

SHIRE OF EXMOUTH

Attachments



Ordinary Council Meeting – 22 August 2017
Part 1 of 2

SHIRE OF EXMOUTH, WESTERN AUSTRALIA**FINANCIAL MANAGEMENT - INTERNAL AUDIT REVIEW
REPORT****June 2017**

Reference		MVDM : JS
Period of review		July 2016 to January 2017
Date of Interim report		June 2017

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Limitations

Our work was limited to that described in this report and was performed in accordance with International Standards for the Professional Practice of Internal Auditing from the Institute of Internal Auditors. It did not constitute an examination or a review in accordance with generally accepted auditing standards or assurance standards. Accordingly, we provide no opinion or other form of assurance with regard to our work or the information upon which our work was based. We did not audit or otherwise verify the information supplied to us in connection with this engagement, except to the extent specified in this report or our approved objectives and scope.

Our work was based only on the information made available up to the date of the review. Accordingly, changes in circumstances after this date or the availability of other information could affect our findings

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1. Introduction

As outlined in our engagement letter dated 19 January 2017, Butler Settineri has undertaken Financial Management Review as per the scope agreed. The objective of this review is to perform an independent review of the operations and effectiveness of systems and controls, as a service to both management and the board, to report factual findings from the procedures undertaken.

Testing of samples covering the period July 2016 to January 2017 was undertaken in some cases, while some involved systems and document review in order to determine the level of compliance.

A copy of the approved objectives and scope of this review is attached at Appendix A.

2. Procedures

The purpose of the review is to verify the integrity of the processes and controls in place which supported the Council's operations as well as fulfilling the CEO's statutory requirements which will be reported to the commissioner on behalf of the CEO through the Audit Committee. The following processes within Corporate Services were reviewed:

- Banking and transfers
- Petty cash and front counter float;
- Reimbursements;
- Rates;
- Procurement;
- Revenue collection and cash handling;
- Credit cards;
- Fees and charges;
- Trusts / deposits;
- Asset control and depreciation;
- Payroll;
- Financial record keeping; and
- Financial information supplied to Council.

We note that there were no findings / recommendations for improvement with regard to Financial Record Keeping.

3. Detailed Findings

We obtained all relevant policy and procedure manuals in addition to interviewing Corporate Services staff and obtaining copies of supporting documents.

For each process, the current procedures were documented and walkthroughs performed, to determine if the manuals were being followed.

BANKING AND TRANSFERS

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering the preparation of bank reconciliations.	<p>We noted no formal policy for the preparation of bank reconciliations, but rather detailed procedures.</p> <p>Bank reconciliations are only prepared for the Shire's Muni and Trust accounts. This is done monthly by the finance officer and reviewed and signed by the executive manager.</p>	No further recommendations required.		
2	We reviewed the bank reconciliation procedure and sighted the monthly reconciliations for the 2016 financial year up to January 2017.	<p>We noted that the preparer does not date or sign the reconciliation. We also note that the reviewer signs the reconciliation but does not date it.</p> <p>In addition, there does not appear to be a documented date for reconciling items.</p>	There is a risk of the bank reconciliations not being prepared on a timely basis.	<p>We recommend that the preparer sign and date the reconciliations when prepared, and that the reviewer date the reconciliation when signing.</p> <p>Reconciliations should include the date of reconciling items so as</p>	Noted. Date field has been inserted onto the reconciliation sheet.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
				to indicate whether any items have been long outstanding.	
3	We reviewed the transfer procedure and walked through an example of transfer procedure between Muni and Reserve account.	<p>There was also no formal policy for transfers process but rather a detailed procedure. Transfers usually relate to interest received.</p> <p>We noted that the finance officer prepares a copy of the receipt and a screen print of the transfer. This is then stamped and signed by the Executive Manager of Corporate Services and the CEO. The finance officer enters the transaction into the system.</p>	No further recommendations required.		

PETTY CASH AND FRONT COUNTER FLOAT

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering the handling of cash / petty cash.	There was no formal “petty cash and front counter cash handling” policy but rather a detailed procedure.	No further recommendations required.		
2	We reviewed the cash / petty cash procedure and sighted reconciliations where possible for the petty cash float of \$500.	<p>We confirmed that the cash on hand plus reimbursement amount to \$500.</p> <p>If petty cash is required a petty cash form is to be completed and authorised by the individual's supervisor. We note that petty cash is kept in a locked box in the file storage room and that only the Finance Officer and Executive Manager of Corporate Services have keys to the petty cash box.</p> <p>There is no specific policy with regards to the frequency of petty cash reconciliations. The float is topped up after the reconciliation is performed. Petty cash was reconciled twice during 2016, in October 2016 and January 2017. We note that the date for the</p>	<p>There is a risk of unauthorised petty cash transactions.</p> <p>In addition, there is a risk of fraud or theft during periods when no reconciliation is performed.</p>	We recommend that petty cash is reconciled on a regular basis, e.g. monthly.	Petty Cash is now being reconciled each month and a copy is included in the end of month file.

		January reconciliation still refers to October. Petty cash reconciliations are signed by the Finance Officer as well as an authorised signatory.			
3	We reviewed the cash / petty cash procedure and sighted reconciliations where possible for the petty cash float of \$200.	<p>A float of \$200 is held at reception for payment purposes (usually bond payments), this is a separate float not included in the petty cash float of \$500.</p> <p>We noted that the float is reconciled on a daily basis by the Finance Officer and Accountant with excess funds deposited the following day or used to top up the petty cash float.</p> <p>We note that the key to access the till is located at the till area.</p>	Risk of unauthorised access to the cash held and theft of monies.	<p>We recommend the key is stored away from the area to limit access only to the appropriate staff members.</p> <p>We further recommend that the petty cash float and reception float continue to be maintained separately. However, we recommend that excess monies from the reception float are not used to top up the petty cash float. Should the petty cash float need to be topped up, money should be drawn directly from the relevant bank account. This is to ensure the integrity of the audit trail and reduces the risk of unauthorised use of cash.</p>	<p>Noted.</p> <p>Further clarity is sought as we are unaware of this practice.</p>

REIMBURSEMENTS

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering reimbursements.	We note there is no formal policy regarding reimbursements in place other than that relating to physical payments. The reimbursement process for staff and residents is the same.	No further recommendations required.		
2	We reviewed the reimbursement procedure.	A pro-forma invoice is completed along with supporting invoices to be approved by the relevant Manager. We noted that approved reimbursements are provided to the Finance Officer for processing. Reimbursements are processed along with creditors which are approved by the Accountant and Executive Manager of Corporate Services.	The reimbursement process is not a high risk area; however, reimbursements are not easily identified in the system and are not easily recovered from storage. Since reimbursements are processed with the rest of the creditors in one large batch and filed in the same manner, there was no reasonable way of selecting a sample for testing.	It is recommended that the Shire utilise a function within the Synergy Soft system that allows processed reimbursements to be easily identified. The Shire may also choose to store reimbursements in a separate file.	Noted.

RATES

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering the handling of cash / petty cash.	The policy manual includes a specific policy relating to rates recovery; however, there is no formal policy in place with regards to the imposition of rates.			
2	<p><i>Process - Impose interim rates</i></p> <p>We have tested the interim rate implication procedures.</p>	<p>We note that the Accountant compares the information received to the information per the system, any amendments required as well as the reason therefore is reviewed.</p> <p>Landgate sends the interim valuation to the Finance Officer or Records Officer who then forwards it to the Accountant to import into Synergy Soft. An excel reconciliation of Landgate valuations to records in synergy is performed before entering new rates information.</p> <p>The entire process is performed by the Accountant and there does not appear to be a review process in place prior to issuing rates notices to ensure the correct rating information has been imported to SynergySoft.</p>	<p>No review process is noted to ensure that rating information is correctly imported to SynergySoft.</p> <p>There is no segregation of duties as the entire process is completed by the accountant.</p>	<p>Although the Accountant appears to have thorough procedures in place, consideration should be given to implementing an independent review process.</p>	<p>Interim rates will now be reviewed by the EMCS who will sign and date report.</p>

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		We note that if the Accountant is not in the office, the information is processed in the following month.			
3	<p><i>Process - Impose annual rates</i></p> <p>We have tested the annual rate implication procedures.</p> <p>We viewed the excel formula driven rates modelling workbook and reviewed the process performed.</p>	<p>Rates modelling and the annual rates process is performed by the Executive Manager of Corporate Services.</p> <p>The entire process is performed by the Executive Manager of Corporate Services, there does not appear to be a review process to ensure that the rating information has been correctly imported to SynergySoft.</p>	No segregation of duties noted as the entire process is performed by the Executive Manager of Corporate Services.	We recommend that the annual rates are reviewed by the CEO or another member of the finance team before being entered into Synergy.	Annual rates model will now be reviewed prior to finalising by the Accountant who will sign and date report.
4	<p><i>Process - Receipting of rates revenue</i></p> <p>We have tested the process by which receipts are issued by selecting a random sample of 23 assessments and re-performed rate calculations in accordance with the budget.</p>	<p>The Finance Officer performs the receipting function. We note that the Finance Officer receipts rates on a daily basis. Receipts are created for every transaction which is applied against the outstanding debt and then processes the receipts to SynergySoft in a batch.</p> <p>The receipts batch is then forwarded to the Accountant to review and agree to supporting receipts. The process is</p>	No significant risk noted.	We recommend that the Finance Officer and Accountant initial the receipts to evidence the input and review of the information.	Receipts batches will now be initialled by Officers.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		evidenced by tickmarks from both the Finance Officer and Accountant, however the tickmarks are not supported by initials to confirm who prepared or reviewed the information.			
5	<p><i>Process - Rates Recovery</i></p> <p>We have tested the process by which outstanding rates are recovered.</p>	<p>Reminder notices are sent a month after the first instalment is due, thereafter final notices are sent and finally a notice of intention to summons before being sent to the debt collector.</p> <p>The debt recovery policy appears to have been complied with.</p>	No further recommendations required.		

PROCUREMENT

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	<p>We have reviewed the payments procedures and compared them to the Purchasing Policy.</p> <p>We have tested these procedures against various purchasing thresholds to ensure the policy is adhered to at all levels of purchasing.</p>	<p>Procurement is as per the purchasing policy which includes purchasing thresholds per Authorised Officer as well as supporting documentation required for each amount of purchase.</p>	<p>Risk that the purchasing policy is not adhered to.</p>	<p>All invoices, quotes, Council discussions, correspondence and other supporting documentation should be filed and stored together. This will clearly show that the Shire has gathered sufficient information as prescribed by the Purchasing Policy.</p>	<p>Some quotes are attached to the electronic purchase order, however paper copies will now be attached to evidence quotes were obtained.</p>
2a	<p><i>Tender Process</i></p> <p>We queried the tender procedures and reviewed the current tender register.</p>	<p>All purchases above \$150,000 must go to tender as per the purchasing policy.</p> <p>We noted that tender documents are stored in a tender register file. Each tender is documented with a tender register form, proof of advertisement, quotes and Council discussion.</p> <p>From inspection of the tender register, it was noted that tender register forms were incomplete and unsigned.</p>	<p>Risk that the tender process is not adhered to and that tenders are not reviewed or approved at the appropriate level.</p>	<p>Tender register forms should be completed with all relevant information, including the name, position and signature of those authorising. This signature should imply that the tender request procedures have been documented and approval has been obtained in order to go ahead with communicating the tender to the public.</p>	<p>Tender Register checklist will be reviewed by another Officer.</p>

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
2b	As above.	<p>When requesting a tender, the Manager from the relevant department will complete a tender register form. Managers follow a 'checklist' based on legal requirements surrounding tenders.</p> <p>The Executive Manager of Corporate Services advised that managers are able to tailor the 'checklist' to omit steps in the tender process.</p>	Risk that the tender process is not adhered to and that tenders are not reviewed or approved at the appropriate level.	The 'checklist' prepared should not be altered. We recommend the tender process is reviewed before tenders are communicated to the public.	Noted.
2c	As above.	<p>We noted that a large batch payment of \$314,418 made on 20 October 2016 did not appear to have been authorised by the appropriate signatory.</p> <p>Upon querying the payment, we were unable to obtain confirmation of who had authorised the payment. One of the authorised bank token holders was out of the office on the day in question and authorised the transaction remotely and it does not appear that the transaction was reviewed upon the token holders return.</p>	Risk of unauthorised payments.	<p>Authorisation for creditor payments must be limited to token holders only.</p> <p>The number of token holders should be limited to executive staff who have higher purchasing limits.</p> <p>If token holders are not present to authorise payments, payments should not be made.</p>	Agreed, however payments are limited to 4 token holders only and each payment needs two independent token numbers to authorise. In the event of an urgent payment or emergency, and 3 Officers are not present, on the very rare occasion has an Officer been contacted at their home to authorise the

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		<p>Although tokens are required to authorise bank transactions, it would appear that other employees have access to processing payments.</p> <p>It appears that two out of four token holders were in the office on the day of the unauthorised transaction.</p>			<p>payment, in accordance with Delegation CS003.</p> <p>Whilst there may have been two officers present on the day, Council Delegation CS003 states "Where a payment is made electronically, two signatories are required utilising payment tokens assigned with at least one signatory being a Category A signatory.</p> <p><u>Category A Signatory:</u> Chief Executive Officer (Token) Executive Manager Corporate Services (Token)</p> <p><u>Category B Signatory:</u> Executive Manager Health</p>

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
					and Building (Token) Executive Manager Community Engagement Executive Manager Town Planning Executive Manager Engineering Services Executive Manager Aviation Services Accountant (Token)

REVENUE COLLECTION AND CASH HANDLING

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering revenue collection.	There is no specific policy for revenue collection.	No further recommendations required.		
2a	<p><i>Process - General Receipting</i></p> <p>We reviewed and documented the general receipts handling and billing process.</p>	<p>The general receipt process is performed by the Finance Officer.</p> <p>We noted that in order for a receipt to be raised, an internally generated debtor invoice request form is completed. Any staff member is able to request an invoice but only the Finance Officer can raise them in Synergy.</p> <p>Receipt batches and supporting documents are reviewed by the Accountant prior to updating Synergy and printing invoices, however we noted that there is no evidence of the review process.</p>	No significant risks noted.	We recommend that the Accountant's review process is evidenced by a signature.	Accountant will now sign the receipt batches to evidence his review.
2b	As above.	Receipts at the reception area can be in the form of cash, cheque or EFT.	Risk of misappropriation of cash by employees or residents as the till and	We recommend that the till at the reception area is locked during the day	Noted.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		We noted that the till in the reception area is not locked during the day, the front desk is often unattended and the front door is unlocked due to heavy traffic.	front area are easily accessed.	and the key kept in a safe place that is not easily visible.	
2c	As above.	We note that cheques received by mail should be received and processed by two different staff members. We reviewed a cheque receipt that appeared to have been received and processed by the same person.	Risk of unrecorded cheque receipts.	We recommend that the receipting and processing of cheques is evidenced by a signature to ensure segregation of duties.	Noted.
2d	As above.	We note that bank deposits are dropped in the bank deposit box and therefore no confirmation receipt is received. The deposits are reviewed during the monthly bank reconciliation procedures.	Risk that deposits are not correctly reflected in the bank account.	We recommend that, if possible, banking deposits are made over the counter thereby ensuring a confirmation of the deposit is received.	Noted.
3	<i>Receipts through direct debit into the Shire bank account</i> We reviewed and documented the general receipts handling and billing process.	We noted that the bank statement, Synergy report and receipts impact statement are given to the Accountant to review and update where necessary. Although there are tickmarks on the documents the review does	Risk that receipts are not reviewed appropriately before processing to the system.	We recommend the employee initial or sign to clearly indicate the batch has been reviewed and approved.	Accountant will now sign the receipt batches to evidence his review.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		not appear to be evidenced by a signature.			

CREDIT CARDS

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	We obtained and reviewed the current credit card policy.	None.	No further recommendations required.		
2a	<p>We reviewed all credit card statements for the 2016 year in order to determine whether there was any breach of the policies.</p> <p>We reviewed supporting documentation, whether this was sufficient and whether documents required by the policy had been supplied.</p> <p>We determined whether these documents had been compiled and approved by authorised staff in accordance with the policy.</p>	<p>Every month the card holder and supervisor (CEO or acting CEO) should sign the printed credit card statement. This is given to the Finance Officer together with the receipt and expense report.</p> <p>We note that there are some statements missing signatures of both the card holder and supervisor.</p>	There is a risk of unauthorised expenses.	We suggest that all monthly statements are signed by both the card holder and the supervisor in order to provide a clear indication of the review and approval process.	Noted.
2b	As above.	<p>Corporate credit cards are to be used only for Shire official activities and must not be used for:</p> <ul style="list-style-type: none"> • Personal or non-work related expenditure; • Obtaining cash advances; 	There is a significant risk of misappropriation of Shire assets due to misuse of the Shire credit cards.	Management should emphasise the purpose of using the Shire's credit cards. Deviations from the policy should result in appropriate disciplinary action.	Policy is currently under review for the use of Credit Cards.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		<ul style="list-style-type: none"> The purchase of goods or services where the cardholder may/will gain personal advantage through the transaction (e.g. special offers such as Fly Buys that benefit individuals rather than the Shire). <p>We noted a number of deviations from the prescribed policy relating to personal use of the Shire credit cards. We also noted one of the credit cards was linked to a Qantas Rewards account used for personal benefit.</p>			

FEES AND CHARGES

We reviewed the process of imposing and charging various fees.

We then tested this process by selecting a sample of fees charged in the current financial period and re-performed calculations according to the fee type and the specified fees per the budget.

We also queried and documented the debt recovery process and determined whether the policy was adequate.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1a	<i>Process - Heliport and Airport facility</i> Summary of procedures as above.	The airport is managed by the Shire and operates under a lease agreement with the Department. of Defence. We note that the budget did not specify when the increased heliport fees came into effect.	Risk that incorrect fees are applied.	The increase in fees should be clarified to those who are charged Heliport fees.	Noted.
1b	As above.	Landing fees are charged by aircraft weight and number of landings (Avdata). Passenger head fee is also charged based on adult or child and passed on to the passenger through airfares (Qantas link). Audit noted that debtors are raised by the finance officer based on information provided to the airport manager by Avdata.	There is no indication of review by the Executive Manager Aviation / Airport Manager before importing the information into Synergy. A lack of review may give room for error.	We recommend the Executive Manager or Airport Manager initial or sign to indicate the documents have been reviewed and approved.	Noted.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		The finance officer imports the information into Synergy and raises debtors.			
1c	As above.	<p>Avdata records the number of landings using voice technology which correlates to the number of planes landing. Avdata compiles the information and reports to Shire at the end of each month. This is then imported to Synergy.</p> <p>We noted that no supporting report from Avdata is attached to invoices processed, we could therefore not determine how the fees had been calculated.</p>	There is a risk that incorrect fees are processed.	We recommend the reports from Avdata and QantasLink are attached and stored with the invoices to be consistent with other invoicing procedures.	Supporting evidence will now be attached to debtor invoices.
2a	<p><i>Process - Waste/Refuse</i></p> <p>Summary of procedures as above.</p>	The tip site uses a program (not Synergy) to record waste disposals. Anyone who comes through the gate has to either pay cash or on account which requires preapproval. The Tip Manager will record the resident's details (including car rego). The system then produces a docket for the recipient with details of waste disposed.	There is a risk of unrecorded transactions due to system malfunctions or error due to manual receipting.	We recommend that if practical the Shire consider implementing a newer, more reliable and efficient system at the tip.	The system was purchased and initiated in 2015. Besides the initial start-up there have been no crashes of the system. In 2016 the handheld device used to record transactions was caught under the seat of the loader crushing the

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		<p>We noted that the system the tip uses is old and outdated. It regularly crashes and is out of service for long periods at a time, resulting in hand written receipts being issued. The EMCS has recommended an upgrade, however the Tip Manager refuses since he is 'used to' the current system.</p>			<p>system making it unusable, this has been the only time the system has not been usable since initial start-up. Although this system isn't without fault and does require some administration overall it has increased the speed of invoicing.</p>
2b	As above.	<p>At the end of each month, the information obtained from the program is saved on a USB and sent to the finance officer for processing in Synergy. Copies of dockets from the tip are handed to the Shire to file with the invoices issued to residents.</p> <p>We noted a significant number of handwritten receipts from the tip as the system was down for quite some time last year. Consequently, the tip could not produce supporting dockets to accompany the end of month report.</p>	<p>There is a risk of unrecorded transactions due to system malfunctions or error due to manual receipting.</p>	<p>We recommend the tip staff keep adequate records to support the reports submitted at the end of each month.</p>	<p>Although the program has been designed to be a paperless system, 2 copies of dockets are now printed off. One copy goes to the tip user the other is handed into the office. A copy of the office invoice is taken and then is placed with the invoice. The original docket is shredded as it is no longer required</p>

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
					and fades within weeks.
3	<i>Swimming Pool</i> Summary of procedures as above.	We noted a lack of controls in regards to the system used for swimming pool takings. There does not appear to be an electronic system in place or security over the till.	There is a significant risk of misappropriation of funds due to the lack of security around the swimming pool.	We recommend a more efficient and secure system be implemented for swimming pool takings.	A review of current practices at the pool will occur, and amendments will be made where necessary.

TRUSTS / DEPOSITS

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering trusts / deposits.	There was no formal policy for trust accounting but rather a detailed procedure.	No further recommendations required.		
2	We queried the opening and closing process as well as the process around receipts, payments and reconciliation.	<p>The Shire have not opened or closed trust accounts for the past 8 years. The shire only has one trust bank account for trust and 21 general journal accounts. 8 of the accounts have been inactive since 2008.</p> <p>We understand that it has been suggested that the inactive trust ledger accounts are closed. The Local Government Act 1995 6.9(4) states, <i>"Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment"</i>.</p>	Risk of not complying with the regulation.	We recommend that inactive trust account balances are reported to the Department of Treasury as unclaimed monies.	Noted.

ASSET CONTROL AND DEPRECIATION

We obtained and reviewed the depreciation and asset management policy.

We reviewed the asset register preparation process, process of asset additions and disposals, write off/impairment, asset transfer, as well as reviewing depreciation reasonability by testing a sample of 10 items.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	<i>Asset Register</i> Summary of procedures as above.	<p>The Accountant prepares the asset register monthly which is reviewed by the Executive Manager of Corporate Services. The reviewed asset register will then be distributed to the finance team and the CEO.</p> <p>The Accountant updates the system once the asset register has been reviewed.</p> <p>We note that the Executive Manager of Corporate Services reviews the asset register prepared by the accountant, however there is no written confirmation of the approval noted.</p>	Risk of unauthorised asset register.	We recommend that the approval process is evidenced by a signature.	Signature now included on reconciliation to evidence review.
2	<i>Depreciation</i> Summary of procedures as above.	The Accountant processes depreciation in the accounting system. A policy with regards to depreciation rates is in place.	Risk of under/over depreciating assets.	We recommend the Shire finalises the asset management plan and update depreciation	Agreed.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		<p>We noted that the depreciation rates do not appear to be consistent with the current policy.</p> <p>We understand that an asset management plan is in the process of being developed and that the depreciation policy will be updated based on the Local Government Accounting Manual for the Pilbara area.</p>		policy as soon as possible.	
3a	<p><i>Physical Stocktake – Depot Visit</i></p> <p>Summary of procedures as above.</p>	<p>We visited the depot on 8 February 2017 and discussed procedures with the Works Administration Officer.</p> <p>We noted that there does not appear to be a procedure to determine whether sand, gravel and rocks are delivered correctly.</p> <p>The Works Administration Officer confirmed that the deliverer signs the guest book, but there is no evidence of formal delivery approval evidencing receipt of the delivery.</p>	Risk of existence of the delivery and accuracy of the amount of stock received.	<p>We recommend that the deliverer and the receiver sign a form as evidence of confirmation of the delivery.</p> <p>We also recommend a scaling method be put in place to ensure the delivery volume recorded is correct.</p>	Noted.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		We also noted that there is no procedure of weighing the delivery.			
3b	As above.	We noted that there are two storage areas for flammable chemicals near the fuel tank.	Occupational health and safety risk.	We recommend the flammable chemical storage areas are moved to a safe distance from the fuel tank.	

PAYROLL

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1	Checked whether an approved Finance Manual or Standard Operating Procedure exists covering payroll.	It would appear that there is no formal policy in place with regards to general payroll procedures, however the current leave policy was obtained and reviewed.	No further recommendations required.		
2	<i>Fortnightly Payroll Run</i> We reviewed the payroll procedures, performance review and salary increase process, as well as leave management and payroll reconciliations.	Timesheets are submitted for processing fortnightly to the Payroll Officer. We note that the Payroll Officer reconciles timesheet entries to an excel spreadsheet which is reviewed by the accountant and the Executive Manager of Corporate Services prior to entering the transactions into the system.	Risk that timesheet reconciliations are not reviewed by the appropriate staff members on a timely basis before entering the transactions to the system.	We recommend that the approval process is evidenced by a signature.	Signature now included to evidence review.
3	<i>Payroll Reconciliation</i> We reviewed the payroll procedures, performance review and salary increase process, as well as leave management and payroll reconciliations.	The Finance Officer prepares a gross payroll reconciliation every fortnight. Payroll reconciliations produced by the Finance Officer are reviewed and approved by the Accountant and Executive Manager of Corporate Services. However, although the approval process	Risk of accuracy of the reconciliation and timing of review.	We recommend that every reconciliation that is reviewed includes the date of review.	Date is now included on reconciliation.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
		is evidenced by a signature, no date is noted when the review is performed.			

FINANCIAL INFORMATION SUPPLIED TO COUNCIL

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1a	We reviewed and documented the process of gathering, compiling and presenting information to Council.	<p>A standard checklist is prepared which describes the item that needs to be prepared, the Officer who prepares it, and the signature of the preparer. The responsible Officers are the Accountant, Senior Finance Office and Finance Officer. The Executive Manager of Corporate Services reviews the information before it is sent to Council.</p> <p>We noted that the December Council pack was prepared and reviewed by the Executive Manager of Corporate Services.</p> <p>We understand that this was due to staff members being on leave.</p> <p>We also note that a few items on the checklist were not signed as they are not considered essential as part of what is required per Local Government Regulations.</p>	Risk of segregation of duties with regards to compiling and reviewing documents.	We recommend that where possible segregation of duties are maintained between the preparing and reviewing of information supplied to Council.	Noted.

No.	Procedures Followed	Findings	Implications / Risks	Recommendation	Management comments
1b	As above.	The review process does not appear to be evidenced by signature or e-mail confirmation.	There is a risk that the checklist may be deviated from resulting in non-compliance with the regulations.	We recommend that the review process is evidenced by signature.	Signature now included to confirm review .

Shire of Exmouth Policy Manual

POLICY NO 1.24***1.24 - Acting Chief Executive Officer***

Origin/Authority

Council Meeting: 22 August 2017

OBJECTIVE

The purpose of this policy is to appoint the Deputy Chief Executive Officer to the role of Chief Executive Officer in their absence whilst on leave.

POLICY STATEMENT

The Deputy Chief Executive Officer will act as the Chief Executive Officer with authority to exercise the powers and duties of that position when the Chief Executive Officer is on leave from the organisation.

SHIRE OF EXMOUTH

DELEGATION

REGISTER

Shire of Exmouth
PO Box 21
EXMOUTH WA 6707
www.exmouth.wa.gov.au
Phone (08) 9949 3000



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SCHEDULE OF AUTHORISATIONS

Delegation		CEO	DCEO	EMCS	EMCC	STP	EHO	BS	WM	WC	CESC	RA	ACC	FO	
GOVERNANCE															
GO001	Appoint Authorised Persons	X	X												
GO002	Property Acquisition and Disposal	X	X												
GO003	Performing Functions Outside Own District	X	X												
GO004	Public Notice of Council and Committee Meetings	X	X												
GO005	Execution of Documents and Affixing of Common Seal to Documents	X	X												
GO006	State Administrative Tribunal – Response to Applications for Review	X	X			X		X							
CORPORATE SERVICES															
CS001	Cemeteries Act 1986 - Authorised Persons	X	X	X											
CS002	Payments from Municipal Fund and Trust Fund	X	X	X									X	X	
CS003	Making a Cash Advance to a Person	X	X												
CS004	Investment of Surplus Funds	X	X	X											
CS005	Waiving and Granting of Concessions and Write-Off of Debts other than Rates & Service Charges	X	X		X										
CS006	Reimbursement of Expenses Incurred by an Employee	X	X												
CS007	Reimbursement of Expenses Incurred by Councillors	X	X												
COMMERCIAL AND COMMUNITY SERVICES															
CC001	Aviation Approvals as per Operating Deed - DOD	X	X		X										
CC002	Sponsorships, Donations and Waiver of Fees	X	X	X	X										
DEVELOPMENT SERVICES															
DS001	Building Act 2011 – Appointment of Authorised Persons	X	X					X							
DS002	Building and Demolition Permits	X	X					X							
DS003	Issue Licence to Deposit Material on Street and Excavate on Land Abutting a Street	X	X					X							
DS004	Issue and Revocation of Building Orders	X	X					X							
DS005	Occupancy Permit or Building Approval Certificate	X	X					X							
DS006	Food Act 2008 – Food Business Registrations	X	X				X								
DS007	Authority to issue a Prohibition Order (Food Act 2008)	X	X				X								
DS008	Food Act 2008 – Appoint Authorised Officer	X	X				X								
DS009	Authority to serve Infringement Notices (Food Act 2008)	X	X				X								
DS010	Public Health Act 2016	X	X				X								
DS011	Health (Asbestos) Regulations 1992	X	X				X	X							
DS012	Shire of Exmouth Town Planning Scheme No. 3	X	X			X									

Delegation		CEO	DCEO	EMCS	EMCC	STP	EHO	BS	WM	WC	CESC	RA	ACC	FO	
DS013	Joint Development Assessment Panel Applications	X	X			X									
DS014	Infringements and Direction Notices	X	X			X									
DS015	Power of Entry	X	X			X	X	X	X	X	X				
DS016	Application for Built Strata Subdivision	X	X			X									
DS017	Exemption from the Requirement to Pay a Fee – Trading in Thoroughfares and Public Places	X	X			X									
DS018	Certain Things to be done in Respect of Land	X	X			X									
DS019	Response to Applications for Subdivision and Amalgamation	X	X			X									
DS020	Response to Application for Public Works	X	X			X									
DS021	Control of Vehicles (Off-Road Areas) Act 1978 – Authorised Persons	X	X						X	X	X	X			
DS022	Permits for Heavy Haulage Vehicles	X	X						X	X					
DS023	Temporary Road Closures	X	X						X	X					
DS024	Revocation of Temporary Road Closure to Vehicles	X	X						X	X					
DS025	Private Works	X	X						X	X					
DS026	Private Works On, Over or Under Public Places	X	X						X	X					
DS027	Gates and Other Devices Across Thoroughfares	X	X						X	X	X				
DS028	Plans – Thoroughfares Levels & Alignments	X	X						X	X					
DS029	Excavation on Public Thoroughfares	X	X						X	X					
DS030	Crossing from Public Thoroughfare to Private Land or Private Thoroughfare	X	X						X	X					
DS031	Bonds for Uncompleted Works	X	X												
LAW, ORDER AND PUBLIC SAFETY															
LO001	Bushfires Act 1954 – Authorised Persons	X	X						X	X	X	X			
LO002	Cat Act 2011– Authorised Persons	X	X						X	X	X	X			
LO003	Dog Act 1976 – Authorised Persons	X	X						X	X	X	X			
LO004	Prohibited and Restricted Burning Times Variation	X	X						X	X	X	X			
LO005	Notices of Legal Proceedings - Bush Fires	X	X						X	X	X	X			
LO006	Bushfires Act – Powers and Duties	X	X						X	X	X	X			
LO007	Dog Act 1976 - Infringements	X	X						X	X	X	X			
LO008	Litter Act - Withdrawal of Infringement Notices	X	X						X	X	X				

Legend

CEO	Chief Executive Officer
DCEO	Deputy Chief Executive Officer
EMCS	Executive Manager Corporate Services
EMCC	Executive Manager Commercial and Community
STP	Senior Town Planner
EHO	Environmental Health Officer
BS	Building Surveyor
WM	Works Manager
WC	Works Coordinator
CESC	Compliance and Emergency Services Coordinator
RA	Ranger
ACC	Accountant
FO	Finance Officer (Receivables)

GOVERNANCE

GO001 – Appoint Authorised Persons

Date Adopted:	August 2016
Date Last Reviewed:	June 2016
Policy Reference:	

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent): Power Enabling Delegation: <ul style="list-style-type: none"> Local Government Act 1995, sections <ul style="list-style-type: none"> 5.42 Delegation of some powers or duties to the CEO 5.43 Limitations on delegations to the CEO Power Enabling Sub-Delegation: <ul style="list-style-type: none"> Local Government Act 1995, s.5.44 CEO may delegate some powers and duties to other employees

Legal (Subsidiary): Power Delegated: <ul style="list-style-type: none"> Local Government Act 1995 <ul style="list-style-type: none"> s.3.24 Authorising persons under this subdivision (Part 3, Division 3, Subdivision 2 – Certain provisions about land) 9.10 Appointment of Authorised Persons Shire of Exmouth Local Laws

Description of Functions Delegated

Council delegates its authority and power to the Chief Executive Officer to appoint persons or classes of persons as Authorised Persons in accordance with Section 9.10 of the *Local Government Act 1995*, for the purposes of fulfilling prescribed functions within the:

1. *Local Government Act 1995*, inclusive of Regulations;
2. Shire of Exmouth Local Laws made under the *Local Government Act 1995*;
3. *Graffiti Vandalism Act 2016*, s.15 Application; and
4. *Caravan Parks and Camping Grounds Act 1995*, s.17 Authorisations.

Subject to:

- (a) At least once each financial year, the CEO is required to circulate to Councillors a copy of the Shire of Exmouth's Schedule of Authorisations.

GO002 - Property Acquisition and Disposal

Date Adopted:	August 2016
Date Last Reviewed:	June 2016
Policy Reference:	2.13 – Disposal of Surplus Council Furniture and Equipment

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995 (Sections 5.42/5.43(d))

Legal (Subsidiary):	

The CEO is delegated authority to acquire or dispose of any land valued at an amount not exceeding \$250,000 provided that appropriate provision is made in Council's Budget where items are to be acquired, and Council is advised in advance of the intention to dispose of any land.

GO003 - Performing Functions Outside Own District

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42
2. Local Government Act 1995, Section 3.20

Legal (Subsidiary):

The Chief Executive Officer is delegated authority determine whether functions carried out by the Shire in performing its executive function conducted outside its own district subject to the following conditions:

1. Compliance with the requirements of Section 3.20 of the *Local Government Act 1995*; and
2. Details of the actions taken are to be recorded on the appropriate file and a report on the actions taken is to be presented to Council at its next Ordinary Meeting.

G0004 - Public Notice of Council and Committee Meetings

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	1.8 – Council Meetings

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42

Legal (Subsidiary):
1. Local Government (Administration) Regulation 1996 section 12.

The Chief Executive Officer is delegated the authority to exercise any of its powers in accordance with *Local Government Act 1995* section 5.42.

GO005 – Execution of Documents and Affixing of Common Seal to Documents

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	2.3 – Common Seal

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 9.49 A, B

Legal (Subsidiary):

The Chief Executive Officer and Deputy Chief Executive Officer is delegated authority to execute documents and affix the Common Seal.

DRAFT

GO006 - State Administrative Tribunal - Response to Applications for Review

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP,BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995
2.	State Administrative Tribunal Act 2004

Legal (Subsidiary):	
1.	Town Planning Scheme No. 3
2.	Sections S142 and 143 of the Planning and Development Act 2005.
3.	Section 23 of the Strata Titles Act 1985
4.	Building Act 2011

The Chief Executive Officer and the Deputy Chief Executive Officer is delegated authority to:

1. Respond to applications for review lodged with the State Administrative Tribunal, including preparation of statements and liaison with the State Administrative Tribunal;
2. Engage independent professional advice, including legal advice up to a cumulative maximum of \$25,000 per application lodged with the State Administrative Tribunal;
3. Determine appropriate conditions and advice to be recommended to the State Administrative Tribunal. Should the State Administrative Tribunal order the proposal which was determined by Council to be reconsidered, then it is to be referred to Council prior to recommending conditions and advice to the State Administrative Tribunal; and
4. Represent the Council at review hearings.

Subject to:

- a) Funds being available in the Shire's annual budget;
- b) Compliance with Councils Purchasing Policy;
- c) The outcome of the SAT determination being reported to Council; and
- d) Keeping a written record of, and recording within an appropriate database, details of how the delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

CORPORATE SERVICES

CS001 - Cemeteries Act 1986 - Authorised Persons

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, EMCS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Cemeteries Act 1986

Legal (Subsidiary):
1. Shire of Exmouth Local Laws

The Chief Executive Officer is delegated authority to appoint authorised persons to exercise the Powers and duties set out in respect of Sections 6 and 64 - *Cemeteries Act 1986* subject to:

1. A Schedule of Authorisations being submitted to Council from time to time; and
2. The Officers and/or Employees exercising the Delegation, keeping a written record of details of how the delegation was exercised, when the delegation was exercised and the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

CS002 - Payments from Municipal Fund and Trust Fund

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	2.10 – Purchasing Policy

Delegate:	CEO
Sub-Delegated:	DCEO, EMCS, ACC, FO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42

Legal (Subsidiary):
1. Local Government (Financial Management) Regulations 1996, Regulation 12(1)(b)

Description of Functions Delegated

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

1. Authorise and make payments by cheque or electronic funds transfer (EFT) from the Municipal Fund or the Trust Fund [FM r.12(1)(b)]

Subject to:

- a) The payment(s) only being for items of expenditure:
 - (i) detailed in the adopted annual budget, or
 - (ii) for payments that have been authorised by a resolution of Council in advance, or
 - (iii) authorised in advance by the President in an emergency; and
- b) Compliance with the requirements of Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

CEO Conditions on Sub-Delegation

- a) Two signatories are required on each Council cheque by either CEO, DCEO, EMCS or EMCC.
- b) Where a payment is made electronically two signatures are required utilising payment tokens assigned to either, delegate or sub delegates.

CS003- Making a Cash Advance to a Person

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42

Legal (Subsidiary):
1. Local Government Act 1995, Section 5.102

The Chief Executive Officer is delegated authority to make a cash advance to a person in respect of an expense for which the person can be reimbursed, subject to:

1. Compliance with Division 8 of Part 5 of the *Local Government Act 1995*; and
2. The Chief Executive Officer in exercising Delegation shall keep a written record of details of how the Delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

CS004 - Investment of Surplus Funds

Date Adopted:	August 2014
Date Last Reviewed:	June 2016
Policy Reference:	2.9 – Investment Policy

Delegate:	CEO
Sub-Delegated:	DCEO, EMCS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42

Legal (Subsidiary):	
1.	Local Government Act 1995, Sections 6.14 and 6.15
2.	Local Government (Financial Management Regulations) 1996, Regulation 19C
3.	Trustees Act 1962, Part III

The Chief Executive Officer is delegated authority Council delegates its authority and power to the Chief Executive Officer to invest money held in the Municipal or Trust funds that is not required for the time being for any purpose in accordance with Part III of the *Trustees Act 1962*, subject to:

1. Compliance with the established and documented internal control procedures to ensure control over the investments;
2. Compliance with Regulation 19C of the *Local Government (Financial Management) Regulations 1996*; and
3. Compliance with Council Policy – Investments.

CS005 - Waiving and Granting of Concessions and Write-Off of Debts other than Rates & Service Charges

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
On-Delegated:	DCEO, EMCC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42

Legal (Subsidiary):	
1.	Local Government Act 1995, Sections 6.12

The Chief Executive Officer is delegated authority to approve or refuse to approve applications or requests for:

1. A waiver of a debt other than rates or a service charge.
2. The write-off of a debt other than rates or a service charge.

Subject to:

- a) The amount of the request or application not exceeding \$1000.00; or
- b) Any relevant Council policy.

CS006 - Reimbursement of Expenses Incurred by an Employee

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42

Legal (Subsidiary):
1. Local Government Act 1995, Section 5.101(2)

The Chief Executive Officer is delegated authority to reimburse an employee for an expense incurred in relation to a matter affecting the local government, subject to the Chief Executive Officer in exercising delegation keeping a written record of details of how the delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

CS007 - Reimbursement of Expenses Incurred by Councillors

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	1.31 - Committee Fees and Expenses Benefits

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42

Legal (Subsidiary):	
1.	Local Government Act 1995, Section 5.98(2)(b)
2.	Local Government Act 1995, Section 5.98(4)

The Chief Executive Officer is delegated authority to approve the reimbursement of expenses to Councillors, subject to:

1. The expenses to be approved for reimbursement are those prescribed by the Act and the Regulations.
2. Compliance with Council Policy on Members – Reimbursement of Expenses Incurred.
3. The Chief Executive Officer in exercising delegation keeping a written record of details of how the delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

COMMERICAL AND COMMUNITY SERVICES

CC001 - Aviation Approvals as per Operating Deed - DOD

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	3.1 – Learmonth Airport

Delegate:	CEO
Sub-Delegated:	DCEO, EMCC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Department of Defence Learmonth Airport Operating Deed

Legal (Subsidiary):

The Chief Executive Officer is delegated the authority to approve RPT flights, charter flights, tech stop flights and general aviation, that are compliant with the extant Learmonth Airport Lease Agreement and Operating Deed (inclusive of any variations) between the Department of Defence and Shire of Exmouth; under the following conditions:

1. Lease agreement and operating deed are fully complied with.
2. ACN/PCN pavement concession controls are fully complied with, meaning that the Shire can only approve aircraft movement requests not requiring pavement concessions.
 - a) RAAF Site Manager (LMO.OPS@defence.gov.au) and headquarters email address (Russell.Cocks@defence.gov.au) are provided with an information copy of every approval as soon as it is issued; noting that RAAF in some circumstances may be required to direct an amendment to the flight movement approval for specific defence related (operational, special events and flying training) reasons.
3. A monthly RAAF Site Manager/Exmouth Shire Airport Manager meeting process is established and managed by the Shire of Exmouth with a formal record of the meeting discussion items jointly signed by the RAAF Site Manager and the Shire of Exmouth Airport Manager, with a copy then provided to 25 Squadron Pearce.
4. 25 Squadron Pearce is to receive a monthly copy of all flights approved by the Shire.
5. Any unauthorised/unapproved flights are also to be included in the regular monthly reports in accordance with the format already developed by the Shire of Exmouth for unauthorised flights.
6. Should operational necessities dictate, the RAAF may need to revert to the extant approval process, however this may only be for a short period during base activation. (Military In Use scenarios).

CC002 – Sponsorships, Donations and Waiver of Fees

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	4.3 – Sponsorships, Donations and Waiver of Fees

Delegate:	CEO
Sub-Delegated:	DCEO, EMCS, EMCC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995 (Section 5.42)

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to consider applications received for financial assistance and make the appropriate donation or engage into a sponsorship arrangement in accordance with Council's budget and Policy.

The Chief Executive Officer is delegated authority to waive fees for the use of halls, rooms and areas within any of the Council buildings, grounds or facilities, advertising or ground transport operations to associations, committees or organisations in accordance with Council's budget and Policy.

DEVELOPMENT SERVICES

DS001 - Building Act 2011 - Appointment of Authorised Persons

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO,BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):

1. Building Act 2011, Section 127

Legal (Subsidiary):

1. Building Act 2011, Section 96(3)
2. Building Act 2011, Section 127
3. Building Regulations 2012

The Chief Executive Officer is delegated authority to appoint authorised persons for the purposes of the *Building Act 2011* and *Building Regulations 2012* in relation to buildings and incidental structures located, or proposed to be located in the Shire's district

DS002 - Building and Demolition Permits

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent): <ol style="list-style-type: none"> Building Act 2011, Section 127

Legal (Subsidiary): <ol style="list-style-type: none"> Building Act 2011, Section 20 Building Act 2011, Section 20 Building Act 2011, Section 21 Building Act 2011, Section 22 Building Act 2011, Section 32 Building Act 2011, Section 35 (c) Building Regulations 2012
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The Chief Executive Officer is delegated authority to:

- Approve or refuse plans, specifications and an application for a building permit submitted under the *Building Act 2011*, subject to compliance with Sections 20 and 22 of the *Building Act 2011*.
- Approve or refuse an extension of time where a building has not been complete within the specified time in accordance with Section 32 of the *Building Act 2011*.
- Approve or refuse plans, specifications and an application for demolition permit submitted under the *Building Act 2011* subject to compliance with Sections 21 and 22 of the *Building Act 2011*. This delegation does not apply to places listed on the State's Register of Heritage Places or Council's Heritage Register, or to places classified by the National Trust.
- Approve a new responsible person for the work to which a building or demolition permit applies.

DS003 - Issue Licence to Deposit Material on Street and Excavate on Land Abutting a Street

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Building Act 2011, Section 127

Legal (Subsidiary):
1. Building Act 2011, Section 166(3)(g)
2. Building Regulations 2012, Regulation 64

The Chief Executive Officer is delegated authority to issue licenses for:

1. The deposit of materials on a street, way or other public place; or
2. The excavation on land abutting or adjoining a street, way or other public place;

Subject to:

- a) The requirements of Regulation 64 of the *Building Regulation 2012*; and
- b) The relevant licence fee being set by Council annually.

DS004 - Issue and Revocation of Building Orders

Date Adopted:	August 2016
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent): 1. Building Act 2011, Section 127.
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Legal (Subsidiary): 1. Building Act 2011, Section 110 2. Building Act 2011, Section 117 3. Building Regulations 2012
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The Chief Executive Officer is delegated authority to:

1. Make a building order in respect of one or more of the following;
 - a) Particular building work;
 - b) Particular demolition work; or
 - c) A particular building or incidental structure.
2. Revoke a building order subject to Compliance with Section 117(1) of the *Building Act 2011* by serving written notice to each person to whom the order is directed.

DS005 - Occupancy Permit or Building Approval Certificate

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Building Act 2011, Section 127

Legal (Subsidiary):
1. Building Act 2011, Section 58
2. Building Act 2011, Section 65
3. Building Act 2011, Section 65

The Chief Executive Officer is delegated authority to:

1. Approve, modify or refuse to approve applications submitted under Section 58 of the *Building Act 2011*.
2. Approve or refuse to approve applications submitted under Section 65 of the *Building Act 2011*.

DS006 – Food Act 2008 – Food Business Registrations

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO,EHO
Chief Executive Instruction/Procedure:	Nil

Power Enabling Delegation:

- Food Act 2008, Section 118(2)(b) Functions of enforcement agencies and delegation
 - S.118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
 - S.118(4) Sub-delegation only permissible if expressly provided in regulations

Power Enabling Sub-Delegation:

- Nil. Food Act / Regulations do not provide for sub-delegation.

Power Delegated:

- Food Act 2008, sections:
 - S.110(1) and (5) Registration of food business
 - S.112 Variation of conditions or cancellation of registration of food businesses.

Description of Functions Delegated

Council delegates its authority and power to:

1. Register a food business in respect of any premises for the purposes of Part 9 of the *Food Act 2008* and issue a certificate of registration, if approved [s.110(1)].
2. After considering an application, grant (with or without conditions) or refuse the application [s110(5)].
3. Vary the conditions imposed on Food Business Registration or cancel a Food Business Registration under Part 9 of the *Food Act 2008* [s.112(1)].

DS007 - Authority to Issue a Prohibition Order (Food Act 2008)

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, EHO
Chief Executive Instruction/Procedure:	Nil

<p>Legal (Parent):</p> <p>Power Enabling Delegation:</p> <ol style="list-style-type: none"> 1. Food Act 2008, Section 118(2)(b) Functions of enforcement agencies and delegation <ol style="list-style-type: none"> a. 118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120] b. 118(4) Sub-delegation only permissible if expressly provided in regulations <p>Power Enabling Sub-Delegation:</p> <ol style="list-style-type: none"> 2. Nil. Food Act / Regulations do not provide for sub-delegation.
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<p>Legal (Subsidiary):</p> <p>Power Delegated:</p> <ul style="list-style-type: none"> • Food Act 2008, sections: <ul style="list-style-type: none"> • 65(1) Prohibition Order • 66 Certificate of Clearance • 67(4) Request for Re-Inspection
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Description of Functions Delegated

Council delegates its authority and power to:

1. Serve a Prohibition Order on the proprietor of a food business in accordance with s.65 of the *Food Act 2008* [s.65].
2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s.66].
3. 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)].

DS008 – Food Act 2008 – Appoint Authorised Officers

Date Adopted:	August 2017
Date Last Reviewed:	June 2016

Delegate:	CEO
Sub-Delegated:	DCEO, EHO

Legal (Parent):

Power Enabling Delegation:

- Food Act 2008, Section 118(2)(b) Functions of enforcement agencies and delegation
 - S.118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
 - S.118(4) Sub-delegation only permissible if expressly provided in regulations

Power Enabling Sub-Delegation:

- Nil. Food Act / Regulations do not provide for sub-delegation.

Legal (Subsidiary):

Power Delegated:

- Food Act 2008, Sections:
 - S.122(1) Appointment of authorised officers
 - S.126(13) Infringement notices

Description of Functions Delegated

Council delegates authority and power to appoint persons to be:

1. An Authorised Officer for the purposes of the *Food Act 2008* [122(1)].
2. A Designated Officer for the purposes of the *Food Act 2008* [126(13)].

Generally subject to:

- (a) At least once each financial year, the CEO is required to circulate to Councillors a copy of the Shire's Schedule of Authorisations.

DS009 - Authority to Serve Infringement Notices (Food Act 2008)

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, EHO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):

Power Enabling Delegation:

- Food Act 2008, Section 118(2)(b) Functions of enforcement agencies and delegation
 - S.118 (3) Delegation subject to conditions [s119] and guidelines adopted [s120]
 - S.118(4) Sub-delegation only permissible if expressly provided in regulations

Power Enabling Sub-Delegation:

- Nil. Food Act / Regulations do not provide for sub-delegation.

Legal (Subsidiary):

Power Delegated:

- Food Act 2008:
 - S.125 Institution of proceeding

Description of Functions Delegated

Council delegates its authority and power to institute proceedings for an offence under the *Food Act 2008* [s.125].

Date Adopted:	19 January 2017 (Effective from 24 January 2017)
Date Last Reviewed:	19 January 2017
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, EHO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent): Power Enabling Delegation: <ul style="list-style-type: none"> Public Health Act 2016: <ul style="list-style-type: none"> s.21 Enforcement agency may delegate Power Enabling Sub-Delegation: <ul style="list-style-type: none"> Nil power of sub-delegation – to be review on Gazettal of the Public Health Regulations.
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Legal (Subsidiary): Power Delegated: <ul style="list-style-type: none"> Public Health Act 2016: <ul style="list-style-type: none"> s.24 Designation of authorised officers
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Description of Functions Delegated

Council delegates its authority and power to designate a person or class of persons as authorised officers:

- for the purposes of the *Public Health Act 2016* or another specified Act; or
- for the purposes of the specified provisions of this Act or another specified Act; or
- for the purposes of the provisions of the *Public Health Act 2016* or another specified Act other than the specified provision of that Act [s.24(1)].

Subject to:

- The requirements of s.24(3), being that designated authorised officers may be either:
 - an environmental health officer or environmental health officers as a class; or
 - a person who is not an environmental health officer or a class of persons who are not environmental health officers; or
 - a mixture of the two.
- Compliance with any relevant conditions established by the Chief Health Officer under s.20 of the *Public Health Act 2016*.

DS011 – Health (Asbestos) Regulations 1992

Date Adopted:	August 2017
Date Last Reviewed:	14 February 2017
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, EHO, BS
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Criminal Procedure Act 2004, Part 2

Legal (Subsidiary):
1. Health (Asbestos) Regulations 1992

1. The Chief Executive Officer is appointed as the approved officer for the purposes of Part 2 of the *Criminal Procedure Act 2004*. They are authorised to extend the period to pay or withdraw an infringement notice issued under the *Health (Asbestos) Regulations 1992*.
2. The following officers are authorised officers for the purpose of Part 2 of the *Criminal Procedure Act 2004*. They are authorised to issue infringement notices for breaches with the *Health (Asbestos) Regulations 1992*:
 - Deputy Chief Executive Officer
 - Environmental Health Officer
 - Building Surveyor

DS012 - Shire of Exmouth Town Planning Scheme No. 3

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995 (Section 5.41(i) & 5.42 & 5.44)
2.	Shire of Exmouth Town Planning Scheme No. 3
3.	Planning and Development (Local Planning Schemes) Regulations 2015

Legal (Subsidiary):	

The Chief Executive Officer is delegated authority to:

1. Hold in abeyance or return to an applicant for rectification, any development (planning) application that does not contain adequate or sufficient information necessary to properly assess, evaluate, and determine the application in accordance with the Scheme provisions, Council Policy provisions and the matters listed in clause 67 of the Deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, or any other information deemed necessary to properly assess and determine the application;
2. Determine the land use classification applicable to the proposed use/development for which approval is sought;
3. Determine whether the proposed use/works falls within the classes of development exempt from obtaining development approval pursuant to clause 61 of the Deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
4. Determine and effect the consultation of a development (planning) application pursuant to clause 64 of the Deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
5. Authority to determine non-planning related objections. Objections against compliant aspects of development (planning) applications or are non-planning related are considered to be non-valid objections to the proposal.
6. To refuse to a development (planning) application for a proposed development designated as a 'X' use, 'AA' use, or 'IP' use in the scheme, and is determined not to comply with relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
7. To grant approval to a development (planning) application for a development which is determined to comply with the design principles of the R-Codes and where no objections have been received.
8. To grant approval to a development (planning) application for a development designated as a 'P' use , 'IP' use or 'AA' use in the scheme, and is determined to comply with relevant provisions and

standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;

9. To grant approval to a development (planning) application for development which is not listed and/or designated with a permissibility in the scheme where the development is designated as a 'P' use, 'IP' use or 'AA' use, or the equivalent, by a lawfully adopted planning instrument;
10. In exceptional circumstances where a development application is determined not to have any adverse effect on the amenity of the locality, following its referral to surrounding affected land owners and no objecting submissions being received, approve a development (planning) application which varies site and development requirements relating to:
 - i. Side and rear setbacks;
 - ii. Front setback variations up to 0.5 metres;
 - iii. Wall height and/or maximum pitched roof height variations up to 0.5 metres;
 - iv. Outbuilding area variations up to 10%;
 - v. Signage dimension and/or maximum height variations up to 0.5 metres;
 - vi. Signage area variations up to 0.5m².
11. To grant approval to an annual permit application for a Holiday House, Holiday Accommodation, Bed and Breakfast, Guesthouse, Home Occupation and Home Business approved land use where no complaints have been received in the previous 12 months, and complies with all relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
12. To grant approval to a development (planning) application relating to a non-conforming use, and is determined to comply with relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
13. To refuse to a development (planning) application relating to a non-conforming use, and is determined not to comply with relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
14. Certify that any condition imposed on any development (planning) approval has been completed and fulfilled to the Executive Manager's satisfaction;
15. To grant approval to a development (planning) application for an advertising devise/sign in any zone listed in the scheme that complies with relevant provisions prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
16. To grant approval to a development (planning) application for an extension of time to commence development of a development (planning) approval;
17. To grant approval to amend or delete any condition to which development (planning) approval is granted under delegation, and/or to amend an aspect of the development approved which, if amended, would not substantially change the development approved under delegation or cancel a

development (planning) approval determined under delegation at request of the applicant/owner in accordance with clause 77 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and

18. Impose conditions and advice on the approval granted under delegation that are considered necessary to secure the relevant provisions prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable.
19. To grant approval to a development (planning) application for a 'Holiday Accommodation' land use where no submissions objecting to the proposal have been received and the proposal is determined to comply with relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
20. To grant approval to a development (planning) application for development on land classified as a local planning scheme reserve as follows:
 - i. Where the land is in the control and/or management of the Shire of Exmouth;
 - ii. The development is for a permitted use and/or purpose outlined in a lawfully executed lease issued by the Shire of Exmouth;
 - iii. The development is consistent with any objectives outlined for that reserve in the Scheme; and
 - iv. The value of any works is less than \$500,000;

DS013 - Joint Development Assessment Panel Applications

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995 (Section 5.42 & 5.44)
2.	Planning and Development Act 2005
3.	Shire of Exmouth Town Planning Scheme No.3
4.	Planning and Development (Development Assessment Panels) Regulations 2011

Legal (Subsidiary):	
1.	Local Government Act 1995, Section 6.50(1) and (2)

The Chief Executive Officer is delegated authority to:

1. Hold in abeyance or return to an applicant for rectification, any Form 1 or Form 2 application that does not contain adequate or sufficient information necessary to properly assess, evaluate, and determine the application in accordance with the Scheme provisions, Council Policy provisions, or any other information deemed necessary to properly assess and determine the application;
2. Prepare Responsible Authority Reports (RAR) making a recommendation to the Joint Development Assessment Panel based on the relevant provisions prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable;
3. Determine the land use classification applicable to the proposed use/development for which approval is sought;
4. Determine and effect the consultation of a Form 1 application;
5. Certify that any condition imposed on any Form 1 or Form 2 approval has been completed and fulfilled to the Executive Manager's satisfaction; and
6. Impose conditions and advice that are considered necessary to secure the relevant provisions prescribed by the scheme, Council planning policies, structure plan, local area plan, local planning strategy and R-Codes where applicable.

DS014 - Infringements and Direction Notices

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent): <ol style="list-style-type: none"> 1. Local Government Act 1995 (Section 5.42 & 5.44) 2. Planning and Development Act 2005 (Sections 214, 218, 228, 229, 230 & 231) 3. Shire of Exmouth Town Planning Scheme 3 4. Planning and Development Regulations 2009 (Schedule 1)

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to and in accordance with the relevant sections of the *Planning and Development Act 2005*:

1. Issue a directions notice, pursuant to section 214 and 218.
2. Appoint a Shire of Exmouth employee to give an infringement notice in accordance with section 228.
3. Determine the content of an infringement notice in accordance with section 229.
4. Grant an extension of up to 28 days in exceptional circumstances for the alleged offender to pay the infringement notice in accordance with section 230.
5. Withdraw an infringement notice in exceptional circumstances in accordance with section 231.

*Please note the s. 234 of the *Planning and Development Act 2005* states:

"234. Designated persons, appointment of

- 1) The chief executive officer of a responsible authority may, in writing, appoint persons or classes of persons to be designated persons for the purposes of section 228, 229, 230 or 231 or for the purposes of 2 or more of those sections.*
- 2) A person who is authorised to give infringement notices under section 228 is not eligible to be a designated person for the purposes of any of the other sections."*

DS015 - Power of Entry

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP,EHO, BS, WM, WC, CESC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
<ol style="list-style-type: none"> 1. Local Government Act 1995 (Section 3.28 - 3.36) 2. Planning and Development (Local Planning Schemes) Regulations 2015 (Schedule 2 Clause 79)

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to exercise all of the powers and duties of the local government in respect to the powers of entry upon land as contained in the *Local Government Act 1995* Section 3.28 to 3.36 inclusive, and to exercise the entry and inspection powers as contained in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2 Clause 79.

Any occasion where this delegation is exercised by an Executive Manager is to be reported to the Chief Executive Officer soon as possible.

DS016 - Application for Built Strata Subdivision

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Strata Titles Act 1985 (Section 25)
2. Planning and Development Act 2005 (Section 16 (3))
3. Shire of Exmouth Town Planning Scheme No. 3

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to:

1. approve built strata applications consistent with West Australian Planning Commission delegations; and
2. exercise discretion and make recommendations to the Western Australian Planning Commission where the local government is not delegated to make a determination on a built strata application.

Subject to:

- a) the imposition of relevant conditions and advice on any approval proposed to be granted, that are considered necessary to secure the objectives of any relevant planning document adopted by Council.
- b) compliance with the relevant requirements of Town Planning Scheme 3, R-Codes, Local Area Plan, Structure Plan, Local Planning Strategy and Council Planning Policies.

The Chief Executive Officer is delegated authority to certify the conditions imposed on an approval granted to land contained within the municipality, that pertain to the Shire's jurisdiction, role and function, have been completed and fulfilled to the satisfaction of the Shire.

DS017 - Exemption from the Requirement to Pay a Fee – Trading in Thoroughfares and Public Places

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):

1. Shire of Exmouth Local Law Relating to Activities on Thoroughfares and Trading in Thoroughfares and Public Places

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to:

1. Exempt a not for profit organisation from the requirement to pay an activity on local government property application or permit fee, under the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law subject to the waiving of the fee being recorded as a donation of Council.
2. Where a development (planning) application is lodged by a non-profit organisation the application fee may be reduced to the maximum fee prescribed for development not more than \$50,000.00 regardless of the estimated cost of the development, as prescribed in the *Planning and Development Regulations 2009* Schedule 2.

DS018- Certain Things to be done in Respect of Land

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995 (Section 3.24 – 3.26 & 5.42)

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to authorise any person to:

1. exercise on behalf of the local government the powers given to a local government by Subdivision 2 (Certain Provisions about Land) of the *Local Government Act 1995*; and
2. to issue notices and take the necessary action to recover costs from the person who failed to comply with the notice. (Refer Section 3.24 to 3.26– Schedule 3.1.)

Subject to documenting how they formed the opinion that the things to be performed are necessary to protect and/or enhance the health, safety or amenity of the persons or property in the district or to remove a nuisance.

DS019 - Response to Applications for Subdivision and Amalgamation

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Planning and Development Act 2005
2. Strata Titles Act 1985
3. Shire of Exmouth Town Planning Scheme No. 3
4. Land Administration Act 1997

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to comment and/or make recommendation to the Western Australian Planning Commission and Department of Planning, Lands and Heritage on applications and proposals for subdivision, amalgamation, strata subdivision, survey-strata subdivision, crown subdivision and crown amalgamation as follows:

1. Proposals to amalgamate five (5) or less lots.
2. Proposals to create five (5) or less lots.

Subject to:

- a) the imposition of relevant conditions and advice on any proposal that are considered necessary to secure the objectives of any relevant planning document adopted by Council; and
- b) compliance with the relevant requirements of Town Planning Scheme 3, R-Codes, Local Area Plan, Structure Plan, Local Planning Strategy and Council Planning Policies.

The Chief Executive Officer is delegated authority to certify to the Western Australian Planning Commission that conditions imposed on an approval granted to subdivide, amalgamate, strata subdivide, survey-strata subdivide land contained within the municipality, that pertain to the Shire's jurisdiction, role and function, have been completed and fulfilled to the satisfaction of the Shire.

DS020- Response to Application for Public Works

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, STP
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995 (Section 5.42 & 5.44)
2.	Planning and Development Act 2005 (Section 6)
3.	Shire of Exmouth Town Planning Scheme 3
4.	Public Works Act 1902

Legal (Subsidiary):	

The Chief Executive Officer is delegated authority to exercise discretion and make recommendations on applications referred to the Shire pursuant to section 6 of the *Planning and Development Act 2005* for public works subject to:

1. The notification of relevant provisions that are considered necessary to ensure compliance with the relevant requirements of Town Planning Scheme 3, R-Codes, Local Area Plan, Structure Plan, Local Planning Strategy and Council Planning Policies; and
2. The total value of works being less than \$1 million per application referred.

DS021 - Control of Vehicles (Off-Road Areas) Act 1978 – Authorised Officer

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Control of Vehicles (Off-road Areas) Act 1978, Section 38(3)

Legal (Subsidiary):	
1.	Control of Vehicles (Off-road Areas) Regulations 1979

The Chief Executive Officer is delegated authority to perform the duties of an authorised officer under the *Control of Vehicles (Off-road Areas) Act 1978*, for the whole of the district of the Shire of Exmouth subject to:

1. A Schedule of Authorisations being submitted to Council from time to time; and
2. The Officers and/or Employees exercising the Delegation, keeping a written record of details of how the Delegation was exercised, when the delegation was exercised and the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

DS022 - Permits for Heavy Haulage Vehicles

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	7.3 – Extra Mass Permits

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
<ol style="list-style-type: none">1. Local Government Act 1995, Section 5.422. Main Roads Act 1930, Part 4 13a3. Roads Traffic Regulations 2014

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to determine any heavy haulage application and either recommend:

1. Approval of the application with conditions; or
2. Refusal of the application.

to Main Roads WA for heavy haulage vehicles to use any local road within the district, subject to the requirements of any relevant Council Policy as set and amended from time to time that specifies approved routes and conditions listed therein.

DS023- Temporary Road Closures

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42

Legal (Subsidiary):	
1.	Local Government Act 1995, Sections 3.50, 3.50A and 3.51
2.	Local Government Functions and General Regulations 1996, Regulations 4, 5 and 6
3.	Road Traffic (Events on Roads) Regulations 1991

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of a thoroughfare, and to undertake the necessary action for the closure of thoroughfares to vehicles:

1. In cases of emergency;
2. Where in the opinion of the CEO that due to heavy rain a thoroughfare is likely to be damaged by the passage of traffic of a particular class, or by the passage of traffic generally;
3. For the conduct of an Event in accordance with the *Road Traffic (Events on Roads) Regulations 1991*; and
4. Where the Council is undertaking repair and maintenance works to a thoroughfare,

Subject to:

- a) Having regard for the requirements of Sections 3.50 and 3.50A of the *Local Government Act 1995*, and for Clauses 4, 5 and 6 of the *Local Government (Functions and General) Regulations 1996*.
- b) The Officers and/or Employees exercising the Delegation, keeping a written record of details of how the Delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of duty.

DS024 - Revocation of Temporary Road Closure to Vehicles

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42.

Legal (Subsidiary):
1. Local Government Act 1995, Sections 3.50(6)

The Chief Executive Officer is delegated authority to revoke an order to close a thoroughfare subject to the provisions of Section 3.50(6) of the *Local Government Act 1995*.

DS025 - Private Works

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	7.14 – Private Works

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to approve all Private Works in accordance with any relevant Council policy and rates and charges as set by Council.

DS026 - Private Works On, Over or Under Public Places

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	7.11 - Alterations or Damage to Council Street Infrastructure

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42.

Legal (Subsidiary):	
1.	Local Government Act 1995, Section 3.25(1)(b), Section 3.26(2) and (3)
2.	Local Government Act, Schedule 9.1(8)
3.	Local Government (Uniform Provisions) Regulations, Regulation 17

The Chief Executive Officer is delegated authority to:

1. Grant permission to a person to construct anything on, over, or under a public thoroughfare or other public place that is Local Government property, and impose conditions in respect to the permission, subject to the requirements of Regulation 17 of the *Local Government (Uniform Provisions) Regulations 1996*.
2. Issue a notice under Section 3.25(1)(b) to a person who has not complied with a condition imposed on a permission given under (1.0) above.
3. Do anything that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given under (2.0) above.
4. Recover the cost of anything done under (3.0) above as a debt due from the person who failed to comply with the notice issued, subject to notification being given to Council prior to legal action commencing.

DS027 - Gates and Other Devices Across Thoroughfares

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42.

Legal (Subsidiary):	
1.	Local Government Act 1995, Section 3.25(1)(b), Section 3.26(2) and (3),
2.	Local Government Act, Schedule 9.1(5)
3.	Local Government Act, Schedule 3.1
4.	Local Government (Uniform Provisions) Regulations, Regulation 9

The Chief Executive Officer is delegated authority to:

1. Grant permission to have a gate or other device across a public thoroughfare under the care, control and management of the Shire, and impose conditions in respect to the permission, subject to:
 - a) The requirements of Regulation 9 of the *Local Government (Uniform Provisions) Regulations 1996*; and
 - b) A register of gates and other devices being kept in accordance with Clause 9(8) of the *Local Government (Uniform Provisions) Regulations 1996*.
2. Issue a notice under Section 3.25(1)(b) to a person who has not complied with a condition imposed on a permission given under (1.0) above.
3. Do anything that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given under (2.0) above.
4. Recover the cost of anything done under (3.0) above as a debt due from the person who failed to comply with the notice issued subject to notification being given to Council prior to legal action commencing.

DS028 - Plans, Thoroughfares Levels and Alignments

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42.

Legal (Subsidiary):	
1.	Local Government Act 1995, Sections 3.52(4), 5.94 and 5.96

The Chief Executive Officer is delegated authority to keep plans of levels and alignments of public thoroughfares under the care, control and management of the Council and to ensure those plans are available for public inspection during office hours subject to the requirements of Sections 3.52(4), 5.94 and 5.96 of the *Local Government Act 1995*.

DS029 - Excavation on Public Thoroughfares

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act 1995, Section 5.42

Legal (Subsidiary):	
1.	Local Government Act 1995, Section 3.25(1)(b), Section 3.26(2) and (3)
2.	Local Government Act, Schedule 9.1(6)
3.	Local Government (Uniform Provisions) Regulations, Regulation 11

The Chief Executive Officer is delegated authority to:

1. Grant permission to a person to make or make and leave, an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare, and impose conditions in respect to the permission, subject to the requirements of Regulation 11 of the *Local Government (Uniform Provisions) Regulations 1996*;
2. Issue a notice under Section 3.25(1)(b) to a person who has not complied with a condition imposed on a permission given under (1.0) above.
3. Do anything that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given under (2.0) above.
4. Recover the cost of anything done under (3.0) above as a debt due from the person who failed to comply with the notice issued subject to notification being given to Council prior to legal action commencing.

DS030 - Crossing from Public Thoroughfare to Private Land or Private Thoroughfare

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	7.9 – Crossover and Verges – Within Town site 7.10 – Crossover – Commercial and Outside Town site

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Local Government Act 1995, Section 5.42.

Legal (Subsidiary):
1. Local Government (Uniform Provisions) Regulations, Regulations 12, 13 and 14
2. Local Government Act 1995, Section 3.25(1)(b), Section 3.26(2) and (3)
3. Local Government Act, Schedule 9.1(7)

The Chief Executive Officer is delegated authority to:

1. Approve or refuse an application from an owner of land, to construct a crossing giving access from a public thoroughfare to the land, or a private thoroughfare serving the land, and impose conditions in respect to the approval, subject to the requirements of Regulation 14(2) of the *Local Government (Uniform Provisions) Regulations 1996*.
2. Issue a notice under Section 3.25(1)(b) to a person who has not complied with a condition imposed on a permission given under (1.0) above.
3. Do anything that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given under (2.0) above.
4. Recover the cost of anything done under (3.0) above as a debt due from the person who failed to comply with the notice issued, subject to notification being given to Council prior to legal action commencing.
5. Issue a notice under Regulation 13(1) of the *Local Government (Uniform Provisions) Regulations 1996* to the owner or occupier of private land to construct or repair a crossing from a public thoroughfare to the land, or a private thoroughfare serving the land, subject to the requirements of Regulation 14(2) of the *Local Government (Uniform Provisions) Regulations 1996*.

DS031 - Bonds for Uncompleted Works

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Sections 5.42, 5.44, 5.45 and 5.46 of the Local Government Act 1995

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to determine the value of and conditions associated with the lodgement of cash bonds or other performance bonds for uncompleted works associated with the subdivision or development of land and to approve the return or payment of such bonds upon the completion of the works or event or any relevant Council policy.

LAW, ORDER AND PUBLIC SAFETY

LO001 - Bushfires Act 1954 - Authorised Persons

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):

1. Bushfires Act 1954, Sections 38, 59(3), 59(5), 59A(2)
2. Bushfires Infringement Regulations, Regulation 4

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to perform the specified duties under the *Bushfires Act 1954*, subject to:

1. A Schedule of Authorisations being submitted to Council from time to time; and
2. The Officers and/or Employees exercising the Delegation, keeping a written record of details of how the Delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

LO002 - Cat Act 2011 - Authorised Persons

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

<p>Legal (Parent):</p> <p>Power Enabling Delegation:</p> <ul style="list-style-type: none"> Cat Act 2011, section 44 Delegation by local government. <p>Power Enabling Sub-Delegation:</p> <p>Cat Act 2011, section 45 Delegation by CEO of local government</p>

<p>Legal (Subsidiary):</p> <ul style="list-style-type: none"> Cat Act 2011, section 48 Authorised persons
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Description of Functions Delegated

Council delegates its authority and power to:

1. Appoint persons or classes of persons to be authorised for the purposes of performing particular functions under this Act [s.48(1)].
2. Determine conditions on any authorisation [s.48(3)].
3. Cancel or vary an authorisation or a condition on an authorisation [s.48(4)].

Generally subject to:

- a) At least once each financial year, the CEO is required to circulate to Councillors a copy of the Shire of Gnowangerup's Schedule of Authorisations.

LO003 - Dog Act 1976 - Authorised Persons

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Dog Act 1976, Section 10AA.

Legal (Subsidiary):	
1.	Dog Act 1976, Sections 11, 29(1), 33E and 44(2)
2.	Dog Regulations 2013.

The Chief Executive Officer is delegated authority to:

1. Appoint persons as Registration Officers and Authorised Officers under the *Dog Act 1976*;
2. Commence legal proceedings for offences against the *Dog Act 1976*; and
3. Appoint persons to represent the Shire in legal proceedings for offences against the *Dog Act 1976*.

The above delegations are subject to:

- a) a Schedule of Authorisations being submitted to Council from time to time; and
- b) the Officers and/or Employees exercising the Delegation, keeping a written record of details of how the Delegation was exercised, when the delegation was exercised, the persons or classes of persons directly affected by the exercise of the power on the discharge of the duty.

LO004 - Prohibited and Restricted Burning Times Variation

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Bushfires Act 1954, Section 17(10).
2. Bushfires Act 1954, Section 18(5c)

Legal (Subsidiary):
1. Bushfires Act 1954, Section 17(7) and (8)
2. Bushfires Act 1954, Section 18(5) and (5C)

Council delegates its authority and power to the President and Chief Bush Fire Control Officer jointly to-

1. Vary the prohibited burning times within the district of the Shire of Exmouth, subject to-
 - a) The appropriate notice being given as required by Section 17(8) of the *Bushfires Act 1954*.
2. Vary the restricted burning times within the district of the Shire of Exmouth-
 - b) The appropriate notice being given as required by Section 18(5C) of the *Bushfires Act 1954*.

Provided that the Officer in Charge of the Department of Parks and Wildlife (DPaW) is consulted before the authority under this delegation is exercised.

LO005 - Notices of Legal Proceedings-Bush Fires

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Bushfires Act 1954 s.59 (3)

Legal (Subsidiary):

The Chief Executive Officer is delegated authority to:

1. Commence legal proceedings pursuant to offences against the *Bush Fires Act 1954*; and
2. Engage independent professional advice, including legal advice, where a decision made by the Council, or a condition or conditions associated with that decision, is substantially different from the Responsible Officer's recommendation.

LO006 - Bushfires Act 1954 - Powers and Duties

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Bushfires Act 1954, Section 48.

Legal (Subsidiary):
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The Chief Executive Officer is delegated authority to perform all the functions and duties of the local government under the *Bushfires Act 1954* subject to-

1. This power and authority cannot be sub-delegated by virtue of Section 48(3) of the *Bushfires Act, 1954*.
 - a) The exclusion of powers and duties that:
 - i. Are prescribed in the Act that require a resolution by the local government
 - ii. Are prescribed in the Act for performance by prescribed offices.
2. Where the exercise of authority relates to the determination of firebreaks in alternative positions, or alternative action to abate fire hazards, the CEO shall liaise with the Chief Bushfire Control Officer on each specific variation request.

LO007 - Dog Act 1976-Infringements

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC, RA
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):	
1.	Local Government Act (1995) & Dog Local Laws
2.	Dog Act (1976)

Legal (Subsidiary):	

The Chief Executive Officer is delegated authority to commence proceedings against a person who is reported to have:

1. Unlawfully rescued or released, or attempted to rescue or release, cattle or dogs lawfully impounded or seized for the purpose of being impounded;
2. Damaged a Municipal Pound; or
3. Committed Pound breach by reason of which cattle or dogs may escape from a Municipal Pound.

In all cases where the Chief Executive Officer instructs Council's solicitors to commence proceedings, the Chief Executive Officer shall report particulars to the next succeeding Council meeting.

LO008 - Litter Act - Withdrawal of Infringement Notices

Date Adopted:	August 2017
Date Last Reviewed:	June 2016
Policy Reference:	N/A

Delegate:	CEO
Sub-Delegated:	DCEO, WM, WC, CESC
Chief Executive Instruction/Procedure:	Nil

Legal (Parent):
1. Litter Act 1979, Section 30(4a).

Legal (Subsidiary):
1. Litter Regulations 1981.

The Chief Executive Officer is delegated authority to withdraw infringement notices under the *Litter Act, 1979*.

Caravan Parks and Camping Grounds Regulations 1997

**Form 2 Licence**

Caravan Parks and Camping Grounds Act 1995, sec. 7(4)

LICENCE

Expiry date	30 SEPTEMBER 2016		
Local Government	Name of local government: SHIRE OF EXMOUTH		
Type of licence	CARAVAN PARK		
Facility details	Name: YARDIE HOMESTEAD CARAVAN PARK		
	Address: YARDIE CREEK ROAD, EXMOUTH WA 6707 or		
	Land description: LYNDON LOCATION 198		
Licence holder/s details	Family name : ROSCIC		
	Other names: JAMES		
	Postal address	No.:	Street name: Yardie Creek Road
	PO Box 925	Suburb: EXMOUTH	Postcode: 6707
	Phone: (08) 9949 1389 Fax: (08) 9949 1389 Email: yardiehomestead@bigpond.com		
Licence conditions	<p>Special conditions to which section 13 of the Act applies:</p> <ol style="list-style-type: none"> 1. All sites not serviced by approved fire hose reels, when in use, must be provided with fire extinguishers in accordance with Clause 35 of Schedule 7 of the Regulations. 2. Camping sites to be within 30m of potable water and sullage disposal point. Short stay sites to be within 50m of potable water. 3. Approved signage to be installed throughout the facility identifying which taps are drinking water and which are not in accordance with Ministerial variation/exemption dated 2 November 2005. 4. All sites (including over-flow) to be within 90m of sanitary facilities. 5. Caravans are not permitted on the 57 Camp Sites 6. Approval shall be obtained prior to any changes/upgrades to the facility. Any application for approval shall include an updated plan to the Shire identifying the change/s. 7. An updated site map reflecting any revised changes be submitted by 31 December 2017. 		
Details of sites Authorised (Maximum number and type)	103 Short Stay Sites (including 13 park homes/chalets) 57 Camp Sites		
Overflow area details	Address or land description: Within the licensed facility, area to be inspected and approved by a Council Officer prior to use.		
	Details of sites [maximum number and type]: 20 Overflow sites for self contained vehicles		
	<p>Additional Over Flow Site Conditions:</p> <ol style="list-style-type: none"> 1. Sites shall only be allocated for use from 30 June 2016 – 28 August 2016, unless otherwise approved by the Shire of Exmouth's Chief Executive Officer. 2. Sites shall only be allocated when all other sites are fully booked. 3. All sites to be within 90m potable water tap. 4. All caravans and motor homes using the over flow area must be equipped with and use on-board sanitary facilities (including shower & toilet). 		
Issued by:	Local Government:	Date:	
	<p style="text-align: center;">Cameron Woods CHIEF EXECUTIVE OFFICER</p>	<p style="text-align: center;">23 August 2017</p>	

Form 2 Licence

Caravan Parks and Camping Grounds Act 1995, sec. 7(4)

**LICENCE**

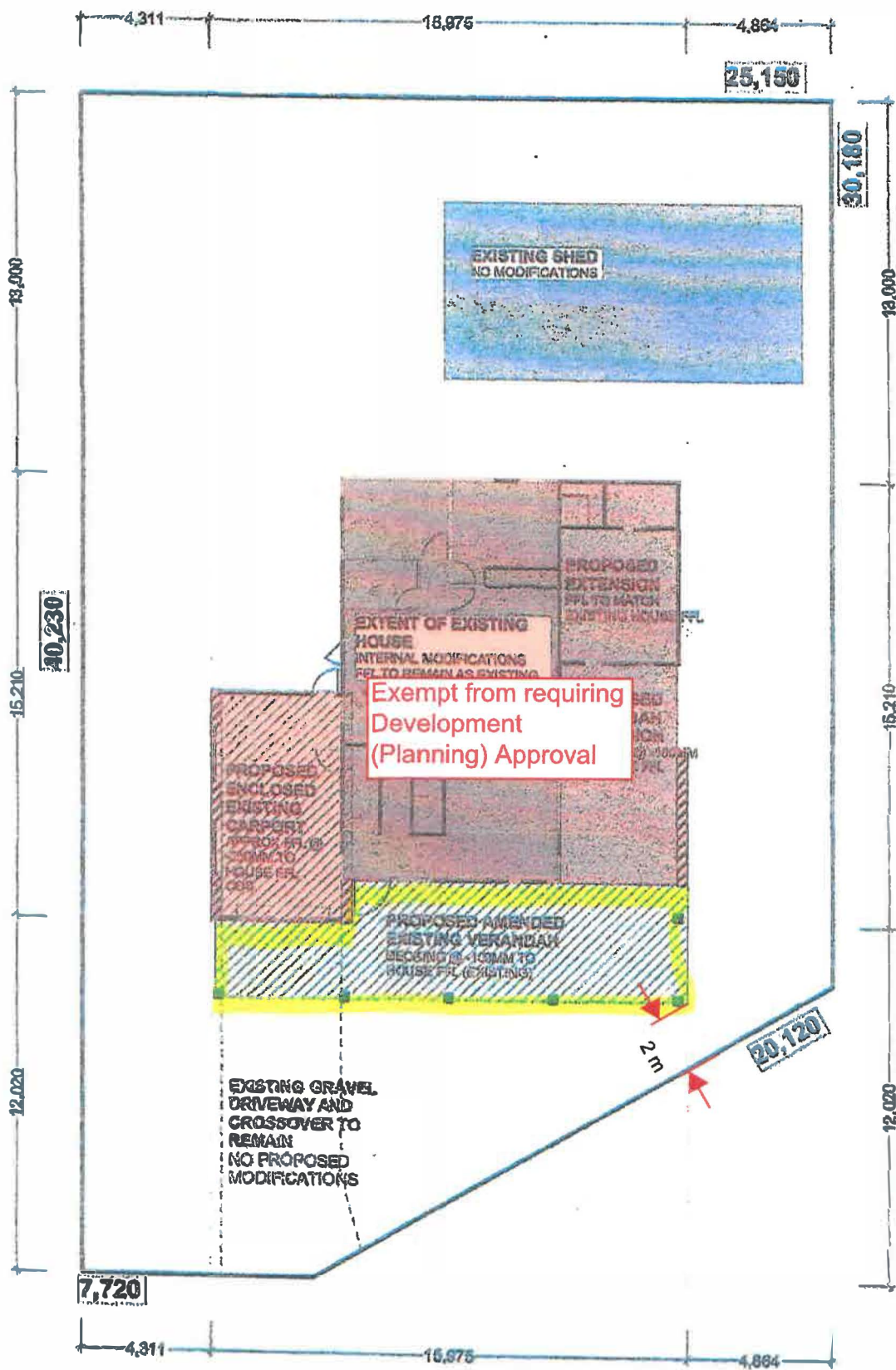
Expiry date	30 SEPTEMBER 2018		
Local Government	Name of local government: SHIRE OF EXMOUTH		
Type of licence	CARAVAN PARK		
Facility details	Name: NINGALOO LIGHTHOUSE CARAVAN PARK		
	Address: 2 YARDIE CREEK ROAD, EXMOUTH WA 6707		
	Or Land description: LYNDON LOCATION 22		
Licence holder/s details	Family name : ATKINSON		
	Other names: ROBIN		
	Postal address	No.: 2	Street name: YARDIE CREEK ROAD
	PO Box 504	Suburb: EXMOUTH	Postcode: 6707
	Phone: (08) 9949 1478 Fax: (08) 9949 1142 Email: admin@ningaloolighthouse.com		
Licence conditions	Special conditions to which section 13 of the Act applies: <ol style="list-style-type: none"> 1. Camping sites to be within 30m of portable water and sullage disposal point. Short stay sites to be within 50m of potable water. 2. Approved signage to be installed throughout the facility identifying which taps are drinking water and which are not in accordance with Ministerial variation/exemption dated 2 November 2005. 3. All sites (including over-flow sites) to be within 90m of sanitary facilities. 4. Approval shall be obtained prior to any changes/upgrades to the facility. Any application for approval shall include an updated plan to the Shire identifying the change/s. 		
Details of sites Authorised (Maximum number and type)	152 Short Stay Sites (including park homes/chalets) 28 Camp Sites		
Overflow area details	Address or land description: Within the licensed facility, area to be inspected and approved by a Council Officer prior to use		
	Details of sites [maximum number and type]: 43 Overflow sites		
	Additional Over Flow Site Conditions: <ol style="list-style-type: none"> 1. Sites shall only be allocated for use from 29 June 2018 – 28 August 2018, unless otherwise approved by the Shire of Exmouth's Chief Executive Officer. 2. Sites shall only be allocated when all other sites are fully booked. 3. All sites to be within 90m potable water tap. 4. Where access to a sullage point is not provided to each site, a sullage point must be accessible within 30m and the occupant shall collect sullage via a bucket for disposal into an approved sullage point. 		
Issued by:	Local Government:	Date:	
	<div style="text-align: center;"> _____ Cameron Woods CHIEF EXECUTIVE OFFICER </div>	23 August 2017	

**Form 2 Licence**

Caravan Parks and Camping Grounds Act 1995, sec. 7(4)

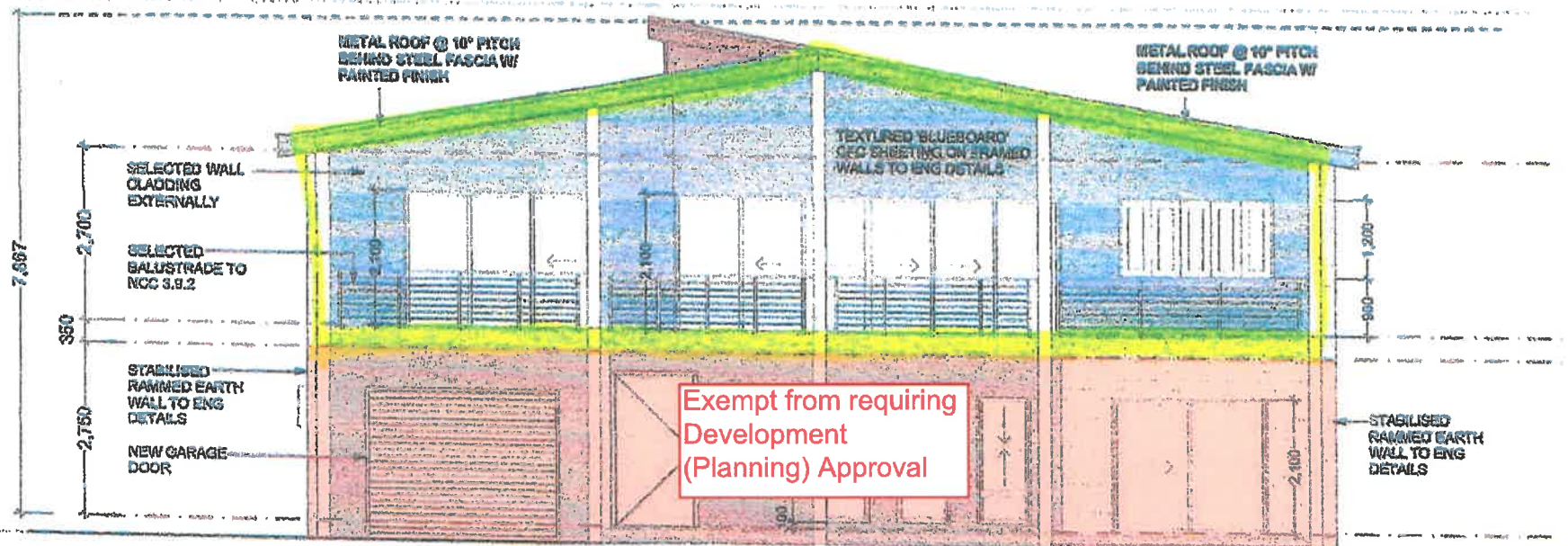
LICENCE

Expiry date	30 SEPTEMBER 2018		
Local Government	Name of local government: SHIRE OF EXMOUTH		
Type of licence	CARAVAN PARK		
Facility details	Name: RAC EXMOUTH CAPE HOLIDAY PARK		
	Address: LOT 1 TRUSCOTT CRES, EXMOUTH WA 6707 or		
	Land description: LYNDON LOCATION 198		
Licence holder/s details	Family name : RAC TOURISM ASSETS PTY LTD		
	Other names:		
	Postal address	No.:	Street name:
	GPO Box C140	Suburb: PERTH	Postcode: 6839
Phone: (08) 9436 4468 Fax: Email: celeste.smith@rac.com			
Licence conditions	Special conditions to which section 13 of the Act applies: <ol style="list-style-type: none"> 1. Camping sites to be within 30 metres of portable water and sullage disposal point. Short stay sites to be within 50 metres of portable water. 2. All sites (including over-flow sites) to be within 90m of sanitary facilities. 3. Approval shall be obtained prior to any changes/upgrades to the facility. Any application for approval shall include an updated plan to the Shire identifying the change/s. 		
Details of sites Authorised	157 Short Stay Sites 20 Long Stay Sites 30 Camp Sites		
Overflow area details	Address or land description: Within the licensed facility, area to be inspected and approved by a Council Officer prior to use.		
	Details of sites [maximum number and type]: 23 Overflow sites		
	Additional Over Flow Site Conditions: <ol style="list-style-type: none"> 1. Sites shall only be allocated for use from 29 June 2018– 28 August 2018, unless otherwise approved by the Shire of Exmouth's Chief Executive Officer. 2. Where the overflow sites aren't within 90m of sanitary facilities, two ensuite cabins must be utilised for the overflow area. Council's Environmental Health Officer may approve an alternative arrangement. 3. Sites shall only be allocated when all other sites are fully booked. 4. All sites to be within 30m of a potable water tap. 5. Where access to a sullage point is not provided to each site, a sullage point must be accessible within 30m and the occupant shall collect sullage via a bucket for disposal into an approved sullage point. 		
Issued by:	Local Government:	Date:	
	<div style="text-align: center;"> _____ Cameron Woods CHIEF EXECUTIVE OFFICER </div>	23 August 2017	

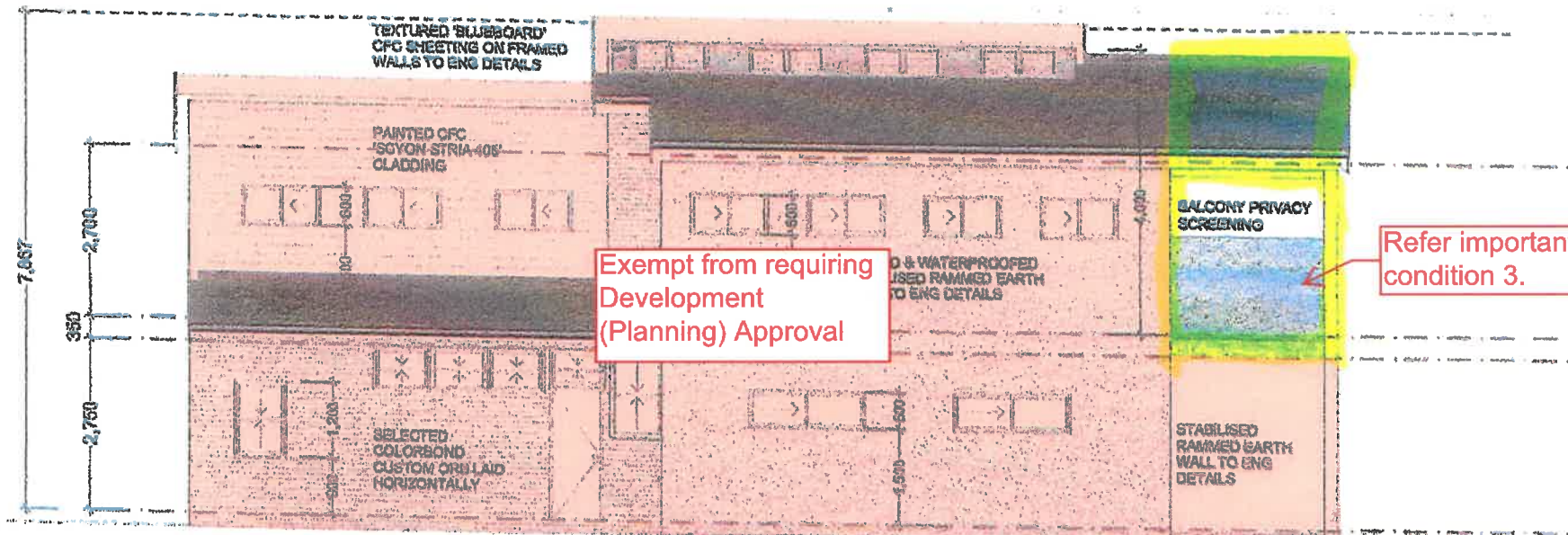


 **N**
SITE PLAN
SCALE 1:200

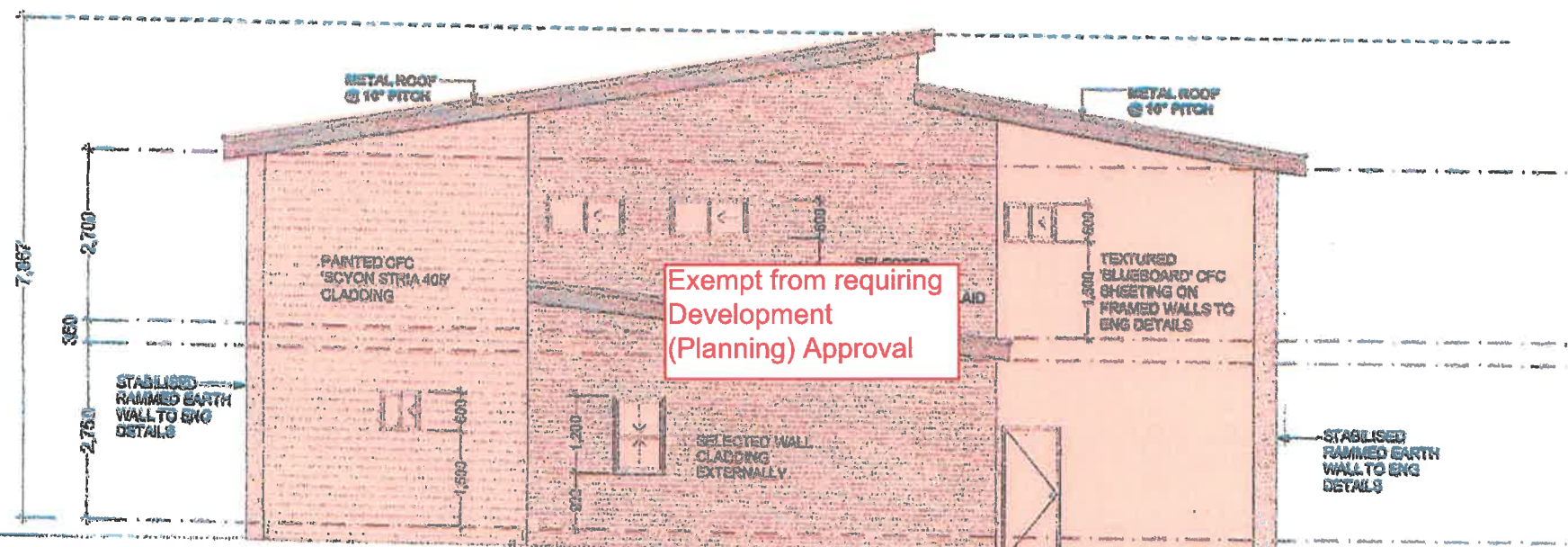




ELEVATION 1
SCALE 1:100



ELEVATION 2
SCALE 1:100



ELEVATION 3
SCALE 1:100



HINE RESIDENCE
5 JONES STREET
EXMOUTH
WESTERN AUSTRALIA

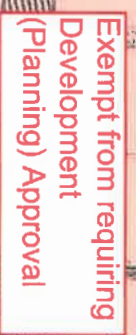
Elevation
A04

BUILDING LICENSE

revised

B

SCALE 1-50



Refer important condition 3.

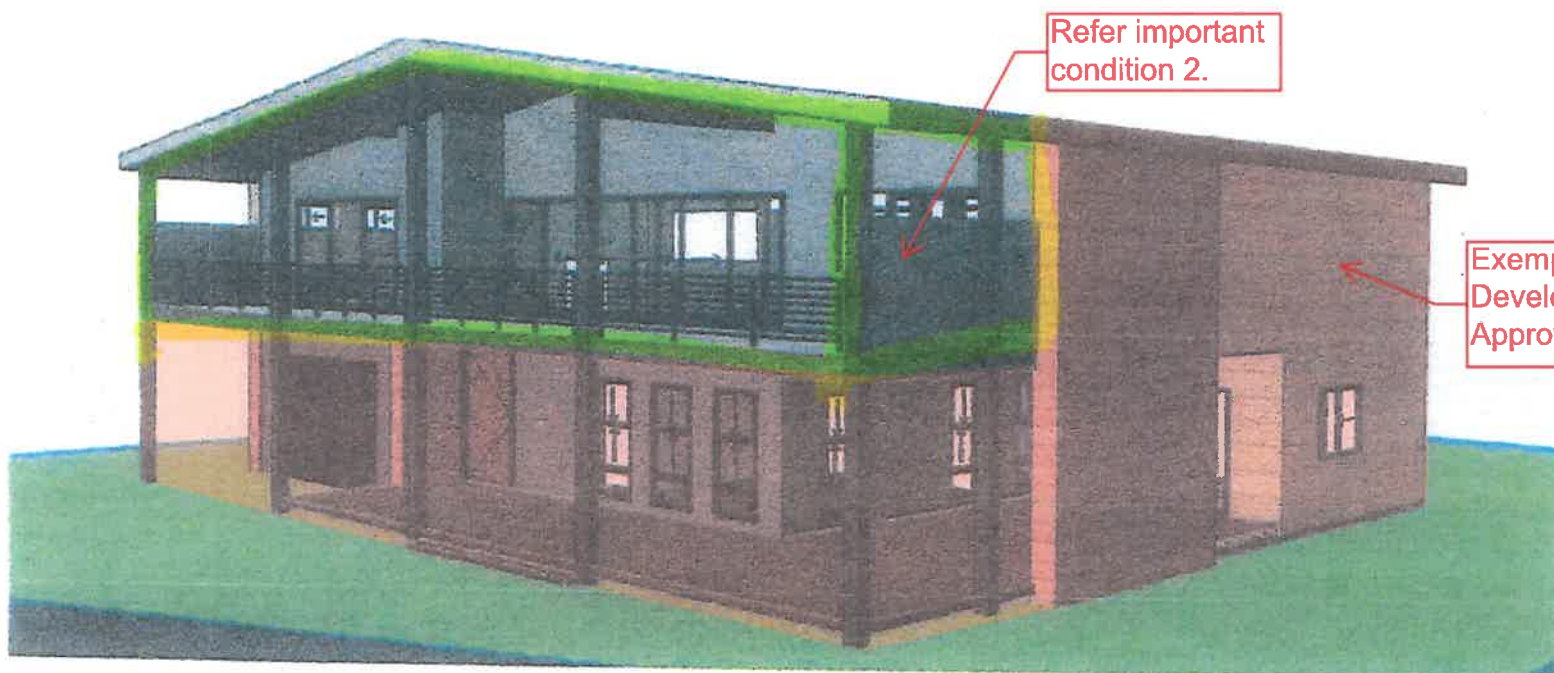
Section 903
AGT

BUILDING LICENSE

B



Exempt from requiring
Development (Planning)
Approval



Refer important
condition 2.

Exempt from requiring
Development (Planning)
Approval



Exempt from requiring
Development (Planning)
Approval

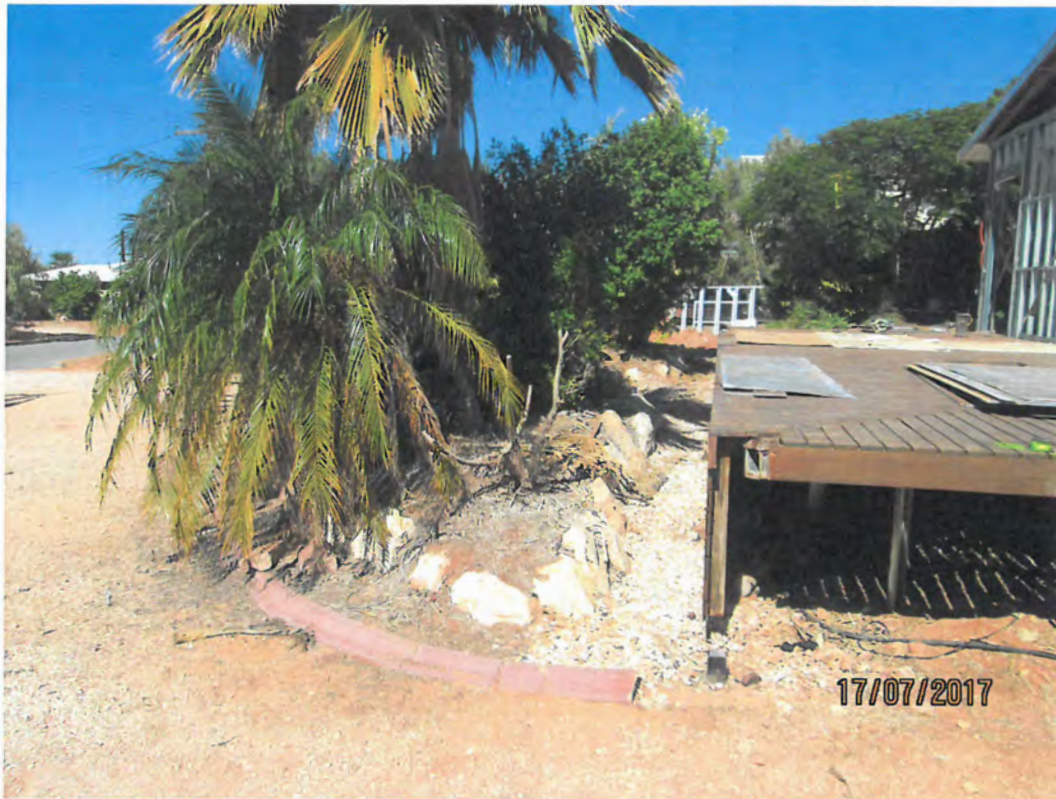
HINE RESIDENCE
5 JONES STREET
EXMOUTH
WESTERN AUSTRALIA

Views
A014

BUILDING LICENSE

REVISION:
B

Site Photographs – Lot 789 (5) Jones Place, Exmouth



View South - (Existing front deck)



View from Front Lot Boundary - (Existing front Deck and Renovated Single House)



View West – (Renovated Single House and Existing Outbuilding)



View North – (Existing Fencing and Adjoining Lot)



Government of Western Australia
Department of Lands

REGIONAL AND METROPOLITAN SERVICES

30 June 2017

A/Chief Executive Officer
Shire of Exmouth
PO Box 21
EXMOUTH WA 6707

Att: Mark Johnson, A/Executive Manager Town Planning

Dear Mr Johnson,

**PROPOSED AMALGAMATION OF LOT 319 ON DP 40615 AND LOT 6 ON DIAGRAM
89896 YARDIE CREEK ROAD - SHIRE OF EXMOUTH**

The Department of Lands has received a proposal for an amalgamation of Unallocated Crown Land (Lot 319) into the adjoining freehold Lot 6 Certificate of Title 2058-537.

Please find attached plans for the land, hatched green, the subject of the above mentioned proposal. The land is to be used for the development of a budget Tourism Accommodation facility similar to that outlined in the Vlamingh Head master plan. Please note that the land exchange is no longer proposed.

Please provide any comments or objections you have to this proposal.

If you have any queries or require further information please do not hesitate to contact me on the details listed on the top right-hand side of this letter.

Yours faithfully

**CAMILLE GARDINER
STATE LAND SUPPORT OFFICER,
MIDWEST AND GASCOYNE
REGIONAL AND METRO SERVICES**



Reserve 40456

UCL

Lot 319 on DP 40615


10.95 Hectares

Lot 6

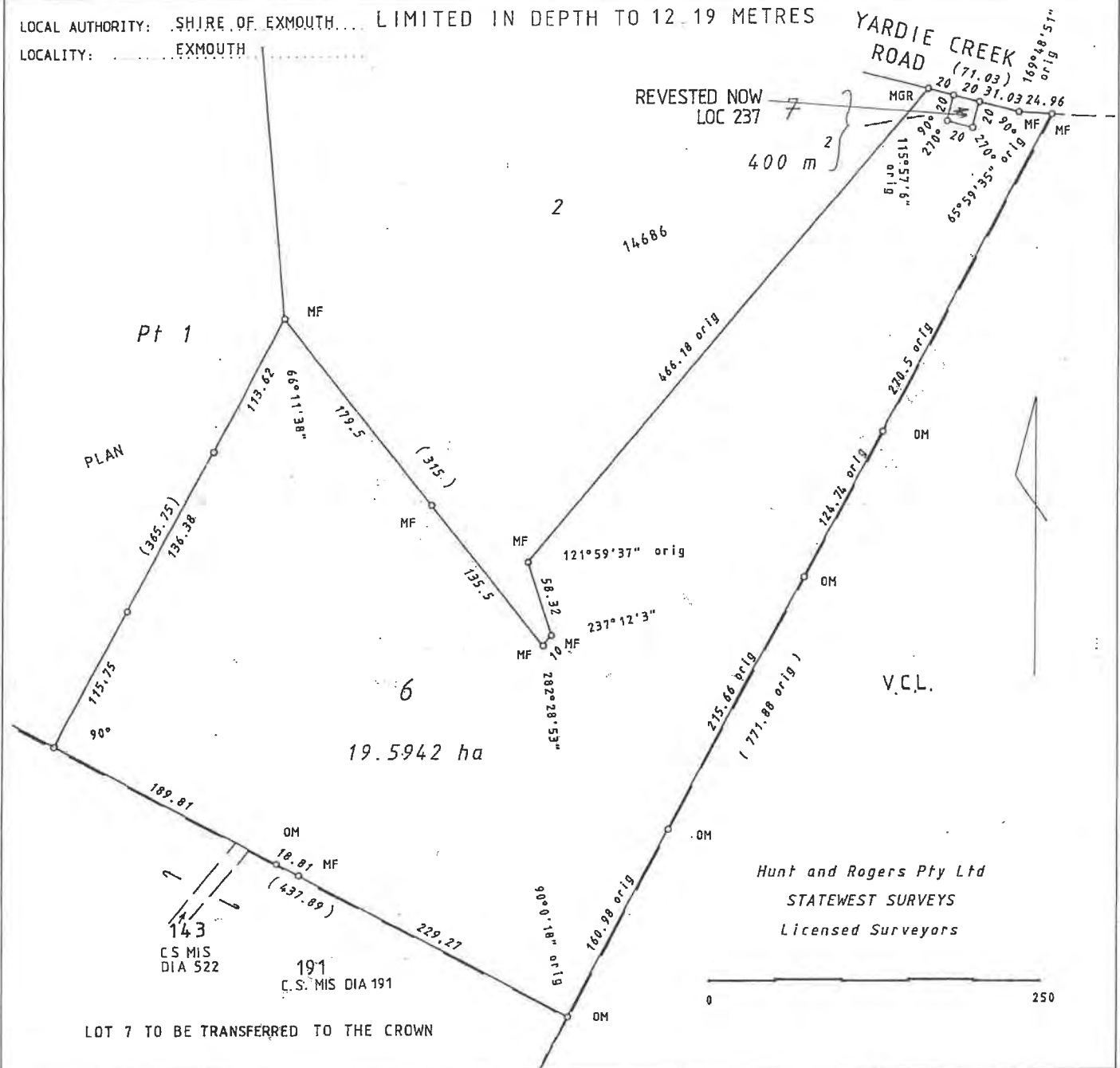
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Lat/Long : 114°06'33.748", -21°48'59.813" / 114°07'08.814", -21°48'14.038" H 263mm by W 201mm

Printed : 15:04 Tue 27/Jun/2017
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LAND DESCRIPTION	ON	CERTIFICATE OF TITLE	FIELD BOOK	DIA 89896 
PT OF LOT 1 OF LYNDON LOC 22	PLAN 14686 DIAGRAM INDEX NORTH WEST CAPE NW (25) PUBLIC	VOLUME 1782 FOLIO 439	69727	

LOCAL AUTHORITY: SHIRE OF EXMOUTH LIMITED IN DEPTH TO 12.19 METRES
LOCALITY: EXMOUTH



SURVEYORS CERTIFICATE		APPROVED BY	LODGED	SCALE 1:3000
<p>1. <u>RSM Rogers</u> hereby certify that (REG. 54)</p> <p>(a) this plan of survey is a correct and accurate representation of the survey carried out by me personally or under my own personal supervision, inspection and field check, and recorded in Field Books lodged for the purposes of this plan of survey;</p> <p>(b) the measurements are in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 and in particular regulations 23 and 34 of those regulations; and</p> <p>(c) this survey and this plan of survey are in strict accordance with the requirements of the Licensed Surveyors (Guidance of Surveyors) Regulations 1961 and the relevant law in relation to which it is lodged.</p> <p><u>RSM Rogers</u> 21/9/95 Licensed Surveyor Date</p>		<p>STATE PLANNING COMMISSION</p> <p>FILE 97582</p> <p><u>Eugene James</u> FOR CHAIRMAN</p> <p>DATE 5 Oct 95</p> <p>MINISTRY FOR LAND ADMINISTRATION 5 OCT 1995 FILE 97582</p>	<p>DATE 15.9.95</p> <p>FEE PAID \$253</p> <p>ASSESS. No. 102228</p> <p>TYPE OF VALIDATION Full Audit. R.W. HADDON</p> <p>Legal Component</p> <p>DOCKET PLAN/REASON 19066</p> <p>CERTIFIED CORRECT <u>R.W. Haddon</u> 4/10/95</p> <p>F.S.C. No.</p>	<p>ALL DISTANCES ARE IN METRES</p> <p>IN ORDER FOR DEALINGS</p> <p>SUBJECT TO Lot 7 being transferred to the Crown</p> <p><u>D.W. Haddon</u> 9.10.95 FOR INSPECTOR OF PLANS & SURVEYS DATE</p> <p>APPROVED 14.11.95 DATE</p> <p>APPROVED INSPECTOR OF PLANS & SURVEYS</p> <p>OFFICE OF TITLES DIAGRAM</p> <p>89896</p>

DP 40615



TYPE	CROWN
PURPOSE	SUBDIVISION
PLAN OF	LOT 319

DISTRICT	LYNDON	FILE	774/1999V2
TOWNSITE			
LOCAL AUTHORITY	SHIRE OF EXMOUTH		
LOCALITY	EXMOUTH		
FORMER TENURE	ON	REFERENCE	
SCALE:	1:3000		
ALL DISTANCES ARE IN METRES	0 30 60 90 120 150		

SUBJECT TO SURVEY
NOT FOR ALIENATION PURPOSES

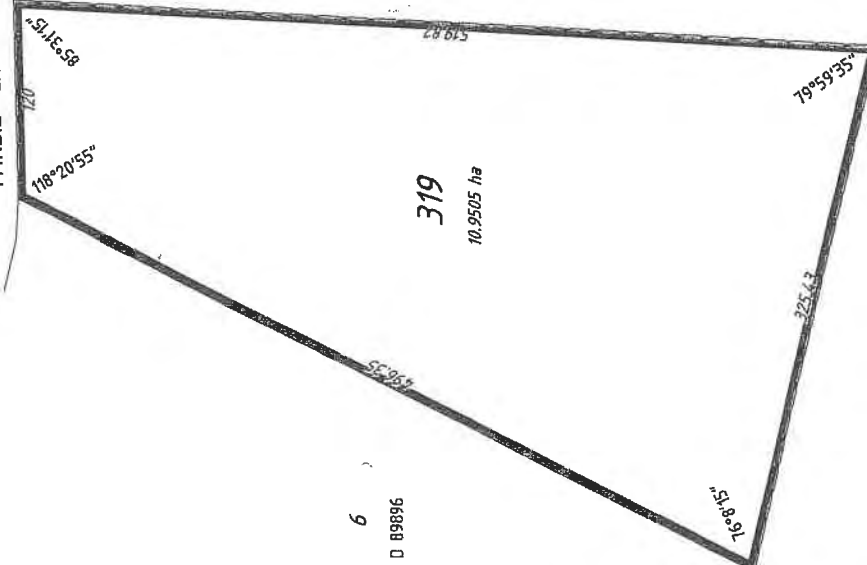
LODGED	DATE	21.1.04	TYPE OF VALIDATION	FULL AUDIT	✓	SURVEY FIRM	DLI - PWK-19 Jan 2004
FEE PAID			LEGAL COMPONENT				
ASSESSES No.			CERTIFIED CORRECT	129/1/04			

IN ORDER FOR DEALINGS	
SUBJECT TO	

DEPOSITED PLAN	
40615	
APPROVED	DATE
FOR AUTHORIZED LAND OFFICER	28.1.04
APPROVED	DATE
FOR AUTHORIZED LAND OFFICER	1.11.04
SHEET	1 OF 1
EDITION	1 VERSION 1

ED/VER	AMENDMENT	BY	SIGNATURE	DATE	APPROVED Authorized Land Officer	Date

YARDIE CREEK ROAD



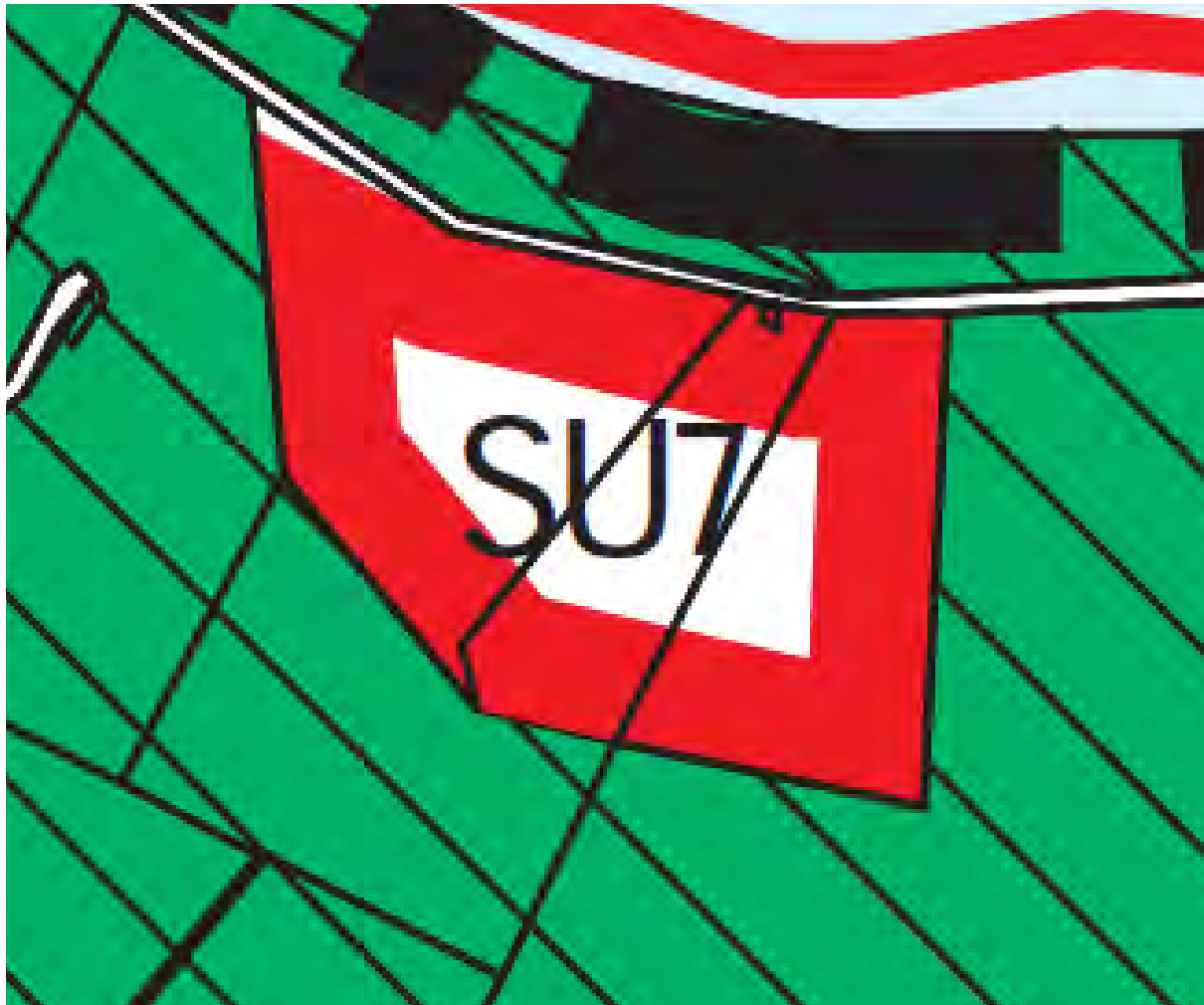
319
10.9505 ha

6
D 89896

UCL

Figure 3: Land tenure and ownership





LOCAL SCHEME RESERVES



PUBLIC PURPOSES



ROADS



PUBLIC PURPOSES
DENOTED AS FOLLOWS:

D

DRAINAGE



RECREATION AND OPEN SPACE

ZONES



COMPOSITE



SPECIAL USE

Proposed Crown Amalgamation Lot 6 and Lot 319 Yardie Creek Road, North West Cape

Site Photography



Photo of Lot 319 Yardie Creek Road taken from the western property boundary.



Photo of the front portion of Lot 6 and Lot 319 Yardie Creek Road taken from within Lot 6.



Photo of the rear portion of Lot 6 Yardie Creek Road taken from Vlamingh Head Lighthouse.