.73%	▲
Mainly relates to workers compensation reimbursements. Timing variance that will be cleared by year end.			
Expenditure from operating activities			
Materials and contracts	243,292	51.92%	▲
This is a timing variance across a range of areas, including road maintenance (\$35k), parks maintenance (\$34k), vehicle costs (\$23k), ICT administration (\$20k), and other maintenance items such as public toilets, building facilities and depot operations. In addition, contractors for a number of programmed maintenance works are yet to be appointed, with only materials purchased to date. Combined with a reduced internal workforce, a lower volume of works has been delivered than originally anticipated at this stage of the year.			
It is expected that expenditure will increase in the coming months as contractor appointments are finalised and programmed maintenance activities progress, bringing actuals closer in line with budget by year end			
Surplus or deficit at the start of the financial year	446,324	471.10%	▲
Higher surplus than originally anticipated due to more grants income in 2025 than originally forecast. This figure is subject to change as the June 2025 financials have not yet been audited.			

SHIRE OF COLLIE
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 31 JULY 2025

3 RESERVE ACCOUNTS

Reserve account name	Budget				Actual			
	Opening	Transfers	Transfers	Closing	Opening	Transfers	Transfers	Closing
	Balance	In (+)	Out (-)	Balance	Balance	In (+)	Out (-)	Balance
	\$	\$	\$	\$	\$	\$	\$	\$
Reserve accounts restricted by Council								
Leave reserve	367,208	11,439	(10,000)	368,647	426,014	11,439	(10,000)	427,453
Building reserve	807,258	35,146	(246,000)	596,404	807,259	35,146	(246,000)	596,405
Plant reserve	1,061,319	108,060	(1,115,000)	54,379	1,061,320	108,060	(1,115,000)	54,380
Waste reserve	690,943	21,523	(500,000)	212,466	690,945	21,523	(500,000)	212,468
Revaluation reserve	57,721	61,755	(24,102)	95,374	57,721	61,755	(24,102)	95,374
Airport reserve	34,199	6,065	0	40,264	34,200	6,065	0	40,265
Election reserve	9,556	20,298	(25,000)	4,854	9,556	20,298	(25,000)	4,854
River Rehabilitation reserve	110,135	3,431	0	113,566	110,135	3,431	0	113,566
Roche Park reserve	129,131	4,022	0	133,153	129,131	4,022	0	133,153
Legal reserve	182,681	8,191	(2,500)	188,372	182,681	8,191	(2,500)	188,372
Collie Mineworkers Swimming Pool reserve	128,360	3,998	(65,000)	67,358	128,360	3,998	(65,000)	67,358
Parks & Ovals reserve	268,532	8,365	0	276,897	268,534	8,365	0	276,899
New initiative reserve	290,968	9,064	(15,000)	285,032	290,968	9,064	(15,000)	285,033
Information and Communication Technology reserve	22,922	25,714	(40,000)	8,636	22,922	25,714	(40,000)	8,636
Unspent Grants reserve	0	100,000	(100,000)	0	0	100,000	(100,000)	0
	4,160,933	427,071	(2,142,602)	2,445,402	4,219,746	427,071	(2,142,602)	2,504,216

4 CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Buildings - specialised	796,000	45,916	980	(44,936)
Furniture and equipment	50,500	0	0	0
Plant and equipment	10,000	0	0	0
Motor Vehicles	1,733,000	3,666	0	(3,666)
Acquisition of property, plant and equipment	2,589,500	49,582	980	(48,602)
Infrastructure - roads	796,020	64,884	11,884	(53,000)
Infrastructure - footpaths	0	1,416	176	(1,240)
Infrastructure - drainage	21,250	1,769	30,451	28,682
Infrastructure - waste facilities	60,000	20,416	0	(20,416)
Infrastructure - Bridges	60,000	5,000	30,165	25,165
Acquisition of infrastructure	937,270	93,485	72,677	(20,808)
Total of PPE and Infrastructure	3,526,770	143,067	73,657	(69,410)
Total capital acquisitions	3,526,770	143,067	73,657	(69,410)
Capital Acquisitions Funded By:				
Capital grants and contributions	1,501,421	2,416	0	(2,416)
Other (disposals & C/Fwd)	186,600	0	0	0
Reserve accounts				
Building reserve	246,000	246,000	246,000	0
Plant reserve	1,096,400	1,096,400	1,096,400	0
Waste reserve	450,000	450,000	450,000	0
Information and Communication Technology reserve	30,000	30,000	30,000	0
Contribution - operations	16,349	(1,681,749)	(1,748,743)	(66,994)
Capital funding total	3,526,770	143,067	73,657	(69,410)

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

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

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

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

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2)*. Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

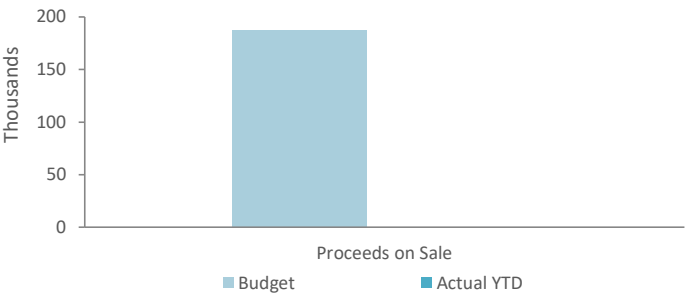
Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2)*, the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

5 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Motor Vehicles	(186,600)	186,600	0	0	0	0	0	0
		(186,600)	186,600	0	0	0	0	0	0



6 RECEIVABLES

Rates receivable	30 Jun 2025	31 Jul 2025
	\$	\$
Opening arrears previous year	2,170,551	2,833,291
Levied this year	7,718,980	8,130,310
Less - collections to date	(7,056,240)	1,455,192
Gross rates collectable	2,833,291	12,418,793
Allowance for impairment of rates receivable	0	0
Net rates collectable	2,833,291	12,418,793
% Collected	71.4%	(13.3%)

Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(1,787)	59,997	17,677	842	92,634	169,363
Percentage	(1.1%)	35.4%	10.4%	0.5%	54.7%	
Balance per trial balance						
Trade receivables						169,363
GST receivable						522,423
Allowance for impairment of receivables from contracts with customers						(45,393)
Total receivables general outstanding						646,393

Amounts shown above include GST (where applicable)

KEY INFORMATION

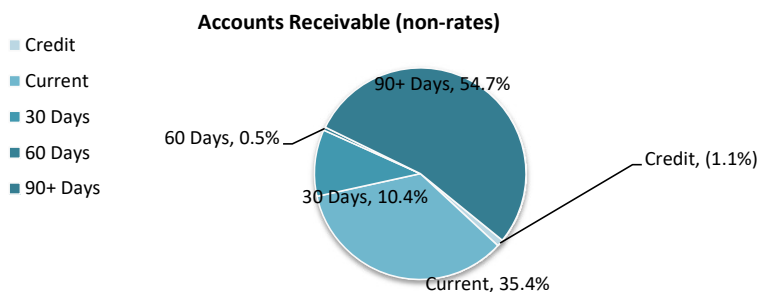
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



7 OTHER CURRENT ASSETS

	Opening Balance 1 July 2025	Asset Increase	Asset Reduction	Closing Balance 31 July 2025
	\$	\$	\$	\$
Other current assets				
Other financial assets at amortised cost				
Financial assets at fair value through other comprehensive income	103,964	0	(4,440)	99,524
Inventory				
Fuel	138,405	9,016	0	147,421
Other assets				
Prepayments	104,769	366,909	0	471,678
Contract assets	417,137	0	0	417,137
Total other current assets	764,275	375,925	(4,440)	1,135,760

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.

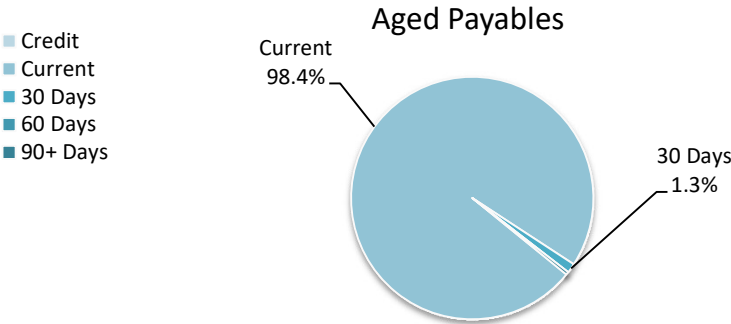
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

8 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	876,774	11,374	0	3,042	891,190
Percentage	0.0%	98.4%	1.3%	0.0%	0.3%	
Balance per trial balance						
Sundry creditors						891,190
Accrued salaries and wages						120,627
Bonds and deposits held						465,912
Accrued expenses						36,114
Total payables general outstanding						1,513,843
Amounts shown above include GST (where applicable)						

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



9 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	Budget	Actual	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		1 July 2025	1 July 2025	Actual YTD	Budget FY	Actual YTD	Budget FY	Actual YTD	Budget FY	Actual YTD	Budget FY
		\$		\$	\$	\$	\$	\$	\$	\$	\$
Loan 117	117	475,200	476,622	0	0	(3,090)	(87,808)	473,532	387,392	0	(20,643)
Shire Depot Relocation											
Loan 118	118	28,981	28,846	0	0	0	(9,363)	28,846	19,618	0	(986)
Truck Bay Toilet (Throssell St) & Caravan Park Facilities											
Loan 119	119	58,872	56,828	0	0	0	(14,290)	56,828	44,582	0	(1,421)
Weighbridge Modifications, Irrigation Audit and Bore Development Strategy, Open Space Strategy & Roche Park Wall Stabilisation											
Loan 120	120	54,513	51,762	0	0	0	(10,571)	51,762	43,942	0	(1,125)
Roche Park Court 3 timber overlay and floor treatment											
Loan 121	121	118,610	111,428	0	0	0	(23,130)	111,428	95,480	0	(2,131)
Construction of Venn Street River Stop											
Loan 122	122	201,729	158,105	0	0	0	(30,517)	158,105	171,212	0	(2,606)
Building Capital Works											
Loan 123	123	9,102	8,964	0	0	0	(9,102)	8,964	0	0	(23)
Solar Panels											
Loan 124	124	14,140	14,015	0	0	(7,061)	(14,141)	6,954	(1)	(35)	(80)
Server Upgrade											
		961,147	906,570	0	0	(10,151)	(198,922)	896,419	762,225	(35)	(29,015)
Self supporting loans											
Loan 125											
Collie Golf Club		492,919	520,359	0	0	(7,273)	(14,744)	513,086	478,175	(13,350)	(30,124)
		492,919	520,359	0	0	(7,273)	(14,744)	513,086	478,175	(13,350)	(30,124)
Total		1,454,066	1,426,929	0	0	(17,424)	(213,666)	1,409,505	1,240,400	(13,385)	(59,139)
Current borrowings			213,665					199,330			
Non-current borrowings			1,213,264					1,210,175			
			1,426,929					1,409,505			

All debenture repayments were financed by general purpose revenue.

Self supporting loans are financed by repayments from third parties.

KEY INFORMATION

The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

10 LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	Budget	Actual	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
		1 July 2025	1 July 2025	Actual YTD	Budget FY	Actual YTD	Budget FY	Actual YTD	Budget FY	Actual YTD	Budget FY
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Admin Plotter	5	3,078	3,079	0	0	(402)	(6,097)	2,677	(3,019)	0	(83)
Computer	6	0	0	0	0	0	(21,060)	0	(21,060)	0	(201)
Admin Colour Photocopier	1	30,057	9,569	0	0	(491)	(4,066)	9,078	25,991	0	(326)
CESM-Vehicle	9	0	0	0	0	0	(3,801)	0	(3,801)	0	0
Roche Park Photocopier	7	0	0	0	0	0	(314)	0	(314)	0	(1)
Depot Photocopier	8	4,168	4,350	0	0	(182)	(1,965)	4,168	2,203	0	(215)
Total		37,303	16,998	0	0	(1,075)	(37,303)	15,923	0	0	(826)
Current lease liabilities			9,302					8,227			
Non-current lease liabilities			7,696					7,696			
			16,998					15,923			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

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

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



Shire of
Collie

Ordinary Council Meeting
9 September 2025

Appendix 14.4.A

List of Accounts

16 July to 15 August 2025

SHIRE OF COLLIE

List of Accounts Submitted to Council - 16th July - 15th August 2025

Chq/EFT	Date	Name	Description	Amount	Payment
Electronic Funds Transfer					
EFT40038	29/07/2025	ON HOLD ON LINE	MONTHLY ON HOLD MESSAGES		-\$ 231.00
EFT40039	29/07/2025	WA AUSTRALIAN SERVICES UNION WA (ASU)	PAYROLL DEDUCTIONS/CONTRIBUTIONS UNION FEES		-\$ 157.00
EFT40040	29/07/2025	ARROW BRONZE	INVOICES BELOW		-\$ 610.98
764165	08/05/2025		CEMETERY PLAQUE - CAIN	\$ 284.04	
766975	18/07/2025		CEMETERY PLAQUE - MCKELVIE	\$ 326.94	
EFT40041	29/07/2025	ACCESS WELLBEING SERVICES (Centrecare Inc)	ACCESS EAP COUNSELLING		-\$ 748.00
EFT40042	29/07/2025	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		-\$ 41,221.00
EFT40043	29/07/2025	ATC WORK SMART INC	MECHANIC TRAINEE FOR PERIOD 22/06/2025 - 05/07/2025		-\$ 2,554.00
EFT40045	29/07/2025	BUILDING & CONSTRUCTION INDUSTRY	BCITF LEVY JUN 2025 BP 2024167, BCITF LEVY JUN 2025 - REMITTED AMOUNTS X 1 PERMIT		-\$ 991.75
EFT40046	29/07/2025	BOSCH TIMBER FLOORS	BONA DEEP CLEAN SOLUTION 5LT X 2, BONA FLOOR CLEANER CONCENTRATE 5LT X 4		-\$ 453.99
EFT40047	29/07/2025	DEPARTMENT OF HUMAN SERVICES	PAYROLL DEDUCTIONS/CONTRIBUTIONS CHILD SUPPORT		-\$ 527.58
EFT40048	29/07/2025	PETE'S	INVOICE		-\$ 354.70
275631	24/06/2025		BISLEY EMPLOYEE PPE LOGOS & EMBROIDERY	\$ 96.90	
275741	27/06/2025		BISLEY EMPLOYEE PPE LOGOS & EMBROIDERY	\$ 257.80	
EFT40049	29/07/2025	COLLIE SENIOR CITIZENS INC	REIMBURSEMENT OF WATER CHARGES AT MARGARETTA WILSON CENTRE USAGE AND SERVICE CHARGES 24/03/2025 - 26/05/2025		-\$ 326.30
EFT40050	29/07/2025	COLLIE EARLY EDUCATION INC	COLLIE CHILDCARE DEVELOPMENT AND RETENTION GRANT - LEARNING HUB AND TRAINING COSTS REIMBURSEMENT		-\$ 25,000.00
EFT40051	29/07/2025	COLLIE COMMUNITY PUBLISHERS (CRV BULLETIN)	PUBLISHING OF MONTHLY SHIRE UPDATE IN COLLIE BULLETIN		-\$ 528.00
EFT40052	29/07/2025	CHARGEFOX PTY LTD	CONNECTOR MANAGEMENT FEES FOR FORREST STREET COLLIE STATION 4039 FROM 01/06/2025 - 30/06/2025		-\$ 59.40
EFT40053	29/07/2025	COLLIE SENIOR HIGH SCHOOL	AEDC - PAINT THE TOWN READ MASCOT LAUNCH - EVENT SUPPORT AND CATERING		-\$ 1,000.00
EFT40054	29/07/2025	COLLIE MEN'S SHED INC	LABOUR AND LENGTHS OR JARRAH FOR FOOTBRIDGE - BAARNIMAAR PARK		-\$ 580.00
EFT40055	29/07/2025	FLINDERS17 PTY LTD T/AS COLLIE RADIATOR SERVICE	SPARE AND REPAIRS FOR 114CO		-\$ 82.50
EFT40056	29/07/2025	CRV AIR	DEGAS REFRIGERATORS AND AIR CONDITIONERS AT COLLIE WASTE TRANSFER STATION		-\$ 1,089.00
EFT40057	29/07/2025	COLLIE SALVAGE & HARDWARE	ROOF AND PLUMBING SILICONE, 8MM COMBINATION WRENCH, IMPACT XPS NUT SETTLER AND DRILL , TAPE MEASURE, CONCRETE PACK, CUTTING DISC, REO BAR 6M, 10 X 75 TREATED PINE SCREWS, PAINTED STEEL, PLASTIC PLAY SET X 6, NUTS AND BOLTS.		-\$ 400.75
EFT40058	29/07/2025	TJ DEPIAZZI	WASHED WHITE SAND FOR MARG WILSON CAR PARK		-\$ 2,544.87
EFT40059	29/07/2025	DEPARTMENT OF PLANNING, LANDS AND HERITAGE	DAP FEE FOR P041/25		-\$ 16,680.00
EFT40060	29/07/2025	EASIALARY PTY LTD	PAYROLL DEDUCTIONS/CONTRIBUTIONS EASIALARY NOVATED LEASE		-\$ 1,474.45
EFT40061	29/07/2025	FULTON HOGAN INDUSTRIES PTY LTD	INVOICES BELOW		-\$ 5,385.60
20468419	20/06/2025		48 BAGS EZ STREET POTHOLE REPAIR - BLACK 20KG	\$ 1,795.20	
20545635	15/07/2025		96 BAGS OF EZ STREET POTHOLE REPAIR BLACK	\$ 3,590.40	
EFT40062	29/07/2025	GOGO FISH	AEDC GRANT - MAKING OF THE PAINT THE TOWN READ MASCOT		-\$ 5,588.00
EFT40063	29/07/2025	HENDERSON HARDWARE	INVOICES BELOW		-\$ 11,121.64
102001450	09/06/2025		CONSTRUCT NEW SHADE STRUCTURE OVER THE BBQ AREA AT LIONS PARK	\$ 10,930.00	
199046142	11/06/2025		MORTOR 20KG GREY	\$ 25.00	
199046562	18/06/2025		125MM DOUBLE ROW DIAMOND CUP WHEEL	\$ 99.99	
199046931	25/06/2025		SEALER AND BRUSHES FOR APPLICATION	\$ 61.45	
199046956	25/06/2025		S HOOKS X 4 4MM	\$ 5.20	
EFT40064	29/07/2025	VEOLIA ENVIRONMENTAL SERVICES	CLEANING OF ROADS DUE TO SHIRE SWEEPER NEEDING REPAIRS		-\$ 2,177.34
EFT40065	29/07/2025	HEATLEY SALES PTY LTD	GRANITEB-15 BOOT GRANITE SAFETY		-\$ 231.00
EFT40066	29/07/2025	HARMONIC ENTERPRISES PTY LTD T/AS HARMONIC IT	IT SUPPORT - DIRECT HOSTING - JULY 25		-\$ 495.00

Chq/EFT	Date	Name	Description	Amount	Payment
EFT40067	29/07/2025	CONNECT CCS	OVERCALLS FEE JUNE 2025		-\$ 518.98
EFT40068	29/07/2025	INTERPHONE	INTERPHONE NBN OPTIC FIBRE INTERNET 1400 MBPS 1TB ACCESS CHARGES		-\$ 130.90
EFT40069	29/07/2025	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA	LG PRO MEMBERSHIP RENEWAL - CEO		-\$ 560.00
EFT40070	29/07/2025	LG COMMUNITY PARTNERS PTY LTD	ACCOUNTING SUPPORT		-\$ 693.00
EFT40071	29/07/2025	BUCHER MUNICIPAL	INVOICES BELOW		-\$ 2,328.26
AUINV0006395	11/06/2025		SPEED SENSOR FOR SWEEPER VT651	\$ 857.56	
AUINV0006719	13/06/2025		FILTER REGULATOR UNIT FOR ISUZU ROAD SWEEPER VT651	\$ 1,470.70	
EFT40072	29/07/2025	MCLEODS LAWYERS	SMARGIASSI NOMINEES PTY LTD - PLANNING PROSECUTION		-\$ 642.40
EFT40073	29/07/2025	NUTRIEN WATER	SUPPLY RETICULATION PARTS		-\$ 346.87
EFT40074	29/07/2025	OUTDOOR WORLD BUNBURY	REFUND OF DEVELOPMENT APPLICATION FEE NOT REQUIRED		-\$ 147.00
EFT40075	29/07/2025	OZARB TREE SERVICE	REMOVE IDENTIFIED HAZARDOUS TREE AT THE COLLIE RIFLE RANGE/GUN CLUB		-\$ 500.00
EFT40076	29/07/2025	PFI SUPPLIES	INVOICES BELOW		-\$ 1,248.20
17941	22/07/2025		CLEANING SUPPLIES FOR DEPOT, OFFICE AND CLEANING CONTRACT - DISINFECTANT, T/ROLL, HAND TOWEL,	\$ 337.20	
17943	22/07/2025		CLEANING SUPPLIES FOR DEPOT, OFFICE AND CLEANING CONTRACT - H/TOWEL, T/ROLL, CLEANING WIPES, DISINF	\$ 911.00	
EFT40077	29/07/2025	THE PRINT SHOP BUNBURY	DESIGN AND DIGITAL PRINT OF 2025-26 KERBSIDE COLLECTION CALENDAR.		-\$ 77.00
EFT40078	29/07/2025	P & S GRIGGS PLUMBING	INVOICES BELOW		-\$ 12,492.00
INV-19513	09/06/2025		REPAIR LADIES TOILET AT ROCHE PARK AND LIBRARY	\$ 242.00	
INV-19645	30/06/2025		PROCEED WITH SUPPLY AND INSTALL OF GREASE TRAP AT ROCHE PARK	\$ 10,450.00	
INV-19681	14/07/2025		SUPPLY AND INSTALL HOT WATER SYSTEM AT VISITORS CENTRE	\$ 1,800.00	
EFT40079	29/07/2025	QHSE INTEGRATED SOLUTIONS PTY LTD (SKYTRUST)	SKYTRUST INTELLIGENCE SYSTEM MONTHLY SUBSCRIPTION SKYTRUST		-\$ 493.90
EFT40080	29/07/2025	REUBEN'S NEWSAGENCY	INVOICES BELOW		-\$ 231.18
I0000037056	03/04/2025		FAREWELL CARD FOR STAFF MEMBER	\$ 5.99	
ADMIN PAPERS APR 25	27/04/2025		NEWSPAPERS FOR ADMIN FOR APR 2025	\$ 13.20	
I0000037351	13/05/2025		FAREWELL CARD FOR STAFF	\$ 4.99	
I0000037460	27/05/2025		REPLACEMENT A3 LAMINATOR FOR THE COLLIE SES UNIT.	\$ 185.00	
ADMIN PAPERS MAY 25	01/06/2025		NEWSPAPERS FOR ADMIN FOR MAY 2025	\$ 22.00	
EFT40081	29/07/2025	SOUTHERN LOCK & SECURITY	REPLACE AND RE-KEY DEADLOCKS ON TOILET BLOCKS AT LIONS PARK		-\$ 647.10
EFT40082	29/07/2025	COLLIE MOWERS AND MORE	INVOICES BELOW		-\$ 137.50
2061#3	10/06/2025		CHAINSAW REPAIRS	\$ 265.50	
2063#4	11/06/2025		HYDROCHLORIC ACID	\$ 40.00	
CREDIT 2092*2051#4	19/06/2025		CREDIT DUE TO ACCOUNT RECONCILIATION		-\$ 285.00
2088#3	19/06/2025		CHAINSAW BAR 14	\$ 72.00	
2089#3	19/06/2025		CHAIN PICCO MINI (CHAINSAW)	\$ 45.00	
EFT40083	29/07/2025	SAPIO PTY LTD	CCTV ACCESS FOR CEO		-\$ 78.10
EFT40084	29/07/2025	SIRSIDYNIX Pty Ltd	LIBRARY MANAGEMENT SYSTEM - PROJECT		-\$ 15,059.85
EFT40085	29/07/2025	SEEK LIMITED	INVOICES BELOW		-\$ 935.00
701293691	04/07/2025		POSITION ADVERTISEMENT - HUMAN RESOURCES OFFICER	\$ 385.00	
701310002	15/07/2025		POSITION ADVERTISEMENT - WORKS SUPERVISOR	\$ 550.00	
EFT40086	29/07/2025	WINC AUSTRALIA PTY LTD	INVOICES BELOW		-\$ 815.68
9901695690	01/07/2025		PAPER FOR THE PHOTOCOPIER - RATES NOTICES ETC	\$ 665.28	
9901697143	17/07/2025		OFFICE SUPPLIES - STICKY TAPE, SUGAR, POST IT NOTES, PENS, BATTERIES, TISSUES, HAND SANITISER, NOTEBOOKS, CLEANER	\$ 150.40	
EFT40087	29/07/2025	MARIO CONTARINO T/AS SOUTHWEST FIRE MITIGATION SERVICES	MAF MITIGATION WORKS 37036 COLLIE RIFLE RANGE (GRANT PROGRAM)		-\$ 20,900.00

Chq/EFT	Date	Name	Description	Amount	Payment
EFT40088	29/07/2025	TELSTRA LIMITED	INVOICES BELOW		-\$ 4,962.74
K425662451-4	09/07/2025		MOBILE PHONES - ADMIN 02/07/2025 - 01/08/2025	\$ 4,812.74	
K425662451-4	09/07/2025		TELEPHONE CHARGES WASTE TRANSFER STATION - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES ROCHE PARK - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES ASSET MANAGEMENT SOFTWARE - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES PUBLIC WORKS - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES WORKPLACE HEALTH & SAFETY - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES SOUTH 32 TOURISM PARTNERSHIP - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES LAND LINES- 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES INTERNET - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES RECREATION GROUND FOOTBALL - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES RANGER - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES MOBILE PHONES ADMIN - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES PUBLIC WORKS - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES PUBLIC WORKS - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES COMMUNITY EMERGENCY SERVICES - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES LGGS STATE EMERGENCY SERVICES - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES TECH SERVICES SOFTWARE - 02/07/2025 - 01/08/2025		
K425662451-4	09/07/2025		TELEPHONE CHARGES VISITORS CENTRE - 02/07/2025 - 01/08/2025		
K104672751-3	12/07/2025		ACCOUNT 0500999000 INTERNET AND DATA PLAN 02/07/2025 - 01/08/2025 ,	\$ 150.00	
EFT40089	29/07/2025	THOMSON AUTO PARTS	INVOICES BELOW		-\$ 690.50
571874	09/06/2025		HD BALL JOINT REMOVER	\$ 38.50	
571875	09/06/2025		PERM HALOGEN GLOBE	\$ 14.00	
571927	13/06/2025		311000-T4 BATTERY X 2	\$ 560.00	
571971	19/06/2025		MOLY GREASE X 6	\$ 78.00	
EFT40090	29/07/2025	TALIS CONSULTANTS	CONSULTANCY SERVICES FOR PERIOD ENDING 30TH JUNE 2025 Q4 REPORTING		-\$ 1,133.00
EFT40091	29/07/2025	SUPERKINGS HOTELS PTY LTD T/A THE COLLIEFIELDS	CATERING FOR THE COUNCIL MEETING - 8 JULY 2025		-\$ 390.00
EFT40092	29/07/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT FOR DELIVERY FROM CORSIGN		-\$ 67.32
EFT40093	29/07/2025	COLLIE RIVER VALLEY MEDICAL CENTRE	INSTANT DRUG & ALCOHOL TEST		-\$ 60.50
EFT40094	29/07/2025	VICKI GUILFOYLE	REIMBURSEMENT OF TRAVEL FOR LOCAL STUDIES VOLUNTEER TRAVEL FOR TRAINING TO BATTYE LIBRARY - 259KMS		-\$ 227.90
EFT40095	29/07/2025	SYNERGY	ELECTRICITY STREET LIGHTING 25/05/2025 - 24/06/2025		-\$ 19,663.39
EFT40096	29/07/2025	WESTRAC EQUIPMENT PTY LTD	INVOICES BELOW		-\$ 21,798.68
SI 1844824	12/06/2025		REPLACE SPLIT RADIATOR - CAT WHEEL LOADER (114CO)	\$ 19,369.38	
SI 1844975	14/07/2025		ADDITIONAL ITEMS TO REPLACE SPLIT RADIATOR - CAT WHEEL LOADER (114CO)	\$ 2,429.30	
EFT40097	29/07/2025	COLLIE BIN HIRE	BIN EMPTIES AT MINNINUP, BIN EMPTIES AT BLACK DIAMOND, BIN EMPTIES AT DEPOT - JUNE 25		-\$ 2,156.00
EFT40098	29/07/2025	WA LIBRARY SUPPLIES	LIBRARY BOOK REPAIR TAPE AND ACRYLIC DISPLAYS AND SCANNER BATTERIES		-\$ 1,006.75
EFT40099	29/07/2025	THE WEST AUSTRALIAN NEWSPAPERS LTD	ADVERTISEMENT FOR TENDER COLLIE WASTE TRANSFER STATION		-\$ 397.48
EFT40100	29/07/2025	WATERCHEM AUSTRALIA PTY LTD	INVOICES BELOW		-\$ 10,563.03
00004216	16/06/2025		COLLIE POOL - GAS LEAK DETECTION EQUIPMENT TESTER	\$ 2,591.60	
00004201	16/06/2025		PARTS REQUIRED FOR COLLIE POOL REGULATOR, ADAPTORS, GAUGES, CONNECTORS, TUBING ETC	\$ 7,971.43	
EFT40101	29/07/2025	WA DISTRIBUTORS	ROCHE PARK KIOSK EXPENSES : WHITE LOLLYBAGS, NACHO CONTAINERS, SALSA, CONFECTIONERY		-\$ 441.90
EFT40102	29/07/2025	WEST OZ WILDLIFE	LIBRARY SCHOOL HOLIDAY EVENT - WEST OZ WILDLIFE PRESENTATION 11 JULY		-\$ 599.50
EFT40103	29/07/2025	WATTLEUP TRACTORS BUNBURY	SERVICE KIT TO SUIT 44 TRIAM SPRAY GUN SILVAN		-\$ 50.00
EFT40104	29/07/2025	WEED PEST & VERMIN CONTROL - NEIL FRASER	PEST CONTROL SPRAYING AT CEMETERY		-\$ 286.00
EFT40107	14/08/2025	ENVISIONWARE PTY LTD	2025-2026 ENVISIONWARE SUBSCRIPTION - LIBRARY PUBLIC COMPUTER MANAGEMENT		-\$ 269.67
EFT40108	14/08/2025	WA AUSTRALIAN SERVICES UNION WA (ASU)	PAYROLL DEDUCTIONS/CONTRIBUTIONS UNION FEES		-\$ 157.00

Chq/EFT	Date	Name	Description	Amount	Payment
EFT40109	14/08/2025	AIR LIQUIDE WA PTY LTD	MONTHLY GAS CYLINDER RENTAL FOR DEPOT WORKSHOP		-\$ 28.16
EFT40110	14/08/2025	ACCESS WELLBEING SERVICES (Centrecare Inc)	ACCESS EAP COUNSELLING		-\$ 990.00
EFT40111	14/08/2025	AMD AUDIT & ASSURANCE PTY LTD	2023-24 ANNUAL REPORT – ROADS TO RECOVERY ACQUITTAL AUDIT		-\$ 2,178.00
EFT40112	14/08/2025	AUSTRALASIAN PERFORMING RIGHT ASSOCIATION LIMITED T/A ONE MUSIC	APRA ANNUAL MUSIC LICENCING TARIFF B 01/07/2025 - 30/06/2026		-\$ 3,003.44
EFT40113	14/08/2025	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS/CONTRIBUTIONS		-\$ 42,453.00
EFT40114	14/08/2025	ATC WORK SMART INC	INVOICES BELOW		-\$ 5,199.77
GT42664	24/07/2025		TRAINEE FOR PERIOD 06/07/2025 - 19/07/2025,	\$ 2,618.20	
GT42904	07/08/2025		TRAINEE FOR PERIOD 20/07/2025 - 02/08/2025	\$ 2,581.57	
EFT40115	14/08/2025	BUILDING & CONSTRUCTION INDUSTRY	BCITF LEVY , BCITF COMMISSION X 4,		-\$ 595.00
EFT40116	14/08/2025	BUILDING COMMISSION	BUILDING PERMITS X 13 JULY 25,		-\$ 1,306.71
EFT40117	14/08/2025	MARRIOTT TREE EQUIPMENT T/AS TREE CARE MACHINERY	REPAIRS AND SERVICE TO BANDIT CHIPPER 1T1S742		-\$ 11,267.50
EFT40118	14/08/2025	BETTER TELCO SOLUTIONS (BTS)	INSTALL 2 X NEW RJ45 PORTS AND CABLING TO SWITCH AT SHIRE ADMINISTRATION BUILDING		-\$ 1,566.13
EFT40119	14/08/2025	SCOTT CHRISTINGER	INVOICES BELOW		-\$ 1,908.50
INV-1105	25/07/2025		RESTORE POWER AT COLLIE MUSEUM	\$ 517.00	
INV-1104	25/07/2025		CONNECT HOT WATER SYSTEM AS SUPPLIED BY GRIGGS PLUMBING AT VISITOR CENTRE	\$ 297.00	
INV-1103	25/07/2025		RESTORE HOT WATER TO TRUCK BAY	\$ 148.50	
INV-1131	05/08/2025		DISCONNECT PILLAR POWER POINT AND TAG OUT, NEW POWER SUPPLY TO WATER FOUNTAIN FROM PILLAR AT MARGARETTA WILSON CENTRE	\$ 627.00	
INV-1127	05/08/2025		REPAIR ELECTRICAL CONDUIT TO SKATE PARK GAZEBO	\$ 319.00	
EFT40120	14/08/2025	DEPARTMENT OF HUMAN SERVICES	PAYROLL DEDUCTIONS/CONTRIBUTIONS CHILD SUPPORT		-\$ 227.70
EFT40121	14/08/2025	COMFORTSTYLE COLLIE	2 X ENTERPRISE OFFICE CHAIRS FOR SHIRE ADMINISTRATION BUILDING		-\$ 1,078.00
EFT40122	14/08/2025	COLLIE COMMUNITY PUBLISHERS (CRV BULLETIN)	ADVERTISING OF TENDER 02/2025 FOR THE CLEANING OF PUBLIC TOILETS, BARBEQUES AND COUNCIL FACILITIES (3-YEAR CONTRACT)		-\$ 147.40
EFT40123	14/08/2025	CHARGEFOX PTY LTD	CONNECTOR MANAGEMENT FEES FOR FORREST STREET COLLIE STATION 4039 FROM 01/07/2025 - 31/07/2025		-\$ 61.38
EFT40124	14/08/2025	COATES HIRE	INVOICES BELOW		-\$ 1,188.00
24229283	31/07/2025		1 WEEK HIRE OF MINI EXCAVATOR TO COMPLETE 3 RETIC JOBS	\$ 989.97	
24233159	01/08/2025		EWP HIRE FOR ROCHE PARK WORKS	\$ 167.07	
24233221	01/08/2025		ADJUSTMENT COST TO HIRE OF MINI EXCAVATOR	\$ 30.96	
EFT40125	14/08/2025	C & D CUTRI	ANNUAL BRIDGE INSPECTIONS		-\$ 1,650.00
EFT40126	14/08/2025	LANDGATE	GEOSPATIAL DATA		-\$ 759.00
EFT40127	14/08/2025	EASIALARY PTY LTD	PAYROLL DEDUCTIONS/CONTRIBUTIONS EASIALARY NOVATED LEASE		-\$ 1,399.94
EFT40128	14/08/2025	GNC QUALITY PRECAST	SUPPLY 3 X CONCRETE PICNIC TABLE COMPLETE UNIT		-\$ 11,374.02
EFT40129	14/08/2025	HENDERSON HARDWARE	INVOICES BELOW		-\$ 3,960.00
199048678	24/07/2025		TOOLS AND EQUIPMENT, RETIC SUPPLIES	\$ 1,000.00	
102001520	29/07/2025		SUPPLY AND INSTALL SHADE STRUCTURE FOR CONCRETE TABLE & CHAIR SETTING - MINNINGUP POOL	\$ 2,960.00	
EFT40130	14/08/2025	ILLION AUSTRALIA PTY LTD T/A ILLION TENDERLINK	INVOICES BELOW		-\$ 363.00
AU-690203	30/04/2025		ADVERTISING SWINGING BRIDGE MINOR REFURBISHMENT	\$ 181.50	
AU-706856	31/07/2025		ADVERTISING OF TENDER 02/2025 FOR THE CLEANING OF PUBLIC TOILETS, BARBEQUES AND COUNCIL FACILITIES (3-YEAR CONTRACT)	\$ 181.50	
EFT40131	14/08/2025	INTERPHONE	INTERPHONE NBN OPTIC FIBRE INTERNET 1400 MBPS 1TB ACCESS CHARGES		-\$ 130.90
EFT40132	14/08/2025	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	2025/2026 FOOD SAMPLING COSTS ANNUAL ANALYTICAL SERVICES		-\$ 2,216.56

Chq/EFT	Date	Name	Description	Amount	Payment
EFT40133	14/08/2025	LGIS WA	2025-26 SHIRE OF COLLIE INSURANCE, PUBLIC LIABILITY, WORKER COMP, LG SPECIAL RISKS, BUSH FIRE INJURY, CRIME, CASUAL HIRERS LIABILITY, PERSONAL ACCIDENT, ENVIRONMENTAL IMPAIRMENT LIABILITY, MANAGEMENT LIABILITY, MOTOR VEHICLE AND TRAVEL		-\$ 400,609.51
EFT40134	14/08/2025	JARDINE LLOYD THOMPSON T/A JLT	INVOICES BELOW		-\$ 2,990.57
062-218361	07/07/2025		2025-26 INSURANCE MARINE HULL COMMERCIAL	\$ 2,644.07	
062-218335	07/07/2025		2025-26 INSURANCE MARINE CARGO	\$ 346.50	
EFT40135	14/08/2025	MIRACLE RECREATION EQUIPMENT	1 X 1.8M L ALUMINUM PLANK FOR SPICER STREET PARK		-\$ 132.00
EFT40136	14/08/2025	IXOM OPERATIONS PTY LTD	POOL CHEMICAL SERVICE FEE 01/06/2025 - 30/06/2025		-\$ 168.63
EFT40137	14/08/2025	OFFICEWORKS	LIBRARY STATIONERY RESTOCK - NOTE PADS, BLU TACK, BLU STICK, HIGHLIGHTERS, ERASERS, TAPE DISPENSERS,		-\$ 330.37
EFT40138	14/08/2025	PICTON CIVIL PTY	WET HIRE OF 1 X DOUBLE SIDE TIPPER FOR SAND CARTAGE FROM PREMIER MINE TO GIBBS ROAD		-\$ 2,530.00
EFT40139	14/08/2025	THE PRINT SHOP BUNBURY	DESIGN, PRINT AND DELIVER 1500 X RESIDENTIAL AND 250 RURAL WASTE FACILITY 'TIP PASS' FOR 2025-26.		-\$ 789.80
EFT40140	14/08/2025	P & S GRIGGS PLUMBING	INVOICES BELOW		-\$ 2,535.50
INV-19825	01/08/2025		CAPPING OF TAPS AT LIBRARY	\$ 126.50	
INV-19826	01/08/2025		SOCCER CLUB - BLANK OFF UNUSED FIXTURES	\$ 148.50	
INV-19828	01/08/2025		VISITOR CENTRE DUMP POINT CHECK & CLEAN	\$ 242.00	
INV-19829	01/08/2025		VISITOR CENTRE DUMP POINT BLOCKAGE TO BE CLEARED	\$ 242.00	
INV-19830	01/08/2025		SOLDIERS PARK TAPS CHECK AND REPLACE/REPAIR AS REQUIRED	\$ 121.00	
INV-19831	01/08/2025		SOLIDERS PARK REPLACE BASIN AT TOILETS DUE TO REPEATED VANDALISM	\$ 1,375.00	
INV-19827	01/08/2025		TRUCK BAY DUMP POINT MAINTENANCE	\$ 280.50	
EFT40141	14/08/2025	PAULL AND WARNER RESOURCES PTY LTD T/AS SOUTH WEST FIRE	FABRICATE, PRESSURE TEST AND SUPPLY 1 X 6MTRE (64MM DURALINE HOSE C/W BIC COUPLINGS) TO REPLACE LEAKING HOSE FOR WATER CART P115 - (115CO)		-\$ 562.35
EFT40142	14/08/2025	SCOPE BUSINESS IMAGING	INVOICES BELOW		-\$ 6,867.61
716607	31/07/2025		LIBRARY PHOTOCOPIER SERVICE PLAN AND SUPPORT 30/06/2025 - 31/07/2025,	\$ 413.72	
716606	31/07/2025		DEPOT PHOTOCOPIER SERVICE PLAN AND SUPPORT 30/06/2025 - 31/07/2025,	\$ 173.66	
716605	31/07/2025		ADMIN PHOTOCOPIER SERVICE PLAN AND SUPPORT 30/06/2025 - 31/07/2025,	\$ 6,280.23	
EFT40143	14/08/2025	ST JOHN AMBULANCE WESTERN AUSTRALIA	FIRST AID KITS AND SUPPLIES FOR ALL SHIRE OF COLLIE VEHICLES AND FACILITIES		-\$ 10.00
EFT40144	14/08/2025	SHANNON ALICE PROUDFOOT	REIMBURSEMENT LIFETIME DOG REGO - DOG NOW STERILIZED		-\$ 150.00
EFT40145	14/08/2025	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT FOR DELIVERY FROM BUCHER MUNICIPAL		-\$ 32.97
EFT40146	14/08/2025	TIMBER INSIGHT	REMEDIATION WORK TO SWINGING BRIDGE PROGRESS CLAIM 1		-\$ 33,000.00
EFT40147	14/08/2025	THE TRUSTEE FOR TMSW UNIT TRUST T/A TRAFFIC FORCE	EMERGENCY TMP FOR MUNGALUP BRIDGE 3523 - SINGLE LANE CLOSURE		-\$ 1,595.00
EFT40148	14/08/2025	SYNERGY	INVOICES BELOW		-\$ 49,374.63
3000241859	28/07/2025		ARBORETUM LIGHTS 22/05/2025 - 23/07/2025	\$ 29,414.21	
3000241859	28/07/2025		STREET LIGHTING 22/05/2025 - 22/07/2025		
3000241859	28/07/2025		AIRSTRIIP MAINTENANCE 22/05/2025 - 22/07/2025		
3000241859	28/07/2025		RECREATION GROUND/FOOTBALL 20/05/2025 - 17/07/2025		
3000241859	28/07/2025		MEDIC ST PARKS AND GARDENS 20/05/2025 - 16/07/2025		
3000241859	28/07/2025		ALLANSON RESERVE 29/05/2025 - 30/06/2025		
3000241859	28/07/2025		ROCHE PARK 27/05/2025 - 27/07/2025		
3000241859	28/07/2025		SOLDIERS PARK 22/05/2025 - 17/07/2025		
3000241859	28/07/2025		DEPOT 21/06/2025 - 21/07/2025		
3000241859	28/07/2025		CENTRAL PARK WATER PLAYGROUND 22/05/2025 - 21/07/2025		
3000241859	28/07/2025		LOT 2867 FORESET STREET, STREET LIGHTING		
3000241859	28/07/2025		LOT 328 MEDIC STREET LIGHTING 20/05/2025 - 16/07/2025		
3000241859	28/07/2025		LOT 964 WITTENOOM ST - POOL 17/06/2025 - 14/07/2025		
3000241859	28/07/2025		THROSSSELL ST DECORATIVE LIGHTS		
3000241859	28/07/2025		BARBARA SMITH PLAYGOUND 15/05/2025 - 14/07/2025		

Chq/EFT	Date	Name	Description	Amount	Payment
3000241859	28/07/2025		ROCHE PARK SOCCER PITCH 22/05/2025 - 23/07/2025		
3000241859	28/07/2025		BUCKINGHAM WAY BARBARA SMITH PLAYGROUND 08/05/2025 - 02/07/2025		
3000241859	28/07/2025		HARRIS RIVER FIRE BRIGADE 01/05/2025 - 27/06/2025		
3000241859	28/07/2025		CARETAKERS COTTAGE REC GROUND 20/05/2025 - 16/07/2025		
3000241859	28/07/2025		WALLSEND GROUND/SHOWGROUND 17/06/2025 - 14/07/2025		
3000241859	28/07/2025		NEATH PARK 08/05/2025 - 02/07/2025		
3000241859	28/07/2025		RADIO HUT AND MAST 08/05/2025 - 02/07/2025		
3000241859	28/07/2025		ROCHE PARK 22/05/2025 - 23/07/2025		
3000241859	28/07/2025		CENRAL PARK WATER PLAYGROUND - FORREST ST		
3000241859	28/07/2025		SOCCER CLUBROOM 22/05/2025 - 22/07/2025		
3000241859	28/07/2025		ADMINISTRATION OFFICE 17/06/2025 - 14/07/2025		
3000241859	28/07/2025		COLLIE BURN FIRE BRIGADE 23/05/2025 - 23/07/2025		
3000241859	28/07/2025		ROCHE PARK 17/06/2025 - 14/07/2025		
3000241859	28/07/2025		LIONS PARK 27/05/2025 - 24/07/2025		
3000241859	28/07/2025		FIRE BRIGADE COLLIE-BURN		
3000241859	28/07/2025		FIRE BRIGADE CARDIFF 23/05/2025 - 23/07/2025		
3000241859	28/07/2025		SPICER STREET PARK 15/05/2025 - 11/07/2025		
2022505000	01/08/2025	SYNERGY	ELECTRICITY STREET LIGHTING 25/06/2025 - 24/07/2025,	\$ 19,960.42	
EFT40149	14/08/2025	COLLIE BIN HIRE	INVOICES BELOW		-\$ 1,804.00
11547	16/07/2025		PUMP OUT RV DUMP POINTS - TRUCK BAY AND VISITORS CENTRE 26.06.2025	\$ 902.00	
11548	16/07/2025		PUMP OUT RV DUMP POINT - VISITORS CENTRE 09.07.2025	\$ 902.00	
EFT40150	14/08/2025	WATER CORPORATION	INVOICES BELOW		-\$ 6,037.93
0194 9006813927	24/07/2025		WITTENOOM STREET INFANT HEALTH CENTRE WATER USE AND SERVICE CHARGE 27/05/2025 - 23/07/2025	\$ 83.71	
0192 9006813935	24/07/2025		20 STEERE ST COLLIE LIBRARY WATER USE AND SERVICE CHARGE 27/05/2025 - 23/07/2025,	\$ 113.10	
0197 9006814954	24/07/2025		87 THROSSELL STREET COUNCIL ADMINISTRATION BUILDING WATER USE AND SERVICE CHARGE 27/05/2025 - 23/07/2025,	\$ 336.88	
0193 9006814962	24/07/2025		THROSSELL STREET POOL WATER USE AND SERVICE CHARGE 27/05/2025 - 23/07/2025	\$ 332.43	
0158 9006815084	24/07/2025		THROSSELL STREET TRUCK BAY WATER USE AND SERVICE CHARGE 27/05/2025 - 23/07/2025	\$ 158.71	
0158 9006817338	24/07/2025		ROBERTS ST RECREATION GROUND FOOTBALL TOILETS COLLIE WATER USE AND SERVICE CHARGE 26/05/2025 - 23/07/2025,	\$ 11.76	
0199 9006817346	24/07/2025		ROBERTS ST COLLIE CARETAKERS HOUSE WATER USE AND SERVICE CHARGE 26/05/2025 - 23/07/2025 ,	\$ 313.16	
0065 9021019406	24/07/2025		MORRISON STREET DEPOT WATER USE AND SERVICE CHARGE 29/05/2025 - 23/07/2025,	\$ 635.05	
0199 9006814575	25/07/2025		161THROSSELL ST COLLIE MUSEUM LOT WATER USE AND SERVICE CHARGE 27/05/2025 - 24/07/2025 (MUSEUM & OUTBUILDINGS)	\$ 65.81	
0152 9006815439	29/07/2025		FINLAY GARDENS THROSSELL ST WATER USE AND SERVICE CHARGE 28/05/2025 - 28/07/2025	\$ 11.35	
0191 9006815463	29/07/2025		156 THROSSELL ST COLLIE VISITORS CENTRE WATER USE AND SERVICE CHARGE 26/03/2025 - 28/05/2025	\$ 713.45	
0147 9006846155	29/07/2025		WELLINGTON BVD STREET HEBE PARK WATER USE AND SERVICE CHARGE 28/05/2025 - 28/07/2025,	\$ 8.84	
0102 9006847342	29/07/2025		COALFIELDS RD STREET CEMETERY WATER USE AND SERVICE CHARGE 28/05/2025 - 28/07/2025	\$ 521.11	
0174 9006815332	29/07/2025		THROSSELL STREET VERGES WATER USE AND SERVICE CHARGE 28/05/2025 - 28/07/2025	\$ 194.78	
0189 9006815340	29/07/2025		THROSSELL STREET TRUCK BAY TOILETS WATER USE AND SERVICE CHARGE 28/05/2025 - 28/07/2025	\$ 308.01	
0143 9006805679	30/07/2025		MONTGOMERY STREET BUSH FIRE BRIGADE WATER USE AND SERVICE CHARGE 28/05/2025 - 29/07/2025	\$ 74.16	
0203 9006823797	30/07/2025		BRIDGE ST WALLSEND SHOWGROUNDS WATER USE AND SERVICE CHARGE 27/05/2025 - 29/07/2025	\$ 493.26	
0194 9006810515	01/08/2025		CRAMPTON ST COLLIE LOT 2045 LIONS PARK WATER USE AND SERVICE CHARGE 29/05/2025 - 31/07/2025	\$ 145.95	
0202 9006824992	01/08/2025		COOMBS ST COLLIE WOOD TURNERS BUILDING WATER USE AND SERVICE CHARGE 03/06/2025 - 31/07/2025	\$ 790.68	
0136 9008719475	01/08/2025		GIBBS RD COLLIE LOT 500 501 WASTE TRANSFER STATION WATER USE AND SERVICE CHARGE 03/06/2025 - 31/07/2025	\$ 258.63	
0192 9006828272	04/08/2025		WALLSEND STREET BMX GOUNDS WATER USE AND SERVICE CHARGE 05/06/2025 - 01/08/2025	\$ 467.10	

Chq/EFT	Date	Name	Description	Amount	Payment
EFT40151	14/08/2025	THE WEST AUSTRALIAN NEWSPAPERS LTD	ADVERTISEMENT TENDER 02/2025: FOR THE CLEANING OF PUBLIC TOILETS, BARBEQUES AND COUNCIL FACILITIES (3-YEAR CONTRACT) SOUTH WEST TIMES		-\$ 348.73
EFT40152	14/08/2025	WESTERN AUSTRALIA POLICE	VOLUNTEER BFB CHECKS FOR JUN 25		-\$ 18.00
Payment by Petty Cash					
72502	29/07/2025	SHIRE OF COLLIE - PETTY CASH	ROCHE PARK - VENTOLIN FOR 1ST AID BOX, TILL ROLLS, MILK, SPRAY PAINT, PARCEL POST FOR HAND HELD SCOREPAD, TUBS FROM RED DOT FOR KIOSK CONSUMABLES, PIZZAS FOR NETBALL GRAND FINAL WIND UP		-\$ 250.70
Payments made by BPAY					
		NO BPAY PAYMENTS			
Payments made by direct debit					
DD33209.1	16/07/2025	3E ADVANTAGE PTY LTD	ADMIN PHOTOCOPIER (JUL 2025) - PRINCIPAL		-\$ 566.50
DD33233.1	21/07/2025	IINET CONNECT BETTER	NBN25 SATELLITE MONTHLY CHARGE - COLLIE PRESTON BFB , HARRIS RIVER BFB, ALLANSON BFB , WORSLEY BFB , CARDIFF BFB		-\$ 224.95
DD33257.1	30/07/2025	WA TREASURY CORPORATION	LOAN 124 REPAYMENT		-\$ 7,096.94
DD33320.1	01/08/2025	LES MILLS ASIA PACIFIC	LES MILLS SIGNATURE PARTNERSHIP PACKAGE		-\$ 739.06
DD33336.1	08/08/2025	3E ADVANTAGE PTY LTD	DEPOT PHOTOCOPIER AUG 25		-\$ 181.50
DD33337.1	05/08/2025	FINRENT PTY LTD	LEASE LIABILITY - ADMIN PLOTTER LEASE - AUGUST 2025		-\$ 402.59
Payments made by purchasing card					
DD33316.1	14/08/2025	COLES SUPERMARKET (RETAIL DECISIONS PTY LTD)	ROCHE PARK KIOSK EXPENSES		-\$ 333.30
102600	23/07/2025		COFFEE BEANS, MILK	\$ 58.95	
56800	24/07/2025		RAW SUGAR 2KG, UHT MILK, COFFEE 400GMS	\$ 158.20	
845600	10/07/2025		ROCHE PARK KIOSK EXPENSES	\$ 116.15	
DD33317.1	05/08/2025	WRIGHT EXPRESS AUSTRALIA PTY LTD	WEX MOTORPASS JUL 2025 CARD FEES		-\$ 33.00
77 1EFB204	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
77 CO17526	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
77 1EMN510	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
77 1HAA346	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
77 1EZE593	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
77 1EZE593	22/07/2025		WEX MOTORPASS JUL 2025 CARD FEES	\$ 5.50	
DD33318.1	05/08/2025	WRIGHT EXPRESS AUSTRALIA PTY LTD	WEX MOTORPASS JUL 2025 CARD FEES		-\$ 5.50
DD33319.1	05/08/2025	WRIGHT EXPRESS AUSTRALIA PTY LTD	WEX MOTORPASS JUL 2025 CARD FEES		-\$ 5.50
DD33321.1	05/08/2025	WRIGHT EXPRESS AUSTRALIA PTY LTD	WEX MOTORPASS JUL 2025 CARD FEES		-\$ 5.50
DD33231.1	21/07/2025	AMPOL	DIESEL DELIVERY 23/06/2025 2551LTR		-\$ 9,917.29
9431464060	06/06/2025		DIESEL DELIVERY 06/06/2025 2900LTR	\$ 5,106.23	
9431494258	23/06/2025		DIESEL DELIVERY 23/06/2025 2551LTR	\$ 4,811.06	
DD33232.1	21/07/2025	AMPOLCARD	AMPOL FUEL CARD - JUNE 2025 (100CO)		-\$ 1,493.67
E29157	03/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 64.32	
E5540	15/06/2025		AMPOL FUEL CARD - JUNE 2025 (100CO)	\$ 77.91	
E5993	20/06/2025		AMPOL FUEL CARD - JUNE 2025 (100CO)	\$ 83.05	
E5294	11/06/2025		AMPOL FUEL CARD - JUNE 2025 (107CO)	\$ 98.23	
E760	05/06/2025		AMPOL FUEL CARD - JUNE 2025 (CEO)	\$ 83.18	
E5314	12/06/2025		AMPOL FUEL CARD - JUNE 2025 (CEO)	\$ 89.51	
E5770	18/06/2025		AMPOL FUEL CARD - JUNE 2025 (CEO)	\$ 104.05	
E6196	23/06/2025		AMPOL FUEL CARD - JUNE 2025 (CEO)	\$ 70.12	
E6494	26/06/2025		AMPOL FUEL CARD - JUNE 2025 (CEO)	\$ 72.80	
E5830	18/06/2025		AMPOL FUEL CARD - JUNE 2025 (CO31241)	\$ 113.43	
E4878	06/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 83.40	
E5296	11/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 72.03	

Chq/EFT	Date	Name	Description	Amount	Payment
E5845	18/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 69.85	
E31882	23/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 75.98	
E32351	25/06/2025		AMPOL FUEL CARD - JUNE 2025 (104CO)	\$ 66.46	
E5245	11/06/2025		AMPOL FUEL CARD - JUNE 2025 (102CO)	\$ 94.17	
E6018	20/06/2025		AMPOL FUEL CARD - JUNE 2025 (102CO)	\$ 98.66	
E4930	07/06/2025		AMPOL FUEL CARD - JUNE 2025 (100CO)	\$ 76.52	
Corporate Credit Card					
DD33187.1	25/07/2025	BENDIGO BANK CREDIT CARD	FLOWERS FOR COUNCILLOR		-\$ 70.00
Payroll					
SHIRE PAYROLL	30/07/2025	SHIRE PAYROLL	PAYROLL PPE 27/07/2025		-\$ 158,761.58
			INCLUDING BELOW REIMBURSMENTS		
			STAFF DISCOUNT INCENTIVE SCHEME ROCHE PARK	\$ 45.00	
			REIMBURSMENT NATIONAL POLICE CLEARANCE	\$ 64.90	
			REIMBURSMENT PAINT COLLIE READ DESIGN COMPETITION	\$ 48.00	
			REIMBURSMENT NATIONAL POLICE CLEARANCE	\$ 63.80	
			REIMBURSMENT RE-LOCATION COSTS	\$ 5,000.00	
SHIRE PAYROLL	13/08/2025	SHIRE PAYROLL	PAYROLL PPE 10/08/2025		-\$ 155,280.82
			INCLUDING BELOW REIMBURSMENTS		
			STAFF DISCOUNT INCENTIVE SCHEME ROCHE PARK	\$ 82.76	
			REIMBURSEMENT FOR TRAINING (ACCIDENTAL ECONOMIC DEVELOPMENT)	\$ 100.00	
			STAFF DISCOUNT INCENTIVE SCHEME ROCHE PARK	\$ 105.00	
DD33158.1	25/07/2025	PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM)	SUPERANNUATION FOR PPE 29.06.2025		-\$ 30,805.43
DD33256.1	30/07/2025	PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM)	SUPERANNUATION FOR PPE 13.07.2025		-\$ 30,021.84
DD33263.1	30/07/2025	PRECISION ADMINISTRATION SERVICES PTY LTD (BEAM)	SUPERANNUATION FOR PPE 27.07.2025		-\$ 31,872.41

Bank Code

BENMUNI

-\$ 1,279,810.92

-\$ 1,279,810.92

Certificate of Chief Executive Officer

This schedule of accounts to be passed for payment, covering vouchers as above was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been fully certified as to the receipt of goods and the rendition of services and as to prices, computations and costings and the amounts shown are due for payment.



Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

Appendix 19.1.A

Council Resolutions

Closed Since Last Meeting

Council Resolutions Closed Since Last Meeting

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
9638	12-Aug-25	14.4	Accounts Paid – 16 June 2025 to 15 July 2025	That Council receives the List of Accounts paid for the period 16 June 2025 to 15 July 2025 as presented in Appendix 14.4.A totalling \$1,858,094.46	Closed since last meeting	DCC	No further action required.
9637	12-Aug-25	14.3	Financial Management Report – June 2025	That Council receive the Financial Management Reports for June 2025 as presented in Appendix 14.3.A.	Closed since last meeting	DCC	No further action required.
9636	12-Aug-25	14.2	Fees and Charges Amendment – Burial Sites	That Council: 1.In accordance with Section 6.16, 6.17 and 6.19 of the Local Government Act 1995 and Section 53 of the Cemeteries Act 1986, amend the Shire of Collie 2025/26 Schedule of Fees and Charges for the Collie Cemetery based on the following: a)Amend the current fee chargeable for item 243 ‘Internment Surcharge for weekends and public holidays’ from \$552.00 to \$1,400.00 (incl GST); and b)Amend the charge description for item 243 from ‘Internment surcharge for weekends and public holidays’ to ‘Internment surcharge for weekends and public holidays, subject to prior booking and staff availability’. 2.Request the Chief Executive Officer give local public notice of the amended fee and charge and notice in the Government Gazette, with the amended fee to apply from 14 days after notice is given.	Closed since last meeting	DCC	Advertised in Government Gazette and in accordance with Local Public Notice requirements of LG Act.
9635	12-Aug-25	14.1	Budget Amendment – Alteration to Light Vehicle Trade-in and Retention for 2025/26 Financial Year	That Council: 1.Pursuant to Section 6.8(1) of the Local Government Act, approve an amendment to the 2025/26 Budget to reduce proceeds of asset disposal by \$21,600; and 2.Support the retention of the Holden Colorado single cab utility, registration 112CO, in lieu of being traded, thereby increasing the existing light vehicle plant fleet.	Closed since last meeting	DCC	Budget amendment completed.
9634	12-Aug-25	11.6	Receipt of Minutes of Annual General Meeting of Electors	That Council receives the minutes of the Annual General Meeting of Electors held 8 July 2025.	Closed since last meeting	GC	No further action required.
9630	12-Aug-25	11.2	WALGA Annual General Meeting – Appointment of Delegates	That Council: 1.Nominates Councillors Miffing and Italiano as voting delegates to the 2025 Western Australian Local Government Association Annual General Meeting to be held 23 September 2025; 2.Authorise the Chief Executive Officer to act as proxy in the absence of either nominated Councillor; and 3.Authorises the attendance of those Councillors who wish to attend the 2025 Local Government Convention.	Closed since last meeting	EA	Nominations submitted.
9629	12-Aug-25	11.1	Corporate Business Plan Quarterly Progress Report – April	That Council receives the Corporate Business Plan Quarterly Report, April to June 2025 as contained in Appendix 11.1.A.	Closed since last meeting	GC	Published on website.
9627	12-Aug-25	10.1	Bush Fire Advisory Committee – 30 June 2026	That Council receives the Minutes of the Bush Fire Advisory Committee Meeting held on 30 June 2025.	Closed since last meeting	DDS	No further action required.
9626	12-Aug-25	8.1	Ordinary Council Meeting – 8 July 2025	That Council confirms the Minutes of the Ordinary Meeting of Council held on 8 July 2025.	Closed since last meeting	GC	No further action required.

Council Resolutions Closed Since Last Meeting

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
9625	12-Aug-25	13.1	DAP Application - Battery Energy Storage System (BESS), No.4997 Collie-Williams Road, Collie	That Council notes the attached Responsible Authority Report (Appendix 13.1.E) to be submitted to the Regional Development Assessment Panel in relation to Application reference DAP/25/02916.	Closed since last meeting	DDS	No further action required.
9624	12-Aug-25	13.1	DAP Application - Battery Energy Storage System (BESS), No.4997 Collie-Williams Road, Collie	That Council not endorse the recommendations in the Responsible Authority Report and makes a submission to the Regional Development Assessment Panel for the following reasons: <ul style="list-style-type: none"> •Proximity to neighbours and loss of amenity. •Proximity to river and creek systems. •Specialised industrial development in a rural zoned location is not appropriate. •Size and scale of such a facility in a rural location. •Increased fire risk posed by batteries. •Concern that lithium batteries have the potential to combust. •Aesthetically unattractive. 	Closed since last meeting	DDS	RDAP meeting held.
9618	08-Jul-25	14.3	Acceptance of the Disability, Access and Inclusion Plan 2024-2029	That Council: <ol style="list-style-type: none"> 1.Approves the advertising of the Shire of Collie Disability Access and Inclusion Plan 2024-2029 as attached to this report for public comment for 21 days; and 2.Requests the Chief Executive Officer to report the outcomes of the public comment period and present the proposed Disability Access and Inclusion Plan 2025-2029 at a subsequent 2025 Ordinary Council Meeting. 	Closed since last meeting	DCCS	Plan has been advertised and public comment period has closed.



Shire of
Collie

**Ordinary Council Meeting
9 September 2025**

**Appendix 19.1.B
Council Resolutions
Open**

Council Resolutions Open

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
9640	12-Aug-25	12.1	Tender 01/2025 Collie Waste Transfer Station - Design & Construct New Plant Shed and Compound	That Council: 1.Resolves not to accept any of the tender submissions for Tender 01/2025 'Collie Waste Transfer Station - Design & Construct New Plant Shed and Compound', based on the Evaluation Panel Report recommendation detailed in Confidential Attachment 12.1.A – Tender Evaluation Report; and 2.Request the Chief Executive Officer to investigate and provide further information and costings on alternative options.	Open	DO	Further information on alternative options being investigated.
9633	12-Aug-25	11.5	Forums of Council, Workshops and Agenda Briefings Policy	That Council: 1.Adopt the Shire of Collie Forums of Council, Workshops and Agenda Briefings Policy (refer to Appendix 11.5.A – CP1-013 Forums of Council, Workshops and Agenda Briefings Policy); and 2.Delete existing Council Policy CS1.11 Councillor Forum Meeting Procedures (refer to Appendix 11.5.B – CS1.11 Councillor Forum Meeting Procedures).	Open	GC	Website to be updated with new policy
9632	12-Aug-25	11.4	Councillor Induction, Training & Professional Development Policy	That Council: 1.Adopt the Shire of Collie Councillor Induction, Training & Professional Development Policy (refer to Appendix 11.4.A – CP1-020 Councillor Induction, Training & Professional Development Policy); and 2.Delete existing Council Policy CS3.2 Conference & Training (refer to Appendix 11.4.B – CS3.2 Conference & Training Policy).	Open	GC	Website to be updated with new policy
9631	12-Aug-25	11.3	Elected Member Code of Conduct – Complaints Management Process Policy	That Council: 1.Adopt the Shire of Collie Elected Member Code of Conduct Complaints Management Process Policy (refer to Appendix 11.3.A – CP1-019 Elected Member Code of Conduct Complaints Management Process Policy); and 2.Approve the updated Complaint Form (2025) as presented at Appendix 11.3.C in accordance with Clause 11(2)(a) of the Local Government (Model Code of Conduct) Regulations 2021.	Open	GC	Website to be updated with new policy
9628	12-Aug-25	10.1	Bush Fire Advisory Committee – 30 June 2025	That Council send a letter of thanks to Mr Terry Hunter for his valuable service of 55 years.	Open	DDS	A letter has been drafted and will be presented to Mr. Terry Hunter in person by the Shire
9615	08-Jul-25	13.1	Coalfields Museum and Historical Research Centre Business Case	That Council 1.Receive the Coalfields Museum & Historical Research Centre Business Case V1.1 dated May 2025; and 2.Request that the Chief Executive Officer work with the Coalfields Museum and Historical Research Centre and the Collie Visitor Centre to investigate the feasibility of the recommended option in the Business Case (Option 2: Co-location with the Collie Visitor Centre), and provide a report on the outcome to a future Ordinary Council Meeting before the end of 2025.	Open	DDS	Internal project working group has met to commence planning.

Council Resolutions Open

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
9602	10-Jun-25	13.4	Collie Visitor Centre Expansion Project – Grant Funding	That Council: 1.Note the findings and recommendations contain in the Feasibility Study for the proposed Collie Visitor Centre Expansion completed by Patrick Quinlivan in 2023 [Appendix 13.4.A]. 2.Authorises the CEO to finalise a revised scope of works for inclusion in a public tender with Collie Visitor Centre and Project Control Group for expansion of the Collie Visitor Centre project as detailed in the signed Financial Assistance Agreement (FAA) between the Department of Primary Industries and Regional Development (DPIRD) and the Shire of Collie dated 21 April 2022 [Appendix 13.4.B]. 3.Note that a further report(s) will be provided to Council as expansion of the Collie Visitor Centre project involves a public tender	Open	DDS	The Shires project working group has met, and a revised Funding Assistance Agreement (FAA) has been submitted to the Department of Creative Industries, Tourism and Sport. The Shire is awaiting feedback and/or approval of the revised FAA to commence the project.
9573	8-Apr-25	20.1	Food Organic and Garden Organic (FOGO) Waste	That Council: 1.Continue with the 3-bin FOGO collection service to households in Collie in accordance with Option 1 for the remainder of 2025, with the FOGO collection service diverted to Shire of Collie Waste Transfer site; 2.Request that the CEO provides a further report at the December 2025 Ordinary Council Meeting on the longer term future of the FOGO service in the Shire of Collie. 3.Communicate to the community the continued support for the FOGO service and the separation of waste as it is anticipated that this temporary diversion to the Shire's Waste facility is an interim arrangement due to factors outside of the control of the Shire of Collie.	Open	EWC/DOS /CEO	Further report to be provided in December 2025
9566	8-Apr-25	11.1	2025/26 Rating Strategy	That Council: 1.In line with forecast growth: a)Endorse a projected base rate revenue increase of 4.5% for the 2025/26 budget; b)Endorse a projected base rate revenue increase of 4.5%, 4.5%, 4.5% and 4.5% for the four year Corporate Business Plan; c)Endorse a projected base rate revenue increase of 3.5% for years five to fifteen of the Long Term Financial Plan. 2.Endorse the Rating Strategy 2025/26 to 2034/35 (Appendix 11.1.A) including the proposed introduction of Differential Rating from the 2026/27 financial year. 3.Endorse the establishment of the following proposed 6 Differential Rates across 11 Rating Categories: ii)RESIDENTIAL (including Residential Vacant) ii)COMMERCIAL (including Commercial Vacant) iii)INDUSTRIAL (including Industrial Vacant) iv)RURAL RESIDENTIAL (including Rural Residential Vacant) v)ACCOMMODATION vi) UV Rural (including Mining)	Open	CEO/DCCS	Included in draft long term financial plan. Future public workshops to be scheduled, potentially December 2025.

Council Resolutions Open

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
9558	11-Mar-25	10.2	Audit Committee Meeting – 11 March 2025	That Council support the Audit Committee’s request to receive a report on the current Water Corporation water consumption invoices and locations to assess whether seasonal water consumption or leakage is the cause of current expenditure levels.	Open	DCS	Information collated and to be presented to a future meeting of the Audit Committee.
9556	11-Mar-25	10.1	Townscape & Environment Committee - 26 February 2025	That the Townscape and Environment Committee consider if the spatial extent of the Committee is the Collie Townsite, or the Collie Townsite and other localities within the Shire of Collie.	Open	DOS	To be considered at next Committee Meeting
9555	11-Mar-25	10.1	Townscape & Environment Committee - 26 February 2025	That the Townscape & Environment Committee consider the addition of biosecurity issues as an aim/objective of the committee within the terms of reference.	Open	DOS	To be considered at next Committee Meeting
9554	11-Mar-25	10.1	Townscape & Environment Committee - 26 February 2025	That Council review the terms of reference of the Townscape & Environment Committee to clarify areas of focus and spatial extent.	Open	DOS	To be considered prior to October elections.
9528	10-Dec-24	14.1	Rotary Fire Tower Restoration Project - Reserve 30555 Coombes Street, Collie	That Council authorise the Chief Executive Officer entering into a Facility User Agreement with the Rotary Club of Collie over a portion of Reserve 30555 Coombes Street, Collie for the purposes of storage and restoration of the Stage 1 Hut element of the Munro Fire Tower Project, at no charge for a period not exceeding 3 years, unless otherwise extended by Council. This agreement does not in any way indicate support for the project beyond Stage 1.	Open	CEO/DOS	
9473	10-Sep-24	14.1	Draft Council Policy - Operations Policy 1.24 - Asset Management Policy	That Council resolves to; 1.Authorise officers to advertise for public comment the proposed draft Shire of Collie Asset Management Policy for a period of 28 days; 2.Subject to no objections being received during the advertising process, proceed with the policy without modification; and 3.Subject to 2. above, authorise officers to publish a notice of the Shire of Collie Asset Management Policy.	Open	GC	Advertising completed. No public submissions. To be incorporated in policy manual.
9380	12-Mar-24	13.3	Collie Airfield Master Plan	That the Council: 1. adopts the Collie Airfield Master Plan; 2. instruct CEO to investigate project planning for the implementation of the Collie Airfield Master Plan.	Open	DDS	Actions are underway to progress land tenure arrangements for the site
9260	12-Sep-23	15.1	Acknowledgement of Country	That Council review and amend Policy CS 4.6: •provide direction and guidance to Councillors and officers of the Shire of Collie as to when Welcome to and Acknowledgement of Country should be included at meetings and functions; and •ensure that an Acknowledgement of Country is included on the Shire website and in significant corporate documents and publications.	Open	GC	An Acknowledgement of Country is on website and in major reports currently. Survey provided to elected members. Collated responses to guide policy review.
9259	12-Sep-23	14.3	Proposed Road Widening – Christie Street, Collie	That the Council resolve to authorise necessary actions to widen the road reserve adjacent lot 1173; 16 Christie Street, Collie.	Open	DOS	Arrangements are being made to undertake the required survey

Council Resolutions Open

Res No.	Resolution Date	Item No	Title	Motion	Status	Action By	Comment
8952	08-Feb-22	20.2	Disposal of Property to Recover Rates (3 Year Process)	That Council resolve by Absolute Majority to enact Section 6.64 (1) (b) of the Local Government Act 1995 to sell the parcel of land attached to Assessment 37 (23 Clifton Street, COLLIE WA 6225) due to non-payment of rates and services for a period of three years or more.	Open	FM	To be reassessed as part of review of properties with outstanding rates later in 2025
8775	13-Jul-21	12.8	Buckingham Hall Training Project Proposal	That Council resolve to collaborate with the Heritage Skills Association WA to call for Expressions of Interest for the future use of the site.	Open	DCS	Further investigation and report to be provided to Council.