



# Attachments

Ordinary Council Meeting  
14 December 2023



**Council Policy**  
**14 DECEMBER 2023**

For Council Adoption



## Contents

Introduction .....	4
<b>EXECUTIVE SERVICES (ES) .....</b>	<b>5</b>
ES001 Code of Conduct for Council Members, Committee Members and Candidates .....	5
ES002 Attendance/Tickets to Events.....	12
ES003 Allowances, Professional Development, and Support of Council Members.....	17
ES004 Chief Executive Officer Standards, Performance and Management .....	22
ES005 Chief Executive Officer Leave, Appointment of Acting or Temporary CEO .....	29
ES006 Legal Expenses – Council Members and Employees .....	32
ES007 Record Keeping by Council Members and Employees, and Data Migration.....	36
ES008 Council Members – Service Award and Gift .....	39
ES009 Public Interest Disclosure .....	40
ES010 Freedom of Information.....	41
ES011 Council Briefing Sessions .....	42
ES012 Council Members - Access to information .....	44
ES013 Shire Flora and Fauna Emblems .....	46
ES014 Use of Shire Logo.....	47
ES015 Honorary Freeman of the Shire.....	49
ES016 Roles and Responsibilities of Shire Delegates to External Bodies.....	51
ES017 Fraud and Corruption .....	54
ES018 Shire Social Media .....	57
ES019 Public Relations – Media .....	59
ES020 Council Members ‘Communications and Social Media Policy .....	60
ES021 Gratuity .....	64
<b>CORPORATE SERVICES (CS) .....</b>	<b>67</b>
CS001 Procurement .....	67
CS002 Regional Price Preference Policy .....	77
CS003 Risk Management.....	80
CS004 Corporate Transaction Cards.....	83
CS005 Rates Charges.....	85
CS006 Investments.....	88
CS007 Asset Management .....	91
CS008 Related Parties Disclosures .....	93



CS009 Capitalisation of Assets .....	100
CS010 Reserve Funds .....	101
CS011 Debt Recovery Processes .....	102
CS012 Financial Hardship Policy .....	104
CS013 Interest Free Loans to Clubs and Organisations .....	107
<b>INFRASTRUCTURE SERVICES (IS) .....</b>	<b>109</b>
IS001 Multiple Dogs .....	109
IS002 Naming of Roads, Parks, Places, and Buildings .....	112
IS003 Memorials in Road Reserves, Parks, Foreshores etc .....	114
IS004 Verge Enhancement .....	118
IS005 Guidelines and Specifications for the design and construction of storm water drainage Water Drainage Systems .....	120
IS006 Specification for the design and construction of roads, footpaths, and car parks .....	121
IS007 Private works and developments on road verges and Shire managed land .....	122
IS008 Shire Vehicle Fleet .....	123
<b>COMMUNITY AND ECONOMIC GROWTH (CEG) .....</b>	<b>131</b>
CEG001 Australia Day Awards .....	131
CEG002 Drones .....	132
CEG003 Temporary Accommodation - Caravans .....	134
CEG004 Temporary Accommodation (Construction Of A Dwelling) .....	136
CEG005 Community Events .....	138
CEG006 Sponsorships .....	143
CEG007 Refunds of Building Fees .....	146
CEG008 Emergency Overflow Camping Grounds .....	148
CEG009 Camping on Exmouth Recreation Ground .....	151
CEG010 Mobile Trading .....	152
CEG011 Town Centre Public Space & Outdoor Eating Permits .....	160

## Introduction

This document provides a reference guide to the Council Policy Manual to assist Council Members, Shire employees and members of the community in the use and interpretation of the Manual.

The *Local Government Act 1995* empowers Council in the determination of policy under section 2.7 Role of Council - "(2) (b) determine the local government's policies."

In simple terms policy provides what can be done, Management practices provide how it is done and delegation provides who can do it. The Shire has Council and Operational Policies to guide both its direction and operation, and Planning policies relating to planning and development within Local planning scheme areas.

*Council policies* set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic, external focus and align with the mission, vision and strategic direction of the Shire.

Council Policies are developed to further the achievement of the Shire's strategic goals or contribute to outcomes relating to mandatory obligations. They are defined courses of action related to particular circumstances which guide staff in what is permissible when dealing with related matters.

### Operational Policies

*Operational policies* are developed for administrative and operational requirements. They have an internal focus and form the strategies and actions for policy implementation and provide details of the actions and processes required by staff.

### Planning Policies

*Planning policies* have been prepared in accordance with Clauses 3, 4 and 5 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 which allows Council to prepare local planning policies relating to planning or development within the Scheme area.

### PURPOSE OF COUNCIL POLICIES

Council Policies provide guidance for future decisions and behaviour and the achievement of rational outcomes. Council policies show the approach that the Council intends to be taken in a particular issue and:

- Support consistency and equity in decision making,
- Facilitate prompt responses to customer requirements; and
- Promote operational efficiency.

## EXECUTIVE SERVICES (ES)

ES001	Code of Conduct for Council Members, Committee Members, and Candidates for Election
Directorate	Executive Services
Adoption Date	22/04/2021
Last Review Date	15/12/2022

### ES001 Code of Conduct for Council Members, Committee Members and Candidates

#### OBJECTIVES

This policy is developed to comply with the *Local Government Act 1995* and to set standards of behaviour for Council Members, Committee Members and Candidates.

#### POLICY STATEMENT/S

This Code of Conduct for Shire of Exmouth Council Members, Committee Members and Candidates has been adopted in compliance with s5.103, 5.104 of the *Local Government Act 1995*.

#### Preamble

This is the Shire of Exmouth's Code of Conduct for Council Members, Committee Members and Candidates and (the Code) sets out acceptable standards of professional conduct. The Code provides a guide and a basis of expectations for *Council Members, Committee Members and Candidates*. It encourages a commitment to ethical and professional behaviour and encourages greater transparency and accountability within the Shire of Exmouth.

#### Division 1 — Preliminary provisions

1. **Citation**  
This is the Shire of Exmouth Code of Conduct for Council Members, Committee Members and Candidates.
2. **Terms used**
  - (1) In this code —  
**Act** means the *Local Government Act 1995*;  
**candidate** means a candidate for election as a Council Member;  
**complaint** means a complaint made under clause 11(1);  
**publish** includes to publish on a social media platform.
  - (2) Other terms used in this code that are also used in the Act have the same meaning as they have in the Act, unless the contrary intention appears.

#### Division 2 — General principles

3. **Overview of Division**  
This Division sets out general principles to guide the behaviour of Council Members, committee members and candidates.
4. **Personal integrity**
  - (1) A Council Member, committee member or candidate should —
    - (a) act with reasonable care and diligence; and
    - (b) act with honesty and integrity; and
    - (c) act lawfully; and
    - (d) identify and appropriately manage any conflict of interest; and
    - (e) avoid damage to the reputation of the local government.

- (2) A Council Member or committee member should —
- (a) act in accordance with the trust placed in Council Members and committee members; and
  - (b) participate in decision-making in an honest, fair, impartial, and timely manner; and
  - (c) actively seek out and engage in training and development opportunities to improve the performance of their role; and
  - (d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

## 5. Relationship with others

- (1) A Council Member, committee member or candidate should —
- (a) treat others with respect, courtesy, and fairness; and
  - (b) respect and value diversity in the community.
- (2) A Council Member or committee member should maintain and contribute to a harmonious, safe, and productive work environment.

## 6. Accountability

A Council Member or committee member should —

- (a) base decisions on relevant and factually correct information; and
- (b) make decisions on merit, in the public interest and in accordance with statutory obligations and principles of good governance and procedural fairness; and
- (c) read all agenda papers given to them in relation to council or committee meetings; and
- (d) be open and accountable to, and represent, the community in the district.

### Division 3 — Behaviour

## 7. Overview of Division

This Division sets out —

- (a) requirements relating to the behaviour of Council Members, committee members and candidates; and
- (b) the mechanism for dealing with alleged breaches of those requirements.

## 8. Personal integrity

- (1) A Council Member, committee member or candidate —
- (a) must ensure that their use of social media and other forms of communication complies with this code; and
  - (b) must only publish material that is factually correct.
- (2) A Council Member or committee member —
- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
  - (b) must comply with all policies, procedures, and resolutions of the local government.

## 9. Relationship with others

A Council Member, committee member or candidate —

- (a) must not bully or harass another person in any way; and
- (b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and
- (c) must not use offensive or derogatory language when referring to another person; and
- (d) must not disparage the character of another Council Member, committee member or candidate or a local government employee in connection with the performance of their official duties; and
- (e) must not impute dishonest or unethical motives to another Council Member, committee member or candidate or a local government employee in connection with the performance of their official duties.

## 10. Council or committee meetings

When attending a council or committee meeting, a Council Member, committee member or candidate —

- (a) must not act in an abusive or threatening manner towards another person; and
- (b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and
- (c) must not repeatedly disrupt the meeting; and
- (d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and
- (e) must comply with any direction given by the person presiding at the meeting; and
- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

## 11. Complaint about alleged breach

- (1) A person may make a complaint, in accordance with subclause (2), alleging a breach of a requirement set out in this Division.
- (2) A complaint must be made —
  - (a) in writing in the form approved by the local government; and
  - (b) to a person authorised under subclause (3); and
  - (c) within 1 month after the occurrence of the alleged breach.
- (3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.

## 12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
  - (a) take no further action; or



- (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
  - (a) engage in mediation;
  - (b) undertake counselling;
  - (c) undertake training;
  - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
  - (a) its finding and the reasons for its finding; and
  - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

### **13. Dismissal of complaint**

- (1) The local government must dismiss a complaint if it is satisfied that —
  - (a) the behaviour to which the complaint relates occurred at a council or committee meeting; and
  - (b) either —
    - (i) the behaviour was dealt with by the person presiding at the meeting; or
    - (ii) the person responsible for the behaviour has taken remedial action in accordance with a local law of the local government that deals with meeting procedures.
- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

### **14. Withdrawal of complaint**

- (1) A complainant may withdraw their complaint at any time before the local government makes a finding in relation to the complaint.
- (2) The withdrawal of a complaint must be —
  - (a) in writing; and
  - (b) given to a person authorised under clause 11(3).

### **15. Other provisions about complaints**

- (1) A complaint about an alleged breach by a candidate cannot be dealt with by the local government unless the candidate has been elected as a Council Member.
- (2) The procedure for dealing with complaints may be determined by the local government to the extent that it is not provided for in this Division.

## Division 4 — Rules of conduct

Notes for this Division:

1. Under section 5.105(1) of the Act a Council Member commits a minor breach if the Council Member contravenes a rule of conduct. This extends to the contravention of a rule of conduct that occurred when the Council Member was a candidate.
2. A minor breach is dealt with by a standards panel under section 5.110 of the Act.

### **16. Overview of Division**

- (1) This Division sets out rules of conduct for Council Members and candidates.
- (2) A reference in this Division to a Council Member includes a Council Member when acting as a committee member.

### **17. Misuse of local government resources**

- (1) In this clause —  
**electoral purpose** means the purpose of persuading electors to vote in a particular way at an election, referendum or other poll held under the Act, the *Electoral Act 1907* or the *Commonwealth Electoral Act 1918*;  
**resources of a local government** includes —
  - (a) local government property; and
  - (b) services provided, or paid for, by a local government.
- (2) A Council Member must not, directly or indirectly, use the resources of a local government for an electoral purpose or other purpose unless authorised under the Act, or by the local government or the CEO, to use the resources for that purpose.

### **18. Securing personal advantage or disadvantaging others**

- (1) A Council Member must not make improper use of their office —
  - (a) to gain, directly or indirectly, an advantage for the Council Member or any other person; or
  - (b) to cause detriment to the local government or any other person.
- (2) Subclause (1) does not apply to conduct that contravenes section 5.93 of the Act or *The Criminal Code* section 83.

### **19. Prohibition against involvement in administration**

- (1) A Council Member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task.
- (2) Subclause (1) does not apply to anything that a Council Member does as part of the deliberations at a council or committee meeting.

### **20. Relationship with local government employees**

- (1) In this clause —  
**local government employee** means a person —
  - (a) employed by a local government under section 5.36(1) of the Act; or
  - (b) engaged by a local government under a contract for services.

- (2) A Council Member or candidate must not —
  - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
  - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
  - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a Council Member does as part of the deliberations at a council or committee meeting.
- (4) If a Council Member or candidate, in their capacity as a Council Member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the Council Member or candidate must not orally, in writing or by any other means —
  - (a) make a statement that a local government employee is incompetent or dishonest; or
  - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under *The Criminal Code* Chapter XXXV.

## 21. Disclosure of information

- (1) In this clause —

**closed meeting** means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;

**confidential document** means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;

**document** includes a part of a document;

**non-confidential document** means a document that is not a confidential document.
- (2) A Council Member must not disclose information that the Council Member —
  - (a) derived from a confidential document; or
  - (b) acquired at a closed meeting other than information derived from a non-confidential document.
- (3) Subclause (2) does not prevent a Council Member from disclosing information —
  - (a) at a closed meeting; or
  - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
  - (c) that is already in the public domain; or
  - (d) to an officer of the Department; or
  - (e) to the Minister; or
  - (f) to a legal practitioner for the purpose of obtaining legal advice; or
  - (g) if the disclosure is required or permitted by law.

## 22. Disclosure of interests

- (1) In this clause —

**interest** —

- (a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
  - (b) includes an interest arising from kinship, friendship or membership of an association.
- (2) A Council Member who has an interest in any matter to be discussed at a council or committee meeting attended by the Council Member must disclose the nature of the interest —
- (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Subclause (2) does not apply if a Council Member fails to disclose an interest because the Council Member did not know —
- (a) that they had an interest in the matter; or
  - (b) that the matter in which they had an interest would be discussed at the meeting and the Council Member disclosed the interest as soon as possible after the discussion began.
- (5) If, under subclause (2)(a), a Council Member discloses an interest in a written notice given to the CEO before a meeting, then —
- (a) before the meeting the CEO must cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding must bring the notice and its contents to the attention of the persons present immediately before any matter to which the disclosure relates is discussed.
- (6) Subclause (7) applies in relation to an interest if —
- (a) under subclause (2)(b) or (4)(b) the interest is disclosed at a meeting; or
  - (b) under subclause (5)(b) notice of the interest is brought to the attention of the persons present at a meeting.
- (7) The nature of the interest must be recorded in the minutes of the meeting.

## 23. Compliance with plan requirement

If a plan under clause 12(4)(b) in relation to a Council Member includes a requirement referred to in clause 12(6), the Council Member must comply with the requirement.

Responsible Officer	Chief Executive Officer
Relevant Legislation	s5.103, 104 <i>Local Government Act 1995</i> <i>Local Government (Model Code of Conduct) Regulations 2021</i>
Relevant Delegation	N/A
<b>Review History</b>	
Date	Council Decision
22/04/2021	04-0321
30/06/2022	02-0622
15/12/2022	09-1222

ES002 Attendance/Tickets to Events: Council Members and Chief Executive Officer	
Directorate	Executive Services
Adoption Date	22/10/2020
Last Review Date	15/12/2022

## ES002 Attendance/Tickets to Events

### OBJECTIVES

To ensure compliance with s5.90 *Local Government Act 1995* by having a compliant Policy which guides Council Members and the CEO in relation to tickets/attendance at events.

This policy is made in accordance with those provisions and addresses attendance at any events, including concerts, conferences, functions, or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government.

The purpose of the policy is to provide transparency about the attendance at events of Council Members and the Chief Executive Officer (CEO) and establish guidelines for the management of acceptance invitations to events or functions

### POLICY STATEMENT

#### Definitions

Event includes the following –

- a concert,
- a conference,
- a function,
- a sporting event,
- an occasion of a kind prescribed for the purposes of this definition.

#### Key issues to consider

In considering whether a benefit such as an invitation to an event or hospitality given to a Council Member or the CEO is a 'gift' for the purposes of the Act and Regulations, the key issues include:

- Who is a donor, the person who is offering or giving the benefit?
- What is the value of the benefit?
- Do the Council Members or CEO receiving the benefit contribute anything of value to the donor in return for the benefit such as formally opening or speaking at the event or presenting prizes/awards?
- If so, does the value of that contribution outweigh the value of the benefit? If so, it will not be a gift for the purposes of the Act and Regulations.
- the location of the event in relation to the local government (within the district or out of the district).
- whether the event is sponsored by the local government. g) the benefit of local government representation at the event.
- the number of invitations / tickets received, and if the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

#### Commercial entertainment events

Any tickets accepted by a Council Member or the CEO without payment, for any commercial entertainment event, for which a member of the public is required to pay whether sponsored by the Shire or not will generally be classified as a gift for the purposes of the Act and Regulations.

An exception to this is where the Shire President or his / her representative attends the event in an official capacity to perform a civic or mayoral function.

# Council Policy

Shire of Exmouth



Where there is a commercial entertainment event that, in the opinion of CEO it is in the interests of the Shire for one or more Council Members to attend to assess and understand first-hand the impacts on the community or business, then one or more tickets for that event may be purchased for the relevant Council Member by the Shire at full cost.

## Other commercial (non-entertainment) events

For other commercial (non-entertainment) events, such as a conference or seminar, for which a member of the public is required to pay, where the CEO is of the opinion that it is in the interests of the Shire for one or more Council Members to attend (such as for their professional development or to undertake a function as a Council Member), then one or more registrations or other benefits for that event will be purchased for the relevant Council Member by the Shire at full cost to enable attendance.

If the Shire does not pay for the event, free registration, or any other benefit (such as hospitality) given to a Council Member or CEO would be classified as a 'gift' unless the contribution of the Council Member or CEO to the event (such as by way of the presentation of a paper or speaking engagement) is reasonably considered to outweigh the value of registration or other benefit given to the Council Member or CEO.

## Community/local business events

Acceptance of reasonable and modest hospitality by a Council Member at an unpaid event run by a local community group for local business would not generally be classified as a 'gift' where the contribution by the Council Member to the event is reasonably considered to outweigh the value of the hospitality. This is more likely where the Council Member attends the event in his or her capacity as a Council Member - preferably where the attendance has been specifically authorised by the Shire, but otherwise where the person is performing his or her functions as a Council Member.

## Perceived or actual conflict

Event attendance may create a perceived or actual conflict, which may preclude Council Members participating at a future meeting. If the amount of an event ticket (gift) is less than \$1,000, and relates to a matter before Council, under section 5.68 of the *Local Government Act 1995*, Council may allow the disclosing Council Member to participate on the condition that the interest, the Council's decision, and the reasons for that decision are recorded in the minutes.

If the amount gift is above \$1,000 the Council or CEO must apply to the Minister for permission to allow the Council Member or CEO to participate.

The following situations are specifically excluded where the event ticket (gift) is received from one of the following organisations: -

- a) Western Australian Local Government Association (WALGA) (but not Local Government Insurance Services),
- b) Local Government Professionals Australia (WA),
- c) Australian Local Government Association,
- d) A department of the public service,
- e) A government department of another State, a Territory, or the Commonwealth; and
- f) A local government or regional local government.

## Provision of tickets to events

### Invitations

All invitations or offers of tickets for a Council Member or CEO to attend an event should be in writing and addressed to the CEO.

# Council Policy

Shire of Exmouth



Any invitation or offer of tickets not addressed to the CEO is not captured by this policy and must be disclosed in accordance with the gift and interest provisions in the Act. (A ticket or invitation provided by a donor to an individual in their capacity as a Council Member or CEO is to be treated as a gift to that person unless the tickets or invitation is referred to the local government to be considered in accordance with the Policy).

The following is a list of pre-approved events, for attendance by a Council Member or the CEO:

- Any free event held in the Shire of Exmouth,
- Australian or West Australian local government events,
- Awards nights/dinners of clubs within the Shire of Exmouth,
- Shire of Exmouth hosted events, ceremonies, and functions,
- Shire of Exmouth run functions or events,
- Events hosted by Clubs or Not for Profit Organisations within the Shire of Exmouth.
- Shire of Exmouth sponsored functions or events,
- Community art exhibitions,
- Cultural events or festivals,
- Events run by a local, state, or federal government,
- Events run by Exmouth District High School and Central Regional TAFE,
- Events run by professional bodies associated with local government,
- Opening or launch of an event or facility within the Shire of Exmouth,
- Recognition of service events,
- RSL events,
- Where a Council Member or CEO representation has been formally requested,
- Political functions and events relevant to the Shire of Exmouth,
- Industry and peak body functions, events, and conferences.

## Approval of attendance

In deciding on attendance at an event, the Council will consider:

- who is providing the invitation or ticket to the event,
- the location of the event in relation to the local government (within the district or out of the district),
- the role of the Council Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- whether the event is sponsored by the local government,
- the benefit of local government representation at the event,
- the number of invitations / tickets received, and
- the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation

Where an invitation is received to an event that is not pre-approved, it may be submitted for approval no later than three business days prior to the event for approval as follow:

- Events for the Shire President will be approved by the Deputy Shire President,
- Events for Council Members will be approved by the Shire President; and
- Events for the CEO will be approved by the Shire President.

Considerations for approval of the event include:

- Any justification provided by the applicant when the event is submitted for approval.
- The benefit to the Shire of the person attending.

# Council Policy

Shire of Exmouth



- Alignment to the Shire’s Strategic Community Objectives.
- The number of Shire representatives already approved to attend.

Where a Council Member or CEO has an event approved through this process and there is a fee associated with the event, then the cost of the event, is to be paid by the Shire.

## Non-Approved Events

Any event that is not pre-approved, is not submitted through an approval process, or is received personally is considered a non-approved event.

If the event is a free event to the public, then no action is required. If the event is ticketed and the Council Member or CEO pays the full ticketed price and does not seek reimbursement, then no action is required.

If the event is ticketed and the Council Member or CEO pays a discounted rate or is provided with a free ticket, then the recipient must disclose receipt of the tickets (and any other associated hospitality) within 10 days.

## Payments in respect of attendance

Where an invitation or ticket to an event is provided free of charge, the local government may contribute to appropriate expenses for attendance, such as travel and accommodation, for events outside the district if the council determine attendance to be of public value.

For any events where a member of the public is required to pay, unless previously approved and listed, the council will determine whether it is in the best interests of the local government for a Council Member or the CEO or another officer to attend on behalf of the council.

If the council determines that a Council Member or CEO should attend a paid event, the local government will pay the cost of attendance and reasonable expenses, such as travel and accommodation.

Where partners of an authorised local government representative attend an event, any tickets for that person, if paid for by the local government, must be reimbursed by the representative unless expressly authorised by the Council.

Responsible Officer	Chief Executive Officer
Relevant Legislation	s5.90A <i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
20/10/2020	04-1020
26/11/2020	03-1120
30/06/2022	02-0622
15/12/2022	09-1222

## ATTACHMENT A

### ATTENDANCE AT EVENTS APPLICATION



# Council Policy

Shire of Exmouth



Council Member Name: \_\_\_\_\_

Name of Event\* \_\_\_\_\_

Organisation / Person \_\_\_\_\_

Event Date/s: \_\_\_\_\_

Location: \_\_\_\_\_ Cost: \_\_\_\_\_

\* Attach any information, flyer etc. you may have How will participation in this event meet the criteria in Council's Policy - Attendance at Events?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Office Use only Budget Allocation Available: \$ COA

- Does the request for attendance at an event meet the criteria in Council Policy – Attendance at Events? In deciding on attendance at an event, the following matters will be considered:
  - who is providing the invitation or ticket to the event,
  - the location of the event in relation to the local government (within the district or out of the district),
  - the role of the Council Member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
  - whether the event is sponsored by the local government,
  - the benefit of local government representation at the event,
  - the number of invitations/ tickets received; and
  - the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation

Yes / No\* (\*Circle option) If No please provide comment below:

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Approved: \_\_\_\_\_ Date: \_\_\_\_\_ Shire President/ Deputy Shire President/ CEO

Submit completed form to the Executive Services for processing no less than three working days prior to the event.

ES003	Allowances, Professional Development and Support of Council Members
Directorate	Executive Services
Adoption Date	22/10/2020
Last Review Date	15/12/2022

## ES003 Allowances, Professional Development, and Support of Council Members

### OBJECTIVES

To provide:

- ongoing professional development to achieve best practice governance for Council Members and an opportunity to request consideration to attend a conference or meeting that affords individual development or value to the community.
- allowances of various kinds to support Council Members in representing the community.

### POLICY STATEMENT

#### Fees and Allowances

The *Local Government Act 1995* provides for sitting fees, allowances and entitlements of specific expenses related to or incurred in performing the role of a Council Member for the Shire of Exmouth.

The Shire of Exmouth will pay an annual attendance fee to all Council Members who attend council, committee or prescribed meetings referred to s5.98 of the *Local Government Act 1995*.

These are automatically generated each financial year following the adoption of the budget.

#### Annual Allowance for the Shire President and Deputy Shire President

The Shire President receives the maximum annual local government allowance for a determination in the Band 3 for the Shire of Exmouth in accordance with the Salaries and Wages Allowances Tribunal (SAT).

The Deputy Shire President's Annual Allowance is 25% of the Shire President's Allowance.

#### Annual Meeting Attendance Fees

The Shire President, Deputy Shire President and Council Members receive the maximum annual local government meeting attendance fee allowance for a Band 3 determination in accordance with the Salaries and Wages Allowances Tribunal (SAT).

#### ICT Allowance

ICT allowance of \$600 per annum is payable to those Council Members who choose to provide their own electronic device.

#### Payment of Fees and Allowances

Annual Sitting Fees and Allowances will be paid into the Council Member's nominated bank account on a quarterly basis in arrears.

Payments are made on the basis that each Council Member regularly attends Council meetings, briefing session, and meetings as set out in section 5.98(1) and (2A) of the *Local Government Act 1995* and Regulation 30(3A) of the *Local Government (Administration) Regulations 1996*, and carries out other normal duties and responsibilities of the office of a Council Member for the whole year.

Any taxation liability arising from the payment of fees and allowance is the individual responsibility of each Council Member.

## Reimbursement of Expenses

Reimbursements of expenses are subject to a statement being certified by the Council Member concerned, and the claim is in respect to costs associated during Shire business including

- Council briefings and workshops,
- Training and conferences; and

Any meeting whereby the Council Member has been nominated as a council representative.

### Travel Costs (Regulation 31(1)(b) and 32)

#### a) Council and committee meetings

In accordance with Regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* (Regulations), Council Members will be reimbursed for travel expenses incurred with respect to the actual cost of travelling from their usual place of residence or work to attend:

- Council meetings; or
- Council appointed committee meetings of which he or she is a member

#### b) Other meetings

In accordance with Regulation 32(1) of the Regulations, the Chief Executive Officer may authorise the reimbursement of travel expenses incurred with respect to the actual cost of travelling from their usual place of residence or work to attend a meeting outside of the townsite:

- An Annual or Special meeting of Electors;
- Any meeting of a body to which the Council Member has been appointed by Council (e.g. WALGA Zone meetings);
- Any meeting, function or event which they have been asked to attend in their role as Council Member as determined by Council, the Shire President or the Chief Executive Officer.

#### c) Usual place of residence or work

If the Council Member does not live or work in the local government district, actual travel costs will be reimbursed from the person's usual place of residence or work and back (Clause 8.2(4) Salaries and Allowances Tribunal Determination).

If a Council Member changes their usual place of residence or work during their term, they must immediately notify the Administration.

#### d) Calculating the mileage allowance

Where a private motor vehicle is used, reimbursement of travelling expenses is calculated on the rate set by the Salaries and Allowances Tribunal.

#### e) Travel by Commercial flight

In some instances, where the meeting is outside of the Shire of Exmouth (e.g. Perth), it may not be practical or feasible to travel to meetings by private motor vehicle.

In that case, Council Members may choose to travel by commercial flight. A Council Member will be reimbursed for the actual cost of the economy class airfare, in accordance with the Salaries and Allowances Tribunal. Bookings may be made through the Shire.

Frequent flyer points are not to be accrued when travelling on the official business of Council.

Once the booking has been confirmed, any changes at the request of the Council Member will be paid for by the Council Member. (e.g. moving flights to another day, or missing a confirmed flight)

f) Accommodation

Accommodation costs will be arranged and paid for by Council if the Council Member is required to travel to attend the meeting.

Incidental expenses such as in-house movies, dry-cleaning and mini-bar will not be covered by Council.

g) Meals

All meals will be included and paid for by Council in accordance with below:

- Evening Meal on production of receipts or through the in-house restaurant – maximum up to \$50.00 per person per day or where relevant, the equivalent cost of the formal evening dinner function if an annual conference, course or seminar.
- Breakfast on production of receipts or through the in-house restaurant – maximum up to \$25.00 per person per day.
- Lunch is normally provided by course, however if not provided, Council will pay up to a maximum of \$25.00 per person per day on production of receipts or through the in-house restaurant.

Note: Strictly no alcohol will be paid for by Council.

## Professional Development

### Induction

Council Members need to develop a clear understanding of their role and responsibilities when first elected to Council. It is important that Council Members understand key processes and deliverables required by statute, especially as with each new Council there will be a requirement to review strategic direction and key long-term planning documents.

An accessible, informative induction program is essential to Council Members being able to understand their roles and to be able to move quickly and easily into their governance responsibilities after being elected to Council.

It is also important that returning members have their understanding refreshed and they are aware of any changes to statutory requirements, organisational direction and issues arising.

It is equally important that new and returning members are provided with the same information. Key to this is the induction process which should be provided for each new Council and/or Council Members elected or appointed to fill extraordinary vacancies when they arise.

Sitting Council Members will support newly elected *Council Members* by participating in the induction process.

### Subjects to be covered in Induction

- Council Members' Responsibilities

# Council Policy

Shire of Exmouth



- Council Member's Support
- Meeting Procedures and Protocols
- Decision-making Framework
- Integrated Planning and Reporting
- Financial Management Framework
- Professional Risk and Liability of a Council Member
- Land Use Planning
- Advise Members of compulsory training and timeframes

## Mandatory Training

All Council Members will need to complete the prescribed training, Councillor Member Essentials course, within 12 months of being elected as per the *Local Government (Administration) Regulations 1996*. The course has been developed to provide members with the skills and knowledge to perform their roles as leaders in their district. The course has five foundational units:

- Understanding Local Government,
- Conflicts of Interest,
- Serving on Council,
- Meeting Procedures and Debating, and
- Understanding Financial Report and Budget.

The Shire supports the ongoing professional development for Council Members, particularly in relation to roles, responsibilities, interests, individual conduct, and meeting procedure.

Council's preferred provider for the training is WALGA (WA Local Government Association).

It is Council's preference that the training is undertaken via the eLearning method which is the more cost-efficient form of delivery.

It is acknowledged however that there may be Council Members who prefer to receive training face-to-face and/or opportunities to attend training which is being delivered in the region or in the Perth metropolitan area.

All other Council Members training must be endorsed by Council in consideration of budgetary constraints.

Following attendance of a conference, the Council Member/s having attended the conference shall present, in person to the Council a summary of the conference deliverables and the relevant benefit to the Shire.

## Procedures

Considerations for approval of the training or professional development activity include:

- The costs of attendance including registration, travel, and accommodation, if required,
- The Budget provisions allowed and the uncommitted or unspent funds remaining,
- Any justification provided by the applicant when the training is submitted for approval,
- The benefits to the Shire of the person attending,
- Identified skills gaps of Council Members both individually and has a collective,
- Alignment to the Shire's Strategic Objectives; and
- The number of Shire representatives already approved to attend.

# Council Policy

Shire of Exmouth



Consideration of attendance at training or professional development courses, other than the online Councillor Member Essentials, which are deemed to be approved, are to be assessed as follows:

- The Shire President must be approved by the Deputy Shire President, in conjunction with the CEO and
- Council Members must be approved by either the Council or the Shire President, in conjunction with the CEO.

Any expenditure commitments associated with training or professional development must be performed by and authorised through the CEO

## Register of Professional Development

As required by the *Local Government Act 1995*, the Shire will:

- maintain a Register of Professional Development undertaken by Council Members and display it at the Shire website
- disclose in the Annual Report the professional development undertaken by Council Members in the relevant period.

## Support

All Council Members are entitled to receive:

- An email address in the format of [cr.surname@exmouth.wa.gov.au](mailto:cr.surname@exmouth.wa.gov.au)
- A personalised Shire of Exmouth name badge,
- 2 (grey) Shire of Exmouth polo shirts; and
- Provision of a suitable iPad/laptop, that will remain the property of the Shire OR receive a monthly allowance.

In addition to the above support, the Shire President will be provided with:

- A personalised Shire of Exmouth business cards; and
- The use of a suitable office with printing facilities, subject to availability.

Responsible Officer	Chief Executive Officer
Relevant Legislation	S5.126, 5.127, 5.128 <i>Local Government Act 1995</i> <i>Local Government (Administration) Regulations 1996</i> Part 10
Relevant Delegation	N/A
Review History	
Date	Council Decision
26/11/2020	03-1120
30/06/2022	02-0622
15/12/2022	09-1222

<b>ES004</b>	<b>Chief Executive Officer Standards, Performance and Management</b>
Directorate	Executive Services
Adoption Date	22/04/2021
Last Review Date	15/12/2022

**ES004 Chief Executive Officer Standards, Performance and Management**

**OBJECTIVES**

To ensure compliance with the *Local Government Act 1995* by adopting Chief Executive Officer (CEO) Standards to apply to the CEO at the Shire of Exmouth.

To provide guidelines on meeting Council’s obligations in relation to s5.36, 5.37, 5.38, 5.39, 5.39A and 5.39B of the *Local Government Act 1995*, and pursuant to the Shire of Exmouth CEO Standards relating to the appointment, appraisal, dismissal, and contractual conditions of the CEO.

**POLICY STATEMENT/S**

Shire of Exmouth Standards for CEO recruitment, performance and termination  
Division 1 – Preliminary provisions

**1. Citation**

These are the Shire of Exmouth Standards for CEO Recruitment, Performance and Termination.

**2. Terms used**

(1) In these standards —

**Act** means the *Local Government Act 1995*;

**additional performance criteria** means performance criteria agreed by the local government and the CEO under clause 16(1)(b);

**applicant** means a person who submits an application to the local government for the position of CEO;

**contract of employment** means the written contract, as referred to in s5.39 of the Act, that governs the employment of the CEO;

**contractual performance criteria** means the performance criteria specified in the CEO’s contract of employment as referred to in s5.39(3)(b) of the Act;

**job description form** means the job description form for the position of CEO approved by the local government under clause 5(2);

**local government** means the *[insert name of local government]*;

**selection criteria** means the selection criteria for the position of CEO determined by the local government under clause 5(1) and set out in the job description form;

**selection panel** means the selection panel established by the local government under clause 8 for the employment of a person in the position of CEO.

(2) Other terms used in these standards that are also used in the Act have the same meaning as they have in the Act unless the contrary intention appears.

Division 2 — Standards for recruitment of CEOs

**3. Overview of Division**

This Division sets out standards to be observed by the local government in relation to the recruitment of CEOs.

**4. Application of Division**

(1) Except as provided in subclause (2), this Division applies to any recruitment and selection process carried out by the local government for the employment of a person in the position of CEO.

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of s5.36(5A) of the Act; or

(b) in relation to a renewal of the CEO's contract of employment, except in the circumstances referred to in clause 13(2).

## 5. Determination of selection criteria and approval of job description form

(1) The local government must determine the selection criteria for the position of CEO, based on the local government's consideration of the knowledge, experience, qualifications and skills necessary to effectively perform the duties and responsibilities of the position of CEO of the local government.

(2) The local government must, by resolution of an absolute majority of the council, approve a job description form for the position of CEO which sets out —

(a) the duties and responsibilities of the position; and

(b) the selection criteria for the position determined in accordance with subclause (1).

## 6. Advertising requirements

(1) If the position of CEO is vacant, the local government must ensure it complies with s5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.

(2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

## 7. Job description form to be made available by local government

If a person requests the local government to provide to the person a copy of the job description form, the local government must —

(a) inform the person of the website address referred to in the *Local Government (Administration) Regulations 1996* regulation 18A(2)(da); or

(b) if the person advises the local government that the person is unable to access that website address —

(i) email a copy of the job description form to an email address provided by the person; or

(ii) mail a copy of the job description form to a postal address provided by the person.

## 8. Establishment of selection panel for employment of CEO

(1) In this clause —

***independent person*** means a person other than any of the following —

(a) a Council Member;

(b) an employee of the local government;



- (c) a human resources consultant engaged by the local government.
- (2) The local government must establish a selection panel to conduct the recruitment and selection process for the employment of a person in the position of CEO.
- (3) The selection panel must comprise —
  - (a) Council Members (the number of which must be determined by the local government); and
  - (b) at least 1 independent person.

## 9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
  - (a) a summary of the selection panel's assessment of each applicant; and
  - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
  - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
  - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
  - (a) in an impartial and transparent manner; and
  - (b) in accordance with the principles set out in s5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
  - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
  - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
  - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

## 10. Application of cl. 5 where new process carried out

- (1) This clause applies if the local government accepts a recommendation by the selection panel under clause 9(3)(a) that a new recruitment and selection process for the position of CEO be carried out in accordance with these standards.
- (2) Unless the local government considers that changes should be made to the duties and responsibilities of the position or the selection criteria —
  - (a) clause 5 does not apply to the new recruitment and selection process; and
  - (b) the job description form previously approved by the local government under clause 5(2) is the job description form for the purposes of the new recruitment and selection process.

## **11. Offer of employment in position of CEO**

Before making an applicant an offer of employment in the position of CEO, the local government must, by resolution of an absolute majority of the council, approve —

- (a) the making of the offer of employment to the applicant; and
- (b) the proposed terms of the contract of employment to be entered into by the local government and the applicant.

## **12. Variations to proposed terms of contract of employment**

- (1) This clause applies if an applicant who is made an offer of employment in the position of CEO under clause 11 negotiates with the local government a contract of employment (the negotiated contract) containing terms different to the proposed terms approved by the local government under clause 11(b).
- (2) Before entering into the negotiated contract with the applicant, the local government must, by resolution of an absolute majority of the council, approve the terms of the negotiated contract.

## **13. Recruitment to be undertaken on expiry of certain CEO contracts**

- (1) In this clause —

commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
  - (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —
    - (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
    - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day,and
  - (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.

- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

#### **14. Confidentiality of information**

The local government must ensure that information provided to, or obtained by, the local government during a recruitment and selection process for the position of CEO is not disclosed, or made use of, except for the purpose of, or in connection with, that recruitment and selection process.

### Division 3 — Standards for review of performance of CEOs

#### **15. Overview of Division**

This Division sets out standards to be observed by the local government in relation to the review of the performance of CEOs.

#### **16. Performance review process to be agreed between local government and CEO**

- (1) The local government and the CEO must agree on —
  - (a) the process by which the CEO's performance will be reviewed; and
  - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.
- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

#### **17. Carrying out a performance review**

- (1) A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.
- (2) The local government must —
  - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
  - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

#### **18. Endorsement of performance review by local government**

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the council, endorse the review.

#### **19. CEO to be notified of results of performance review**

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of —

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO — how the local government proposes to address and manage those issues.

## Division 4 — Standards for termination of employment of CEOs

### 20. Overview of Division

This Division sets out standards to be observed by the local government in relation to the termination of the employment of CEOs.

### 21. General principles applying to any termination

- (1) The local government must make decisions relating to the termination of the employment of a CEO in an impartial and transparent manner.
- (2) The local government must accord a CEO procedural fairness in relation to the process for the termination of the CEO's employment, including —
  - (a) informing the CEO of the CEO's rights, entitlements and responsibilities in relation to the termination process; and
  - (b) notifying the CEO of any allegations against the CEO; and
  - (c) giving the CEO a reasonable opportunity to respond to the allegations; and
  - (d) genuinely considering any response given by the CEO in response to the allegations.

### 22. Additional principles applying to termination for performance-related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
  - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the **performance issues**) related to the performance of the CEO; and
  - (b) informed the CEO of the performance issues; and
  - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
  - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12-month period, reviewed the performance of the CEO under s5.38(1) of the Act.

### 23. Decision to terminate

Any decision by the local government to terminate the employment of a CEO must be made by resolution of an absolute majority of the council.

# Council Policy

Shire of Exmouth



## 24. Notice of termination of employment

- (1) If the local government terminates the employment of a CEO, the local government must give the CEO notice in writing of the termination.
- (2) The notice must set out the local government's reasons for terminating the employment of the CEO.

### Other Matters

#### CEO Performance Review – Process

The CEO Performance Review process will include all Councillors and be chaired by the Shire President.

This process is to be facilitated by an independent/external person mutually agreed by the Council and the CEO.

As a minimum the Shire President is to undertake the relevant CEO Performance review training course provided by WALGA.

#### Interview Process

The Interview process undertaken during the formal performance meeting must be conducted in good faith by all parties.

CEO Key Performance Indicators (KPI's):

- Will contain a balance of strategic and values based organizational KPIs,
- Will align to the Corporate Business Plan and or Community Strategic Plan,
- Will be reviewed annually and new KPI's agreed between the CEO and the Shire of Exmouth Council after each review period,
- Once agreed upon, KPIs cannot be changed without mutual agreement.

This policy position applies only to the conduct of CEO performance reviews.

Responsible Officer	Chief Executive Officer
Relevant Legislation	S5.36, - 5.39B <i>Local Government Act 1995</i> cl 18FA, Schedule 2 <i>Local Government (Administration) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
30/06/2022	02-0622

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ES005 Chief Executive Officer Leave, Appointment of Acting or Temporary CEO	
Directorate	Executive Services
Adoption Date	24/10/2019
Last Review Date	15/12/2022

**ES005 Chief Executive Officer Leave, Appointment of Acting or Temporary CEO**

**OBJECTIVES**

The purpose of this policy is to provide clear guidance on the provisions that apply to the appointment of a person as Acting Chief Executive Officer (A/CEO) and to allow for the approval by the Shire President of applications by the Chief Executive Officer (CEO) for extended sick leave, long service leave, annual leave or other extended absences.

**BACKGROUND**

In accordance with s5.39C of the *Local Government Act 1995* (“the Act”), the Shire must prepare and adopt a policy that sets out the process to be followed in relation to:

- a) the employment of a person in the position of CEO for a term not exceeding 1 year; and
- b) the appointment of an employee to act in the position of CEO for a term not exceeding 1 year.

**POLICY STATEMENT**

**CEO Leave Entitlements**

1. The CEO is contractually entitled to certain leave conditions as outlined in their employment contract and the relevant industrial relations legislation.
2. Approval of the CEO to take leave entitlements is at the discretion of the Shire President, or where the Shire President is on an approved leave of absence, the Deputy President.

The President/Deputy President cannot unreasonably withhold approval.

3. When the CEO is on leave, an Acting Chief Executive Officer is to take up their duties in accordance with this Policy.

**Appointment of an Acting CEO – Expected leave periods up to 3 months**

4. Acting arrangements for the position of CEO for leave periods up to 3 months will automatically be delegated to the Deputy CEO or in his absence another Executive Manager.
5. The following officers can be appointed to the position of Acting CEO in accordance with the Delegations and Authorisations Register:
  - a) Executive Manager/ Community and Economic Growth
  - b) Executive Manager Corporate Services
  - c) Executive Manager Infrastructure Services
6. It is intended that Executive Managers will carry out the role of Acting CEO during periods of absence of the CEO due to annual or extended sick leave, as nominated by the CEO.
7. It is intended that an Executive Manager will only be appointed as Acting CEO under the terms of this Policy if:
  - a) In the opinion of the CEO the employee is satisfactorily performing his/her duties;
  - b) In the opinion of the CEO and the employee, the employee has capacity to perform the duties of Acting CEO along with his/her current duties; and
  - c) This Policy does not apply to an employee who is temporarily acting in the role of an Executive Manager.

## **Appointment of an Acting CEO – leave periods in excess of 3 months**

8. Should the CEO be absent for more than 3 months, the authority to appoint an Acting CEO shall be determined by Council.

## **Appointment of an Acting CEO – unexpected leave or vacancy**

9. In the event that the CEO:
- takes unexpected leave;
  - is incapacitated;
  - is unable to perform their duties as a result of a disaster or crisis event;
  - the position falls unexpectedly vacant; or
  - is suspended or terminated, the following shall occur:
10. if the Council has not appointed an Acting CEO, the Shire President shall appoint an interim Acting CEO, from the list specified in clause 5 having regard to the officer's experience and capacity, until the Council can appoint an ongoing Acting CEO in accordance with clause 10.
11. Where it is likely that a person will act as CEO under clause 9(f) for a period of more than ten (10 working days), a Special Council Meeting shall be convened as soon as possible, so that an ongoing acting appointment can be made.

Executive Managers still within their probationary period will not be eligible for the appointment to Acting Chief Executive Officer.

If in the opinion of the Chief Executive Officer that a temporary external appointment is in the best interest of the organisation an external temporary appointment can be made.

Appointment to the role of Acting Chief Executive Officer shall be made in writing for a defined period that does not exceed 3 months. A Council resolution is required for period exceeding 3 months.

Subject to relevant advice, the Council retains the right to terminate or change, by resolution, any Acting or Temporary CEO appointment.

## **Remuneration and conditions of Acting or temporary CEO**

12. Unless Council otherwise resolves, the Acting CEO shall be remunerated pro rata at the following rates:
- Up to 1 month – 0% differential
  - 1-3 months – 50% differential
  - Over 3 months – 100% differential

Note – the differential being the difference between the officer's base hourly rate and the higher positions current base hourly rate, role but is not entitled to specific allowances and benefits as detailed in the CEO's employment contract.

13. All standard allowances received by relevant employees does not change only the base hourly rate changes.

### **Notes:**

This Policy:

- Has been prepared on the need to fill the position of CEO for short periods in line with statutory requirements, and in an efficient manner to ensure the fluent operations of the organisation when, or if, the CEO needs, or seeks, to exercise a leave entitlement at short notice.

# Council Policy

Shire of Exmouth



- b) Is subject to review every two (2) years or at the time of change in an Executive Manager position.
- c) Does not prevent Council from appointing another person to Act in the CEO position.
- d) Requires an absolute majority vote of Council in accordance s5.36(2) of the *Local Government Act 1995*.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	s5.39C <i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



ES006 Legal Expenses – Council Members and Employees	
Directorate	Executive Services
Adoption Date	21/06/2012
Last Review Date	15/12/2022

## ES006 Legal Expenses – Council Members and Employees

### OBJECTIVES

To make available legal representation to Council Members and Shire employees on matters which may arise during normal duties.

### POLICY STATEMENT

#### Definitions

**Approved lawyer** means:

a ‘certified practitioner’ under the *Legal Practice Act 2003* and from a law firm on the Shire of Exmouth panel of legal service providers, or as otherwise determined by Council based on need for a specific skill and/or expertise

**Council Member or employee** means a current or former commissioner, Council Member, non-Council Member of a Council committee or employee of the Shire of Exmouth. Legal proceedings mean civil, criminal, or investigative.

**Legal representation** means the provision of legal services to or on behalf of a Council Member or employee, by an approved lawyer that is in respect of –

- a. a matter or matters arising from the performance of the functions of the Council Member or employee; and
- b. legal proceedings involving the *Council Member* or employee that have been or may be commenced.

**Legal representation costs** mean costs, including fees and disbursements, properly incurred in providing legal representation.

**Legal services** mean advice, representation or documentation that is provided by an approved lawyer.

**Payment** means payment by the Shire of Exmouth of legal representation costs either by –

- a. a direct payment to the approved lawyer (or the relevant firm); or
- b. a reimbursement to the Council Member or employee.

#### Legal Representation Criteria

There are four major criteria for determining whether the Shire of Exmouth will pay the legal representation costs of a Council Member or employee –

- a. the legal representation costs must relate to a matter that arises from the performance, by the Council Member or employee, in fulfilling his or her functions for the Shire of Exmouth,.
- b. the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced,
- c. in performing his or her functions, to which the legal representation relates, the Council Member or employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- d. the legal representation costs do not relate to a matter that is of a personal or private nature.

#### Examples of legal representation costs that may be approved

# Council Policy

Shire of Exmouth



If the criteria in this policy are satisfied, the Shire of Exmouth may approve the payment of legal representation costs –

- a. where proceedings are brought against a Council Member or employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Council Member or employee; or
- b. or involvement in a statutory or other inquiry that requires information to be given, or to which information is given, by a Council Member or Employee in connection with his or her functions; or
- c. to enable proceedings to be commenced and/or maintained by a Council Member or employee to permit him or her to carry out his or her functions -for example where a Council Member or employee seeks to take action to obtain a restraining order against a person using threatening behaviour to the Council Member or employee; or
- d. where exceptional circumstances are involved – for example, where a person or organization is lessening the confidence of the community in the local government by publicly making adverse personal comments about Council Members or employees.

The Shire of Exmouth will not approve, unless under exceptional circumstances, the payment of legal representation costs for a defamation action, or a negligence action, instituted by a Council Member or employee.

## Application for payment

A Council Member or employee who seeks assistance under this policy is to make an application(s), in writing, to the Council or the CEO.

The written application for payment of legal representation costs is to give details of –

- a. the matter for which legal representation is sought,
- b. how that matter relates to the functions of the Council Member or employee making the application,
- c. the lawyer (or law firm) who is to be asked to provide the legal representation,
- d. the nature of legal representation to be sought (such as advice, representation in court, preparation of a document etc.),
- e. an estimated cost of the legal representation; and
- f. why it is in the interests of the Shire of Exmouth for payment to be made.

The application is to contain a declaration by the applicant that he or she has acted in good faith and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates.

As far as possible the application is to be made before commencement of the legal representation to which the application relates.

The application is to be accompanied by a signed written statement by the applicant that he or she–

- a. has read, and understands, the terms of this Policy,
- b. acknowledges that any approval of legal representation costs is conditional on the repayment provisions of the Policy and any other conditions to which the approval is subject; and
- c. undertakes to repay to the Shire of Exmouth any legal representation costs in accordance with the provisions of this Policy.

Where a person is to be in receipt of such monies the person shall sign a document, which requires repayment of that money to the local government as may be required by the local government and the terms of the Policy.

# Council Policy

Shire of Exmouth



An application is also to be accompanied by a report prepared by the CEO or where the CEO is the applicant by the Shire President.

## Legal representation costs – Limit

Unless otherwise determined by Council, payment of legal representation costs in respect of a particular application is not to exceed \$10,000.

A Council Member or employee may make a further application to the Council in respect of the same matter

## Council's powers

The Council may –

- a. refuse,
- b. grant; or
- c. grant subject to conditions, an application for payment of legal representation costs.

Conditions under the above may include, but are not restricted to, a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs.

In assessing an application, the Council may have regard to any insurance benefits that may be available to the applicant under the Shire of Exmouth's Council Members' or employee's insurance policy or its equivalent.

The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

The Council may, subject to this Policy, determine that a Council Member or employee whose application for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –

- a. not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
- b. given false or misleading information in respect of the application.

A determination may be made by the Council only based on, and consistent with, the findings of a court, tribunal, or inquiry.

Where the Council decides, the legal representation costs paid by the Shire of Exmouth are to be repaid by the Council Member or employee in accordance with this Policy.

## Repayment of Legal Representation Costs

A Council Member or employee whose legal representation costs have been paid by the Shire of Exmouth is to repay the Shire of Exmouth –

- a. all or part of those costs – in accordance with a determination by the Council,
- b. as much of those costs as are available to be paid by way of set-off – where the Council Member or employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the Shire of Exmouth paid the legal representation costs.

The Shire of Exmouth may act in a court of competent jurisdiction to recover any monies due to it under this Policy.

# Council Policy

Shire of Exmouth



## CEO Authorisation

In cases of urgency, the CEO, subject to this Policy, may exercise, on behalf of the Council, any of the powers of the Council, to a limit of \$5,000, where a delay in approving an application would be detrimental to the legal rights of a Council Member or employee.

Where the CEO is the applicant, the powers in this policy are to be exercised by the Shire President.

An application approved by the CEO is to be submitted to the next meeting of Council which may exercise any of its powers under this Policy.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	
Relevant Delegation	N/A
Review History	
Date	Council Decision
19/01/2017	10-0117
22/11/2018	04-1118
25/06/2020	03-1120
30/06/2022	02-0622



ES007 Record Keeping by Council Members and Employees, and Data Migration	
Directorate	Executive Services
Adoption Date	28/02/2019
Last Review Date	15/12/2022

## ES007 Record Keeping by Council Members and Employees, and Data Migration

### OBJECTIVES

To establish a framework for reliable and systematic management of the Shire’s records in accordance with legislative requirements. It sets out the recordkeeping principles that identify and protect local government records.

### POLICY STATEMENT/S

#### Definitions

GDALG means the General Disposal Authority for Local Government Records. It’s a management tool for identifying and determining the retention and disposal of all records.

Record a record or significant record may be recorded information (in any form and format) created or received and maintained by the Shire or person in the transaction of business and kept as evidence. This includes anything on which there is writing, maps, plans, diagrams, graphs, drawings, pictorial or graphic work, photograph, or anything from which images, sounds or writings can be reproduced.

Official Record is a record created or received by the Council/employee/Council Member or contractor in the course of the work for the organisation. May be electronic and/or paper based.

ERMS Council’s electronic records management system. Currently the Central Records Module within the Synergy Soft Central Records program.

Disposal is the destruction of a record, the carrying out of any process that makes it impossible to reproduce the information in a record, the transferring or delivering ownership or possession of a record, or the selling of a record.

The Shire recognises that its records are a local government owned asset and will ensure that they are managed as such. Ownership and proprietary interest of records created or collected during business (including those from outsourced bodies or contractors) are vested in the Shire.

This Policy applies to all Council records created or received by a Shire employee, contractor or Council Member, or an organisation performing outsourced services on behalf of the Shire of Exmouth, regardless of their physical format, storage location or date of creation.

#### Principles

- a. Retention of records is key to ensuring the transparency and accountability of local government decision-making
- b. Retention of records is an important tool in protecting and retaining the heritage and memory of local communities
- c. Ensuring the availability of information in a timely way is an important part of the democratic process.
- d. A conservative approach should be taken to retention of records: i.e., if in doubt retain the records

## **Which records should be recorded**

- a. Communications from residents and ratepayers such as complaints, compliments, correspondence concerning corporate matters, submissions, petitions, lobbying and information on Council's interests relating to local government business activity and functions.
- b. Telephone, meetings and other verbal communication between Council Member/employees and another party, regarding specific local government projects or business activities.
- c. Work diaries containing information that may be significant to the conduct of the Council Member/employee on behalf of local government.
- d. Presentations and speeches delivered as part of an Council Member/employee's official duties.

## **Which records should not be recorded**

- a. Duplicate (unmarked) copies of Council meeting agenda, minutes & papers.
- b. Draft documents or working papers where a final document has been produced and recorded.
- c. Publications such as newsletters, reports, circulars and journals
- d. Invitations to community events where Council member/employee is not representing Council
- e. Telephone, meetings and other verbal conversations which convey routine information only, or do not relate to local government business or functions.
- f. Electioneering or party political information.
- g. Personal records not related to local government business.

## **Roles and responsibilities**

### Chief Executive Officer (CEO)

The CEO is to ensure that there is a system for the maintenance and management of records that is compliant with records management legislation and State guidelines and procedures.

### Council Members

Council Members must create and keep records of communications or transactions relating to their role as Council Member, which convey information relating to the Shire's business or function. Council Members should consult with the CEO if they need assistance in deciding whether a record should be retained.

### Executive Managers and Managers

All executives and managers are to ensure that employee members under their supervision comply with the records management policies and procedures in the Record Keeping Plan.

### All employees

All employees are to create and retain records relating to the business activities they perform. They are to identify significant and ephemeral records and ensure significant records are registered in the records management system. This requirement will be an integral part of all employee's KPI's.

## **Appraisal, Retention and Disposal of Records**

All records kept by the Shire of Exmouth will be retained and disposed of in accordance with the General Disposal Authority for Local Government Records (GDALG), produced by the State Records Office of Western Australia. State Archives awaiting Transfer.

As part of the regular retention and disposal exercise, the Shire of Exmouth will identify all hardcopy electronic State archives to transfer.

# Council Policy

Shire of Exmouth



Where the Director of State Records is unable to accept the transfers of State Archives the records will be held in safe keeping by the Shire of Exmouth. Storage of Records Confidential personnel and payroll records are kept locked in the Human Resource and Payroll Offices.

## Data Migration

Records are a valuable corporate information resource, and the Shire of Exmouth will endeavour to ensure that:

- a. All records stored in electronic formats will be integrated through changes in the hardware and software environment so that the records retain their structure, content, and context for the required retention periods.
- b. Links between electronic records and their associated metadata will be captured at the point of migration and be maintained and useable for the life of records.
- c. Any migration process used for preserving electronic records will consider both long term accessibility and integrity of these records so that they are distinguishable as unique evidence of business transactions.
- d. Electronic records from old systems will be kept active until data in new systems has been fully validated.
- e. Integrity checks of electronic records will be carried out by extracting old and new databases and comparing data between the two data sets.
- f. Backups of electronic records from old systems will be kept until new systems have proven to be fully operational.
- g. Migration of all electronic data, including records of permanent value, will be in accordance with Public Records Policy No. 8 – Policy for the ongoing management of electronic records designated as having archival value.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>State Records Act 2000</i> <i>Local Government Act 1995,</i> <i>Local Government (Administration) Regs</i> <i>Evidence Act 1906</i> <i>Financial Management Act 2006</i> <i>Freedom of Information Act 1992</i> <i>Limitations Act 1935</i> <i>Building Act 2011</i> <i>Financial Administration and Audit Act 1985</i> <i>Criminal Code 1913 (s85)</i> <i>Electronic Transactions Act 2003</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



<b>ES008</b>	<b>Council Members – Service Award and Gift</b>
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES008 Council Members – Service Award and Gift

### OBJECTIVES

To provide guidelines on the appropriate recognition of the voluntary contribution made by Council Members serving on Council.

### POLICY STATEMENT/S

That on retirement, or defeat at an election, a framed Certificate of Appreciation be presented to each Council Member who has completed at least 1 full 4-year term of office, as a Council Member of the Shire of Exmouth.

Where a Council Member completes at least 1 full 4-year term of office, the Shire President (in conjunction with the CEO), or the Deputy Shire President (in conjunction with the CEO) where the proposed recipient is the Shire President may determine an appropriate gift, based on \$100 per year of service, up to a maximum value of \$1000, as per Reg 34AC *Local Government (Administration) Regulations*.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	s5.100 <i>Local Government Act 1995</i> , 34AC <i>Local Government (Administration) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision



ES003 Public Interest Disclosure	
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES009 Public Interest Disclosure

### OBJECTIVES

Although the CEO is responsible for the employment of all employees of the Shire of Exmouth (except the CEO, who is engaged by the Council), the Council has decided to adopt some Policies to indicate its level of commitment to such matters.

This policy outlines the Shire of Exmouth’s recognition of its ethical, legal obligations and its commitment to the principles and proper practices of Public Interest Disclosures.

The Shire of Exmouth will receive disclosures of public interest information in accordance with the provisions of the *Public Interest Disclosure Act 2003*.

### POLICY STATEMENT

The Shire is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act).

It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

The Shire will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

The Shire does not tolerate any of its employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Public Interest Disclosure Act 2003</i> <i>State Records Act 2000</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision



ES010 Freedom of Information	
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES010 Freedom of Information

### OBJECTIVES

Although the CEO is responsible for the employment of all employees of the Shire of Exmouth (except the CEO, who is engaged by the Council), the Council has decided to adopt some Policies to indicate its level of commitment to such matters.

This policy outlines the Shire of Exmouth’s recognition of its ethical, legal obligations and its commitment to the principles and proper practices of Freedom of Information.

To provide a clear framework for the discharge of Shire’s accountabilities under the Freedom of Information Act.

### POLICY STATEMENT

The *Freedom of Information Act 1992* gives individuals, corporations, and businesses the right to apply for access to documents held by Public Sector agencies which including Local Governments.

The Act gives any person the right to:

- a. Access copies of documents held by the Shire, except exempt documents
- b. Ask for information the Shire holds about you to be changed or annotated if it is incomplete, out of date, incorrect or misleading
- c. Seek a review of a Shire decision not to allow you access to a document or not to amend your personal record.

Resident, ratepayers, and stakeholders can ask to see any document that the Shire holds, although it should be noted that the Shire can refuse access to some documents, or parts of documents that are exempt.

For further information contact the FOI Officer at the Shire of Exmouth.

Charges may also apply as per the current Shire of Exmouth Fees and Charges.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Freedom of Information Act 1992</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>ES011</b>	<b>Council Briefing Sessions</b>
Directorate	Executive Services
Adoption Date	21/06/2012
Last Review Date	15/12/2022

## ES011 Council Briefing Sessions

### OBJECTIVES

To constitute a Council briefing session to inform Council Members of relevant and material facts and circumstances pertaining to matters to be considered by the Council or which are otherwise relevant to the good government of persons in the district.

### POLICY STATEMENT

Two types of Briefing Sessions have been introduced by Council:

- Agenda Briefing Sessions
- Strategic Briefing Sessions

Agenda briefing sessions will be chaired by the Shire President or in his/her absence the Deputy Shire President.

In the absence of both the Shire President and Deputy Shire President, the Chief Executive Officer will call for nominations from amongst the remaining Council Members to chair the meeting.

The Chairman has the discretion of invoking the Meeting Procedures Local Law to manage the briefing session if required, but in general Meeting Procedures Local Law do not apply.

Strategic briefing sessions will be chaired by the Shire President or in his /her absence, the Deputy Shire President and in their absence, the Chief Executive Officer.

#### Agenda Briefing Sessions

Council will conduct an Agenda Briefing Session for Council Members and employees on a regular basis prior to the monthly Ordinary Council meeting (OCM).

Agenda briefing sessions will be held at the prescribed time on the Tuesday prior to the Ordinary Council meeting.

Council agendas will be provided electronically to Council Members a minimum of 48 hours prior to the agenda briefing.

The purpose of the agenda briefing is to:

- advise Council Members about matters due to come before the Council for a decision.
- allow more time for employees to brief Council Members on such matters before the OCM.
- allow Council Members time to ask questions and seek clarification from employees.
- allow all Council Members to receive the same information on each issue at the same time.
- facilitate Council receiving a deputation/presentation from proponents that have an item scheduled for the upcoming OCM.

Council Members attending Agenda Briefing Sessions must be aware that such sessions have no delegated powers or duties and as such, they should not be drawn into debate or attempt to make decisions on Council agenda items raised at the Agenda Briefing Session.

# Council Policy

Shire of Exmouth



Council Members and employees may not participate in the discussion of an issue where they have a conflict of interest and the provisions of sections 5.59 to 5.71 inclusive of the *Local Government Act 1995* will apply at briefing sessions.

Minutes of agenda briefings sessions will not be taken.

The public are not able to attend agenda briefing sessions, and the matters discussed remain confidential matters unless resolved otherwise by Council, or as presented in the public Council Agenda.

Members of the public may be invited to speak on a specific agenda item before Council but will not generally participate in discussion.

## Strategic Briefing Sessions

Strategic briefing sessions will be scheduled at the prescribed time on the Thursday prior to the Agenda Briefing Session AND can be scheduled at any time at the request of the Shire President or the Chief Executive Officer and should be scheduled where possible to ensure the most efficient use of officer and Council Members' time.

Strategic briefing sessions will be held for the following purposes:

- For Council to receive a deputation / presentation from proponents which are considered of strategic importance to the Shire, and which may be of a confidential nature.
- For Council to workshop, review and consider projects, strategies and proposals that will assist in the achievement of Community Strategic Plan and Corporate Business Plan targets.
- Provide direction to the Chief Executive Officer relating to a strategic matter that may require a future decision of Council. Council may invite members of the public to attend a strategic briefing.

Where information is discussed and presented at a strategic briefing session this information must be made available to all Council Members which may not have been present at the briefing.

Where possible 72 hours' notice should be provided to Council Members with regard the time and purpose of the meeting and any relevant background information provided electronically.

Responsible Officer	Chief Executive Officer
Relevant Legislation	N/A
Relevant Delegation	N/A
<b>Review History</b>	
Date	Council Decision
22/11/2018	04-1118
25/60/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



ES0012 Council Members – Access to Information	
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES012 Council Members - Access to information

### OBJECTIVES

To outline Council Members rights to information necessary for the exercising of their responsibilities and to provide a process on how Council Members can access Council records and information.

### POLICY STATEMENT/S

Council Members have a right to inspect any record of the Council if it is relevant to the exercising of the member's responsibility in his or her civic office and is not subject to privacy, confidentiality, or legal restraint.

Each request will be treated on its merits but as a rule those records immediately seen as relevant to the exercising of a Council Members' responsibility of civic office are:

- a. Matters before a Council Meeting, either currently or within the current term of the Council; and/ or
- b. Matters known by the CEO to come before Council soon.

Council Members can request access to other documents of the Council either by a Notice of Motion to the Council or a Freedom of Information (FOI) application.

Council Members who have a personal or pecuniary interest in a document of Council have the same rights of access as any other person.

#### Access by the Shire President

Access will be provided to documents and files necessary for the Shire President's role.

This includes files relevant to correspondence received directly by the Shire President and is subject to the same viewing rules as other Council Members.

The Shire President is subject to the same requirements of access as apply to other members.

#### Access to Computer System

Council Members shall have the same access to the content of the Council's computer system as do members of the public.

Members also have access to office productivity tools in the computer system to assist in word processing, email, internet etc. but do not include access to Council records databases.

#### Notes

The right of Council Members to have access to records is for the purpose of exercising the office of member. It does not carry with it the right to disclose any information obtained by a member to another person unless it is already in the public domain.

A Council Members has no authority to release documents on behalf of Council.

The Shire President shall not cause the by-passing of the general access provisions by providing to another Council Member information made available through the Shire President's role.

# Council Policy

Shire of Exmouth



Council Members shall not cause the by-passing of FOI provisions by providing to a member of the public information made available to Council Members as an elected representative.

The CEO will provide guidance and assistance to Council Members in determining whether a document is confidential and/or not to be released.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>s.5.92(1)(2) Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>ES0013</b>	<b>Shire Flora and Fauna Emblems</b>
Directorate	Executive Services
Adoption Date	21/06/2012
Last Review Date	15/12/2022

**ES013 Shire Flora and Fauna Emblems**

**OBJECTIVES**

To identify the fauna and flora emblems for the Shire of Exmouth.

**POLICY STATEMENT/S**

Council has adopted as its fauna emblem the Whale Shark.



Council has adopted as its floral emblem the Cape Range Grevillea.



Responsible Officer	Chief Executive Officer
Relevant Legislation	N/A
Relevant Delegation	N/A
<b>Review History</b>	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

<b>ES0011</b>	<b>Use of Shire Logo</b>
Directorate	Executive Services
Adoption Date	21/06/2012
Last Review Date	15/12/2022

## ES014 Use of Shire Logo

### OBJECTIVES

To provide clear and precise guidance on the use of the Shire of Exmouth Logo.

### POLICY STATEMENT/S

Council Logo



Council uses its logo on all documentation, signage, and promotional merchandise, except for legal documents of Council, where the crest (common seal) is used under resolution of Council.

Council permits an organisation or individual to use the corporate logo if the organisation or individual is conducting an event or project towards which Council has provided financial or in-kind support by way of sponsorship.

The use of the corporate logo by private enterprise/commercial organisations be only permitted where some advantage could, in the opinion of the Chief Executive Officer, accrue to the Council.

The approval in writing of the Chief Executive Officer shall be required to the use in each case and Council may fix an appropriate fee for that use.

If an organisation obtains permission to use the corporate logo, the following conditions apply:

- The logo remains the property of the Shire of Exmouth and can only be used on approved materials,
- The logo must not be used in conjunction with any merchandise, fundraising appeal or activity, or any product, without prior written approval,
- The logo must be reproduced without alteration or modification and in accordance with the Council's Branding Style Guide.

The elements of design and text are integral components of the logo device and must not be deleted or modified.

Not permitted on private communications, advertising etc.

Final proofs of all materials that contain the logo are to be referred to the Chief Executive Officer, who may delegate this assessment to another employee for final approval of the application of the logo, prior to use.



Council Crest (Coat of Arms)



The use of Council’s crest is for the sole purpose of Council and for official and/or ceremonial purposes as determined by the Chief Executive Officer, including but not limited to the Shire’s Common Seal.

Council will not grant permission for other organisations or individuals to use the crest.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Local Government Act 1995, Pt. 5. Div 7</i> Local Government (Administration) Regulations 1996, Pt. 7
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

ES0015	Honorary Freeman of the Shire of Exmouth
Directorate	Executive Services
Adoption Date	21/06/2012
Last Review Date	15/12/2022

## ES015 Honorary Freeman of the Shire

### OBJECTIVES

To provide guidance on the nomination and awarding of the “Honorary Freeman of the Shire of Exmouth”.

### POLICY STATEMENT

From time-to-time Council may receive a nomination for the prestigious award of “Honorary Freeman of the Shire of Exmouth”.

Council may also wish to nominate any person for the award who have rendered exceptional service to the Shire of Exmouth community.

The nomination and consideration of proposal to award the title of “Honorary Freeman of the Shire of Exmouth” shall be dealt with in the strictness of confidence.

When Council meets to consider the nomination, the meeting shall be closed to the public and reports concerning the nomination procedure shall be deemed to be a confidential item pursuant to s.5.93 of the *Local Government Act 1995*

A decision by Council to award the title is to be by absolute majority.

#### Eligibility Criteria for ‘Freeman of the Shire’

Nominees should have lived within the Shire of Exmouth for a significant number of years (significant is taken to mean at least 20 years) and who have given extensive and distinguished service to the community (e.g., service to other organisations, voluntary and community groups) in a largely voluntary capacity.

Council may also consider conferring of the title of ‘Posthumous Freeman of the Shire’. In this case, the abovementioned eligibility criteria would apply.

Nominees will be assessed on their record of service to the local community.

The selection criteria are to include:

- a. length of service in a field (or fields) of activity
- b. level of commitment to the field (or fields) of activity
- c. personal leadership qualities
- d. benefits to the community of the Shire of Exmouth resulting from the nominee’s work
- e. specific and special achievements of the nominee

Note: Serving Council Members and employees of the Shire are not eligible to be nominated.

Nominators must declare any relationship between the nominee, and Council Member or Shire employee.

#### Awarding the Titles

The formal conferring of these titles is to be carried out at a civic reception held by Council.

# Council Policy

Shire of Exmouth



This may be a special reception for this purpose, or the ceremony may form a focal point of any other suitable reception hosted by Council.

The decision on the occasion and format of the ceremony is to rest with the Shire President in consultation with the Chief Executive Officer.

The successful nominee is to receive a certificate (framed in a quality frame) and an official name badge (of a similar design to Council Member badges) which confirms his or her status.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision
10/10/2017	06-1017
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120

ES0016 Roles and Responsibilities of Shire Delegates to External Bodies	
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES016 Roles and Responsibilities of Shire Delegates to External Bodies.

### OBJECTIVES

To prescribe how delegates nominated by Council as members of external committees or organisations may fulfil their representative role.

### POLICY STATEMENT/S

The Shire of Exmouth provides delegate representation on a range of external organisations and committees and is endorsed by Council at the first meeting after an ordinary election or as required.

Where a Council Member or employee has been endorsed as Council's nominated representative member on an external committee, body or organisation, the delegate shall:

- a. Ensure that no pledges of financial support, or in-kind support are made, unless express decisions to that effect have been made by the Council, or the Chief Executive Officer (CEO) prior.
- b. Understand that their appointment/membership is as a representative of the Council and is by right of their position with Council.
- c. Ensure their availability to attend scheduled meetings, and where they are unable to do so, provide prior apology to the respective Presiding Member.
- d. Be responsible for ensuring that there is a quorum for meetings and the Shire of Exmouth is represented at external group meetings. Where a delegate is unable to attend a meeting in which they have been appointed, they are to advise their deputy (proxy member) to ensure that they will be replaced at the meeting. It is preferable that at least twenty-four (24) hours' notice is afforded.
- e. Acknowledge that where a delegate has failed to attend three successive external organisation/committee meetings, with or without an apology, the Council shall consider appointing a replacement delegate at either Council determination or at the next Ordinary Meeting of Council following the ordinary elections, to ensure that the purpose and integrity of Council's participation in the external organisation is maintained.
- f. Acknowledge that if they are unable to fulfil their commitment to an external organisation/committee then the delegate must advise the CEO so that Council consideration of appointing a replacement delegate can be facilitated and subsequent formal advice to the external organisation/committee attended to.
- g. Ensure that in participating and contributing to decision making of the external organisation the delegate communicates and is cognisant of Council's determined position, if any, determined from:
  - Firstly, resolutions of Council dealing specifically with the matter at hand,
  - Secondly, resolutions of Council dealing generally with the matter at hand,
  - Thirdly, relevant statements of the Council's position contained in adopted Council policies or the Shire's Strategic Community Plan,
  - Lastly, if Council has not previously established a position, the delegate should give due consideration to the potential sensitivity and/or risk inherent to the matter, i.e., potential for negative environmental or social impact, or risk of community conflict.

Where the delegate evaluates potential for a significant level of sensitivity or risk then, prior to committing to a position, the CEO is to be requested to prepare a report for Council's consideration. The delegate may provide a position statement for inclusion in the report however, employees must provide professional opinion, advice, and a recommendation for Council determination. Delegates must ensure that this occurs where a decision by the external organisation may require a commitment of Council resources.

- h. Voting Rights - A Council Member or employee appointed as a delegate may have to participate in the decision-making process of the external organisation.

The delegate may also be entitled to vote on matters coming before the external body.

The delegate will have a fiduciary duty to the external organisation to participate in decision making processes and vote in accordance with the obligations to act in good faith for the purposes for which the external organisation was established.

Council recognises that whilst it can require a delegate to communicate the Shire's position to the external organisation, it is not appropriate to attempt to bind the delegate's vote on any matter.

The delegate will have the benefit of discussion around the decision-making table and must vote in accordance with their good faith obligation to the external organisation.

However, this does not entitle a delegate to substitute their personal beliefs for Council's position. Where it is possible for a delegate aware of their obligations to act in good faith for the purposes of the external body, to vote in accordance with Council's stated position, then Council expects that a delegate will vote accordingly.

Where a delegate votes in good faith, in a manner which is opposed to a Council position, the delegate must provide a briefing to the next Corporate Information/CEO Briefing Session informing of the decision and the factors which influenced the outcome.

- i. Perform the functions and duties of a delegate in accordance with the standards set out in the Shire's Code of Conduct.
- j. Ensure that a copy of the minutes is provided to the Shire for record keeping purposes. Where confidentiality requirements exist over either Council or the external organisation's business the delegate must ensure that confidentiality is appropriately maintained and protected.
- k. Council Members or employees who attend meetings of external organisations where access is not generally available to the public, attend as observers only and remain representatives of the Shire and therefore shall:
- Act within the meeting protocols as established by the external organisation,
  - Communication with the meeting only through Council's nominated delegate or only at the request of the Presiding Member of that meeting, being mindful of not interfering with due process or the role of the Council's nominated delegate,
  - Act in accordance with the Shire's Code of Conduct,
  - If access to the meeting is generally available to the public, then an employee or Council Member attends only in the capacity of a private person and must make clear to the meeting that opinions or positions stated are their own and not those of Council,
  - Matters relating to the Development Assessment Panel fall outside the scope of this policy.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>ES0017</b>	<b>Fraud and Corruption</b>
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES017 Fraud and Corruption

### OBJECTIVES

To confirm that the Shire of Exmouth does not tolerate fraud and corruption.

### POLICY STATEMENT/S

All Council Members and employees of the Shire of Exmouth are required to observe the highest standards of ethics and integrity in undertaking their roles as custodians of the Shire's assets, financial resources, and information.

They are also expected to act in an honest and professional manner that reflects the high standard of the Shire.

Fraudulent activity and corruption are illegal and contrary to the Shire's organisational values.

The Shire will ensure that systems are in place to ensure that the potential for incidences of fraudulent or corrupt activities or behaviours are minimised. (NOTE: Whilst the Shire endeavours to foster a culture which upholds trust [honest and integrity], it must be recognised that not everyone within an organisation may share those values. In responding to this, the Shire will ensure that there is an effective internal control environment, supported by a positive organisational culture and effective leadership that is aimed at the prevention of fraud and corruption).

Council Members, employees and contractors working for the Shire are accountable for and have a role to play in corruption prevention and control. The Shire encourages all parties to disclose actual or suspected corrupt activity to the CEO. When identified, any suspected corrupt activity will be promptly notified and investigated, and where appropriate legal remedies are available under the law, they will be pursued.

All alleged incidences will be investigated thoroughly. Where appropriate, the Shire will protect the anonymity of those responsible for reporting the activity. This protection does not apply in the case of proven vexatious complaints and allegations.

In the event of a significant corrupt act being identified and referred to an external body (CCC, Public Sector Commissioner) both the Auditors and Council will be informed by the CEO in a timely manner through an appropriate mechanism.

Council acknowledges the primary role of employees in the prevention of fraud and corruption. To foster an appropriate fraud and corruption resistant culture, the organisation will implement fraud awareness training and adopt transparent and participative management practices that empower employees in their operational roles.

There will be suitable induction training to enhance fraud and corruption resistance. Awareness of the available reporting mechanisms and Public Interest Disclosure support will also be further reinforced through training programs. Training may be facilitated internally and/or via external providers.

### Roles and Responsibilities

#### Shire President and Council Members

The *Local Government Act 1995* provides the Shire President and Council Members with clear roles and responsibilities. In the context of this policy, the role of the Shire President and Council Members is to ensure that there are appropriate processes in place to reduce the risk of fraud and corruption.

The principal mechanism for this is the Audit Committee.

## CEO and Executive

The CEO and Executive will lead by example in a manner consistent with the value and principles detailed in Council's Code of Conduct. The CEO is required to notify the Corruption Commission if they reasonably suspect misconduct as defined by s4(a), (b) or (c) of the *Corruption, Crime and Misconduct Act 2003*.

The Executive will assume responsibility for fraud and corruption prevention to ensure that the fraud and corruption control strategies are implemented effectively across all works areas. Consideration of fraud and corruption issues will form part of both annual and longer term operational and business planning processes.

## Management

All Managers and Supervisors must recognise that fraud and corruption may occur in their area of responsibility.

Managers are to critically examine their areas of responsibility and business processes to identify and evaluate potential fraud and corruption risk situations. They are to develop and maintain fraud and corruption resistant work practices.

The following matters should be examined:

- a. The enforcement of existing financial management standards, policies and practices governing contracts and the supply of goods and services.
- b. The collection, storage, dealing, handling and dissemination of information,
- c. Segregation of functions especially in regulatory, financial accounting, procurement and cash handling areas,
- d. Employment screening and due diligence,
- e. Accuracy of timesheets submitted by employees within manager's responsibility,
- f. Work activities having limited supervision, or which are open to collusion and manipulation,
- g. Work practices associated with compliance and enforcement activities,
- h. Formal or structured reviews of accounting and administrative controls,
- i. The effectiveness of measures for reporting suspected fraud and corruption,
- j. The public interest disclosure protective measures,
- k. Workplace grievance practices,
- l. The promotion of positive values and the benefits of ethical business practices; and
- m. Measures to ensure quick and decisive action on all suspected fraud and corruption situations.

## All Shire Employees

All Shire Employees are responsible for the following:

- a. Acting appropriately when using official resources and handling and using public funds, whether they are involved with cash or payment systems, receipts or dealing with suppliers,
- b. Being alert to the possibility that unusual events or transactions could be indicators of fraud or corruption,
- c. Reporting details immediately if they suspect that a fraudulent or corrupt act has been committed,
- d. Cooperating fully with whoever is conducting internal checks, reviews, or investigations into possible acts of fraud or corruption.



# Council Policy

Shire of Exmouth



All Council offices who have any knowledge of fraudulent or corrupt activities/behaviour within Council have an obligation to report such matters to a manager/supervisor or the CEO.

## Audit Committee

Fraud related matters will be reported to Council’s Audit Committee via the CEO to ensure that a realistic view of Council’s exposure and the maturity of its systems to prevent, detect and respond to fraud are understood.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Corruption, Crime and Misconduct Act 2003</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>ES0018</b>	<b>Shire Social Media</b>
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES018 Shire Social Media

### OBJECTIVES

The objectives of this policy are to:

- a. Communicate and promote the Shire’s news, initiatives, events, and profile, and actively listen to the community’s views on local government matters.
- b. Actively engage with the community and raise the profile and public awareness of Shire business, services, public resources and facilities, and response/recovery actions in relation to natural events and emergencies.
- c. Strengthen the Shire reputation as being responsive, consultative, participatory, and transparent.
- d. Provide an appropriate framework for use of Social Media that aligns with the Shire’s Codes of Conduct.

### POLICY STATEMENT/S

This policy represents authorisation from the Shire President to the Chief Executive Officer pursuant to s5.41(f) of the *Local Government Act 1995* for Shire commentary to be conducted using social media under this policy framework.

Use of the Shire’s Social Media shall be limited to:

- a. Authorised Shire Representative as determined by the Chief Executive Officer in writing.
- b. The dissemination of information only unless otherwise approved by the Shire President or the Chief Executive Officer.
- c. Information from the Shire of Exmouth or from another agency or organization where the information relates to the response and recovery processes applicable to a natural event or an emergency.

An authorised Shire Representative may only disclose publicly available information (excludes confidential, proprietary, private, or legal matters) on social media, and must not cite, post, or reference material from a third party, although applicable to the Shire, without approval from that third party and their Executive Manager.

An authorised Shire Representative shall record all social media communications in the Shire central records system

A Shire representative must not publicly disclose any internal information via social media that may adversely affect the Shire’s customer relations or public image.

A Shire representative when using Social Media shall always be accurate and factual, respectful, and courteous, and mindful of:

- a. Their obligation of fidelity to the Shire,
- b. The Shire’s Code of Conduct,
- c. Possible implications under other legislation and common law (i.e. not illegal, libellous, discriminatory, defamatory, abusive or obscene); and
- d. Not bringing Council’s integrity into disrepute or harm the operations or reputation of the organisation.

# Council Policy

Shire of Exmouth



A Shire representative in using Social Media in their own personal time must not refer to or comment on local government business, activities, or other Shire representatives without first having obtained authorisation from the Shire President or Chief Executive Officer.

## Note

With Social Media having blurred the lines between people’s personal and professional time and space it is important to understand that the impact of a person’s social media presence can have repercussions in both their personal and professional lives.

While active Social Media interaction by Shire representatives in a personal capacity is accepted as a medium of advocacy and self-expression, it is important the use of Social Media engagement by a Shire Representatives does not harm the organisation, or its employee’s reputations.

It should be noted that a Shire representative found to have breached the provisions of this policy or pertinent legislation (including the Shire’s Codes of Conduct) may be subject to disciplinary action by the Shire.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	S 5.41 <i>Local Government Act 1995</i>
Relevant Delegation	N/A
<b>Review History</b>	
Date	Council Decision

ES0019 Public Relations - Media	
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES019 Public Relations – Media

### OBJECTIVES

To clarify the roles and responsibilities of individuals in relation to public relations/media.

### POLICY STATEMENT

The *Local Government Act 1995* provides that the role of the Shire President is to speak on behalf of the Local Government and accordingly, the Shire President is the official spokesperson for the Council.

If approached by the media for formal comment on any issues, Council Members and employees are in the first instance, to suggest that the media make direct contact with the Shire President as the Council’s official spokesperson.

When the media does not make direct contact with the Shire President and an employee is asked to respond/comment to the media, the employee should direct the enquiry to the Chief Executive Officer who will liaise with the Shire President, if possible, to determine who will respond/comment depending on the nature of the response/comment.

If the Shire President is unable to be contacted, the Chief Executive Officer will determine who is to respond and the nature of the response.

Without express authority from the Shire President, Council Members and employees are not to offer a Council/Shire view, attitude, stance etc. on any issue, this clearly being the function of the Shire President.

With approval of the Chief Executive Officer, employees may provide information only to the media.

A Council Member’s right to express an opinion on any issue of public interest is recognised.

Responsible Officer	Chief Executive Officer
Relevant Legislation	s2.8(10(d) <i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>ES0020</b>	<b>Council Members' Communications and Social Media</b>
Directorate	Executive Services
Adoption Date	New

## ES020 Council Members 'Communications and Social Media Policy

### OBJECTIVES

To establish protocols for communications and the use of social media by Council Members.

### SCOPE

This policy applies to Council Members when making comments in their role as a Councillor of the Shire of Exmouth or in a personal capacity.

### PRINCIPLES APPLYING TO THE USE OF SOCIAL MEDIA BY COUNCIL MEMBERS:

Communications by Council members via social media, whether undertaken in an official capacity or as personal communication, must not:

- a. bring the Shire into disrepute
- b. compromise the person's effectiveness in their role as a Councillor;
- c. imply the Shire's endorsement of personal views; or
- d. disclose, without authorisation, confidential information.

All correspondence generated and received by Council Members that relate to the business of Council is subject to the *State Records Act 2000*, the *Freedom of Information Act 1992*, and the Shire's Record Keeping Plan, and as such, must be retained within the Shire's corporate recordkeeping system.



**INFORMATION SHEET**

**State Records Office of Western Australia**

**Local Government Elected Members' Records:  
Which records to capture?**

The State Records Commission policy regarding the records of local government elected members requires the creation and retention of records of the:

*"...communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business."*

This policy applies regardless of a record's format or where it was received.

Elected members **must** create and keep records of communications or transactions, which convey information relating to **local government business or functions**. These records should be forwarded to the local government administration for **capture into the official recordkeeping system**.

**Which records should be captured?**

YES – forward to your local government administration	NO – do not need to be forwarded to your local government
<p><b>Communications from ratepayers</b>, such as:</p> <ul style="list-style-type: none"> <li>• complaints &amp; compliments;</li> <li>• correspondence concerning corporate matters;</li> <li>• submissions, petitions &amp; lobbying;</li> <li>• information for Council's interest relating to local government business activity &amp; functions.</li> </ul>	<p><b>Duplicate copies</b> – of Council meeting agenda, minutes &amp; papers.</p>
<p><b>Telephone, meetings &amp; other verbal conversations</b> – between an elected member and another party, regarding local government projects or business activities.</p>	<p><b>Draft documents or working papers</b> – which are already captured at the local government.</p>
<p><b>Work diaries</b> – containing information that may be significant to the conduct of the elected member on behalf of the local government.</p>	<p><b>Publications</b> – such as newsletters, circulars and journals.</p>
<p><b>Presentations and speeches</b> – delivered as part of an elected member's official duties.</p>	<p><b>Invitations</b> – to community events where an elected member is <b>not</b> representing Council or the local government.</p>
	<p><b>Telephone, meetings &amp; other verbal conversations</b> which:</p> <ul style="list-style-type: none"> <li>• convey routine information only;</li> <li><b>or</b></li> <li>• do not relate to local government business or functions.</li> </ul>
	<p><b>Electioneering</b> – or party political information.</p>
	<p><b>Personal records</b> – not related to an elected member's official duties.</p>

**Destruction of records:** return all records to the local government for authorized and legal destruction.

**More information:** contact your local government administration or  
**State Records Office of Western Australia**  
 Tel: 9427 3661 or Email: [sro@sro.wa.gov.au](mailto:sro@sro.wa.gov.au)

October 2013

## **STATEMENTS BY ELECTED MEMBERS ON SHIRE MATTERS:**

The Shire's official communications will be consistent with relevant legislation, policies, standards, and the position adopted by Council, notwithstanding this the following should be noted:

- Council Members may choose to make a personal statement on a matter related to the business of the Shire via social media and this record should be captured.
- Any public statement made by a Councillor, whether made in a personal capacity or in their capacity as a Councillor, must:
  - a. Clearly state that the comment or content is a personal view only and does not necessarily represent the views of the Shire and/or Council;
  - b. Be factually correct;
  - c. Avoid damage to the reputation of the local government;
  - d. Not compromise the person's effectiveness in their role as a Councillor;
  - e. Not reflect adversely on a decision of the Council;
  - f. Not reflect adversely on the character or actions of another Councillor or Employee;
  - g. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor, Employee, or community member;
  - h. Must be captured and retained in the Shire's record keeping system.

## **PERSONAL COMMUNICATIONS:**

Communications posted on personal social media accounts have the potential to be made public, whether it was intended to be made public or not, as according to the terms and conditions, the content you create is the property of the site where it is posted and so may be re-used in ways which have not been intended. Council Members must ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct, and the *Local Government (Rules of Conduct) Regulations 2007*.

**Use of Images:** When posting images of other people on their social media pages, Councillors should ensure they have the consent, preferably in writing, of those people. In the case of minors, Councillors should ensure they have signed written consent from the child's parent/ guardian prior to posting any images.

**Record Keeping:** Communications relating to matters affecting the Shire undertaken by Council Members via social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan, Policy ES007 Record Keeping by Councillors and Employees, and Data Migration and the *State Records Act 2000*. These records are also subject to the Freedom of Information Act 1992

## **MEDIA RELATIONS:**

In accordance with section 2.8(1)(d) of the *Local Government Act 1995*, only the Shire President may speak on behalf of the Shire as the official spokesman on Council decisions. If the Shire President is unavailable or unable to speak on behalf of the Shire, the Shire President must nominate another authorised spokesperson such as the Chief Executive Officer, and/or an Council Member.

*Note: According to ES021 Public Relations – Media the CEO can speak on the day-to-day management of the Shire, and, on behalf of the Council if approved by the Shire President. If the Shire President is unable to be contacted, the Chief Executive Officer will determine who is to respond and the nature of the response.*

An Council Member who wishes to make or has been approached by the media to make a "personal statement" relating to a Council decision or a local ward issue, including the use of Council Members portrait photograph, must comply with Council Policy and relevant statutes and receive prior authorisation from the Shire President or unless it is expressly authorised by a Council decision.

# Council Policy

Shire of Exmouth



All media enquiries, requests for interviews or statements are to be referred to the Chief Executive Officer, or his/her delegate, in the first instance, who will advise the most appropriate response and/or action.

Council Members have a legal duty of fidelity to act in the best interests of the Council and the Shire and must not make public statements that are critical of a Council decision or cause detriment to the Shire or an employee (including the Chief Executive Officer and Executive Managers).

## **ELECTED MEMBER CORRESPONDENCE:**

Correspondence from individual Council Members (other than the Shire President) using their issued letterhead (if issued) is not to be construed as official correspondence of the Shire and only reflects the personal views of the respective Elected Member.

The Shire President's letterhead is used by the Shire President in his or her capacity as the elected leader of the Shire. Shire President correspondence and invitations to civic functions will be issued on the Shire of Exmouth's letterhead. When the Shire President is providing technical information to correspondents on behalf of the Shire, the Chief Executive Officer, or delegate will draft the correspondence or that section of the correspondence on behalf of the Shire President.

Where the Shire is responding to correspondence on behalf of an Council Member(s) a copy of that response is to be provided to the Council Member for information. All correspondence generated and received by Council Members that relate to the business of Council is subject to the *State Records Act 2000*, the *Freedom of Information Act 1992*, and the Shire's Record Keeping Plan, and as such must be retained within the Shire's corporate recordkeeping system.

## **DEFINITIONS:**

**Employee** means all employees but does not include the Chief Executive Officer and Executive Managers

**Record Keeping Plan** means the Shire's Recordkeeping Plan in accordance with the *State Records Act 2000*.

**Media** any company, association, platform where mass communication (broadcasting, publishing, and the internet) is regarded collectively.

## **Relevant management practices/documents**

Shire of Exmouth Council Policy Manual.

Shire of Exmouth Council Member Code of Conduct for Councillors, Committee Members, and Candidates for Elections.

Shire of Exmouth Employee Code of Conduct.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Local Government Act 1995</i> <i>Local Government (Rules of Conduct) Regulations 2007</i> <i>State Records Act 2000</i> <i>Freedom of Information Act 1992</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision



ES0021	Gratuity
Directorate	Executive Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## ES021 Gratuity

### OBJECTIVES

When an employee leaves their employment or is made redundant, they may be given a good or service as a token of appreciation for their commitment and service to the Shire of Exmouth

This Gratuity policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the *Local Government Act 1995* and *Local Government Administration Regulations 1996*, specifically regulation 19a. A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy does not form a contractual entitlement for any employee of the Local Government.

### POLICY STATEMENT/S

The Shire of Exmouth is committed to recognising long serving employees within the parameters set by the *Local Government Act 1995* and the associated regulations.

### Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Local Government for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Shire of Exmouth for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy.

The Chief Executive Officer is authorised to approve payments in accordance with the limits prescribed by this policy. Funds will be allocated as part of the Local Government's budget preparation process and unexpended amounts will be returned to general revenue.

### Prescribed Amounts for Gratuity Payments

Number of Years' Service	Amount of Gratuity
Continuous service between 2 years to 5 years	Morning tea (max. value \$100) and a contribution of \$150 towards a gift will be provided by Council.
Continuous service between 5 years to 10 years	Morning tea (max. value \$100) and a contribution of \$200 towards a gift will be provided by Council.
Continuous service greater than 10 years	Morning tea (max. value \$100) and a contribution of \$250 towards a gift will be provided by Council.

After 10 years continuous service, additional funds will be at the discretion of the Chief Executive Officer.

Gift preference to be an item representing the Shire of Exmouth i.e. art, photos etc.

## **Acknowledgement**

The Shire of Exmouth acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by legislation or a relevant industrial instrument. The Shire of Exmouth has considered these provisions when setting the prescribed amount of any gratuity payment in this policy.

## **Determining Service**

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate leave, accrued paid personal leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, continuous service shall not include:

- Any period of unauthorised absence from duty unless Shire of Exmouth determines otherwise;
- Any period of unpaid leave unless the Shire of Exmouth determines otherwise; or
- Any period of absence from duty on parental leave unless the Shire of Exmouth determines otherwise.

## **Financial Liability for Taxation**

The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Shire of Exmouth in relation to any claims or liabilities for taxation in relation to the gratuity payment.

## **Payments in addition to this Policy**

The Shire of Exmouth agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Shire of Exmouth has caused local public notification to be given in relation to the variation.

## **Financial Implications**

The Shire of Exmouth acknowledges that at the time the policy was introduced, the financial implications to the Shire of Exmouth were understood and that these financial implications had been investigated based on the workforce position current at that time.

The Shire of Exmouth will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

## **Consequences for Breaching this Policy**

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment. Any breaches of the policy may lead to disciplinary action.

## **Variations to this Policy**

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

For Council Adoption

Responsible Officer	Chief Executive Officer
Relevant Legislation	s 5.50 <i>Local Government Act 1995</i> <i>Local Government Administration Regulations 1996</i> r 19A
Relevant Delegation	N/A
Review History	
Date	Council Decision

## CORPORATE SERVICES (CS)

CS001	Procurement
Directorate	Corporate Services
Adoption Date	10/10/2017
Last Review Date	15/12/2022

### CS001 Procurement

#### PURPOSE

To ensure a best practice approach to procurement which promotes transparent, equitable and competitive purchasing practices for the Shire of Exmouth (Shire) and is compliant with the *Local Government Act 1995 (Act)* and the *Local Government (Functions and General) Regulations 1996 (Regulations)*.

#### OBJECTIVES

The objectives of this policy are to ensure that all purchasing activities:

- Achieve best value for money outcomes for the Shire
- Foster economic development by maximising participation of local businesses in the delivery of goods and services
- Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire's Policies and procedures;

#### ETHICS & INTEGRITY

The highest standards of ethics and integrity are to be observed in undertaking all purchasing activities. Employees will act in an honest and professional manner that supports the standing of the Shire and promotes a proud and collaborative community.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties.

- Full accountability shall be taken for all purchasing decision and the efficient, effective and proper expenditure of public monies based on achieving value for money.
- All purchasing practices shall comply with relevant legislation regulations, and requirements consistent with Council policies, values and Code of Conduct.
- Purchasing is to be undertaken in a competitive basis in which all potential suppliers are treated impartially, honestly and consistently.
- All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, record keeping practices and audit requirements.
- Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed.
- Any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorised by the supplier or under relevant legislation.

#### VALUE FOR MONEY

Value for money is an overarching principle governing purchasing, that allows the best possible outcome to be achieved for the Shire.

Value for money is determined when the consideration of price, risk and quality factors that are assessed to determine the most advantageous outcome to be achieved for the Shire.

As such, purchasing decision must be made with greater consideration than obtaining lowest price, but also to incorporate quality and risk factors into the decision.

An assessment of the best value for money outcome for any purchasing process should consider:

- a. All relevant whole-of-life costs and benefits, whole of life cycle costs (goods) and whole of contract life costs (for services) including; transaction costs associated with acquisition, delivery, distribution, as well as other costs, but not limited to; holding costs, consumables, deployment, maintenance and disposal;
- b. The technical merits of the goods or services being offered in terms of compliance with specifications, user requirements, quality standards, sustainability, service benchmarks, contractual terms and conditions, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, and any relevant methods of assuring quality.
- c. financial viability and capacity to supply without the risk of default, (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- d. The economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit; and
- e. A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable; and
- f. Local business capability, capacity, reliability, reputation and previous experience.

## REGIONAL PRICE PREFERENCE POLICY

(Refer to Policy CS002): - As much as practicable, the Shire must:

- a. Where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;
- b. Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- c. Ensure that procurement plans address local business capability and local content;
- d. Explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- e. Avoid bias in the design and specification for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and
- f. Provide adequate and consistent information to potential suppliers.

## PURCHASING REQUIREMENTS

### 6.1 Legislative/Regulatory Requirements

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed with the *Local Government (Functions and General) Regulations 1996* and this policy.

### 6.2 Policy

Purchasing that is \$250,000 or below in total value (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined under Section 6.4 of this Procurement Policy.



Purchasing that exceeds \$250,000 in total value (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under Section 6.4.1 of this Procurement Policy is not deemed to be suitable.

### 6.3 Defining the Purchasing Value

Determining purchasing value is to be based on the following considerations:

#### Exclusive of GST

The actual or expected value of a contract over the full contract period, including all options to extend; or to the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is, or could be, reasonably expected to be purchased.

Must incorporate any variation to the Scope of purchase and be limited to a 10% tolerance of the original purchasing value.

### 6.4 Procurement Thresholds and Requirements

The following procedures will be adhered to when purchasing items and other services and goods as per the adopted budget.

Note that purchase orders are not required to be raised for the following items:

- a. Fuels – bulk fuel purchases require a Purchase Order
- b. Credit Card Purchases
- c. Utilities
- d. Manual Cheque requests for reimbursements
- e. Pre-Employment Medicals

Note that the following will not be subject to sourcing three quotes or undertaking a Formal RFx process:

- a. Legal advice
- b. Insurance premiums purchased through LGIS.  
The suite of LGIS insurances are established in accordance with S.958(6)(b) of the *Local Government Act 1995* and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required (i.e. a Tender process to be undertaken)
- c. Single proprietary IT Software (Microsoft, Windows)
- d. Human Resources recruitment services.

All purchase orders are to be completed as set out below:

Purchase Threshold (ex GST)	Value	Purchasing Practice Requirements
Up to \$10,000 (ex GST)		Purchase directly from a supplier using a Purchase Order or Corporate Credit Card.

Purchase Threshold <i>(ex GST)</i>	Value	Purchasing Practice Requirements
From \$10,001 and up to \$50,000 <i>(ex GST)</i>		<p>Seek a minimum of three (3) written quotations.</p> <p>Confirmed via Purchase Order</p> <p>The purchasing decision is to be based upon assessment of the suppliers' responses to:</p> <ul style="list-style-type: none"> <li>• a brief outline of the specified requirement for the goods; services or works required; and</li> <li>• Value for Money criteria, not necessarily the lowest quote.</li> </ul> <p>Quotations from \$30,000 must be sought in conjunction with the Shire's Procurement Team, confirmed via Contract/ Agreement <b>as well as</b> Purchase Order.</p>
From \$50,001 and up to \$250,000 <i>(ex GST)</i>		<p>Seek a minimum of Three (3) written responses from suppliers by invitation under a formal Request for Quotation.</p> <p>Confirmed via Purchase Order and Contract/Agreement.</p> <p>The purchasing decision is to be based upon assessment of the supplier's response to:</p> <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required; and</li> <li>• pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul>
Over <i>(ex GST)</i>	\$250,000	<p><b>Conduct a Public Tender process</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire Policy and procedures.</p> <p>OR</p> <p>Seek a minimum of three (3) written quotations from suitable suppliers if purchasing from a WALGA PSA, CUA.</p> <p>Council approval is required for procurement over \$499,999.</p>
Emergency Purchases <i>(Within Budget)</i> Refer to Clause 1.4.3		<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.</p>
Emergency Purchases <i>(No budget allocation available)</i>		<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must</p>

Purchase Threshold ( <i>ex GST</i> )	Value	Purchasing Practice Requirements
Refer for Clause 1.4.3		<p>authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p> <p>The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.</p>

### 6.4.1 Procurement Exemptions

The Shire is exempt from publicly inviting tenders when procurement meets any of the requirements outlined under regulation 11(2) of the Local Government (Functions and General) Regulations 1996 (WA).

### 6.4.2 Minor Purchases

#### Petty Cash

Petty cash is used to meet the need for the procurement of small incidental goods and urgent situations and is limited to \$50 per individual transaction.

### 6.4.3 Standing Orders

Standing orders relate to entering into an agreement with a local supplier to deliver a good or service for a specific time period or till 30<sup>th</sup> June each financial year. This type of order is issued to cover goods and services required by Council on a continual basis throughout the financial year.

Standing orders should be issued annually with the budget review and a new order raised at the beginning of the financial year based on an approved budget or short-term contract.

### 6.4.4 Purchasing Practice and Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 6.4, determines the Purchasing Practice to be applied to the Shire’s purchasing activities.

All staff that have purchase order authorisation must successfully complete the WALGA E-Learning Procurement Package or alternative procurement package as stipulated by the Procurement Section. Until such time as this has been completed successfully staff will not have access to authorise purchase orders.

Staff that are in positions that have authority to raise Purchase Orders of \$5,000 or over will be required to complete the six modules, the Foundation Knowledge and Practical Knowledge Quiz. Staff that are in positions to raise Purchase Orders of up to \$5,000 are required to undertake the first three modules and Foundation Quiz only.

#### **Purchase orders must not be raised retrospectively.**

#### Purchasing Thresholds

The Chief Executive Officer is authorised to approve purchase orders for the purchasing of goods and services and may, at his or her discretion, authorise officers to approve purchase orders for goods and services, together with set expenditure limits and other conditions as deemed necessary for each officer.

A purchase order can only be authorised by the following designated *authorised officers* for each Department:



Position	Threshold
<b>Chief Executive Officer</b>	May authorise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Policy, to the maximum value of \$500,000.
<b>Executive Managers</b>	May authorise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy to the maximum value of \$50,000.  <i>*Only the Chief Executive Officer and Executive Managers are authorised to sign Capital Expenditure Purchase Orders.</i>
<b>Managers</b>	May authorise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy to the maximum value of \$25,000.
<b>Other Authorised Officers</b>	May raise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy to the maximum value of \$5,000.

## 6.4.5 Capital Purchases

Capital purchases are defined within the annual budget as endorsed by Council. Capital purchases can only be authorised by the relevant Chief Executive Officer or Executive Manager or within their respective financial delegation.

## 6.4.6 Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- a. A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- b. A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); OR
- c. A State of Emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

## 6.4.7 Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [*F&G Reg.21*] where the required supply evidences one or more of the following criteria:

- (a) Unable to sufficiently scope or specify the requirement;
- (b) There is significant variability for how the requirement may be met;
- (c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (d) Subject to a creative element; or

- (e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

#### **6.4.7 Unique Nature of Supply (Sole Supplier)**

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- a. purchasing value is estimated to be over \$10,000 and limited to \$250,000; and
- b. purchasing requirement has been documented in a detailed specification; and
- c. specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- d. market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

#### **6.4.8 Anti-Avoidance**

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

Anti-avoidance activities are in breach of the Shire's Code of Conduct and Regulations and reportable to the Public Service Commission.

#### **6.4.9 Contract Renewals, Extensions and Variations**

Where a contract has been entered into as the result of a publicly invited tender process, then Functions and General Regulation 21A applies.

For any other contract, the contract must not be varied unless

- a. The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- b. The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire is required to review the purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

## **7 SUSTAINABLE PROCUREMENT**

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices.

The Shire will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved social and local economic outcomes.

Sustainable Procurement can be demonstrated as being internally, or externally focussed.

## 7.1 Local Economic Benefit

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire will:

- a. consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- b. consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- c. ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- d. explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- e. avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- f. consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- g. provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

## 7.2 Socially Sustainable Procurement

The Shire will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

### a. Aboriginal Businesses

*Functions and General Regulation 11(2)(h)* provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australian Limited, ABN 96 929 977 985, or a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), ABN 50 134 720 where the expected consideration under contract is worth \$250,000 or less.

This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses or businesses that demonstrate a high level of aboriginal employment.

## **b. Australian Disability Enterprises**

*Functions and General Regulation 11(2)(i)* provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise, as registered on [www.ade.org.au](http://www.ade.org.au).

This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

## **8 RECORD KEEPING**

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

## **9 PURCHASING POLICY NON-COMPLIANCE**

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision-making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire's policies and procedures.

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Executive Manager Corporate Services.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- (c) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

## **10 PAYMENT OF GOODS & SERVICES**

To process efficiently and effect timely payments for goods and services purchased, purchase orders and invoices will be returned to staff and suppliers until satisfying policy and ATO requirements. This includes clearly stating the correct Shire purchase order number on an invoice submitted for payment.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	<p>s3.57 of LGA, Regulation 11A of Functions &amp; General Regulations Local Government (Functions and General) Regulations 1996 Regulation 11 and Regulation 18(4) <i>Local Government Act 1995</i> (“the Act”) and the Local Government Act (Functions and General) Regulations 1996 (“the Regulations”). <i>State Records Act 2000</i> (WA) and associated records management practices and procedures of the Shire of Exmouth. Relevant legislation, regulations, and requirements consistent with the Shire of Exmouth’s policies and Codes of Conduct</p>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

CS002	Regional Price Preference
Directorate	Corporate Services
Adoption Date	18/06/2014
Last Review Date	15/12/2022

## CS002 Regional Price Preference Policy

### OBJECTIVES

To maximise the use of competitive local business in the procurement of goods and services and to encourage employment of local people to encourage economic growth within the town and the region.

### POLICY STATEMENT/S

#### Definitions

A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this part if:

- (a) That supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
- (b) Some or all the goods or services are to be supplied from regional sources.

#### Region/Prescribed Area



The local government area of the Shire of Exmouth.

A price preference will apply to quotations of \$5,000 value or greater and all tenders invited by the Shire of Exmouth, for the supply of goods and services and construction services, unless the Council resolves that this policy not apply to a particular quotation or tender.

#### Price Preference

A preference will be given to a regional tenderer/ respondent by assessing their tender/ quotation as if the price bids were reduced by:

- a. 10% (up to a maximum of \$50,000 excluding GST)) for goods and services,
- b. 5% (up to a maximum price reduction of \$50,000 (excluding GST)) for construction (building); or
- c. 10% to businesses located within the Shire of Exmouth (Prescribed Area) for the supply of goods or services, including construction (building) services, up to a maximum price reduction of \$500,000, if the Council is seeking

# Council Policy

Shire of Exmouth



tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Council.

## Regional Business Preference

This preference enables businesses/contractors within local governments in the Prescribed Area to claim a price preference for their whole bid, regardless of the origin of the labour or materials, as all labour and materials are deemed to be regional content.

The price of the bids from the local businesses/contractors will be reduced (for evaluation purposes only), by the amounts set out in this Policy.

## Regional Content Preference

This preference provides an incentive for businesses/contractors outside the Prescribed Area to purchase goods, services, and construction from within the Prescribed Area.

The preference applies to the value of the goods, materials or services purchased from within the Prescribed Area and used in the Shire of Exmouth and are referred to as "Regional Content".

Businesses:

- outside the Prescribed Area, who claim that they will use regional businesses (Regional Content) in the delivery of the contract outcomes, may be required, as part of the contract conditions, to demonstrate that they have used them.
- wishing to claim a price preference must complete a preference questionnaire/response form that is distributed with each quotation of \$5,000 value or greater and which is also included in tender documentation.

Eligible businesses must clearly state their full business location and postal address.

Price is only one factor to be considered when assessing quotations and tender submissions.

## Seeking Regional Price Preference Consideration and Proof of Eligibility

Regional tenderers or respondents to requests for quotations must indicate in writing that they wish the regional price preference to be considered in any one tender or quotation process.

Suitable proof of eligibility must be submitted with the tender or quotation process.

A supplier of goods or services who submits a tender is regarded as being a regional tenderer for the purposes of this Part if —

- a. that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or
- b. some or all the goods or services are to be supplied from regional sources.

## Application of the Levels of Preference

The prices for goods and services submitted by an eligible business, contractor or supplier as defined in this policy may be either wholly supplied from within the prescribed area as the region or partly supplied from within the prescribed area as the region.

Only those goods or services supplied from within the prescribed area as the region will be included in the discounted calculations that form part of the assessment of a tender or proposal when this policy is in operation.

## Consideration in an RFQ or Tender Process.

The Regional Price preference is an input into a procurement process only and is a part of a wider process of assessing price and performance under qualitative criteria.

The tender/ quotation process overall will determine what is the best procurement outcome for the Shire of Exmouth.

For Council Adoption

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	<i>Local Government (Functions and General) Regulations 1996 Part 4A s 3.57Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/02/2018	03-0218
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



CS003	Risk Management
Directorate	Corporate Services
Adoption Date	18/09/2014
Last Review Date	15/12/2022

## CS003 Risk Management

### OBJECTIVES

To provide evidence of Council’s commitment to appropriate and effective risk management, internal controls and legislative compliance and their importance to the organisation.

The Shire of Exmouth’s (Shire) intention is to identify potential risks before they occur so that impacts can be minimised or opportunities realised; ensuring that the Shire achieves its strategic and corporate objectives efficiently, effectively and within good corporate governance principles.

The policy will assist the organisation in addressing the risk of material misstatement of financial information, fraud and corruption, misappropriation of funds and loss of physical assets and ensure that Council meets its obligation under the *Local Government Act 1995*, Regulations, and other legislation.

The Shire is committed to ensuring integrity and ethics are of great importance for all Council Members and staff whilst fulfilling their obligations to ensure compliance with all legislation applying to local government.

### POLICY STATEMENT/S

#### Definitions

Risk: Effect of uncertainty on objectives. A risk is often specified in terms of an event or circumstance and the consequences that may flow from it.

Note 1: An effect is a deviation from the expected – positive or negative.

Note 2: Objectives can have different aspects (such as financial, health and safety and environmental goals) and can apply at different levels (such as strategic, organisation-wide, project, product, or process).

Risk Management: Coordinated activities to direct and control an organisation regarding risk.

Risk Management Process: Systematic application of management policies, procedures, and practices to the activities of communicating, consulting, establishing the context, and identifying, analysing, evaluating, treating, monitoring, and reviewing risk.

An effect may be positive, negative, or a deviation from the expected.

#### Risk Management Principles and Framework

The Shire of Exmouth considers risk management to be an essential management function in its operations and is committed to the principles, framework, and process of managing risk. The Shire’s Risk Management Policy in conjunction with the components of the Risk Management Framework sets out the Shire’s commitment to the identification, assessment, management, reporting and monitoring of risks as outlined in AS/NZS ISO 31000:2018 Risk management – Guidelines.

#### Risk Management Objectives

The Councils key objectives in relation to risk management include:

- The achievement of organisational goals and objectives,

- The ongoing health and safety of all employees and contractors at the workplace,
- Ensuring public safety within the Council's jurisdiction is not compromised,
- Limited loss or damage to property and other assets; (e) Limited interruption to business continuity,
- Positive public perception of Council and the Shire; and
- Application of equal opportunity principles in the workforce and the community.

## Responsibilities within the Organisation

The Council is responsible for mandating that a strong risk management framework be implemented to ensure Council objectives are achieved efficiently and effectively and that good governance is present in the organisation.

The CEO is responsible for developing and maintaining a risk management framework and will report regularly to the Audit Committee and Council on the review and improvement to Council's risk management framework.

All employees are accountable for documenting and implementing systems, controls, processes, and procedures in their own area of responsibility and will play a part in internal control in differing degrees.

A monitoring and reporting process/system will be implemented which will provide reports to management, the Audit Committee and Council on the status of Risk Management, Internal Controls and Legislative Compliance within the Shire and which will identify the need for specific areas for review.

The following points provide detail on the objective specifics:

- Aligns with and assist the implementation of all Shire policies.
- Optimises the achievement of the Shire's vision, mission, strategies, goals, and objectives.
- Provides transparent and formal oversight of the risk and control environment enabling effective decision making.
- Enhances risk versus return within the Shire's risk appetite.
- Embeds appropriate and effective controls to mitigate risk.
- Achieves effective corporate governance and adherence to relevant statutory, regulatory and compliance obligations.
- Enhances organisational resilience.
- Identifies and provides for the continuity of critical operations.
- To implement a risk-based approach to addressing and reducing the risk of loss caused by fraud, error, or misstatement.
- To protect the Shire's assets – people, property, reputation, financial sustainability and information.
- Continually audit, identify system gaps and improve internal controls maintained.
- To ensure propriety of transactions, information integrity, compliance with regulations and achievement of Council objectives.
- Develop and maintain a system for identifying the legislation that applies to the Shire's activities.
- Assign responsibilities for ensuring that legislation and regulatory obligations are fully addressed.
- Provide training for relevant employees, Council Members, volunteers, and other relevant people regarding the legislative requirements that affect them.
- Provide people with the resources to identify and remain up to date with new legislation.
- Ensure audits are conducted to guarantee compliance.
- Establish mechanisms for reporting non-compliance. 1
- Review accidents, incidents, and other situations where there may have been non-compliance.
- Review audit reports, incident reports, complaints, and other information to assess how the systems of compliance can be improved.

## Informing Council of Legislative Changes

If appropriate, the CEO will, on receipt of advice of legislative amendments, advise the Council on new or amended legislation.

The Shire's format for all reports to Council meetings provides that all reports have headings "Statutory Environment" and "Policy Implications" which shall detail the current sections of any Act, Regulation or other legislation and any current Policy that is relevant to the report before Council.

## Reporting of Non-compliance

All instances of non-compliance shall be reported immediately to the relevant Supervisor/Manager/Executive Manager.

The Supervisor/Manager/Executive Manager shall determine the appropriate response and, if necessary, report the matter to the CEO.

The CEO may investigate any reports of significant non-compliance and if necessary, report the non-compliance to the Council and/or the Department of Local Government and Communities. The CEO will then take the necessary steps to improve compliance systems.

## Review of Incidents and Complaints of non-compliance

The Shire shall review all incidents and complaints of non-compliance in accordance with Council Complaints Handling procedures, the Shire Code of Conduct and where applicable the Shire Public Interest Disclosure Procedure. Such reviews will assess compliance with legislation, standards, policies, and procedures that are applicable.

## Risk Acceptance

The Shire quantified its risk acceptance criteria through the development and endorsement of the Shire's Risk Assessment and Acceptance Criteria. The criteria is included within the Risk Management Framework and is subject to ongoing review in conjunction with this policy.

All organisational risks to be reported at a corporate level are to be assessed according to the Shire's Risk Assessment and Acceptance Criteria to allow consistency and informed decision making.

For operational requirements such as projects or to satisfy external stakeholder requirements, alternative risk assessment criteria may be utilised, however these cannot exceed the organisation's risk acceptance criteria and are to be noted within the individual risk assessment.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	CI 17 Local Government (Audit) Regulations 1996
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



<b>CS004</b>	<b>Corporate Credit Cards</b>
Directorate	Corporate Services
Adoption Date	10/10/2017
Last Review Date	15/12/2022

## CS004 Corporate Transaction Cards

### OBJECTIVES

To provide a clear framework to enable the use of corporate credit cards by Shire employees.

### POLICY STATEMENT/S

This policy applies to all officers issued with a corporate credit card. It documents the responsibilities attached to the issue and acceptable use of these cards.

Credit cards assist in achieving efficiencies in the purchasing and payment process as:

- They reduce the administration required to process and pay for purchases.
- They provide a more flexible payment toll in order to enhance daily purchasing processes.

These advantages result in prompt payment of suppliers, reduction in paperwork, improved cash management and greater convenience.

Monthly Credit Card limits:

- Chief Executive Officer \$15,000
- Executive Managers (individually) \$10,000

Corporate credit cards are issued on the following conditions:

1. The corporate credit cards are to be kept secure and within the cardholder’s care and control at all times.
2. Corporate credit cards limits are not to be exceeded.
3. No splitting of payments or purchases to avoid compliance with the Procurement Policy or to negate limits or conditions applicable to the cardholder.
4. The corporate credit cards are to be used for official purposes and will not be used for personal expenses.
5. The use of the corporate credit cards shall not personally benefit card holders or be tied to any type of reward systems that provides cardholders with any personal benefit or reward.
6. Any misuse of the corporate credit cards may be withdrawn, and disciplinary action may be instigated. Cardholders must be aware that prosecution may be the consequence of fraudulent misuse of the card.
7. Purchases are to be made in accordance with the Procurement Policy, and associated Procedures.
8. If the corporate credit card is lost or stolen the issuing bank is to be contacted and finance department is to be made aware immediately.
9. Corporate credit cards are not to acquire cash.
10. Inappropriate purchases, even based on them being operationally related, may be recoverable from the cardholder. The cardholder is required to conclude that purchases are fair and reasonable business expenses.
11. Hospitality expenditure may only occur when it is authorised by the Chief Executive Officer.
12. Cardholders responsibilities, as outlined by the card provider are to be met at all times.
13. The cardholder is responsible to pursue and resolve incorrect charges (as due to privacy legislation, only the cardholder can initiate any request for information from the bank).
14. All relevant documentation regarding each transaction is retained by the cardholder and transactions are to be acquitted and reconciled monthly.

# Council Policy

Shire of Exmouth



15. The Chief Executive Officer has authorisation to increase the value of the corporate credit cards at times where a card is cancelled.

Where a transaction card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity:

- the number of persons entertained,
- the names of any employees in that number; and
- the purpose of providing the entertainment or hospitality.

### Cardholder Agreement

- All cardholders are to sign the corporate credit card agreement.
- failure to comply with any of these requirements could result in the card being withdrawn from the employee.
- in the event of loss or theft through negligence or failure to comply with this Policy any liability arising may be passed on to the cardholder.

### Misuse, Misconduct and Fraudulent Use

Any alleged misuse of transaction cards will be investigated and may be subject to disciplinary procedures.

Where there is reasonable suspicion of misconduct or fraudulent activity arising from transaction card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the *Public Sector Management Act 1994* and the *Corruption, Crime and Misconduct Act 2003*.

### Disputed Transactions

- the Shire is responsible for paying all accounts on the monthly card statement and the bank processes a direct debit from the Shire's operating bank account for such.
- when a Cardholder believes that charges are incorrect, they should first contact the supplier to determine the causes of the discrepancy and if necessary, the Finance Department will notify the bank in writing.
- any amounts in dispute must be highlighted on the copy of the Cardholders statement and a copy of the written notification to the bank attached.

### Review of Card Use

All receipts and documentation will be reviewed and any expenses that do not appear to represent fair and reasonable business expenses shall be referred to the Chief Executive Officer for a decision.

Responsible Officer	Executive Manager Corporate
Relevant Legislation	<i>Reg 11(1)(a) Local Government (Financial Management) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620

26/11/2020	03-1120
30/06/2022	02-0622

CS005 Rates Charges	
Directorate	Corporate Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## CS005 Rates Charges

### OBJECTIVES

To provide equitable approaches for ratepayers in settling payment of their rates.

### POLICY STATEMENT/S

In accordance with the *Local Government Act 1995*, charges relating to rates may be paid using instalments options within a prescribed timeframe. If payments are made outside the required timeframes, penalty interest rates will apply.

Furthermore, if a payment option and/or a payment arrangement are made with the Council then administration charges will apply. The administration charge on Pre-paid Direct Debit arrangements will be a one-off basis where the direct debit continues into the following year.

The following payments options, timeframes, discounts, charges, and interest rates shall apply to rates, overdue payments and payment options.

#### Payment Options

Option 1 - One payment in full, consisting of rates and other Charges and due 35 Days following issue of rate notice.

Option 2 – Two Payments (50% each) and due by: 1st Instalment 35 Days following issue of rate notice 2nd Instalment 98 Days after due date of 1st Instalment.

The Shire must provide an option for four equal instalments and where a ratepayer elects to pay by instalments, an interval of at least 2 months must be given between the second and subsequent instalments.

1st Instalment due 35 Days following issue of rate notice

2nd Instalment due 63 Days after due date of 1st Instalment

3rd Instalment due 63 Days after due date of 2nd Instalment

4th Instalment due 63 Days after due date of 3rd Instalment

#### Late Payment Interest

A late payment interest charge is payable on outstanding rates and charges calculated at a rate set in the annual budget.

The late payment interest charge will apply to all current rates and charges remaining unpaid 35 days from the date of issue of the rate notice. Interest will be calculated and updated daily.

Unpaid rates and charges from previous years, i.e., rate arrears, will also attract late payment charges, calculated at the rate set in the annual budget if they remain unpaid.

#### Instalments and Arrangements Administration Fees and Interest Charges

# Council Policy

Shire of Exmouth



The Council may impose administration fees and interest charges for payment of rates and charges by instalments.

Interest charges and administration fees will be at a rate set in the annual budget.

## Direct Debit Option

An administration fee at a rate set in the annual budget will be charged on setting up of this option. Ongoing deductions will not incur any further administration charge in subsequent rating years.

No interest is charged on this option.

For Council Adoption

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision

For Council Adoption



CS006	Investments
Directorate	Corporate Services
Adoption Date	20/09/2012
Last Review Date	15/12/2022

## CS006 Investments

### OBJECTIVES

To:

- undertake authorised investment of surplus funds after assessing credit risk and diversification limits.
- maximise earnings from authorised investments and ensure the security of Council funds.

### POLICY STATEMENT

Authorised Institution - means an Australian registered bank in accordance with the Banking Act.

#### Authority for Investment

All investments are to be made in accordance with:

- *Local Government Act 1995* - Section 6.14.
- The *Trustees Amendment Act 1997* - point 6, re: Part III -Investments.
- *Local Government (Financial Management) Regulations 1996* – Reg 19
- Australian Accounting Standards Board (AASB)

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

Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguard the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.

The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

The investment is expected to achieve a predetermined market average rate of return that considers the council's risk tolerance.

Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

#### Approved Investments

With approvals from Council, investments are limited to:

- State/Commonwealth Government Bonds with a term of maturity not exceeding three years,
- Fixed term deposits placed with an authorised institution not exceeding three years,
- Interest bearing deposits placed with an authorised institution
- Funds managed by fund managers having a credit rating of A2 or higher (Standard & Poor's, (S&P) Australian Ratings).

#### Prohibited Investments

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

- Derivative based instruments,

# Council Policy

Shire of Exmouth



- Principle only investments or securities that provide potentially nil or negative cash flow, and
- Stand-alone securities issued that have underlying futures, options, forward contracts, and swaps of any kind,
- The use of leverage (borrowing to invest) of any investment. However short-term investing of loan proceeds where the loan is raised for non-investment purposes and there is a delay prior to the spending occurring.
- Deposits with any institution other than an authorised institution.
- Investment in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
- Investment in bonds with a term of maturity of more than three years.
- Investment in a foreign currency

## Guidelines

Ethics and conflict of interest.

Officers will refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. This policy requires officers to disclose any conflict of interest to the CEO.

## Diversification/Credit Risk

The amount invested with any one financial institution or managed fund should not exceed the following percentages of average annual funds invested. When placing investments, consideration should be given to the relationship between credit rating and interest rate.

Long term	Short term	Maximum	Counterparty
AAA – AA	A1+	100%	50%
A	A1	75%	50%
BBB	A2	50%	20%

## Risk Management Guidelines

Investments are to be considered in light of the following criteria:

- Preservation of Capital – avoiding losses in an investment portfolio
- Credit Risk – Risk of loss that a party or guarantor will fail to fulfil its obligations
- Diversification – requirement to place investments in a broad range of products so as not to be over exposed to a particular investment market
- Liquidity Risk – risk of running out of available cash flow. Unable to redeem investments at a fair price or incurring costs to make cash available.
- Market Risk – the risk that fair value or future cash flows will fluctuate due to changes in market price.
- Maturity Risk – risk relating to the length of the term to maturity of an investment. The longer the term the higher the exposure to market volatilities.

Budget Risk – risk that income from interest will not meet budgeted expectations because interest rates were lower than expected.

For Council Adoption

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	s6.14 <i>Local Government Act 1995</i> <i>Trustees Amendment Act 1997</i> Reg 19 <i>Local Government (Financial Management) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

<b>CS007</b>	<b>Asset Management</b>
Directorate	Corporate Services
Adoption Date	18/09/2014
Last Review Date	15/12/2022

## CS007 Asset Management

### OBJECTIVES

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that assets service the community for current and future generations,
- Ensuring that assets provide a level of service and risk the community is willing to support,
- Ensuring the sustainable management of assets,
- Allowing informed decision making, incorporating life cycle costing principles.

### POLICY STATEMENT/S

Council is committed to ensuring that Asset Management is recognised as a major corporate function within Council. Asset Management will form part of the Council's day-to-day business practices and will be used to make informed decisions in relation to service delivery when it comes to considering the need to acquire new assets, renew existing assets, and upgrade existing assets or disposal of assets.

Adopting Asset Management principles will assist the Council in achieving its Strategic Plan and Long-Term Financial objectives.

A strategic approach to Asset Management will ensure that Council delivers the highest appropriate level of service through its assets.

This will provide a positive impact on members of the public and staff, Councils financial position, the ability of Council to deliver the expected level of service and infrastructure.

A consistent Asset Management Plan must exist for implementing systematic asset management and appropriate asset management best-practice throughout all areas of the Council.

Systematic reviews will be applied to all asset classes and are to ensure that the assets are managed, valued, and depreciated in accordance with appropriate best practice and applicable Australian Standards.

An inspection regime will be used as part of Asset Management to ensure agreed service levels are maintained and to identify asset renewal priorities.

Asset renewals required to meet agreed service levels and identified in Asset Management Plan and Long-Term Financial Plan will be fully funded in an annual budget.

The Shire will adhere to the following core principles in planning and decision making relating to the selection, creation/acquisition operation, maintenance, and renewal/disposal of all infrastructure assets:

- Service delivery drives asset management practices and decisions
- Asset planning and management has a direct link with the Councils corporate and business plan including the Long-Term Financial plan.
- Application of Renewal or Upgrade for assets is appropriate
- As a principle, asset depreciation is to be used to fund renewal and/or rehabilitation of assets
- Use of a Capital works priority evaluation process for new projects. A business case will be prepared as part of the initial formulation of capital works proposals over a nominated threshold.

# Council Policy

Shire of Exmouth



- New or upgrade projects funded by grants are to include full lifecycle (whole of life costs) as part of project evaluation
- Assess opportunities for rationalization and multiple use
- Asset management plans are to be developed for the Shire's assets and will be informed by community needs

Asset management requires a whole of organisation approach and involves the participation of and is the responsibility of the Council, Executive and Shire staff.

The Shire will implement procedures that ensure the asset database is maintained and updated and provide required reports to Council to meet their statutory responsibilities.

Responsible Officer	Chief Executive Officer
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

CS008	Related Parties Disclosures
Directorate	Corporate Services
Adoption Date	27/06/2019
Last Review Date	15/12/2022

## CS008 Related Parties Disclosures

### OBJECTIVES

To define the parameters for Related Party Relationships and the level of disclosure and reporting required for the Shire to achieve compliance with the Australian Accounting Standard AASB 124 – Related Party Disclosures.

### POLICY STATEMENT

Under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, all local governments in Western Australia must produce annual financial statements that comply with Australian Accounting Standards.

The Australian Accounting Standards Board has determined that from 1 July 2016, AASB 124 (Related Party Disclosures) will apply to government entities, including local governments. The Shire is now required to disclose Related Party Relationships and Key Management Personnel compensation in its Annual Financial Statements.

This Policy provides guidance on:

- the identification of the Shire’s related parties,
- management of related party transactions,
- recording such transactions; and
- disclosure of the transactions in the Shire of Exmouth annual financial statements in accordance with AASB 124.

And addresses the four (4) different types of related party that must be considered by the Shire:

- Entities related to the Shire,
- Key Management Personnel,
- Close family members of Key Management Personnel; and
- Entities that are controlled or jointly controlled by either of the above.

Entity - include a body corporate, a partnership, or a trust, incorporated, or unincorporated group or body.

Entity Related to a KMP - Related Entities to Key Management Personnel are entities that are:

- \*controlled or jointly controlled by a KMP,
- apart from Council, where a KMP has significant influence over, or is a member of the key management personnel of the entity or parent of the entity; or
- controlled or jointly controlled by a close family member of a KMP of the Shire.

\*A person or entity is deemed to have control if they have:

- power over the entity,
- exposure, or rights, to variable returns from involvement with the entity; or
- the ability to use power over the entity to affect the amount of returns.

To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Entity Related to the Shire - This includes any entity that is either controlled, jointly controlled or over which the Shire has a significant influence. A person or entity is a Related Party of the Shire if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary, and fellow subsidiary is related to the others),
- they are an associate or belong to a joint venture of which the Shire is part of,
- they and the Shire are joint ventures of the same third party,
- they are part of a joint venture of a third party and the Shire is an associate of the third party,
- they are a post-employment benefit plan for the benefit of employees of either the Shire or an entity related to the Shire,
- they are controlled or jointly controlled by close family members of the family of a KMP,
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of the Shire; or
- they, or any member of a group of which they are a part, provide KMP services to the Shire.

Key Management Personnel (KMP) AASB 124 defines KMP as “those persons having authority and responsibility for planning, directing, and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity”.

Key Management Personnel for the Shire of Exmouth are:

- Council Members; and
- persons employed under the *Local Government Act 1995* in the capacity of Chief Executive Officer or Executive Manager.

#### Close family members of Key Management Personnel (KMP)

Those family members who may be expected to influence, or be influenced by, that KMP in their dealings with the Shire of Exmouth and include:

- the KMP’s children, and spouse or domestic partner,
- children of that KMP’s spouse or domestic partner; and
- dependants of the KMP or the KMP’s spouse or domestic partner.

Material (materiality) Means the assessment of whether a transaction, either individually or in aggregate with other transactions, by omitting it or misstating it could influence decisions that users make based on an entity's financial statements. For this Policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

Ordinary Citizen Transaction A transaction that an ordinary member of the community would undertake in the ordinary course of business with the Shire of Exmouth.

Related Party A person or entity that is related to the entity preparing its financial statements.

Related Party Transaction A transfer of resources, services or obligations between the Shire of Exmouth and a related party, regardless of whether a price is charged.

Significant (significance) Likely to influence the decisions that users of the Shire’s financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Shire and related party outside a public service provider/ taxpayer relationship.

# Council Policy

Shire of Exmouth



The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not.

For each financial year, the Shire of Exmouth must make an informed judgement as to who is considered a related party and what transactions need to be considered, when determining if disclosure is required.

Proper procedure is to be followed to enable an informed judgement to be made from the information requested from related parties.

Local Government (Financial Management) Regulations 1996, Regulation 5A, requires Council to prepare its general financial statements in compliance with the Australian Accounting Standards, this now includes the AASB 124.

## Requirements

- All key management personnel are to complete the Related Party Disclosures – Declaration form,
- All Related Party Transactions must be disclosed,
- Ordinary Citizen Transactions (OCTs) are to be reviewed every year by Management,
- Shire of Exmouth has a legal obligation to report on Related Party Disclosures annually,
- Disciplinary action may occur for breach of this policy.

## Identification of Related Parties

AASB 124 provides that local governments are to disclose in their Annual Financial reports, related party relationships, transactions, and outstanding balances.

## Key Management Personnel (KMP)

All Key Management Personnel (KMP) are responsible for assessing and disclosing their own, their close family members' and their related entities' relationship with the Shire.

All related parties must be included in the self-assessment. A disclosure form is provided as an Attachment to this Policy.

## Related Party Transactions

Ordinary Citizen Transaction For the purpose of this Policy, an Ordinary Citizen Transaction is one that occurs between the Shire and KMP and/or related parties which satisfy the following criteria.

The transaction must:

- occur during the normal course of the Shire delivering its public service goals,
- be under the same terms that would be available to a member of the community; and
- belong to a class of transaction that an ordinary member of the community would normally transact with the Shire.

This includes for example facility hire, and the payment of rates and dog registrations. There is no obligation to disclose Ordinary Citizen Transactions. Transactions between the Shire and Related Parties that would normally be considered Ordinary Citizen

Transactions but where the terms and conditions differ from normal practice, however, must be disclosed.

## Non-ordinary Citizen Transactions



All related party transactions that do not satisfy the definition of an Ordinary Citizen Transaction must be disclosed in accordance with AASB 124.

The following are examples of transactions that must be disclosed if they are with a related party and are not an Ordinary Citizen Transaction:

- purchases of sales or goods (finished or unfinished),
- purchases or sales of property or other assets,
- rendering or receiving services,
- leases,
- transfers of research and development,
- transfers under licence agreements,
- transfers under finance arrangements (including loans and equity contributions in cash or kind),
- provisions of guarantees or collateral,
- commitments to do something if a particular event occurs or does not occur in the future, including execution of contracts (recognised or unrecognised); and
- settlement of liabilities on behalf of the Shire or by the Shire on behalf of the related party.

#### Disclosure of Information

Shire disclosure AASB 124 provides that the Shire must disclose the following financial information in its financial statements for each financial year period:

- the nature of any related party relationships,
- the amount of the transactions,
- the amount of outstanding balances, including commitments, including:
  - their terms and conditions, whether they are secured, and the nature of the consideration to be provided in settlement; and
  - details of any guarantees given or received.
- provisions for doubtful debts related to the amount of outstanding balances; and
- the expense recognised during the period in respect of bad or doubtful debts due from related parties.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- significance of transaction in terms of size,
- whether the transaction was carried out on non-market terms,
- whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets,
- whether the transaction is disclosed to regulatory or supervisory authorities,
- whether the transaction has been reported to senior management; and
- whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant. All transactions involving related parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions (OCTs), and to determine the significance of each of the transactions.

#### Key Management Personnel disclosure

# Council Policy

Shire of Exmouth



In accordance with this Policy, KMP must provide a Related Party Disclosure in the form set out in the Attachment once yearly, between 15th June – 30th June.

## Review of Related Parties

A review of KMP's and their related parties will be reviewed annually.

Events, such as a change of Council Members, Chief Executive Officer or Executive Managers or a corporate restructure will also trigger a review of the Shire's related parties immediately following such an event.

The Chief Executive Officer shall implement a suitable system to identify related parties. The primary identification method of close family members and associated entities of Key Management Personnel shall be by (but not limited to) KMP self-assessment.

KMP have a responsibility to identify and report any changes to their related parties as they occur.

The Chief Executive Officer shall identify suitable methodology and procedures for identifying and reporting on related party transactions such that accurate data will be collated for each financial year. Identification and reporting methods shall consider:

- transactions occurring via the Shire's accounting and electronic records management systems,
- other transactions not passing through the Shire's electronic accounting / management systems,
- the identification of the associated terms and conditions of the related party transactions,
- declarations in the Financial Interests Register; and
- information provided in Primary and Annual Returns.

If any Council Member or employee believes a transaction may constitute a related party transaction, they must notify the Chief Executive Officer who will, in consultation with the Executive Manager Corporate Services, decide on the matter.

## Privacy & Confidentiality

### Access to information

The following persons are permitted to access, use and disclose the information provided in a related party disclosure or contained in a register of related party transactions for the purposes of this Policy:

- the Chief Executive Officer,
- Executive Manager Corporate Services,
- Manager Finance
- an Auditor of the Shire (including an Auditor from the WA Auditor General's Office); and
- other officers as determined by the Chief Executive Officer.

### Permitted purposes

Persons specified above may access, use, and disclose information in a related party disclosure or contained in a register of related party transactions for the following purposes:

- assess and verify the disclosed related party transaction,
- reconcile identified related party transactions against those disclosed in the related party disclosure or contained in a register of related party transactions,
- comply with the disclosure requirements of AASB 124; or

# Council Policy

Shire of Exmouth



- verify compliance with the disclosure requirements of AASB124

## Confidentiality

The following information is classified as confidential and is not available for inspection by or disclosure to the public:

- information (including personal information) provided by a KMP in a related party disclosure; and
- personal information contained in a register of related party transactions.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	AASB 124 Related Party Disclosures <i>Local Government Act 1995</i> Local Government (Financial Management) Regulations 1996 Corporations Act 2001
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



**Related Party Declaration – Key Management Personnel (attachment 1)**

This form is to be completed by Key Management Personnel pursuant to Council Policy Related Party Disclosures.

The information collected in this declaration will be used to identify related party transactions for the purpose of disclosure in the annual financial statement of the Shire of Exmouth in accordance with AASB 124.

The information disclosed in this document is considered confidential, however is subject to audit.

Your Details	
Full Name	
Position	
Date	

Close Family Members	
Full Name	Relationship to You

Entities controlled or jointly controlled by you and/or Close Family Members		
Name of	ABN / ACN	Relevant period

Details of Transactions		
Transaction	Relationship	\$ value of transaction

Declaration			
I declare that to the best of my knowledge, the information above is a complete and accurate record of my close family members and the entities controlled, or jointly controlled by myself or my close family members. I make this declaration after reading Council Policy Related Party Disclosures which details the purpose for which this information will be used.			
Signature		Date	

<b>CS009</b>	<b>Capitalisation of Assets</b>
Directorate	Corporate Services
Adoption Date	20/09/2012
Last Review Date	15/12/2022

## CS009 Capitalisation of Assets

### OBJECTIVES

To set out the asset capitalisation threshold values.

### POLICY STATEMENT/S

An asset must appear in Council’s financial statements at fair value.

The criteria for recognising an asset as outlined in AASB116 – Property, Plant and Equipment Accounting standard is:

The cost of an item of property, plant and equipment shall be recognised as an asset if, and only if:

- a) it is probable that future economic benefits associated with the item will flow to the entity; and
- b) the cost of the item can be measured reliably.

All noncurrent assets having a limited useful life are separately and systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets.

Assets are depreciated from the date of acquisition or in respect to constructed assets, from the time the asset is completed and ready for use.

Depreciation rates, residual values and impairments are to be assessed on an annual basis.

### Capitalisation

An asset shall be capitalised when the expenditure is more than the following thresholds:

- Buildings \$5,000
- Plant & Equipment \$5,000
- Furniture & equipment \$5,000
- Roads \$5000
- Other Infrastructure \$5,000
- All land will be capitalised.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

CS010	Reserve Funds
Directorate	Corporate Services
Adoption Date	22/11/2018
Last Review Date	15/12/2022

## CS010 Reserve Funds

### OBJECTIVES

To ensure that cash funds are set aside at the discretion of Council for a specific purpose are applied to that purpose and managed accordingly.

### POLICY STATEMENT/S

Reserves are part of the Shire’s overall equity position.

Reserves are funds which have set aside for purposes and projects to be undertaken in future years.

Reserves are established by Council to achieve Strategic Community Plan and Corporate Business Plan objectives and are to be extinguished once the Reserve purpose has been achieved.

The retention of obsolete Reserves restricts cash that could be utilised for funding other initiatives and can impact on cash ratios.

To ensure efficient Reserve Management, the Shire will:

- Establish a Reserve only when all other funding options have been considered.
- Only establish Reserves for the following purposes:
  - Funding projects (community infrastructure, community development loan initiatives, roads, plant & equipment, swimming pool) identified in the Strategic Community Plan, Corporate Business Plan and Long-Term Financial Plan
  - Specific projects ear marked to be funded by proceeds from the airport and waste management operations
  - Specific Projects that are receiving proceeds from different ratings
  - Specific Projects that are receiving proceeds from a Service charge
  - Provision for long term staff liabilities (Leave reserve, staff housing
  - When required under the terms of a grant funding agreement with third parties:
  - Statutory requirements
- Review the number and funding of all Reserves on an annual basis through the planning and budget process
- Interest earned on Reserves is to be allocated to the individual reserve.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	s6.11 (2) of the <i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

<b>CS011</b>	<b>Debt Recovery Processes</b>
Directorate	Corporate Services
Adoption Date	20/09/2012
Last Review Date	15/12/2022

## CS011 Debt Recovery Processes

### OBJECTIVES

To establish guidelines that ensure consistency and transparency in the recovery of outstanding debts and to recover outstanding income in a timely manner.

### POLICY STATEMENT/S

Note: This Policy should be read in conjunction with the Financial Hardship Policy.

#### Rates and Charges

Rate notices are due for payment 35 days from date of issue in accordance with the *Local Government Act 1995*.

Amounts that remain outstanding past the due date will have interest applied. Interest is calculated on the number of days after the due date until the day the payment is received.

#### Reminder Notices

Where rates are outstanding for 35 days after the issue date, and no prior written arrangement has been made with authorized Council Officers a Reminder Notice will be issued and give the ratepayer fourteen (14) days to either pay the outstanding amount in full or enter an alternate payment arrangement which has been agreed by both parties.

#### Final Notices

Where rates remain outstanding for 14 days after the reminder notices has been issued a final notice will be issued. The final notice will give the ratepayer fourteen (14) days to either pay the outstanding amount in full or enter an alternate payment arrangement which has been agreed by both parties.

Reminder and Final notices are not to be issued to eligible persons registered to receive a pensioner or senior rebate under the Rates and Charges (Rebates and Deferments) Act 1992, as such persons have until 30 June of the current financial year to make payment, without incurring any penalty interest.

Reminder and final notices will, however, be issued to registered pensioners or seniors where these are unpaid charges which are not subject to a rebate or deferment.

#### Legal Action

Where amounts remain outstanding after the final notice period, legal action will commence. Under the guidance of Council's debt collection service provider, legal action may be undertaken to recover outstanding rates and service charges. This action may include General Procedure Claims and Property Seizure and Sale Orders (Goods).

Any costs incurred in undertaking legal action in a Court of Competent Jurisdiction are recoverable from ratepayers under section 6.56 of the *Local Government Act 1995*.

#### Seizure of Rent for non-payment of Rates

Where the property owner of a leased or rented property on which rates and service charges are outstanding cannot be located or refuses to settle rates and service charges owed, a notice may be given to the lessee or tenant under the provision of Section 6.60 of the *Local Government Act 1995* requiring the lessee or tenant to pay to the Shire the

# Council Policy

Shire of Exmouth



rent due that they would otherwise pay under the lease/tenancy agreement as it becomes due, until the amount in arrears has been paid.

Property owners will be informed prior to a notice being given to the lessee or tenant and lessees and tenants will be given a receipt of payment of rent to present to their landlord or property manager as proof of payment.

Options to recover rates debt where rates in arrears are more than three (3) years:

- Lodging a Caveat on the Title for Land If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years a caveat may be registered on the title for the land, under provision of section 6.64 (3) of the *Local Government Act 1995*. The approval of Council is required before this course of action is undertaken.
- Sale of Property If rates and service charges which are due to Council in respect of any rateable land have been unpaid for at least three (3) years, Council may take possession of the land under the provisions of Section 6.64 of the *Local Government Act 1995*. The approval of Council is required to be obtained before this course of action is undertaken.

## Sundry Debtors

Amounts that remain outstanding past the due date (35 days after invoice) will have interest applied. Interest is calculated on the number of days after the due date until the day the payment is received.

## Reminder Notices

Where payment is outstanding for 35 days after the date of the invoice, and no prior written arrangement has been made with authorized Council Officers a Reminder Notice will be issued and give the debtor fourteen (14) days to either pay the outstanding amount in full or enter an alternate payment arrangement which has been agreed by both parties.

## Final Notices

Where the amount remains outstanding for 14 days after the reminder notices has been issued a final notice will be issued. The final notice will give the debtor fourteen (14) days to either pay the outstanding amount in full or enter an alternate payment arrangement which has been agreed by both parties. Where amounts remain outstanding after the final notice period, credit may be suspended, or services limited, and legal action may commence.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	s6.60, 6.64 <i>Local Government Act 1995</i> <i>Rates and Charges (Rebates and Deferments) Act 1992</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



CS012	Financial Hardship
Directorate	Corporate Services
Adoption Date	23/04/2020
Last Review Date	15/12/2022

## CS012 Financial Hardship Policy

### OBJECTIVES

This policy is intended to ensure we offer fair, equitable, consistent and dignified support to debtors suffering hardship, while treating all members of the community with respect and understanding at difficult time. The Shire of Exmouth's (Shire) position on allowing flexibility for payments on overdue debtor and rates where extreme financial hardship is recognised and outlines the scope and criteria for assessing applications of financial hardship.

### POLICY STATEMENT

The Shire recognises that there are cases of genuine financial hardship where additional charges would cause the debtor or ratepayer further financial hardship. This policy establishes guidelines to ensure all applicants are treated with respect, equality and confidentiality.

The policy is not intended to provide relief to debtors and ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

### DESCRIPTION OF HARDSHIP

#### 1. Payment difficulties, hardship and vulnerability\*

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants.

This policy is intended to apply to all ratepayers and debtors experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

\* Adapted from the Ombudsman Western Australia publication, Local government collection of overdue rates for people in situations of vulnerability: Good Practice Guidance: <http://www.ombudsman.wa.gov.au/>

#### 2. Financial Hardship Criteria

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

People applying for hardship are encouraged to provide any further information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal.

We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

### **3. Payment Arrangements**

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer or debtor has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer or debtor will be responsible for informing the Shire of Exmouth of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest.

### **4. Interest Charges**

A debtor that meets the Financial Hardship Criteria and enters into a payment arrangement will not incur an interest charge for as long as payments are made in accordance with the agreed payment plan.

### **5. Deferral of Rates**

Deferral of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

### **6. Debt Recovery**

We will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding at the end of the financial year, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the following financial year. Rates and service charge debts that remain outstanding after this, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

### **7. Review**

We will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed. All applications are to be reviewed and approved by the Executive Manager Corporate Services.

### **8. Communication and Confidentially**

# Council Policy

Shire of Exmouth



We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We recognise that applicants for hardship consideration are experiencing additional stressors and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants are clear and respectful.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	<i>S 6.49 Local Government Act 1995 and Local Government (Financial Management) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

<b>CS013</b>	<b>Interest Free Loans to Clubs and Organisations</b>
Directorate	Corporate Services
Adoption Date	27/05/2015
Last Review Date	15/12/2022

## CS013 Interest Free Loans to Clubs and Organisations

### OBJECTIVES

To provide:

- long-term benefits to the Shire of Exmouth by financially assisting clubs and organisations within the Shire of Exmouth.
- guidelines on the administration of the Shire Community Interest Free Loans Reserve.

### POLICY STATEMENT

#### Community Interest Free Loans Reserve

Council has set aside funding in a Community Interest Free Loans Reserve for the provision of interest free loans to Exmouth clubs and organisations to assist in the provision of facilities and equipment for the betterment of the club or organisation and its members.

Organisations are defined as incorporated, not-for-profit, sporting clubs and community organisations, excluding any private businesses, on-going government financial assisted groups, religious bodies, and political groups.

An application in the prescribed form (*Community Development Fund Application*) for an interest free loan must be completed in full.

#### Eligibility

The following criteria will be applied when receiving applications for interest free loans - the applicant must:

- Use funding for a Capital Purchase i.e., equipment etc,
- Be an Exmouth based community group or sporting club,
- Offer a specific activity (project, program, or event) within the Shire of Exmouth local government boundaries,
- Provide a direct benefit to the wider Exmouth community,
- Have completed any project for which any Shire of Exmouth funding was previously received, with no outstanding debts to the Shire,
- Satisfy the Loan Eligibility Criteria set out in the below.

#### Ineligibility Criteria (general)

The Shire of Exmouth does not provide interest free loans for:

- Retrospective costs,
- Commercial activities,
- Core organisational operating costs, for example a permanent position within an organisation for ongoing work,
- Activities with a political or religious purpose only,

# Council Policy

Shire of Exmouth



- Activities where the nature of the event can exert political influence,
- Periodical activities, like recurring weekly/monthly meetings.

## Loan Assessment Criteria

The Executive Manager Corporate Services should undertake assessment of the application with a recommendation to the Council for final approval or otherwise of the loan.

Assessment should as a minimum be based on:

- Perceived ability for the loan to be repaid in full and for repayments to be made on time,
- Ensuring that there is an apparent benefit not only to the club/organisation but also to the wider community from the loan being given,
- Clubs/organisations must have been in existence for 2 years and clearly demonstrated a stabilised or increased membership,
- Prior to an application being lodged, an applicant has used their best endeavours to source grant funding to assist with their purchase,
- Clubs/organisations providing an end of year financial statement for each year of the loan,
- Clubs/organisations must produce on request a current profit and loss statement within three weeks (NB this in addition to the provision of the annual financial statement mentioned above).

No club/organisation may have more than one interest free loan at one time unless the Council is satisfied that the club/organisation has the financial ability to service the additional loan. Total loan funds should not exceed \$100,000 however in exceptional circumstances an application can be made for Council consideration. 'An application fee of 5% will be charged on any new application and can be paid over the term of the loan'.

## Default of Loan

Any club or organisation, which defaults on a loan, is not permitted to receive any further interest free loans from council until the outstanding loan is repaid in full. In exceptional circumstances Council may review the timeframe for the repayment of a defaulted loan. Any default of a loan re-payment will incur a penalty to the club/ organisation of 10% per annum of the outstanding amount calculated monthly, unless arrangements have been made with council, prior to the repayment being defaulted.

If a club/organisation is wound up, any assets that have been accumulated using funds from the Community Interest Free Loans Reserve Fund will revert to the Council.

Responsible Officer	Executive Manager Corporate Services
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

**INFRASTRUCTURE SERVICES (IS)**

<b>IS001</b>	<b>Multiple Dogs</b>
Directorate	Infrastructure Services
Adoption Date	15/11/2012
Last Review Date	15/12/2022

**IS001 Multiple Dogs**

**OBJECTIVES**

To ensure that multiple dog applications are treated in a fair and consistent manner having regard to the relevant Acts, Regulations, Local Laws and not to create disharmony in the immediate neighbourhood due to problems that could occur through having a multiple dog on a single property.

**POLICY STATEMENT**

“Authorised Officer” – means a person appointed by the Shire of Exmouth under the *Dog Act 1976*. “Premise” – means the property or properties owned or occupied by the applicant. Where a property consists of more than one land title, all parcels of land together shall be deemed to be one premise.

The *Dog Act 1976* and the Shire of Exmouth Dog Local Law place a limit on the number of dogs that may be kept on a property.

This limit is 2 dogs over the age of 3 months within the townsite and 4 dogs over the age of 3 months outside the townsite.

Section 26(3) of the *Dog Act 1976* provides for Council to make an exemption to the Local Law and permit a person to keep more than the prescribed number of dogs. Any exemption Council makes may be subject to conditions relating to the dogs in the application.

Council cannot approve more than 6 dogs on a premise and Council may revoke the approval at any time.

Limits on number of dogs

An owner or occupier of land within the Shire of Exmouth shall not be allowed to keep more than:

- two (2) dogs on a premise within the townsite, without the prior written approval of the Council, or a person with delegated authority to so determine.
- four (4) dogs on a premise outside the townsite, without the prior written approval of Council, or a person with delegated authority to so determine.

No person within the Shire of Exmouth will be permitted to keep more than six (6) dogs on a premise under any circumstance. This requirement will not apply to a dog kennel facility approved under the provisions of the relevant Shire of Exmouth Town Planning Scheme.

The Shire will not approve more than two (2) dogs within the townsite or four (4) dogs outside the townsite unless it can be shown to the satisfaction of an authorised officer that:

- the property has sufficient open space capable of housing a 3rd/5th dog; or
- the 3rd / 5th dog is to replace an elderly or sick dog which is likely to die within the next 12 months.

To seek Council’s approval to keep between three (3) and six (6) dogs on a property, the owner / occupier must provide a written application advising of the following information: -

- Contact details of the applicant, including their full postal address,
- Complete details on the property on which the dogs will be kept,

# Council Policy

Shire of Exmouth



- The reasons for which they require the permit; and
- The total number of dogs to be kept on the property

Prior to determination, all applications to keep between three (3) and six (6) dogs on a property will:

- a. Be referred to adjoining landowners for comment. Adjoining landowners will have 14 days from the date of referral to lodge a written submission on the proposed application. Where no response is received, Council will take the view that the adjoining owners have no objection to the application.
- b. All dogs must be registered to the address in the application
- c. The property will be inspected for
  - suitable containment
  - ensure that dog faeces are removed regularly and in an appropriate manner
  - the general health and welfare of the dogs is suitable.

In the case where an application is being made for a dog to replace an old dog, the old dog is in all probability likely to die within the next 12 months.

Following approval to keep three (3) to six (6) dogs on a property, an authorised officer of Council may inspect the subject property at any time to inspect fencing, dog numbers and registration of dogs.

Any application approved by Council shall be an approval only for:

- the dogs named in the application
- the property named in the application.

Council reserves the right to revoke any approval to keep three (3) to six (6) dogs on a property if it is considered that a breach or offence against the Shire of Exmouth Dogs Local Law or the *Dog Act 1976* has been committed. In this circumstance, the Council may require that the number of dogs on the property be reduced to a maximum of two (2) within 14 days.

In accordance with Delegation Keeping Multiple Dogs the Chief Executive Officer is delegated authority to perform the functions of Council in respect to the following:

- The determination of applications to keep between three (3) and six (6) dogs on a property, where the application meets all requirements of this policy, the Shire of Exmouth Dogs Local Law and no written objection has been received from adjoining landowners during the notification period; and
- To refuse applications to keep more than six (6) dogs on a property that are not in connection with a dog kennel facility approved under Council's relevant Town Planning Schemes.
- To place any conditions on the approval which the Chief Executive Officer sees fit.

Any application not considered to fall within the delegation parameters defined in Section 9 will be referred to Council for determination.

Any applicant whose application has been refused or is not satisfied with the conditions placed on an approval is to be advised of their right of appeal to the State Administrative Tribunal. Applicants shall be advised they have a maximum of 28 days from the date of notice to lodge their appeal. All dogs within the Shire of Exmouth must meet the requirements set out in Section 3.1 of the Shire of Exmouth Dogs Local Law – Dogs to be Confined.

# Council Policy

Shire of Exmouth



Responsible Officer	Executive Manager Infrastructure Services
Relevant Legislation	<i>Dog Act 1976 and regulations</i> <i>Local Government Act 1995</i> <i>Shire of Exmouth Dogs Local Law</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption



IS002	Naming of Roads, Parks, Places and Buildings
Directorate	Infrastructure Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## IS002 Naming of Roads, Parks, Places, and Buildings

### OBJECTIVES

The purpose of this Policy is to assist Council to appropriately deal with and assess proposals to name a Shire Road or Shire Asset.

### POLICY STATEMENT/S

Shire Asset - any park, garden, reserve, memorial, sporting ground or building or other infrastructure asset owned or under the care, control, or management of the Shire of Exmouth.

Shire Road - any Road or variation of Road, including street, place, boulevard, etc

#### Naming Considerations

Council may consider naming a Shire Asset in honour of persons considered to be pioneers, persons who have made an outstanding humanitarian contribution or who, in the opinion of the Council, are worthy of such an honour. This may also be in acknowledgement of events of historical, environmental, or cultural significance or collective community action.

Where personal names are used, the person commemorated should preferably be recognised in memoriam.

To facilitate ease of geographical identification and identification of purpose, where possible a locality name and purpose should be associated with the naming of a Shire Asset, even when it is determined that an honorary name will be applied.

In general terms, naming should use the form, spelling and style of contemporary Australian English or a recognised Australian Aboriginal language local to the area of the feature.

Where applicable and always in the first instance, naming guidelines as set out in Policies and Standards for Geographic Naming in Western Australia will be adhered to. The Shire must apply to Landgate for the naming of Shire Roads.

Renaming will only occur in an extraordinary case or where a name is no longer deemed appropriate.

The use of Aboriginal names and words for naming features are a way of recognising the different enduring cultural and language groups.

Names originating from an Australian Aboriginal language local to the area must be written in a standard recognised format and their use shall be endorsed by the recognised local community. Evidence of this endorsement must be included with the naming proposal.

A proposal to name a significant Shire Asset can be put forward to Council for consideration by:

- a Council Member by way of a notice of motion,
- an employee via a report to Council,
- a member of the public via a submission to the CEO; or
- users of a facility via a submission to the CEO.

Any proposal to name a significant Shire Asset will include:

# Council Policy

Shire of Exmouth



- details of the proposed Shire Asset to be named,
- proposed name; and
- justification for the proposal.

Through its consideration Council may endorse the name or determine that the proposal requires further community consultation, subject to policy statement below:

### Criteria for Assessment for Personal Recognition

A request to name a Shire Asset after a person shall be assessed against the following criteria:

- whether the person being honoured has been instrumental in the development of the Shire asset or activities to be undertaken or contributed in a significant way to the Shire asset,
- the views of the community with respect to honouring the person or event after which the Shire asset is proposed to be named,
- the length of residency of the person proposed. For the purposes of guidance, residency of ten (10) years or more in a relevant location is likely to qualify a person for further consideration,
- the contribution made by the person to the local community through areas such as education, representation on Council or another level of government, volunteering, association with local sporting or service club or through business development.

A significant contribution could include:

- two (2) or more terms of office on the local government Council,
- twenty (20) or more years association with a local community, sporting, or service club,
- action by an individual to protect, restore, enhance, or maintain an area that produces substantial long-term improvements for the community of area; or
- evidence of works undertaken being of a pioneering nature for the benefit of the community

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Landgate Policies and Standards for Geographical Naming in Western Australia (V01:2017)</i> <i>Land Administration Act 1997</i> <i>Land Information Authority Regulations 2007</i> <i>Australian Standard AS/NZS 4819:2001 Rural and urban addressing</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision

IS003	Memorials in Road Reserves, Parks, Foreshores
Directorate	Infrastructure Services
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## IS003 Memorials in Road Reserves, Parks, Foreshores etc

### OBJECTIVES

The objective of this Policy is to:

- Provide guidance in relation to the use of public open space in the placement of memorials, monuments, plaques, and the planting of commemorative trees.
- Ensure that applications for memorials, monuments, plaques, and trees are managed on a consistent basis and in accordance with the Council's strategic direction and corporate policies

### POLICY STATEMENT/S

This Policy applies to the placement of memorials, plaques, and monuments as well as the planting of commemorative trees in Shire owned/managed parks, reserves, public open space and streetscapes.

This Policy does not apply to operations of cemeteries. All items instated in accordance with this policy become Shire assets and are therefore owned and under the care, control, and management of the Shire.

The policy applies to memorials, monuments, plaques, and commemorative trees, where the naming is intended to commemorate a (deceased) person, organisation, or significant event. It also includes the placement of such items for community driven projects, where the intent of the project is to raise awareness of a particular community issue.

Requests to recognise a living person/individual does not fall within the scope of this policy.

An artwork or other feature intended primarily to enhance open space and not designed as a commemorative piece, is not considered a memorial for the purpose of this policy.

The Shire recognises that members of the community may wish to use public open space to commemorate a person, group of people or event through a memorial, which adds to the value of the wellbeing of the community.

For the Shire to ensure its public open spaces continue to serve their intended purpose and are not transformed into places of mourning, and that its asset management practices are not impacted negatively, subjects for plaques, monuments, memorials, and commemorative trees in public open space are limited to the criteria and requirements outlined in this policy.

### Applications and Base Criteria

Each application will be assessed on its individual merit and must first meet one or more of the following base criteria:

- An individual or association that has contributed significantly to the cultural, political, or social aspectsof the Shire. Individual nominees are to be deceased, and demonstrate:
  - They were a local community member,
  - Left a tangible legacy to the community that has resonance with the broader public,
  - Placement benefits the community in acknowledging the deceased.
- An event or occasion to be commemorated:
  - Anniversary or event must be unique and highly significant to the history and development of the Shire of Exmouth; and State of Western Australia and/or Australia

- Reference to historical, social, or culturally significant events must be highly significant to a particular site within the Shire.
- Awareness campaign:
  - Where the intent of a plaque or memorial item is to raise awareness of a particular community issue, the applicant must demonstrate the relevance of the issue to the local community. Further to the base criteria, applications for items outlined in this policy must be received in writing to the Shire.
- All applications relevant to memorialising an individual are to be presented to Council for consideration and approval/refusal.
- Applications for monuments that meet conditions within this policy are to be presented to Council for consideration and approval/refusal.
- All other applications that meet conditions within this policy for memorials, plaques and trees are to be presented to the CEO for consideration and approval/refusal via an internal recommendation process.
- Community requests for infrastructure items such as park benches, picnic tables and plaques, where these are related to heightening the awareness and understanding of a particular community matter need to demonstrate the campaigns relevance to the local Shire of Exmouth community. These applications are to be presented to the CEO for consideration and approval/refusal via an internal recommendation process.

The outcome of applications is to be confirmed with the applicant/s following the relevant process.

### Applicant Requirements

All applications must meet the following requirements:

- Commitment to fund the requested memorial item (plaque, memorial, monument, or tree),
- Must bear a relationship with the open space setting proposed and be consistent with any approved masterplans for the site,
- Must not detract from the aesthetic value of the identified location.

### Plaque

The Shire will specify the size and design of the plaque.

This will be determined in accordance with the type of furniture or structure (such as raised plinth or stone) on which it will be placed.

The Shire will coordinate the purchase, design, and installation of the plaque. Monument Any requested monument is to be managed, maintained, approved, constructed, and sited in a manner which is consistent with the financial, cultural, environmental, and social aspirations of the Shire.

Further to the above Memorials Criteria, monuments must also meet the following criteria:

- An individual Nominee should have made a highly significant contribution to the shared community history in the Shire that is also significant at a State, National or International level.
- An individual Nominee must have achieved at a high level and contributed over and above what might be reasonably expected through paid employment, or their voluntary contribution to the community and should stand out from others who may have also made a valuable contribution.
- The Shire will commission any approved monument request.

# Council Policy

Shire of Exmouth



## Park furniture

All furniture that is to be installed and/or on which Memorial plaques are to be placed, is at the discretion of the Shire and subject to the conditions of this Policy.

The Shire will coordinate the selection, purchase, installation, and maintenance of the furniture.

## Tree selection

The type of tree to be planted is at the discretion of the Shire.

The Shire will have final approval of the exact location of the tree and installation details. The Shire will coordinate the selection, purchase, and planting of the tree.

Memorial trees may be identified by a commemorative plaque or other identification at the discretion of the Shire. Locality The appropriate Shire park, reserve, public open space, or streetscape for the placement of the memorial is to be determined by the Shire in consultation with the applicant.

## Cost

Applicants must meet the cost of the purchase and installation of furniture, monuments, plaques (inclusive of any required structure for mounting purposes) and trees.

Costs are to be determined on a case-by-case basis.

Applicants will be advised of the costs prior to the application being presented for approval/refusal purposes. Applicants can advise at this stage if they do not wish to proceed with the application.

Costs are to be paid in full before the Shire will undertake the purchase of the memorial.

## Life of the furniture/plaque/ tree/monument Memorials and plaques have a finite life.

The Shire envisages that infrastructure such as seating/plaques will be located at the site for a period of not less than 10 years from the date of installation.

Should a piece of memorial park furniture be vandalised beyond repair, it will be deemed to be at the end of its useful life and the Shire will use reasonable endeavours to contact the applicant/next of kin to inform them of this.

The Shire reserves the right to remove a memorial if it falls into a state of disrepair or to remove a memorial after the expiry of 10 years.

The Shire will use reasonable endeavours to contact the applicant/next of kin. In the case of a tree, the memorial will be for the life of the tree.

There will be no right to renewal and should the tree die; the applicant/next of kin will need to lodge a new application for a new memorial tree.

Monuments approved and commissioned in line with this policy will be deemed an asset of the Shire of Exmouth and managed in accordance with associated practices.

## Memorial Register

The relevant registers are to be updated where a memorial, plaque, monument, or tree is approved.

This may include asset databases and the memorial register.

Responsible Officer	Executive Manager Infrastructure Services
Relevant Legislation	<u>N/A</u>
Relevant Delegation	<u>N/A</u>
Review History	
Date	Council Decision

For Council Adoption

IS004	Verge Maintenance and Enhancement
Directorate	Infrastructure Services
Adoption Date	16/08/2012
Last Review Date	15/12/2022

## IS004 Verge Enhancement

### OBJECTIVES

To enhance the street scape of the townsite areas and to provide financial assistance to property owners that carry out approved verge enhancements.

### POLICY STATEMENT/S

The area of land between the property boundary and the road edge within the road reserve of Council managed land is commonly called the verge.

Maintenance of the verge adjacent to residential, commercial and industrial properties is the responsibility of the property owner or resident.

The Shire will maintain the verge on Murat Rd, Maidstone Crescent and adjacent to Shire public open space.

When a property owner chooses to carryout improvements to the verge immediately adjacent to their property, certain conditions need to be met to ensure public safety and access.

As a mandatory requirement, a plan of the intended works shall be provided to the Shires administration for approval prior to any works commencing. The plan shall provide information relating to the proposed method of enhancement, existing street trees and any proposed new trees or other vegetation.

Further considerations include:

- Council does not support the installation of lawn on verges for financial assistance. If a lawn is installed, sprinklers shall be located adjacent to the street kerbing facing towards the verge. The spray shall be set to minimize any water wastage on to hardstand or road areas
- Nominated tree and/or plant species will be assessed for suitability as part of the Shires approval process
- Removal of street trees is discouraged and will only be permitted in exceptional circumstances. Where approval is given to remove a tree, the property owner must meet all removal costs and its replacement with an approved species if an appropriate location on the verge can be identified.
- The applicant taking all responsibility in relation to the protection of any underground services. The cost of any repairs to such services resulting from verge works shall be borne by the applicant.
- The applicant to accept full responsibility for the ongoing maintenance of the verge.

To be eligible for financial assistance a property owner must install an “approved verge enhancement” which involves either the removal of topsoil and a placement of fines or the installation of a water wise reticulation system and/or suitable landscaping incorporating at least one of the following specifications:

- Fines Treatment - Removal of 100mm of topsoil, backfill and compaction of 80mm of fines.
- Garden Beds - Planting and maintenance of a garden bed is permitted provided that:
  - Clear sight visibility is maintained at all times for a person using the abutting thoroughfare in the vicinity of an intersection or bend in the thoroughfare; and
  - Where there is no footpath, a pedestrian has safe and clear access of a minimum width of 1.8 metres along that part of the verge immediately adjacent to the kerb.

# Council Policy

Shire of Exmouth



Property owners or occupiers that carry out approved verge enhancements will be eligible upon presentation of copies of receipts of goods and/or services purchased locally for reimbursement up to an amount of \$300 for a single verge and \$600 for a corner block where dual verges are enhanced.

If the current or previous owner of the premises immediately adjacent to the verge has already received a reimbursement for such works on the same verge then no further financial assistance will be made available.

Note: All applicants are advised that should the Shire or other statutory authorities require access to the verge to maintain their infrastructure there is no obligation on their part to carry out reinstatements to enhancements or provide restitution to the property owner for any damage.

Should an application fall outside of this policy it will be assessed on a case-by-case basis.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Shire of Exmouth Local Planning Scheme No.4 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



IS005 Guidelines and Specifications for Storm Water Drainage	
Directorate	Infrastructure Services
Adoption Date	16/08/2012
Last Review Date	15/12/2022

## IS005 Guidelines and Specifications for the design and construction of storm water drainage Water Drainage Systems

### OBJECTIVES

To direct civil development and associated storm water impacts, assessment, and mitigation consistently.

### POLICY STATEMENT/S

The Shire shall consider and determine applications for storm water drainage, based on the State Government Planning Policy, Department of Water Management and the Institute of Public Works Engineering Australia Guidelines and Specifications.

This policy comprises of the following documents:

- State Planning Policy 2.9 Water Resources (Government of WA, 2006)
- Government of Western Australia Department of Water Stormwater Management Manual 2007 and amendments.
- Local Government Guidelines for Subdivisional Development. Institute of Public Works Engineering Australia WA Division, Section 4 Drainage Management Guidelines.
- Exmouth Floodplain Study 2007. 5. District Water Management Study V11049.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>Shire of Exmouth Local Planning Scheme No.4 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



<b>IS006</b>	<b>Specification for the Design and Construction of Roads, Footbaths and Carparks</b>
Directorate	Infrastructure Services
Adoption Date	16/082012
Last Review Date	15/12/2022

**IS006 Specification for the design and construction of roads, footpaths, and car parks**

**OBJECTIVES**

To ensure that all civil works within the road reserve are constructed to engineered standard and specification consistently.

**POLICY STATEMENT/S**

The Shire shall consider and determine applications for the design and construction of roads, footpaths and car parks based on the following guidelines and specifications:

- Main Roads Western Australia Specifications,
- Institute of Public Works Engineering Australia, Local Government Guidelines for Subdivisional Development.

For Council Adoption

Responsible Officer	Executive Manager Infrastructure Services
Relevant Legislation	<i>Shire of Exmouth Local Planning Scheme No.4 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
19/12/2019	08-1219
25/06/2020	02-0620
6/11/2020	03-1120
30/06/2022	02-0622

<b>IS007</b>	<b>Private Works and Developments on Road Verges and Shire Managed Land</b>
Directorate	Infrastructure Services
Adoption Date	16/08/2012
Last Review Date	15/12/2022

## IS007 Private works and developments on road verges and Shire managed land

### OBJECTIVES

To provide guidance on what works and developments on road verges, nature strips and Shire Managed Land may be undertaken without a Permit to Undertake Works on Public Land and without Council or Shire Administration Approval.

### POLICY STATEMENT/S

Any works on council managed property requires either Shire permission or a Permit to Undertake Works on Public Land other than for the following:

- Planting and maintaining grass including the maintenance of a water reticulation system if installed,
- Maintenance of Shire approved verge enhancement treatments.

Note: The works referred to above do not require a Permit to Undertake Works on Public Land.

Approval must be obtained from the Shire prior to undertaking any works on Shire property, other than those referred to above.

Statutory Authorities undertaking normal maintenance on their own assets do not require prior approval but are requested to notify the Shire of their intended works.

Any development shall not impact on any existing or planned footpaths or any other Shire or other authority's infrastructure without prior consultation with relevant stakeholders and the Shire has agreed to reinstatement works which the proponent may be required to undertake.

Notwithstanding any of the above the Shire may at any time undertake any works on property under its management and control as required.

Reinstatement by the Shire of any development undertaken under this policy will be at the Shire's discretion.

Responsible Officer	Chief Executive Officer
Relevant Legislation	CI 17 Local Government (Audit) Regulations 1996
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

IS008	Shire Vehicle Fleet
Directorate	Infrastructure Services
Adoption Date	26/06/2012
Last Review Date	15/12/2022

## IS008 Shire Vehicle Fleet

### PURPOSE

To ensure that Council maintains a fleet of vehicles meeting safety, operational demands and contributes positively and effectively to the work performance of the Shire of Exmouth and provides guidelines for the allocation of council vehicles to employees.

### POLICY

#### *Allocation of Vehicles*

The Chief Executive Officer is responsible for the allocations of a council vehicle to an employee and the Shire President to the Chief Executive Officer.

Vehicle allocation use, including make and model of vehicle/s and the kilometres travelled will ensure the most cost-effective outcome for the Shire whilst recognising provision of private use of motor vehicles under an employee's remuneration package. Vehicles will remain within Council's Fleet unless the Chief Executive Officer (CEO) has resolved that they are excess to Council's operational requirements therefore will be disposed of in accordance with Council's Asset Management Policy.

All light vehicles with the exception of the executive Managers and the CEO are to be identifiable with Shire of Exmouth stickers on the both sides of the vehicle and all vehicles are to be licenced with Shire of Exmouth licence plates within the 3000 series.

#### *Value of Vehicles*

The average annual whole of life cost shall be used to determine the value of vehicles provided and enable:

- A full economic impact of various vehicle types;
- A comparison of costs between make/model of vehicles;
- Evaluation of options for providing vehicles to staff such as novated leasing or motor vehicle allowance; and
- Estimate of annual whole of life cost, calculated over the life of the vehicle (based on optimum changeover) and include depreciation, fuel, repairs & maintenance, tyres, and Fringe Benefits Tax.

#### *Optimum Replacement Timing*

The optimum replacement timing for light fleet changeover will be aligned to industry standards and take into account local conditions on asset consumption/deterioration:

- Passenger cars and Four Wheel Drives – 4 years / 80,000km whichever occurs first;
- Low Kilometre vehicles (2WD and 4WD Utilities) – 1½ years / 20,000km and utilised to replace High Kilometre vehicles; and,
- High Kilometre vehicles (2WD and 4WD Utilities) – 4 years / 80,000km replaced by Low Kilometre vehicles.

#### *Vehicle Options*

Additional protective equipment will be fitted to all vehicles to protect the asset, provide for safe operation and defend resale value of the asset:

- Ultra High Frequency (UHF) remote-head radio;
- Floor mats, Dashboard Mat and Seat covers;
- Floor mat to the boot area (wagon or sedan);
- Cargo barriers for station wagons/vans;

# Council Policy

Shire of Exmouth



- 1kg Car Fire Extinguisher and St John WA Off-Road Motoring Kit (Soft Case) (operational vehicles that travel outside the townsite only);
- Tub Liner (utility with style-side tray);
- Headlight and Bonnet Protectors;
- Bull bar with driving Lights / spot Lights and Tow Pack; and,
- Window Tinting (maximum UV).

Endeavours, where possible, will be made to transfer protective equipment from disposed vehicles to be retained within the depot to replace damaged components or transition to new vehicles if appropriate (eg. Driving lights, UHF radio, Cargo Barrier, Fire Extinguisher and First Aid Kit, etc.)

Where practical, available and economical, preference will be given to vehicles offering additional safety features, such as dual-front and side Air Bags, Anti-Lock Braking System (ABS), Vehicle Stability Control (VSC) and Traction Control (TCS) however this will not preclude purchase and these items will not be considered for after-market installation.

### *Vehicle Disposal*

Options for disposal should be assessed on a case-by-case basis and where possible, in-bulk (aligned to bulk procurement) as per the Asset Management Policy including and include:

- Transfer of Low Kilometre vehicles of the same configuration transferred to High Kilometre teams to maximise currency and expedite utilisation as opposed to sale;
- Trade-in to the motor-vehicle dealer supplying the new vehicle;
- Disposal by public auction through a reputable auction facility; or
- Disposal by Public Tender.

### *Categories of Vehicles*

When a vehicle is due for purchase or replacement, an assessment will be made of a range of vehicles from the WA State Government Vehicle Acquisition Contract (37804) that are fit for purpose and meet the Shire's requirements.

Consideration shall be given, where appropriate and most importantly practical, to the purchase of Hybrid Electric Vehicles (HEV). Plug-In Hybrid Vehicles (PHEV) may be considered when supporting infrastructure is commissioned in the Shire of Exmouth.

Exclusion of the purchase of Fuel Cell Electric Vehicles (FCEV) and Battery Electric Vehicles (BEV) will be maintained until technology becomes more readily available and extended range afforded.

Recognising the need to provide fit-for-purpose vehicles, at the same time appropriate level vehicles suited to relevant positions, the following use categories and vehicle type will apply:

Position	Use Category	Vehicle Type
Chief Executive Officer	Unrestricted Private Use within Western Australia	Upper Large executive-class full-time Four Wheel Drive Diesel wagon
Executive Managers	Unrestricted Private Use within Western Australia	Large mid-class full-time Four Wheel Drive Diesel wagon
Managers (as identified as level 9,10 & 11)	Private Use within the Shire of Exmouth	The vehicle must meet the functional requirements of the position for which the vehicle is being acquired.

Coordinators and Supervisors	Commuting use within the Shire of Exmouth	The vehicle must meet the functional requirements of the position for which the vehicle is being acquired.
All other Staff	Operational requirements with commute use only permitted where the position is classified as 'on-call'.	The vehicle must meet the functional requirements of the position for which the vehicle is being acquired.

### *Private Use Vehicles*

#### Chief Executive Officer / Executive Managers

- All running costs will be the responsibility of the Shire of Exmouth;
- The vehicle is permitted to be used within the recognised boundaries of the State of Western Australia;
- Private use of the vehicle is extended to their spouse, partner; and,
- Council may negotiate transition to a Motor Vehicle Allowance in-lieu of a Council provided Motor Vehicle.

#### Managers

- All running costs will be the responsibility of the Shire of Exmouth, except when the officer is on Long Service Leave or extended periods of annual leave;
- The vehicle is permitted to be used within the recognised boundaries of the State of Western Australia;
- Private use of the vehicle is only within the Shire of Exmouth;
- Private use of the vehicle is extended to the designated council officer only; and
- The CEO may negotiate transition to a Motor Vehicle Allowance in-lieu of a Council provided Motor Vehicle.

### *Restricted Use Vehicles*

#### Officers Granted Commuter use

The Officer is responsible for the vehicle and the vehicle is prohibited to be used for purposes outside of the business of the Shire of Exmouth. Use of the vehicle for private use is not permitted unless it is done so in the process of travelling to and from the workplace (for example shopping and sporting activities).

#### *Other Conditions (Restricted Use Vehicles):*

- When the Officer is on annual leave or long-service leave, the vehicle is to be returned to Council for inclusion and use in the car pool and when on prolonged or extended personal leave (via collection by officers on behalf of the responsible employee from their home);
- At all times, the driver of the vehicle must hold a current valid WA driver's license without restriction (or equivalent interstate or international licence of the same class with transition application in progress), appropriate to the vehicle class being driven.

The employee responsible for the vehicle shall ensure that the vehicle is always available for business use and the following guidelines apply:

- ✓ All vehicles shall be made available for the sole use of the Shire of Exmouth during an Officer's normal time of duty, however not to the detriment of the assigned officer;
- ✓ All components of the vehicle are to be free from obstructions, obstacles and personal belongings such as luggage and baggage, storage boxes, car seats, clothing (with the exception of safety vests) and discarded food and beverage materials;
- ✓ Personal hygiene and sanitising facilities are encouraged to be retained in the vehicle and easily accessible for use by the officer and any incumbent staff member utilising the pool-vehicle as part of operational readiness.

# Council Policy

Shire of Exmouth



- ✓ The inside and outside of the vehicle is to be maintained in a clean condition on a regular basis;
- ✓ Liaising with the respective staff member (where applicable) or servicing company for the routine maintenance and repair of the vehicle in accordance with the manufacturer's warranty and servicing requirements.
- ✓ All manufacturer servicing is carried out in accordance with scheduled servicing timeframes in conjunction with the workshop team, ensuring notice is provided no-less than 1,000km prior to the next scheduled servicing interval being every 10.000kms;
- ✓ The vehicle shall not be used to assist in a private business or any other forms of employment; and,
- ✓ The officer shall ensure the vehicle is at all times kept in as safe and secure a place as possible;
- ✓ Vehicle pre-starts are to be completed in accordance with the relevant vehicle risk assessment;
- ✓ The safe driving of the vehicle in accordance with all relevant driving acts, regulations, and relevant local laws.
- ✓ Reporting of any accidents/incidents to their respective supervisor and completion of any insurance or reporting forms as directed by the relevant staff member. Each Directorate
- ✓ is then responsible for organising/finalising required repairs and replacement vehicles arising from an insurance claim.
- ✓ Smoking is not permitted in Council vehicles.
- ✓ The unlawful consumption of alcohol and/or use of any prohibited substances are strictly prohibited when the Council vehicle is being driven by any person permitted by this Policy to drive that vehicle.
- ✓ Payment of any fines etc. resulting from an infringement will be the responsibility of the person who is driving the vehicle at the time of the infringement.

Failure to comply with these conditions, may result in disciplinary action and or removal of the vehicle.

Responsible Officer	Chief Executive Officer
Relevant Legislation	<i>CI 17 Local Government (Audit) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
10/10/2018	06-1017
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

IS009 Vehicle Crossover	
Directorate	Infrastructure Services
Adoption Date	25/06/2020
Last Review Date	15/12/2022

## PURPOSE

The purpose of this policy is to ensure that vehicle crossovers are constructed consistently in accordance with the Shires Vehicle Crossover Specification & Standard Details and the requirements of the Local Government Act 1995 (the Act) and its subsidiary legislation.

## DEFINITIONS

Road Reserve	The portion of land between the front property boundaries that contains both verges and the road carriageway.
Verge	The section of the road reserve between the property boundary and the road kerb line.
Crossover	The portion of a driveway within the verge providing access from the road to the property boundary.
Standard Residential Crossover	A standard residential/group dwelling crossover shall be defined as 3 metres wide, shall be constructed with concrete and exclude stormwater management elements.
Standard Commercial Crossover	A standard commercial/industrial crossover shall be defined as 6 metres wide, shall be constructed with concrete and exclude stormwater management elements.

## POLICY

### OVERVIEW

Vehicle crossovers are required to be constructed prior to the occupation of a residence or clearance of conditions of a development. All crossovers must be approved by the Shire prior to construction. Formal crossover approval may be obtained prior to lodging a Development Application and if so, crossover approval will be considered an accompanying document with the Development Application. The Shire may also request a property owner to construct a crossover within a specified timeframe. A property owner may be eligible for a crossover subsidy in certain circumstances.

This policy should be read in conjunction with the Shires Vehicle Crossover Specification & Standard Details which are designed to assist property owners and contractors to construct an appropriate crossover to the Shires specifications, and to be eligible for a subsidy.

This policy applies to all land developers and property owners, however only applies to Local Government (SoE) gazetted roads. Crossovers for properties that abut State Government Roads require Main Roads WA approval.

### LEGISLATION

This policy aligns with the Local Government Act 1995 and the Local Government (Uniform Local Provisions) Regulations 1996 and in particular Regulations:

12. Crossing from public thoroughfare to private land or private thoroughfare
13. Requirement to construct or repair crossing
14. Role of the Commissioner of Main Roads in some cases
15. Contribution to cost of crossing

### GENERAL CONDITIONS

- The approval of crossover construction is subject to the submission of a SoE Crossover Application form and inspection processes, prior to commencing construction;



- Approved building plans do not include approval for the construction of a crossover.
- The Crossover Application must be accompanied by a site specific design/layout drawing in line with the Shire's Vehicle Crossover Specification & Standard Details;
- The property owner is responsible for contacting Dial Before You Dig (1100) and other service and utility providers prior to commencing construction to ensure that underground services and infrastructure are not damaged and correct clearances are maintained;
- Vehicle crossovers shall be constructed under the supervision and to the satisfaction of the Shire's Officers. Contractors/owners are responsible for notifying the Shire prior to any preparatory or construction works to ensure that the correct inspections are conducted;
- The Shire does not support the removal of vegetation for crossovers, unless there are no uncleared areas that could be used.
- Where vegetation must be removed, disturbance of the vegetation should be kept to a minimum and replanting or replacement vegetation (street trees) may be required.
- Clearing of native vegetation is not permitted in Western Australia, unless a permit is granted by the Department of Water and Environmental Regulation (DWER) or an exemption applies. For more information on this, contact DWER for further information.
- The contractor/owner is responsible for all traffic and pedestrian management during the crossover construction, in accordance with AS1742.3 2009 Code of Practice for Traffic Management at Road Works;
- The contractor shall maintain public liability insurance to the value of five million dollars (\$5,000,000) during the crossover construction;
- The contractor/owner is responsible for repairs to any damaged infrastructure occurring during the crossover construction;
- The contractor/owner is responsible for reinstatement and clean-up of the verge immediately after completion of construction;
- The Shire reserves the right to remove a crossover for the purpose of carrying out works. Reinstatement of an approved crossover shall be carried out by the Shire in consultation with the property owner;
- The owner accepts responsibility for removal and reinstatement of a crossover if required by public utility providers;
- A crossover subsidy will only apply to the first crossover installed at the property;
- If a second crossover is required, the contractor/owner will be required to submit a Crossover Application Form and comply with all inspection processes, prior to commencing construction;
- Redundant crossovers, due to redevelopment of a site, are to be removed. Replacement of kerb, backfilling and verge area to be reinstated at the owner's/developer's expense; and
- On completion of construction of all approved crossovers, the owner will be responsible for maintaining the crossover.

## CROSSOVERS

### Crossover Specification

A vehicle crossover must be designed and constructed in accordance with the Shire's Vehicle Crossover Specification and suited to the development type and vehicle usage requirements.

All new crossovers shall be constructed in accordance with the standard detail drawings and specifications provided by the Shire, unless approval is granted otherwise.

Crossovers over an open drain shall require the installation of culvert/pipes, rock pitching, headwalls or any other element relating to stormwater management necessary to maintain a steady flow through the drain. This must be designed in accordance with drainage guidelines contained within the Shire's Vehicle Crossover Specification.

### Crossover Maintenance

The property owner shall be responsible for the maintenance of the crossover to ensure that it remains in a safe and trafficable condition. The Shire may request the owner to undertake repairs to the crossover at the owner's expense.

## Crossover Subsidy

In accordance with the Local Government (Uniform Local Provisions) Regulations 1996 (Sch. 9.1, c17):

*“The local government is obliged to bear 50% of the cost, as estimated by the local government, of a standard crossing, but otherwise the local government is not obliged to bear, nor prevented from bearing, any of the cost.”*

The following conditions apply in relation to eligibility of a crossover for a subsidy:

- Only the first crossover for a property is eligible for a subsidy
- The subsidy shall apply to industrial, commercial and grouped dwellings as well as single residential. In the case of strata titles, a subsidy shall apply to each individual crossover up to the number of dwellings.
- The subsidy must be claimed within six months from the date of completion.
- Prior to crossover preparation or concrete pour, the applicant must:
  - a) Submit a Vehicle Crossover Application form; and
  - b) Carry out inspections with the Shire's officers.
- Should Applicants pour concrete or construct the crossover prior to complying with items a) and b) above their right to claim a subsidy will be void.
- The subsidy application shall be submitted with itemised evidence to support the cost of construction. The cost of implementing stormwater management measures is not eligible for subsidy.

The Shire of Exmouth shall subsidise 50% of the crossover cost based on the dimensions of a standard crossover (as identified in Clause 2 – Definitions) and subject to the crossover complying with the Shire's Vehicle Crossover Specification. Reimbursements will be paid at a rate of \$130 per m<sup>2</sup> for residential crossovers and \$160 per m<sup>2</sup> for commercial crossovers with the following formula to determine the total reimbursement cost:

$$R = 0.5 \times 3 \times 130 \times Vw \text{ for residential crossovers and;}$$

$$R = 0.5 \times 6 \times 160 \times Vw \text{ for commercial crossovers}$$

Where:

R = Reimbursement total

Vw = Verge width

## CONSEQUENCES

This policy represents the formal policy and expected standards of the Council. Appropriate approvals need to be obtained prior to any deviation from the policy. Elected Members and Employees are reminded of their obligations under the Council's Code of Conduct to give full effect to the lawful policies, decisions and practices of the Council.

Failure of land developers, property owners and contractors to comply with this Policy, the Local Government Act 1995 and the Local Government (Uniform Local Provisions) Regulations 1996 can result in an infringement up to \$5,000.

## REFERENCE DOCUMENTS

- Shire of Exmouth Vehicle Crossover Specification and Standard Details (contact the Shire Administration Office to obtain a copy)

Responsible Officer	Executive Manager Infrastructure Services
Relevant Legislation	<i>Local Government Act 1995,</i> <i>Local Government (Uniform Local Provisions) Regulations 1996</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

## COMMUNITY AND ECONOMIC GROWTH (CEG)

<b>CEG001</b>	<b>Australia Day Awards</b>
Directorate	Community and Economic Growth
Adoption Date	15/12/2022
Last Review Date	15/12/2022

### CEG001 Australia Day Awards

#### OBJECTIVES

To ensure there is a clear process available in guiding decision-making in relation to Australia Day Awards.

#### POLICY STATEMENT/S

The Shire of Exmouth will make the following awards each year at the formal Australia Day ceremony:

- Premier's Australia Day Active Citizenship Awards
- Premier's Australia Day Active Citizenship Award for a person under 25 years
- Premier's Australia Day Active Citizenship Award for a community group or event
- Locally initiated awards formally approved from time to time by the Council

The nomination process and criteria to be used in selecting award recipients will be:

1. As set out for the WA Premier's Active Citizenship Awards by the Australia Day Council of WA,
2. For locally initiated awards, as approved by the Council.

The Council will review nominations against the relevant criteria set for the Premier's Australia Day Awards and any locally initiated awards and approve final awards under each category.

#### Note

Australia Day is held annually on the 26th of January and each local government holds a formal ceremony as part of the celebrations.

The Premier's Australia Day Active Citizenship Awards eligibility and criteria are set by the WA State Government however, the selection process is carried out under the auspices of the local government.

Responsible Officer	Executive Manager Infrastructure Services
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>CEG002</b>	<b>Drones</b>
Directorate	Community and Economic Growth
Adoption Date	15/12/2022
Last Review Date	15/12/2022

## CEG002 Drones

### OBJECTIVES

To describe the expectations of the Shire of Exmouth in relation to use of drones within the Shire, especially at Shire property.

### POLICY STATEMENT/S

Drones are a major part of modern society, and more people are using them every year. Drone operators are discovering many new and creative ways to utilise drones for recreational and business purposes including emergency services.

Drone usage is not regulated by Local Governments.

The Civil Aviation Safety Authority (CASA) Australian is the national authority for the regulation of civil aviation - which includes drone regulations and certifications - and can also provide help and assistance to community members concerned about drone use.

The Shire is not positioned to enforce laws pertaining to drone use unless it is being used in a public area where “remotely controlled aircraft” use is not permitted.

#### Recreational Use - Flying in Shire of Exmouth Public Space

Drone operators must:

- Only fly one drone at a time.
- Always fly the drone within visual line-of-sight — this means:
  - Flying only during the day.
  - Avoid flying in cloud, fog, or heavy rain.
  - Be able to always see the drone with their own eyes — not by using binoculars or watching a video screen.
  - Ensure the drone is not flying behind trees, buildings, or anything else that stops always seeing the drone.
  - Respect personal privacy. Don't record or photograph people without their consent — this may breach other laws and result in trouble with the Police.

Drone operators must not fly a drone:

- Higher than 120 m (400 ft) above ground level — that's about the height of a 35-storey building or length of a football field.
- Closer than 30 m to people — other than those helping to fly or navigate the drone.

# Council Policy

Shire of Exmouth



- Over or above people at any time or height.
- Over or near an area affecting public safety.
- In a way that creates a hazard to another person, aircraft, or property.
- Near emergency situations. This could include situations such as a car crash, police operations, a fire or firefighting efforts or search and rescue etc.
- In prohibited or restricted airspace.
- Closer than 5.5 km to a controlled aerodrome or airfield (usually those with a control tower), if the drone weighs more than 100 g.

Operators may operate a drone within 5.5 km of a non-controlled aerodrome or helicopter landing site only if:

- There are no manned aircraft (one or more people inside) flying to or from the aerodrome.
- It lands as soon as safely possible if any manned aircraft flying to or from the aerodrome.
- The operator stays outside the airfield boundary.
- It does not operate in approach or departure paths

## Commercial Use - Flying in Shire of Exmouth Public Space

If it is intended to fly a drone for work (commercially), it is important to adhere to the CASA regulations in relation to drones.

If it is contemplated using a park or reserve whilst flying a drone for commercial use, then apply to the Shire. Fees may apply.

It is illegal to fly for money or reward unless the operator holds a remote pilot licence (RePL) or is flying in the excluded category (sub-2 kilogram or private landholder).

## Reporting Unsafe Flying

If you believe you've seen someone breaking the rules, report it to CASA.

Fines of up to \$1,050 can be issued per offence. If the matter is taken to court, fines of up to \$10,500 can be imposed.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision

<b>CEG003</b>	<b>Temporary Accommodation – Caravan Parks</b>
Directorate	Community and Economic Growth
Adoption Date	17/05/2012
Last Review Date	15/12/2022

## CEG003 Temporary Accommodation - Caravans

### OBJECTIVES

To enable people on non-vacant land on which they own or have the legal right to occupy to temporarily use caravan accommodation for short stays with relatives and friends.

### POLICY STATEMENT/S

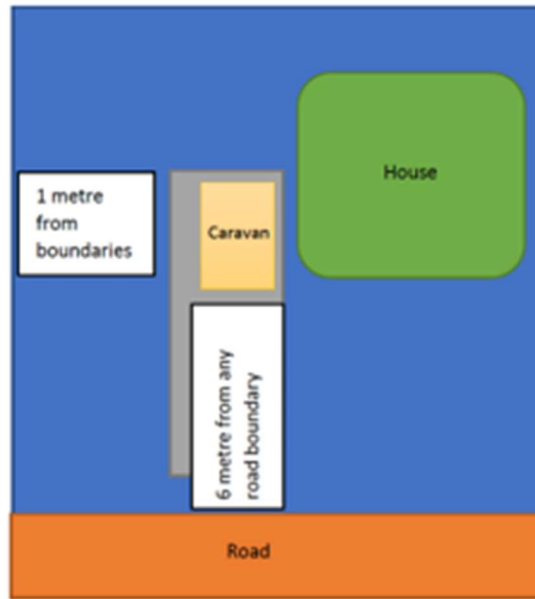
Camp Site includes to camp in a vehicle, but not a caravan.

Caravan means a vehicle that is fitted or designed for habitation.

Vehicle means a conveyance (other than a train, vessel, or aircraft) capable of being propelled or drawn on wheels.

To provide guidance for the approval of camping as per the *Caravan Parks and Camping Ground Act 1995* and the *Caravan Parks and Camping Ground Regulations 1997*, in each instance:

- No approval will be granted within all areas of the Shire of Exmouth for persons to camp on any vacant land.
- For those staying greater than 3 nights in any period of 28 consecutive days, will need to make an application for approval to the Shire of Exmouth by completing in full the Application to Camp Other Than in Caravan Parks & Camping Grounds.
- Approval may be granted for a maximum of one camp per property at any one time. This does not prevent approval being granted for another camp at a separate time, provided the aggregate time does not exceed 3 months in any 12-month period.
- Approval for greater than 3 months will need to be obtained from the Minister for Local Government and Regional Development. The Shire of Exmouth will not support applications made to the Minister to camp for more than 3 months other than in conjunction with the construction of a dwelling.
- The dwelling of the premises subject of the application is to have toilet, ablution, and laundry facilities, available for use by the person/people camping that comply with the Building Code of Australia, Council's Local Laws, and Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974. Details of these services are required to be provided as part of the application.
- The camp is to be located wholly on the property, and be at least 1 metre from the property boundary, at least 1 metre from any vehicle access areas and at least 6 metres from any road boundary.
- Tents used for camping purposes must be located at the rear of the dwelling.
- All caravans are to satisfy cyclone safety standards equivalent to those required for caravans in licensed facilities by clause 48 of schedule 7 of the Caravan Parks and Camping Grounds Regulations 1997. It should be noted for a caravan to safely survive a cyclone it should be housed in a cyclone rated shed.
- Approval, in writing, is to be obtained from owners of the property. Occupiers of adjacent properties will be consulted in relation to the application unless the applicant has done so and provided written responses with the application for consideration by the Shire.
- The Shire of Exmouth reserves the right to withdraw the approval at any stage.



Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	<i>Caravan Parks and Camping Ground Act 1995</i> <i>Caravan Parks and Camping Ground Regulations 1997</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



<b>CEG004</b>	<b>Temporary Accommodation – (Construction of a Dwelling)</b>
Directorate	Community and Economic Growth
Adoption Date	25/06/2020
Last Review Date	15/12/2022

## CEG004 Temporary Accommodation (Construction Of A Dwelling)

### OBJECTIVES

To enable people to temporarily use caravan accommodation whilst constructing a dwelling and to provide guidance for the approval of camping in accordance with legislation.

### POLICY STATEMENT/S

In each instance:

- Approval will not be granted for persons to camp on any land within the townsite and industrial area as defined in Local Planning Scheme 4, for the purposes of constructing a dwelling.
- Application for approval must be made to the Shire of Exmouth Council by completing in full the Application to Camp Other Than in Caravan Parks & Camping Grounds.
- Approval may be granted for a maximum of one camp per property at any one time.
- The camp is to be located wholly on the property and be at least 1 metre from the property boundary, 1 metre from vehicle access areas and 6 metres from any road boundary.
- All caravans are to satisfy cyclone safety standards equivalent to those required for caravans in licensed facilities by clause 48 of schedule 7 of the *Caravan Parks and Camping Grounds Regulations 1997*. It should be noted for a caravan to safely survive a cyclone it should be housed in a cyclone rated shed.
- Approval, in writing, is to be obtained from owners of the property. Occupiers of adjacent properties will be consulted in relation to the application unless the applicant has done so and provided written responses with the application for consideration by the Shire.
- The plans and specifications for the proposed residence, including details of wastewater treatment/disposal must be approved, a building license issued, and the concrete slab or equivalent works completed. An application to construct or install an Apparatus for the Treatment of Sewerage (e.g., septic system) must be approved and a Permit to Install an Apparatus for the Treatment of Sewerage issued.
- The application for temporary accommodation shall include the following details:
  - A plan of the temporary accommodation depicting the layout of the caravan and ablution facilities indicating the location of the following:
    - a. Water Closet
    - b. Shower
    - c. Wash Trough
    - d. Kitchen Sink
    - e. Hot water System
  - A drainage plan depicting how the fixtures and fittings are to be connected to the onsite wastewater treatment system or sewerage system.
  - A Program of Works specifying progress target dates for the construction of the permanent dwelling including completion of the following milestones: - Floor; Wall Framing/Construction; Roof Framing and Cladding; Completion of required Wet Areas (i.e., kitchen, laundry, and bathroom (or ensuite); and at least one bedroom to habitable standards.
- Should Council give its consent to establish temporary accommodation it would be for an interim initially for a period of 6 to 9 months. A possible extension to no more than 12 consecutive months may be granted by the Chief Executive Officer, subject to satisfactory progress being maintained on the

## Council Policy

Shire of Exmouth



permanent dwelling. Note: 'Satisfactory progress' meaning progress in accordance target dates specified in the approved Program of Works.

- Should the progress of construction on the permanent dwelling not be meeting the approved target dates, the applicant shall provide a revised Program of Works.
- Subject to approval being granted by the Shire in writing, the applicant may proceed to:
  - Assemble/locate the temporary accommodation in compliance with the conditions of approval.
  - Install the on-site sewerage treatment system or sewer connection in accordance with approved plans.
- Upon completion of the above, the Shire's Environmental Health Officer shall be contacted to arrange inspection of the temporary accommodation.
- Upon all conditions being met, a certificate notice shall be issued permitting the temporary accommodation to be occupied.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	<i>Caravan Parks and Camping Ground Act 1995</i> <i>Caravan Parks and Camping Ground Regulations 1997</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
26/11/2020	03-1120
30/06/2022	02-0622

CEG005	Community Events
Directorate	Community and Economic Growth
Adoption Date	22/10/2020
Last Review Date	15/12/2022

## CEG005 Community Events

### OBJECTIVES

To ensure that events provide a wide variety of community and economic benefits for residents, as well as additional attractions for visitors. It is important that organisers and patrons respect their surroundings and act in a responsible manner. The control of patrons is the responsibility of the organiser and their demonstrated capacity to successfully achieve this objective will form a major part of the application assessment process.

### POLICY STATEMENT/S

#### Definitions

Event - an occurrence held within the Shire of Exmouth by a person(s)/group/organisation, gathering people together for a common purpose by some prearrangement for entertainment, recreation or community purposes, and shall include but is not limited to:

- a) Concerts and events run as a commercial activity;
- b) Ceremonies and processions;
- c) Sporting and competitor events – marathons, triathlons, organised swims, and other similar events;
- d) Shows and fairs including circuses, carnivals, and other customised venue-based events;
- e) Festivals, exhibitions and expos; and
- f) Community events and fundraisers

Public Place - is defined as:

- (a) any thoroughfare or local government property; or
- (b) any place which the public is allowed to use, whether the place is or is not on private land, including park lands, squares, reserves, beaches, the intertidal zone and other land designated as being for the use and enjoyment of the public.

**Development Control Unit** – Internal body within the Shire of Exmouth comprising of relevant officers from multiple service areas brought together by Health Services, to assess, make recommendations and approve permit applications.

**Registered Public Building** – a premise registered as per the *Health (Public Building) Regulations 1992* and maintained within the Shire of Exmouth's Public Building registrar.

#### Background

Shire of Exmouth will support a diverse range of events which contribute to community development, enhance the liveability of the region, provide cultural, social, environmental and economic opportunities, and are accessible and safe for the community.

Each event is different and the specific approvals required will depend upon the type of event. It is recommended organisers consult early in the planning stages with Shire staff to determine the required approvals needed to conduct the event.

# Council Policy

Shire of Exmouth



In general, if an event is within a facility that has existing public building approval then formal approval may not be required unless there is a variation from the existing approval such as greater numbers or for an expanded area. If the event is not within a permanent building then an event application must be submitted to the Shire for approval.

Event support and/or delivery will only be considered where there is alignment with the objectives of the Strategic Community Plan Exmouth 2030, and benefits to the Shire are demonstrable.

## Objectives

1. This policy applies to all events held on private and public land within the Shire of Exmouth.
2. An event permit application in the prescribed form is required for all events other than Exempted events as per guide in Schedule 1.
3. All events are to be risk assessed by the applicant using the risk assessment form outlined within the information sheet prior to submission.
4. Event permit applications shall be determined under delegated authority, unless the proposed event is considered by the Development Control Unit to present a sufficient risk to reputation, public safety or amenity, in which case it shall be determined by Council.
5. Applications for events on land that is managed by an entity other than the Shire require a further approval from that entity before the Shire can issue an event permit for the event.
6. All events held within the Shire of Exmouth must be notified to Emergency Service providers regardless of classification.
7. Sponsorships for events will be in accordance with Shire of Exmouth, CEG008 – Sponsorship Policy.
8. Event signage is to be installed in accordance to Shire of Exmouth, Local Planning Policy 5. – Advertising Signs, it is the Event Applicant's responsibility to ensure compliance with this policy.

## Classification of Events

Events shall be classified into 4 categories for assessment and policy purposes. The categories are further described as a guide in Schedule 1.

1. Considering and managing risk is an integral part of planning for any event. Event Applicants proposing Category 2 to 4 events are to assess the potential level of risk as part of their event permit application, using the Event Risk Classification Tool in the Shire of Exmouth Event Information Pack.

## Assessment of Applications

1. Where the proposed event is to take place on land that is jointly or solely managed by authorities other than the Shire of Exmouth, approval from such authorities is required before the Shire can determine the event permit application.
2. When assessing an event permit application, the Shire will consider the likely impact on residents and the wider community, considering noise or nuisance, alcohol consumption, number of patrons, infrastructure and any additional factors, in accordance with any relevant legislation, regulations, Local Laws and Shire policies.
3. The assessment of an event permit application begins upon receipt of a complete application and event permit fee.
4. Where further information has been requested and not provided by the Event Applicant seven working days prior to the Event, the event permit application may be refused.
5. All events will attract an application fee in accordance with the Shire of Exmouth Schedule of Fees and Charges. Other fees may apply, including but not limited to those associated with noise assessments, food permits and waste removal, which shall be levied in accordance with the Shire of Exmouth Schedule of Fees and Charges.

## Council Policy

Shire of Exmouth



6. Bonds for events on local government property will apply in accordance with the Shire of Exmouth Schedule of Fees and Charges. Bonds will be refunded in full following the successful completion of the conditions of approval outlined in the event permit. Failure to comply with any of the conditions specified in the event permit may result in all or part of the bond money not being refunded to the applicant.

### Development Control Unit

1. The DCU will make one of the following three decisions regarding an event permit application:
  - a. No objection – The proposed event can be approved under delegated authority, subject to any relevant conditions.
  - b. Further Information – The Event Applicant has not provided all relevant information to enable the DCU to decide. The Event Applicant will be contacted to provide the required documentation. Once provided, the event permit application will be reconsidered by the DCU and approved.
  - c. Referral to Council – will occur if the proposed event is considered to present a sufficient level of risk to the Shire, either reputational or to property and public safety, to warrant approval by Council.

Category	Location	Attendance	Food	Alcohol	Marquees and stages	Rides	Amusement/Attractions	Traffic Management	Noise	Camping and Onsite Living
1	Event held in an existing registered Public Building and proposes no alterations to infrastructure over and above any services that are available to the general public	0-50 or as per the maximum occupancy	1 food facility permitted as long as required approvals are met, for example Temporary Food Stall Permit	Nil	Erection <2 simple marquees total not exceeding 18m <sup>2</sup> .	Nil	Fits within the scope of the facility being used, no impact such as dance recital to families of students.	No closure of vehicle/boat access facilities or impeding on flow of vehicle movement.	No or minimal use of amplified equipment for no more than 2 hours or extraordinary vehicle noise	Nil
2	Event held in an existing registered Public Building /or proposes minor alterations to infrastructure over and above any services that are available to the general public. Held in open unconfined outside area	51-500	Permitted as long as required approvals are met, for example Temporary Food Stall Permit	Nil	Erection <2 simple marquees total not exceeding 18m <sup>2</sup> .	Nil	Local performance such classic music, theatrical performance, fetes/fundraiser, family concert	No road closures or disruption to traffic	No or minimal use of amplified equipment for no more than 2 hours or extraordinary vehicle noise	Nil
3	Event held in an existing registered Public Building /or proposes minor alterations to infrastructure over and above any services that are available to the general public. Held in open unconfined outside area or spacious inside single level facility	501-2500	Permitted as long as required approvals are met, for example Temporary Food Stall Permit	Yes, low to moderate consumption	3-10, simple structure marquees/ stage	1-5 low risk rides ie pony, bouncy castle	Family concert, low consumption of alcohol, agricultural shows, food and wine shows, markets	Small road closure, slight disruption to traffic, local road closure	Amplification of music but not in close proximity to residential area, minimal disruption	Nil
4	Event held in an existing registered Public Building /or proposes major alterations to infrastructure over and above any services that are available to the general public.	2501+	Permitted as long as required approvals are met, for example Temporary Food Stall Permit	Yes, high consumption	>10 or structure >55m <sup>2</sup>	High risk rides, large amount of amusement structures	Marathons, triathlons, major sports, music festivals, marine, waterways events.	Main road closure, major disruption to traffic	Bands/music festival, Reg 18 required	Yes

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	<i>Health (Public Building) Regulations 1992</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

CEG006	Sponsorships
Directorate	Community and Economic Growth
Adoption Date	20/09/2012
Last Review Date	15/12/2022

## CEG006 Sponsorships

### OBJECTIVES

To establish principles for sponsorship agreements entered between the Shire of Exmouth and other parties and to provide guidelines for how the Shire will seek sponsorship and the handling of requests for donations and waiver of Shire fees and charges.

Sponsorship is the contribution of financial and/or “in kind” support that the Shire of Exmouth receives or provides for the purpose of partnering in the provision of community infrastructure, a service or program, event or activity that may contribute to the economic, social, sporting, environmental or cultural development of the Shire.

Sponsorships are undertaken or entered, to help achieve business or community objectives.

### POLICY STATEMENT/S

Council acknowledges that sponsorship can provide significant benefits to the Shire of Exmouth and the community and will consider sponsorship opportunities under three streams depending on the nature of the request and where the greatest benefits are to be achieved; economic, community or donations.

1. Economic; events that attract majority participation and visitation from outside of the region, that reinforce the Exmouth and Ningaloo brands, and generate economic benefits by injecting new money into the local economy. Events must be held in low and shoulder visitor periods to encourage new visitation.
2. Community; community events/ programs/projects that are organised by local community groups and are designed to attract a local audience, create local vibrancy, increase participation and in many cases raise funds or awareness for local organisations ongoing sustainability.
3. Donations; in some instances, the Shire will receive requests from community groups for donation of money, gifts or other forms of contribution where no clear benefit can be measured.

Economic; where the benefits are assessed as primarily economic in nature the following principles apply:

- Funding is available to not-for-profit, incorporated organisations, and commercial organisations that can clearly demonstrate their event will deliver significant additional economic benefit to the Exmouth region.
- Council invites sponsorship proposals for significant events staged within the Shire of Exmouth boundary under its “**Major Events Sponsorship Program**” (MESP) up to the value of \$5,000 ex GST per event each year.
- The MESP is an annual funding program where eligible applicants can apply for sponsorship support for the delivery of major events that have the potential to deliver significant economic outcomes to Exmouth.
- The MESP is designed to grow visitation in shoulder and low visitor periods. Eligible events must be held outside of “Peak Visitor Periods” as defined (defined as Easter holidays, April and July WA school holidays)
- The MESP is designed to encourage the attraction and delivery of major events that inject increased expenditure into the region.
- Applicants for MESP must demonstrate (explain) how their event has the potential to deliver significant economic outcomes to the Shire of Exmouth.



## Council Policy

Shire of Exmouth



- A sponsorship agreement outlining the full terms and conditions of the agreement will be recorded in writing and signed by both parties.
- Established or proven events can apply for multi-year support up to 3 years.
- All sponsorship arrangements will be described in the annual report in a manner commensurate with the significance of the sponsorship.
- Applicants to refer to the Major Events Sponsorship Program guidelines.
- Acquittals must be received within six weeks of the event/program/project completion.
- Commercial (for profit) event organisers will be required to submit a formal sponsorship application that will require Council consideration and approval.

Community; where the benefits are assessed as primarily for local community groups the following principles apply:

- Council invites grant applications for selected Shire of Exmouth projects, events, services or activities under its **“Community & Sporting Grants Program”** up to the value of \$1,500 ex GST per event.
- The “Community & Sporting Grants Program” (CSGP) funding program offered twice a year in February and August where eligible applicants can apply for grants to deliver non-core events and programs that achieve community and sporting outcomes.
- Local groups may apply for up to two events per funding round.
- The CSGP is designed to assist local community and sporting groups to deliver non-core business activities.
- Applicants to refer to the Community & Sporting Grants Program guidelines.
- Community and Sporting Groups wishing to access funds to undertake capital works should enquire with the Manager Community, Sport and Recreation for Shire and other third party grant opportunities including accessing the Shire Community Interest Free Loans Reserve under Shire Policy CS015 *“Interest free loans to clubs and organisations”*.
- Acquittals must be received within six weeks of the event/program/project completion.

Donations; where the benefits are assessed as primarily for local community groups the following principles apply:

- Requests for donations will only be considered by the Shire President and authorised by the the Chief Executive Officer.
- If a formal request for donations is received (must be in writing on proponent letterhead) these are to be directed to the Shire President for consideration.
- A maximum of up to \$500 (GST no applicable) formal request per annum from each entity is allowed.
- Activities asking to be supported should be non-core business in nature.

General Principles; these apply to the three streams of support.

- No fee waivers for use of the Shire facilities and services including Ningaloo Centre meeting venues will be considered.
- Proponents requesting fee waivers for the use of Council buildings and venues should be encouraged to seek other third-party funding to cover these costs and/or consider use of other venues.
- Any request for waiver of a Shire fee or charge must be part of a request for sponsorship proposal that clearly outlines the benefits to the Shire and how the project meets Council strategic objectives.
- Applicants may only apply for one of the three funding streams per event or activity.

## Council Policy

Shire of Exmouth

- Funding benefits or sponsorship do not include implied endorsement by Council of the recipient's goods or services or use of Council's logo to promote their products.
- Sponsorship arrangement that impose or imply conditions that limit the Council's ability to carry out its functions fully and impartially will not be agreed to.
- The Shire of Exmouth Council reserves the right to withdraw funding with an external party when they are considered to have not complied with the spirit of this policy and/or a written agreement entered into as a sponsor or funding arrangement.
- The sponsorship or funding is complementary to Council's vision, values, policies and strategies.
- The Shire reserves the right to withhold some or all of funding payments until a post event report is submitted by the successful applicant.
- There should not be any real or perceived conflict between the objectives and mission of the recipient and Council.
- Ensure funding received by the Shire supports the aims of the other Shire of Exmouth policies and does not promote:
  - the excessive consumption of fast food;
  - the use of tobacco products;
  - gambling; or
  - irresponsible drinking.
- The Shire of Exmouth Council will not enter into sponsorship with external bodies who:
  - Are involved in unlawful activities;
  - Do not share Council's views on promoting a diverse, tolerant and inclusive community;
  - Are political parties and/or promote political agendas;
  - Are considered to be an unsuitable partner by Council for reasons it sees fit to apply in the context of this policy;
  - Offer programs that may present a hazard to the community;
  - Offer programs that do not reflect widely held community views; and
  - Contravene State and Commonwealth legislation, local laws.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	<i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
27/09/2018	05-0918
22/11/2018	04-1118
02/09/2019	03-0419
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

<b>CEG007</b>	<b>Refund of Building Fees</b>
Directorate	Community and Economic Growth
Adoption Date	17/05/2012
Last Review Date	15/12/2022

### **CEG007 Refunds of Building Fees**

#### **OBJECTIVES**

To ensure that a structured approach is maintained by the Shire when dealing with the issue of building fee refunds.

#### **POLICY STATEMENT/S**

This policy is designed to clearly define the different categories of building fee refunds applicable to building permit applications that are cancelled. It is the intent of the policy to allow staff to deal with requests for building permit fee refunds administratively and for such requests to be dealt with in a consistent manner.

The policy places a building permit that is withdrawn into one of three categories for determining the level of refund applicable to the building fees paid.

Where an application is withdrawn and does not reasonably sit within one of the following categories, then it shall be reported to the Chief Executive Officer for determination.

#### Category 1

Where a building permit application is submitted but is withdrawn prior to any assessment being carried out by the Shire.

In this instance the Shire has receipted the application registered (i.e., given a number and information recorded on the computer system), registered, established a file, and placed any trust monies (e.g., BRB and BCITF levies) into respective accounts.

The minimum fee for an application is prescribed by regulation. In these instances, it is considered that the Shire would have spent at least that amount in administration costs.

Accordingly, in this category an administration fee, being the minimum building permit application fee, shall be retained by the Shire and the balance may be refunded to the applicant upon request.

#### Category 2

Where a building permit application is submitted but is withdrawn prior to approval being granted or is cancelled/refused due to required information not being provided by the applicant within the timeframe prescribed by the Building Regulations.

That is, the Shire has carried out the administrative function of Category one and undertaken the professional assessment such as site inspection, plan, and specification assessment for compliance with the Building Code of Australia and Health Act assessment.

Formal appraisal has not been completed and may be pending further information or planning approval. In this instance, where preliminary processing has been completed and the application is withdrawn, the Shire would be "out of pocket" if only the minimum permit application fee was retained.

To retain an appropriate amount of the application fee to cover the preliminary assessment and processing costs the following refund structure is adopted by the Council: -

## Council Policy

Shire of Exmouth



- Where the application fee paid is \$150.00 or less no refund will be given,
- Where the application fee paid is greater than \$150.00 but less than \$300.00, a minimum fee of \$150.00 shall be retained by Council and the balance may be refunded to the applicant upon request; and
- Where the application fee paid exceeds \$300.00 then 50% of the fee may be refunded upon request.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	<i>Local Government Act 1995</i>
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

For Council Adoption

<b>CEG008</b>	<b>Emergency Overflow Camping Grounds</b>
Directorate	Community and Economic Growth
Adoption Date	15/11/2012
Last Review Date	15/12/2022

## **CEG008 Emergency Overflow Camping Grounds**

### **OBJECTIVES**

To provide overflow facilities in the Shire that will accommodate additional numbers of camping tourists when permanent caravan parks and camping grounds facilities within the Shire are operating at or near capacity and to ensure that the operation of overflow sites/facilities within the Shire of Exmouth complies with legislative requirements.

Due regard will be had for the impact on permanent operators is balanced with the additional economic benefit to the destination because of greater capacity in peak demand periods.

### **POLICY STATEMENT/S**

#### Part A

This section relates to the use of overflow camping sites within the existing licenced caravan parks within the Shire of Exmouth. Each caravan park is issued with a limited number of overflow sites in accordance with the Caravan Parks and Camping Grounds Act & Regulations. These are the only sites that may be used as an overflow facility. All such bays will be identified on the caravan parks license and can only be used during the peak holiday periods and in accordance with the conditions detailed on the licence.

#### Part B

This section relates to the establishment and operation of a self-contained Recreational Vehicles emergency overflow facility. For the purposes of this policy, self-contained Recreational Vehicles includes all buses, over-size motorhomes and large caravans that are completely independent of needing power, water, waste services, sewerage and sullage points. It does not include any trailer or tent.

The Shire may establish an overflow area for self-contained Recreational Vehicles when there are no vacancies for vehicles of this nature available at any caravan park within the Exmouth townsite boundary (as defined in attached map to this policy) of the Shire of Exmouth. A camper is permitted to book for up to 3 consecutive days at the overflow if it is believed that there are no available spaces for the required length of stay in the caravan parks during the 3-day period.

The maximum stay at the Exmouth Shire Council self-contained Recreational Vehicles Overflow Camping facility is to be a maximum of 14 consecutive days. Authorized campground hosts may stay longer than the maximum period at the Overflow Camping grounds.

The self-contained Recreational Vehicle overflow shall be primarily based between the Arboretum and the Netball courts on Willersdorf Road, although specific circumstances may arise requiring the site to be temporarily relocated e.g., heavy rainfall or increased numbers. Temporary relocation of the Overflow will be at the discretion of the Chief Executive Officer.

Fees for camping at this facility shall be determined in accordance with Shire of Exmouth Schedule of Fees and Charges.

# Council Policy

Shire of Exmouth



The maximum number of vehicles allowed in self-contained Recreational Vehicles overflow facility area will be determined based on allocated spacing between vehicles, size of vehicles (whether they have trailers), turning circles, and usable space in the allocated area.

Dogs are permitted in this overflow camping area but must always be held on a leash and be under the control of a responsible person.

## Part C

This section relates to the Shire of Exmouth Overflow Camping Grounds.

Where there are no vacancies available at all existing Caravan Parks within the Exmouth townsite boundary (as defined in attached map to this policy), including approved overflow sites within the licensed Caravan Parks, the Shire of Exmouth, at the discretion of the Chief Executive Officer, may authorise the operation of Overflow Camping Grounds at the following locations: -

- Designated overflow bays east of Kooboroo Oval – under the supervision of Council's Ningaloo Visitor Centre staff and/or the authorized Camp Host,
- Niblett Park under the supervision of Council's Ningaloo Visitor Centre staff and/or the authorized Camp Host, and
- Any additional areas at the discretion of the Chief Executive Officer including participating local community or sporting group facilities.

Overflow sites are to be identified for use and occupancy levels determined as approved by the Chief Executive Officer.

The maximum stay at the Exmouth Shire Council Emergency Overflow Camping facilities is to be a maximum of 3 consecutive days. Authorised campground hosts may stay longer than the maximum period at the Overflow Camping grounds. A camper is permitted to book for up to 3 consecutive days at the overflow only if it is believed that there are no available spaces for the required length of stay in the caravan parks during the 3-day period.

During the utilisation of the Kooboroo and Niblett oval overflow sites, the Council's Ningaloo Visitor Centre staff are to resolve any unforeseen problems arising except where a campground host has been appointed, in which case the campground host is responsible for day to day supervision and management of the facility. In relation to community/sporting group facilities approved for overflow operations the respective management committees of these groups and/or their appointed campground host are to resolve any unforeseen problems arising and are responsible for day-to-day supervision and management of the facility.

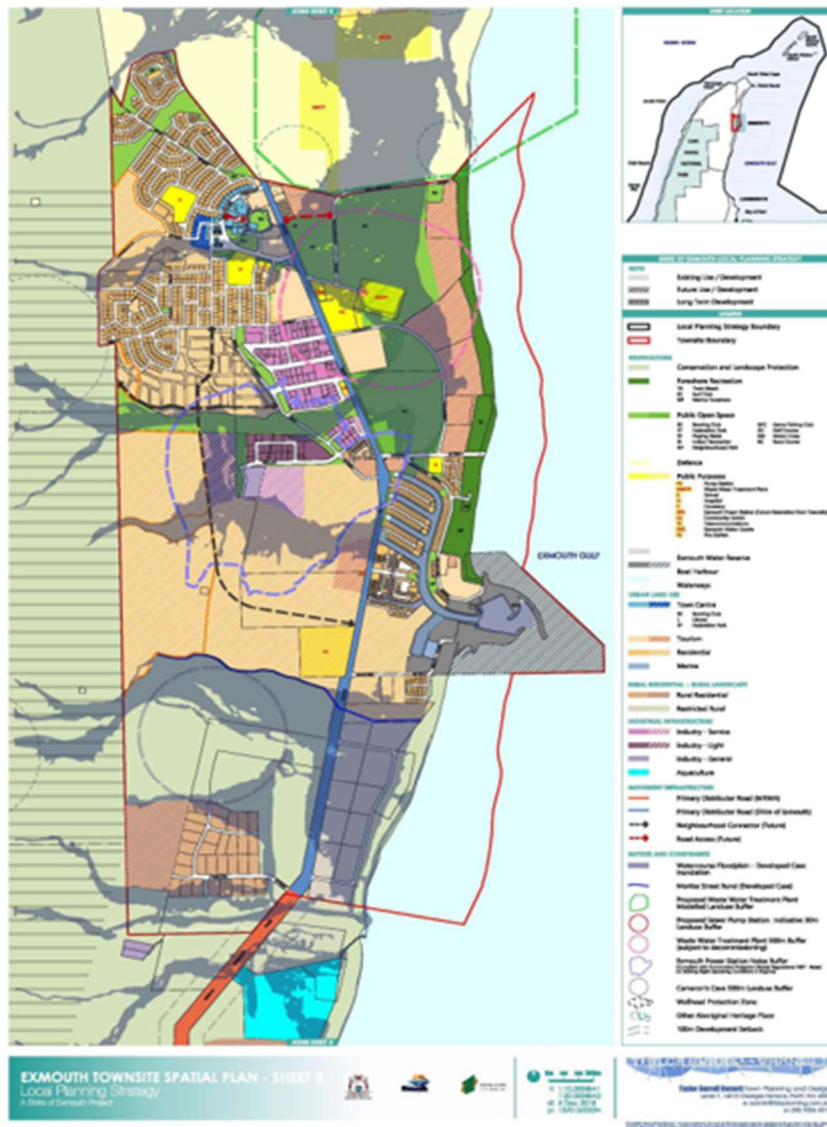
Fees for camping at the overflow facilities (Shire and participating local community and sporting groups) shall be determined in accordance with Council's Annual Schedule of Fees and Charges.

The Ningaloo Visitor Centre will be the booking agency for all Shire and community/sporting group overflow facilities and charge standard booking commissions on transactions at levels as approved in Council's Annual Schedule of Fees and Charges.

Dogs are permitted in the above overflow camping areas but must always be held on a leash and be under the control of a responsible person.

Additional locations may include local community and/or sporting groups that possess all relevant facilities, insurances, and onsite management plan to manage an overflow site. 9. Use of clothes washing machines are prohibited at overflow sites where sullage disposal facilities are not provided. Patrons are to use the public laundry in the Central Business District or other approved accessible facility.

Attachment 1 - Exmouth Townsite Map – Local Planning Strategy (Townsite boundaries delineated by red border)



Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	Local Government Act 1995
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
23/04/2020	03-0420
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622

<b>CEG009</b>	<b>Camping on Exmouth Recreation Ground</b>
Directorate	Community and Economic Growth
Adoption Date	15/11/2012
Last Review Date	15/12/2022

### CEG009 Camping on Exmouth Recreation Ground

#### OBJECTIVES

To enable people to camp temporarily on the Exmouth Recreation Ground without obtaining written approval from the Shire.

#### POLICY STATEMENT/S

Sideshow operators, stall operators and organisers at festivals/events are only permitted to camp on Talanjee and Kooboroo Ovals on the night before and during the period of the Show and must remove all camping and other gear during the day following the end of the Show.

Any variation to this Policy requires an application to the Shire of Exmouth.

Approval may be given by the Chief Executive Officer where the variation is 1 day either side of the event.

Where a more significant variation is requested, approval of the Council is required.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	N/A
Relevant Delegation	N/A
Review History	
Date	Council Decision
22/11/2018	04-1118
25/06/2020	02-0620
26/11/2020	03-1120
30/06/2022	02-0622



<b>CEG010</b>	<b>Mobile Trading</b>
Directorate	Community and Economic Growth
Adoption Date	28/05/2020
Last Review Date	27/07/2023

## **CEG010 Mobile Trading**

### **OBJECTIVES**

- Facilitate the opportunities for mobile traders that adds to the public enjoyment and use of the local government area, while not reducing safety or access to public land,
- Ensure existing local businesses are not significantly disadvantaged through the approving of mobile traders; and
- Provide a consistent and coordinated process for the assessment of applications for mobile traders within the Shire.

### **POLICY STATEMENT/S**

The Shire encourages improved retail and hospitality vibrancy that reinforces the positioning of Exmouth as the State's premier tourism town.

The Shire values its local business community and recognises that there are business opportunities that can occur on a temporary basis.

It is recognised that Mobile Traders can:

- Contribute to the vitality of the town,
- Provide a safe, efficient, and accessible food service at peak times to service increased customer demand beyond the supply capabilities and/or outside operating hours of permanent food outlets,
- Provide products and services on a temporary basis not currently on offer,
- Provide an opportunity for seasonal products to be provided, and
- Activate a particular location or precinct that meets the objectives of the local government.

This Policy is a tool that will provide Council with a framework for the operation and management of mobile traders within the Shire of Exmouth.

This Policy is applicable in instances where businesses and/or individuals seek to use public land to operate a business for financial gain where land is owned or controlled by the local government.

This Policy does not apply to the following:

- Where a vendor is part of an event, carnival, market, fete, or the like (this would require an event permit),
- Where the activity is a one-off occurrence such as an opening or open day for a business/premises (this would require an event permit),
- Trading from private property strictly under consent of the landowner (food permit still required if selling food and beverage products),
- Community health mobile clinics and other government/community like uses; and
- A 'produce stall' within private property.

### **DEFINITIONS**

Approved Location - The Shire has identified locations from which a Mobile Trader may trade with appropriate approvals. Trading from these locations may occur independently of a Shire approved market, festival, or event. The Approved Locations are identified within this Policy and potential traders are to consider these locations in the first instance.

# Council Policy

Shire of Exmouth



Itinerant Trader – Means a form of mobile trader who sells food from a vehicle parked temporarily on the road to customers who stop them or come to them while they are so parked (for example: ice-cream truck).

License Booking – An application for Mobile Trading where the applicant has previously traded within the Shire of Exmouth for a period of 12 months or more and may be eligible for a 50% deduction on fees.

Mobile Trader – is any means of transport designed to be moveable and used for the preparation or sale of food and beverages (excluding alcoholic beverages), or other goods and/or services.

Moveable Advertising Sign – Any moveable board, notice, structure, banner, or similar device used for the purposes of notifying of a sale, soliciting sales or notifying people of the presence of an adjacent property where goods and services may be obtained. Includes A-Frame signs. This excludes commercial signage mounted on vehicles and/or trailers.

Permit Application – An application for Mobile Trading where the applicant has not previously traded within the Shire of Exmouth for a period of 12 months or more.

Public Place – Includes a reserve, public highway, mall, road street, bridge, footway, footpath, court, alley, passage, or thoroughfare, notwithstanding that it may be formed on private property and any other place to which the public may resort.

## PROVISIONS

1. All Mobile Traders are required to apply for the following permits:
  - Activities on Local Government Property; and
  - Food Business Registration Application (if food vendor).
2. Approvals to trade can be granted for periods ranging from 1 day up to 12 months with terms greater than 12 months to be considered via a licensing arrangement and requiring Council approval on a case-by-case basis. In order to qualify for a licence a trader must demonstrate that they have a proven trading history of at least 12 months (or one full tourism season i.e. April – September) within the Shire of Exmouth area.
3. All Mobile Traders operating within the Shire must hold a public liability policy of insurance in respect of the activities being undertaken, providing cover of at least \$20,000,000.
4. No permanent signage may be erected. A Moveable Advertising Sign may only be displayed during the operating times of the business.
5. As per the local law, permits and licences will not be issued for mobile trading within 300m of a competing static business (does not include other mobile traders) at the same opening times and trading in predominantly similar products unless it is in association with an approved event. For clarity, types of food e.g., pizza, hamburgers, fish and chips are not considered similar products.
6. The trader is responsible for containment and removal of all waste arising from their operations. The site and surrounds must be maintained in a clean manner with all waste removed and legally disposed of.
7. Traders may apply for multiple locations however are required to nominate all approved locations, operating days and times and pay for these locations in advance. Multiple bookings that in the opinion of the Shire are designed to exclude other traders can be cancelled at the Shire's absolute discretion.
8. There are no stipulations on type of food service to be approved at each location however to reduce potential conflict the numbers of permitted traders at each approved location will be limited as stipulated for each location in these attachments (excludes one off events).
9. The Shire will allocate each booking its own space on a first come first served basis and only confirmed

## Council Policy

Shire of Exmouth



once payment has been received. The Shire will maintain a booking sheet for all approved locations.

10. A licence booking will take precedence over a permit booking however the Shire reserves the right to issue a permit for a mobile trader to replace a licensee where the licensee has failed to operate at its approved location for more than 6 continuous weeks.
11. Mobile Traders wishing to operate at specific locations on a more permanent basis for greater than 12 months will be considered in accordance with this Policy. A license approach is to provide greater tenure with terms and conditions negotiated on a case-by-case basis. Any Mobile Trader will require and be subject to Council review and approved and traders will still be required to secure all trading permits.

### **APPLICATION PROCESS**

Applications are to be lodged with the Shire a minimum of 14 days prior to the proposed trading commencement date.

Applications must be submitted on the form provided for this purpose and provide all information necessary for officers to determine whether to issue a permit and apply appropriate conditions to the permit.

Shire may request additional information in support of the application.

Incomplete applications or delays in providing additional information upon request, may result in delays in the application being processed. This includes failure to pay the required permit application fee or provide evidence of adequate public liability insurance.

Trading must not commence until all required fees are paid in full and the permits are issued.

### **WHERE MOBILE TRADERS MAY OPERATE**

#### Mobile Traders at Markets, Events and Festivals

Mobile Traders may only operate at a Market, Event or Festival when they have received the prior consent of the organiser of the Market, Event or Festival. In seeking the prior consent, the Mobile Trader should provide evidence of current public liability insurance and Food Act Registration (as appropriate).

When a pre-existing booking between the Shire and the mobile trader conflicts with a festival or one-off event the event will take precedence.

In these circumstances if the trader chooses to trade during the event the trader must abide by the event organiser terms and conditions and the agreement between the Shire and trader will be suspended for the period of the event.

The Shire will refund or credit to the trader any pre-paid booking fees for the period affected at the end of the booking period.

#### Approved Locations

The below are the approved locations identified by the Shire where a Mobile Trader may operate with the appropriate approvals. Locations outside of those described will generally not be permitted however additional locations can be approved by a decision of Council.

**A. Federation Park (maximum 4spaces)**



**B. Town Beach (maximum 8 spaces)** |



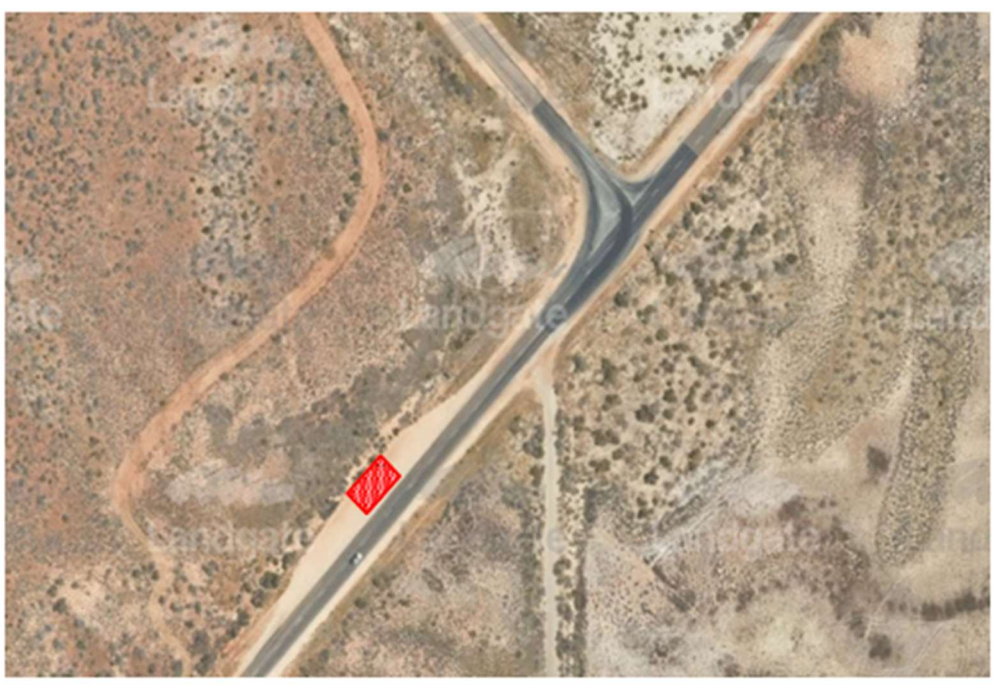
C. Town Beach Area 2 (maximum 2 spaces)



D. Payne Street (maximum 3 spaces)



**E. Murat and Yardie Creek Road turnoff (maximum 2 spaces)**



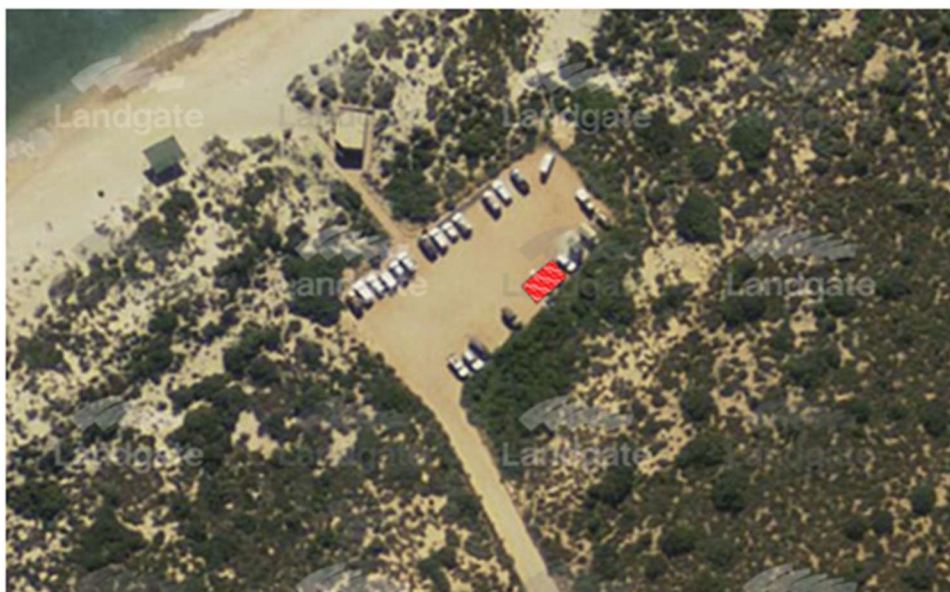
**F. Tantabiddi Boat Ramp precinct (maximum 2 spaces)**



G. Lighthouse precinct (maximum 2 spaces)



H. Dunes carpark (maximum 1 space)





Responsible Officer	Executive Manager Community and Economic Growth
Relevant Legislation	Local Government Act 1995
Relevant Delegation	Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law N/A
Review History	
Date	Council Decision
15/12/2022	09-1222
25/06/2020	02-0620
26/11/2020	03-1120
22/04/2021	05-0421
30/06/2022	02-0622



<b>CEG011</b>	<b>Town Centre Public Space and Outdoor Eating Permits</b>
Directorate	Community and Economic Growth
Adoption Date	28/05/2020
Last Review Date	21/09/2023

## **CEG011 Town Centre Public Space & Outdoor Eating Permits**

### **OBJECTIVES**

- Assist local businesses, create vibrancy, enhance amenity, and maximize business opportunities whilst reinforcing the positioning of Exmouth as a unique visitor destination.
- Encourage local food businesses to create and manage quality outdoor dining areas without impacting on public safety or access.
- Ensure consistent policy and clearly set out the requirements of the Shire of Exmouth for applicants making an application for town centre public space and outdoor eating areas.
- Decrease bureaucratic procedures, restrictions, and constraints, as well as legal and jargonistic guidelines.

### **POLICY STATEMENT**

The Shire of Exmouth encourages local businesses to partner to create a vibrant and interactive town centre. The Shire of Exmouth actively invites local businesses to create improved retail and hospitality vibrancy through this business-friendly trading permits policy.

This policy sets out the matters the local government will consider when assessing applications for town centre public space and outdoor eating space permits.

Local businesses are required to submit applications for the Town Centre Public Space and Outdoor Eating permits.

This policy is supported and should be read in conjunction with the individual guidelines for:

- Town Centre Public Space Permit Guidelines; and
- Outdoor Eating Guidelines.

### **PROVISIONS**

#### Town Centre Public Space

Commercial operators within the town centre are provided the opportunity to use the public space immediately in front of their respective tenancy. The "Town Centre Public Space Permit" encourages trader so use the public space immediately in front of their tenancy for advertising, merchandising, or seating as detailed in the Shire's Town Centre Public Space Permit Guidelines.

Applicants must have and maintain Public Liability Insurance of not less than \$20 million.

#### Outdoor Eating Permit

Food businesses within the local government area that the meet stated qualifying criteria are encouraged to create high quality outdoor dining areas in public spaces via the "Outdoor Eating Permit".

This policy endorses the Outdoor Eating Guidelines, failure to comply with these guidelines will result in the permit being cancelled or enforcement action taken.

To operate an outdoor eating area the following criteria applies:

- Must be a registered food business with the Shire of Exmouth.
- Must have a tenancy fronting the public place where the outdoor dining will be situated.
- Must have clear and unobstructed access and views of the area.
- All relevant fees have been paid in respect to the permit area.
- Must maintain Public Liability insurance of not less than \$20 million dollars.
- Must comply with the Shire's Outdoor Eating Permit Guidelines.

Responsible Officer	Executive Manager Community and Economic Growth
Relevant Procedures	Advertising Signage Guidelines Town Centre Public Space Permit Guidelines Outdoor Eating Permits Guidelines
Relevant Delegation	Booking Temporary Banner Display Guidelines N/A
Review History	
Date	Council Decision
15/12/2022	09-1222
25/06/2020	02-0620
26/11/2020	03-1120
27/05/2021	05-0521
30/06/2022	02-0622



Shire of Exmouth

# DELEGATION REGISTER

For Council Adoption

## Table of Contents

<b>DOCUMENT CONTROL</b> .....	<b>4</b>
<b>1. LOCAL GOVERNMENT ACT 1995</b> .....	<b>5</b>
<b>1.1 Council to Chief Executive Officer</b> .....	<b>5</b>
1.1.1 Performing Functions Outside Own District.....	5
1.1.2 Declare Vehicle is Abandoned Vehicle Wreck.....	6
1.1.3 Confiscated or Uncollected Goods .....	7
1.1.4 Disposal of Sick or Injured Impounded Animals.....	7
1.1.5 Property and Acquisition and Disposal.....	9
1.1.6 Payments from Municipal or Trust Fund.....	11
1.1.7 Power to invest and Manage Investments.....	12
1.1.8 Defer, Grant Discounts, Waive or Write off Debts .....	13
1.1.9 Power of Entry .....	14
1.1.10 Agreement as to Payment of Rates and Service Charges.....	15
1.1.11 Recovery of Rates or Service Charges .....	16
1.1.12 Recovery of Rates Debts – Require Lessee to Pay Rent .....	17
1.1.13 Recovery of Rates Debts - Actions to Take Possession of the Land.....	18
1.1.14 Rate Record - Objections.....	19
1.1.15 Rate Record Amendment.....	20
1.1.16 Certain things to be done in respect of Land.....	21
1.1.17 Close Thoroughfares to Vehicles .....	22
1.1.18 Private Works on, over or under Public Places .....	23
1.1.19 Gates Across Public Thoroughfares .....	24
1.1.20 Public Thoroughfare – Dangerous Excavations.....	25
1.1.21 Crossing – Construction, Repair and Removal .....	26
1.1.22 Sponsorship; Donations.....	27
1.1.23 Execution of Documents .....	28
1.1.24 Expressions of Interest for Goods and Services .....	29
1.1.25 Tenders for Goods and Services .....	30
<b>1.2 Chief Executive Officer to Employees</b> .....	<b>33</b>
1.2.1 Destruction of Electoral Papers .....	33
1.2.2 Acting Chief Executive Officer.....	34
1.2.3 Representing Local Government in Court.....	35
1.2.4 Appoint Authorised Persons .....	36
<b>2. BUILDING ACT 2011</b> .....	<b>37</b>
<b>2.1 Council to Chief Executive Officer</b> .....	<b>37</b>
2.1.1 Designate Employees as Authorised Persons .....	37
2.1.2 Grant a Building Permit .....	38
2.1.3 Grant a Demolition Permit .....	39
2.1.4 Building Orders (Issue and Revocation).....	40

2.1.5	Occupancy Permit or Building Approval Certificate .....	41
2.1.6	Inspection and Copies of Building Records .....	42
2.1.7	Referrals and Issuing Certificates.....	43
2.1.8	Private Pool Barrier – Alternative and Performance Solutions .....	44
2.1.9	Smoke Alarms – Alternative Solutions.....	45
2.1.10	Appointment of Authorised Persons (Swimming Pool Inspectors).....	46
2.1.11	Appoint approved officers and authorised officers .....	47
<b>3.</b>	<b>FOOD ACT 2008 .....</b>	<b>48</b>
3.1	<b>Council to CEO/Employees .....</b>	<b>48</b>
3.1.1	Appoint Authorised Officers and Designated Officers.....	48
3.1.2	Determine Compensation .....	49
3.1.3	Prohibition Orders .....	50
3.1.4	Food Business Registrations.....	51
3.1.5	Debt Recovery and Prosecutions.....	52
3.1.6	Food Businesses List – Public Access .....	53
<b>4.</b>	<b>PUBLIC HEALTH ACT 2016.....</b>	<b>54</b>
4.1	<b>Council to CEO/Employees .....</b>	<b>54</b>
4.1.1	Appoint Authorised Officer or Approved Officer (Asbestos Regs).....	54
4.1.2	Designate Authorised Officers .....	55
4.1.3	Enforcement Agency Reports to the Chief Health Officer .....	56
4.1.4	Determine Compensation for Seized Items .....	57
<b>5.</b>	<b>CAT ACT 2011 .....</b>	<b>58</b>
5.1	<b>Council to CEO.....</b>	<b>58</b>
5.1.1	Cat Registrations.....	58
5.1.2	Cat Control Notices.....	59
5.1.3	Recovery of Costs – Destruction of Cats .....	60
5.1.4	Reduce or Waiver Registration Fee .....	61
5.2	<b>Chief Executive Officer to Employees .....</b>	<b>62</b>
5.2.1	Infringement Notices – Extensions and Withdrawals.....	62
<b>6.</b>	<b>DOG ACT 1976 .....</b>	<b>63</b>
6.1	<b>Council to CEO.....</b>	<b>63</b>
6.1.1	Appoint Registration Officer .....	63
6.1.2	Part Payment of Sterilisation Costs/Directions to Veterinary Surgeons.....	64
6.1.3	Refuse or Cancel Registration .....	65
6.1.4	Kennel Establishments .....	66
6.1.5	Recovery of Monies Due under this Act.....	67
6.1.6	Declare Dangerous Dog.....	68
6.1.7	Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke .....	69
6.1.8	Keeping of Multiple Dogs .....	70
<b>7.</b>	<b>GRAFFITI VANDALISM ACT 2016 .....</b>	<b>71</b>
7.1	<b>Council to CEO.....</b>	<b>71</b>

7.1.1	Give Notice Requiring Obliteration of Graffiti .....	71
7.1.2	Notices – Deal with Objections and Give Effect to Notices.....	72
7.1.3	Obliterate Graffiti on Private Property .....	73
7.1.4	Powers of Entry.....	74
<b>8.</b>	<b>BUSH FIRES ACT 1954.....</b>	<b>75</b>
<b>8.1</b>	<b>Council to CEO, Shire President and Bush Fire Control Officers.....</b>	<b>75</b>
8.1.1	Appoint Authorised Persons .....	75
8.1.2	Prosecution of Offences .....	76
8.1.3	Restricted Burning Times – Vary and Control Activities .....	77
8.1.4	Control of Operations likely to Create a Bush Fire Danger .....	78
8.1.5	Firebreaks.....	79
8.1.6	Prosecution of Offences .....	80
8.1.7	Control and Extinguishment of Bush Fires .....	81
8.1.8	Recovery of Expense Incurred through Contravention of this Act .....	82
<b>9.</b>	<b>LITTER ACT 1979 .....</b>	<b>83</b>
<b>9.1</b>	<b>Council to CEO.....</b>	<b>83</b>
9.1.1	Appoint Authorised Persons .....	83
<b>10.</b>	<b>EMERGENCY MANAGEMENT ACT 2005.....</b>	<b>84</b>
<b>10.1</b>	<b>Council to CEO/Employees .....</b>	<b>84</b>
10.1.1	Power of Local Government to Destroy Vegetation or Premises in Cyclone Area .....	84
<b>11.</b>	<b>PLANNING AND DEVELOPMENT ACT 2005 .....</b>	<b>85</b>
<b>11.1</b>	<b>Council to CEO.....</b>	<b>85</b>
11.1.1	Illegal Development .....	85
11.1.2	Subdivision and Amalgamation.....	86
11.1.3	Built Strata Subdivision.....	87
11.1.4	Enforcement Powers.....	88
11.1.5	Authorised Person – Infringement Notices and Enforcement Powers.....	89
11.1.6	Response to Applications for Public Works.....	90
11.1.7	Development Applications .....	91
11.1.8	Structure Plans and Local Development Plans.....	93
<b>11.2</b>	<b>Local Planning Scheme - Council to CEO .....</b>	<b>95</b>
11.2.1	Shire of Exmouth Operative Local Planning Scheme .....	95
<b>12.</b>	<b>STATUTORY AUTHORISATION AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES.....</b>	<b>98</b>
<b>12.1</b>	<b>Planning and Development Act 2005.....</b>	<b>98</b>
12.1.1	Instrument of Authorisation – Sign Development Applications for Crown Land as Owner .....	98
<b>12.2</b>	<b>Environmental Protection Act 1986.....</b>	<b>102</b>
12.2.1	Noise Control – Environmental Protection Notices [Reg.65(1)] .....	102
12.2.2	Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events.....	103
12.2.3	Noise Management Plans – Construction Sites .....	104
<b>12.3</b>	<b>Main Roads Act 1930 .....</b>	<b>105</b>

12.3.1	Traffic Management – Road Works.....	105
12.3.2	Traffic Management – Events on Roads.....	108

The delegations contained herein have been adopted by Council by absolute majority decision. In addition to delegations made in accordance with the *Local Government Act 1995*, a number of delegations are also made to the Chief Executive Officer, or directly to officers, in accordance with the provision of other legislation ie *Building Act 2011*.

The delegated register is to assist with improving the time taken to make decisions with the constraints permitted by the relevant legislation.

The register of delegations is to be maintained and reviewed at least once every financial year, pursuant to s5.46 (1) and (2) of the *Local Government Act 1995*.

Note: Delegates are designated employees under s.5.74 and are required to provide Primary and Annual Returns.

[Local Government Act 1995](#)

## DOCUMENT CONTROL

Date	Delegation No	Amendment	Council Decision
25/06/2020	As adopted	N/A	02-0620
23/12/2020	1.2.1 Redundant  1.3.4 New	The Template Delegations Register was amended on 18 Nov 2020 to remove redundant Council to CEO delegations for appointing Authorised Persons under the Local Government Act, Cat Act and Dog Act and to insert a NEW CEO to employee delegation for appointing Authorised Persons under s.9.10 of the LG Act (WALGA advice)	N/A
24/09/2020	1.1.2	Updated Committee Terms of Reference. Expiry date of Committee now 30/06/21	04-0920
23/06/2021	1.2.18 Modify	Title update. (ACEO email to Councillors NCR10831)	N/A
24/06/2021		Annual Delegation Review	04-0621
	1.2.12 Modify	Appoint Coordinator Compliance and Emergency Services as a sub delegate.	
	1.1.2 Redundant	The Committee has an expiry date of 30 June 2021 (Council Decision 04-0920).	
25/11/2021	1.2.20	Adoption of New delegations: 1.2.20 Execution of Documents 1.2.21 - Tenders for Goods and Services: Exercising Contract Extension Options and Variations	02-1121 03-1121
05/09/2022	Various  1.3.1	Title Update throughout register: <ul style="list-style-type: none"> <li>Executive Manager Commercial and Community now Deputy CEO/ Community and Economic Growth</li> <li>Senior Information Officer now Information Management Officer</li> </ul>	N/A
Nov 2022		Full Register Review – OCM 24 November 2022	02-1122
Dec 2023		Full Register Review – OCM 14 December 2023	

# 1. LOCAL GOVERNMENT ACT 1995

## 1.1 Council to Chief Executive Officer

### 1.1.1 Performing Functions Outside Own District

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



## 1.1.2 Declare Vehicle is Abandoned Vehicle Wreck

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Council Conditions on this Delegation:</b>	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.1.3 Confiscated or Uncollected Goods or alternatively, referred for Council decision.  b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.4 Appoint Authorised Persons.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth Executive Manager Infrastructure Services Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.1.3 Confiscated or Uncollected Goods

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46]</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.</li> <li>b. NOTE – declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s.3.40A(1). Authority to appoint authorised person for this purpose may be delegated refer Delegated Authority 1.2.4 Appoint Authorised Persons.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth Executive Manager Infrastructure Services Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.1.4 Disposal of Sick or Injured Impounded Animals

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of

# Delegation Register

Shire of Exmouth



<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].</li> <li>2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth Executive Manager Infrastructure Services Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 1.1.5 Property and Acquisition and Disposal

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to:             <ol style="list-style-type: none"> <li>(a) to the highest bidder at public auction [s.3.58(2)(a)].</li> <li>(b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)]</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required.</li> <li>b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$500,000 or less.</li> <li>c. When determining the method of disposal:             <ul style="list-style-type: none"> <li>• Where a public auction is determined as the method of disposal:                 <ul style="list-style-type: none"> <li>○ Reserve price has been set by independent valuation.</li> <li>○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price.</li> </ul> </li> <li>• Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.</li> <li>• Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to:                 <ul style="list-style-type: none"> <li>○ Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded.</li> </ul> </li> </ul> </li> <li>d. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:             <ul style="list-style-type: none"> <li>• Without reference to Council for resolution; and</li> <li>• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil</li> </ul> </li> </ol>

# Delegation Register

Shire of Exmouth



	market value then, as a minimum, the disposal must ensure environmentally responsible disposal.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 1.1.6 Payments from Municipal or Trust Fund

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
<b>Council Conditions on this Delegation:</b>	a. Authority to make payments is subject to annual budget limitations.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b> <b>Executive Manager Infrastructure Services</b> <b>Deputy CEO/ Community &amp; Economic Growth</b>
<b>CEO Conditions on this Sub-Delegation:</b>	<ol style="list-style-type: none"> <li>1. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5.</li> <li>2. Payments by Cheque and EFT transactions must be approved jointly by two of the following delegates: Chief Executive Officer, Executive Manager Corporate Services, Deputy CEO/Community Economic Growth or Executive Manager Infrastructure Services.</li> <li>3. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods / service received, must be undertaken independent of the payment approval.</li> </ol>

## 1.1.7 Power to invest and Manage Investments

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council Investments policy.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles.</li> <li>d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17]</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	<ol style="list-style-type: none"> <li>1. Officers acting in the position of an Executive Manager cannot be appointed as a signatory.</li> </ol>

## 1.1.8 Defer, Grant Discounts, Waive or Write off Debts

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire of Exmouth [s.6.12(1)(b)].</li> <li>2. Grant a concession in relation to money which is owed to the Shire of Exmouth [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire of Exmouth [s.6.12(1)(c)]</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Write-off a rates or service charge debt in accordance with the Financial Hardship Policy [s.6.12(1)(c) &amp;(2)].</li> <li>b. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Exmouth. <ol style="list-style-type: none"> <li>i. Limited to individual debts valued below \$5,000 or cumulative debts of a debtor valued below \$5,000. Write off of debts greater than these values must be referred for Council decision.</li> </ol> </li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



## 1.1.9 Power of Entry

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

## 1.1.10 Agreement as to Payment of Rates and Service Charges

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Debt Recovery Policy and Financial Hardship Policy. b. Agreements must be in writing and, subject to the Council Debt Recovery Policy and Financial Hardship Policy, must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Approval

## 1.1.11 Recovery of Rates or Service Charges

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court s.6.64(3) Actions to be taken
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> <li>2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Debt Recovery Policy and Financial Hardship Policy.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.1.12 Recovery of Rates Debts – Require Lessee to Pay Rent

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire of Exmouth [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegation must comply with Council Debt Recovery Policy and Financial Hardship Policy.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Corporate Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.1.13 Recovery of Rates Debts - Actions to Take Possession of the Land

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

## 1.1.14 Rate Record - Objections

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

## 1.1.15 Rate Record Amendment

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
<b>Council Conditions on this Delegation:</b>	a. Delegates must comply with the requirements of s.6.40 of the Act.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 1.1.16 Certain things to be done in respect of Land

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Appointed:</b>	<i>Local Government Act 1995:</i> s3.24 Authorising persons under this Subdivision s3.25 Notices requiring certain things to be done by owner or occupier of land s3.26 Additional powers when notices given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Exercise on behalf of the local government the powers given to a local government by Subdivision 2 (Certain Provisions about Land) of the <i>Local Government Act 1995</i> ; 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.).
<b>Conditions on this Appointment:</b>	a. 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.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/Community and Economic Growth Senior Planning Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



## 1.1.17 Close Thoroughfares to Vehicles

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ol style="list-style-type: none"> <li>i. give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>ii. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ol> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].</li> </ol>
<b>Conditions on this Appointment:</b>	If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services</b> <b>Manager Works</b> <b>Compliance and Emergency Services Coordinator</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

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

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

## 1.1.19 Gates Across Public Thoroughfares

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

## 1.1.20 Public Thoroughfare – Dangerous Excavations

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

## 1.1.21 Crossing – Construction, Repair and Removal

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

## 1.1.22 Sponsorship; Donations

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to consider applications received for financial assistance and make the appropriate donation or engage into a sponsorship arrangement.
<b>Conditions on this Appointment:</b>	a. In accordance with Council budget and Council Sponsorship Policy.
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Audit

## 1.1.23 Execution of Documents

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s9.49A (4) (5) Execution of Documents
<b>Delegate:</b>	<b>Chief Executive Officer Shire President</b>
<b>Function:</b>	Authority to sign documents on behalf of the Shire of Exmouth.
<b>Council Conditions on this Delegation:</b>	<p>The Chief Executive Officer is delegated authority to:</p> <ol style="list-style-type: none"> <li>1. Sign documents in relation to the administration of leases, licences, or other land agreements.</li> <li>2. Sign sponsorship or grant agreements and acquittals where the Shire's contribution falls within budget or is consistent with a Council resolution.</li> <li>3. Provide consent and execute documents in relation to any assignment or sublease where there is a request by a lessee operating under a lease agreement.</li> <li>4. Sign Memorandums of Understanding (MOU) if they satisfy the following conditions: <ul style="list-style-type: none"> <li>• There is no additional financial contribution in excess of existing budgets required to give effect to the Shire's obligations under the MOU.</li> <li>• Formalises an existing working relationship between the Shire and a government agency or department or another local government.</li> </ul> </li> <li>5. Execute, lodge, remove, withdraw, surrender or modify relating to notifications, covenants, easements and caveats under the <i>Transfer of Land Act 1893</i>.</li> <li>6. Execute easements or deeds of easement under the <i>Land Administration Act 1997</i> and/or <i>Strata Titles Act 1985</i>.</li> <li>7. Sign documents required to satisfy conditions of subdivision and/or development approval.</li> <li>8. Sign Finance Leases, Contracts, Service Level agreements, and any other agreement that does not require the Common Seal of the Shire.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s: <i>Appointed by CEO</i></b>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.1.24 Expressions of Interest for Goods and Services

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



## 1.1.25 Tenders for Goods and Services

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services Local Government (Functions and General) Regulations 1996: r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)] .</li> <li>2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&amp;G r.11(2)(f)].</li> <li>3. Authority to undertake tender exempt procurement, in accordance with the Procurement Policy and Tender Procedures requirements, where the total consideration is included in the adopted Annual Budget [F&amp;G r.11(2)].</li> <li>4. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14(5)].</li> <li>8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</li> <li>9. Authority to accept, or reject an RFx, up to and including \$500,000 ex GST value detailed as a condition on this Delegation, and in accordance with the requirements of the Functions and General Regulations [F&amp;G r.18(2) and (4)].</li> <li>10. Authority to approve a variation up to an amount of 10% of the original purchasing value of the total goods or services sought through the RFx, and to then negotiate minor variations (up to an amount of 10% of the original purchasing value) with the successful tenderer before entering into a contract [F&amp;G r.20(1) and (3)].</li> </ol>

	<p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</p> <p>12. Authority to decline any tender [F&amp;G r.18(5)].</p> <p>13. If the chosen tenderer is unable or unwilling to form a contract or 28 the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)].</p> <p>14. Authority to:</p> <ul style="list-style-type: none"> <li>i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract and is limited to a 10% tolerance of the original purchasing value; and</li> <li>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&amp;G r.21A].</li> </ul> <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into or the successful tenderer agrees to terminate the contract [F&amp;G r.18(6) and (7)], unless the tender was awarded by Council.</p> <p>16. Authority to exercise a contract extension option that was included in the original tender specification and contract in accordance with r.11(2)(j).</p>
<p><b>Council Conditions on this Delegation:</b></p>	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification; and</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers.</li> </ul> <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> <li>i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government;</li> <li>ii. current supply contract expiry is imminent;</li> <li>iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption; and</li> <li>iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ul> <p>c. In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget.</p> <p>d. All above delegations must be in accordance with Council Procurement policy.</p>
<p><b>Express Power to Sub-Delegate:</b></p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p><b>Sub-Delegate/s:</b></p>	<p>Nil</p>

# Delegation Register

Shire of Exmouth



Appointed by CEO	
CEO Conditions on this Sub-Delegation:	Nil

For Council Adoption

## 1.2 Chief Executive Officer to Employees

### 1.2.1 Destruction of Electoral Papers

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
<b>Delegate:</b>	Executive Manager Corporate Services
<b>Function:</b> <i>Delegates must act with full understanding of the legislation and conditions relevant to this delegation</i>	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Nil
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.2.2 Acting Chief Executive Officer

<b>Delegator:</b>	<b>Chief Executive Officer</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.5.39(1a)(a) An employee may act in the position of a CEO
<b>Delegate:</b>	<b>Deputy CEO/ Community &amp; Economic Growth Executive Manager Corporate Services Executive Manager Infrastructure Services</b>
<b>Function:</b>	1. Senior Employee to act in the capacity of Chief Executive Officer during absences not exceeding three months [s.5.39(1a)(a)]
<b>CEO Conditions on this Delegation:</b>	a. The appointment as acting Chief Executive Officer is to be in accordance with Council Policy Chief Executive Officer Leave, Appointment of Acting or Temporary
<b>Express Power to Sub-Delegate:</b>	Nil
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 1.2.3 Representing Local Government in Court

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s. 9.29 Representing local government in court
<b>Delegate:</b>	Deputy CEO/ Community & Economic Growth Executive Manager Corporate Services Executive Manager Infrastructure Services Senior Planning Officer Strategic Planning Officer Environmental Health Officer Manager Works Building Surveyor Compliance and Emergency Services Coordinator Ranger
<b>Function:</b>	1. To represent the local government in proceedings in the Magistrates Court the Children's Court or the State Administrative Tribunal or proceedings in respect of a claim against a person who takes the benefit of an Act for the relief of bankrupt debtors [s.9.29(1)(a) & (b)]
<b>Conditions on this Delegation:</b>	a. Provided the proceedings relate to the officer's position description.
<b>Express Power to Sub-Delegate:</b>	Nil
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 1.2.4 Appoint Authorised Persons

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.3.31 General procedure for entering property [s.3.31(2)] s.9.10 Appointment of authorised persons
<b>Delegate:</b>	Nil
<b>Function:</b>	<p>1 . Authority to appoint persons or classes of persons as authorised persons [s.9.10(2)] for the purpose of fulfilling functions of an authorised person prescribed in the following legislation inclusive of subsidiary legislation made under each Act i.e. Regulations:</p> <p>(a) <a href="#">Local Government Act 1995</a> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i>, and Local Laws made under the Local Government Act:</p> <p>(b) <i>Caravan Parks and Camping Grounds Act 1995</i>;</p> <p>(c) <i>Cat Act 2011</i>;</p> <p>(d) <i>Cemeteries Act 1986</i>;</p> <p>(e) <i>Control of Vehicles (Off-road Areas) Act 1978</i>;</p> <p>(f) <i>Dog Act 1976</i>;</p> <p>(g) <a href="#">Graffiti Vandalism Act 2016</a> – refer s.15; and</p> <p>(e) any other legislation prescribed for the purposes of s.9.10 of the <i>Local Government Act 1995</i>.</p> <p>2. Authority to authorise an employee to certify copies of local laws or any other document adopted by Council as a true copy [s.9.31].</p>
<b>CEO Conditions on this Delegation:</b>	<p>a. A register of Authorised Persons is to be maintained as a Local Government Record.</p> <p>b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</p> <p>c. NOTE ONLY– A person to be appointed as authorised officer in accordance with Regulation 70(2) of the <a href="#">Building Regulations 2012</a> and section 6(b) of the <i>Criminal Procedure Act 2004</i> MUST first be appointed as an authorised person for the purposes of section 9.16 of the <i>Local Government Act 1995</i>.</p>
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> Appointed by CEO	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 2. BUILDING ACT 2011

### 2.1 Council to Chief Executive Officer

#### 2.1.1 Designate Employees as Authorised Persons

<b>Delegator:</b>	<b>Permit Authority (Local Government)</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> <li>3. Authority to undertake the following functions as authorised persons:             <ol style="list-style-type: none"> <li>a) Entry powers [s.100]</li> <li>b) Powers after entry and compliance purposes [s.101]</li> <li>c) Obtaining information and documents [s.102]</li> <li>d) Use of force and assistance [s.103]</li> <li>e) Entry warrant to enter a place [s.106]</li> <li>f) Execution of warrant [s.109]</li> <li>g) To carry out the functions to give effect to a building order [s.118]</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	a. Decisions under this delegated authority should be in accordance with r.5A of the <i>Building Regulations 2012</i> .
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



## 2.1.2 Grant a Building Permit

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

## 2.1.3 Grant a Demolition Permit

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

## 2.1.4 Building Orders (Issue and Revocation)

<b>Delegator:</b>	<b>Permit Authority (Local Government)</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work</li> <li>b. Demolition work</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. takes any action specified in the order; or</li> <li>b. commences or complete any work specified in the order; or</li> <li>c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO / Community and Economic Growth Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 2.1.5 Occupancy Permit or Building Approval Certificate

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

## 2.1.6 Inspection and Copies of Building Records

<b>Delegator:</b>	<b>Permit Authority (Local Government)</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 2.1.7 Referrals and Issuing Certificates

<b>Delegator:</b>	<b>Permit Authority (Local Government)</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire of Exmouth [s.145A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Building Surveyor</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 2.1.8 Private Pool Barrier – Alternative and Performance Solutions

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

## 2.1.9 Smoke Alarms – Alternative Solutions

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



## 2.1.10 Appointment of Authorised Persons (Swimming Pool Inspectors)

<b>Delegator:</b>	<b>Permit Authority (Local Government)</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.53 Inspection of barrier to private swimming pool
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. To inspect the barrier of private swimming pools every 4 years to ensure compliance with the <i>Building Regulations 2012</i> [r.53]
<b>Council Conditions on this Delegation:</b>	a. Authorisation from Local Government, pursuant to section 3.93(2)(d), 96(3) of the <i>Building Act 2011 Regulation 5A of the Building Regulation 2012</i> to designate authorised persons for the purpose of that Act.
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 2.1.11 Appoint approved officers and authorised officers

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express Power or Duty Delegated:</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).  <i>NOTE: Only employees delegated under s 5.44(1) of the Local Government Act 1995 with power under s 9.19 or 9.20 may be appointed as "approved officers".</i></li> <li>Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).  <i>NOTE: Only employees appointed under s 9.10 of the Local Government Act 1995 and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

### 3. FOOD ACT 2008

#### 3.1 Council to CEO/Employees

##### 3.1.1 Appoint Authorised Officers and Designated Officers

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

## 3.1.2 Determine Compensation

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	Food Act 2008: s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)].</li> <li>2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.</li> <li>b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$1000 Compensation requests above this value are to be reported to Council.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 3.1.3 Prohibition Orders

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

## 3.1.4 Food Business Registrations

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	Food Act 2008: s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Delegate:</b>	<b>Environmental Health Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].</li> <li>2. Authority to vary the conditions or cancel the registration of a food business [s.112].</li> </ol>
<b>Council Conditions on this Delegation:</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>i. Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA</li> <li>ii. Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1</li> <li>iii. WA Priority Classification System</li> <li>iv. Verification of Food Safety Program Guideline</li> </ol>
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 3.1.5 Debt Recovery and Prosecutions

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express Power or Duty Delegated:</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Delegate:</b>	<b>Chief Executive Officer (1,2) Environmental Health Officer (2)</b>
<b>Function:</b>	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Sub-Delegate/s: <i>Appointed by CEO</i></b>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 3.1.6 Food Businesses List – Public Access

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Food Act 2008:</i></p> <p>s.118 Functions of enforcement agencies and delegation</p> <p>(2)(b) Enforcement agency may delegate a function conferred on it</p> <p>(3) Delegation subject to conditions [s.119] and guidelines adopted [s.120]</p> <p>(4) Sub-delegation permissible only if expressly provided in regulations</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Food Act 2008:</i></p> <p>r.51 Enforcement agency may make list of food</p>
<b>Delegate:</b>	<b>Environmental Health Officer</b>
<b>Function:</b>	1. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Council Conditions on this Delegation:</b>	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express Power to Sub-Delegate:</b>	NIL – Food Regulations 2009 do not provide for sub-delegation.
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



## 4. PUBLIC HEALTH ACT 2016

### 4.1 Council to CEO/Employees

#### 4.1.1 Appoint Authorised Officer or Approved Officer (Asbestos Regs)

Delegator:	Local Government
Express Power to Delegate:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Delegate:	Chief Executive Officer
Function:	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Council Conditions on this Delegation:	a. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express Power to Sub-Delegate:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Sub-Delegate/s: <i>Appointed by CEO</i>	Nil
CEO Conditions on this Sub-Delegation:	Nil

## 4.1.2 Designate Authorised Officers

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> <li>i. The Public Health Act 2016 or another specified Act</li> <li>ii. Specified provisions of the Public Health Act 2016 or another specified Act</li> <li>iii. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act. Including: <ol style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class; OR</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ol> </li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. Subject to each person so appointed being; <ul style="list-style-type: none"> <li>• Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>• Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 4.1.3 Enforcement Agency Reports to the Chief Health Officer

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Delegate:</b>	<b>Environmental Health Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Exmouth [s.22(1)]</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 4.1.4 Determine Compensation for Seized Items

<b>Delegator:</b>	Enforcement Agency (means Local Government vide s.4 definition)
<b>Express Power to Delegate:</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express Power or Duty Delegated:</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b> <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Council Conditions on this Delegation:</b>	a. Compensation is limited to a maximum value of \$5000, with any proposal for compensation above this value to be referred for Council's determination.
<b>Express Power to Sub-Delegate:</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 5. CAT ACT 2011

### 5.1 Council to CEO

#### 5.1.1 Cat Registrations

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

## 5.1.2 Cat Control Notices

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Cat Act 2011</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Exmouth District [s.26].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Compliance and Emergency Services Coordinator Ranger</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Approval

## 5.1.3 Recovery of Costs – Destruction of Cats

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Cat Act 2011</i> s.44 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Approval

## 5.1.4 Reduce or Waiver Registration Fee

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

For Council



## 5.2 Chief Executive Officer to Employees

### 5.2.1 Infringement Notices – Extensions and Withdrawals

<b>Delegator:</b>	Chief Executive Officer
<b>Express Power to Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express Power or Duty Delegated:</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Delegate/s:</b>	Nil
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6. DOG ACT 1976

### 6.1 Council to CEO

#### 6.1.1 Appoint Registration Officer

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.3 Terms Used ( <i>Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act</i> )
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to authorise a person for the purposes of performing the prescribed office of Registration Officer under the <i>Dog Act 1976</i> [s.3].
<b>Council Conditions on this Delegation:</b>	<ol style="list-style-type: none"> <li>a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].</li> <li>b. A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>c. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> <li>d. Authorisations are to be provided in writing by issuing a Certificate of Authorisation.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6.1.2 Part Payment of Sterilisation Costs/Directions to Veterinary Surgeons

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of 500 [s.10A(1)(a) and (3)].</li> <li>2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6.1.3 Refuse or Cancel Registration

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or</li> <li>iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept</li> <li>iv. the dog is required to be microchipped but is not microchipped; or</li> <li>v. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Exmouth District [s15(4A)].</li> <li>4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services</b> <b>Manager Works</b> <b>Compliance and Emergency Services Coordinator</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6.1.4 Kennel Establishments

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6.1.5 Recovery of Monies Due under this Act

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 6.1.6 Declare Dangerous Dog

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services Manager Works Compliance and Emergency Services Coordinator</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Approval

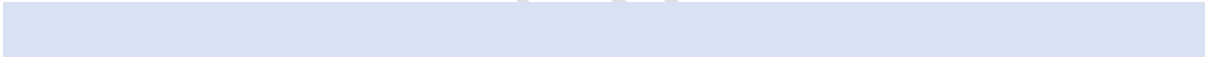
## 6.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

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



## 6.1.8 Keeping of Multiple Dogs

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express Power or Duty Delegated:</b>	<i>Dog Act 1976:</i> s.26 Limitations as to numbers
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	To determine applications to keep between three and six dogs on a property in accordance with Council Policy Multiple Dogs
<b>Council Conditions on this Delegation:</b>	a. The Chief Executive Officer permitted to sub-delegate to employees [s.10AA(3)].
<b>Express Power to Sub-Delegate:</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



For Council Approval

## 7. GRAFFITI VANDALISM ACT 2016

### 7.1 Council to CEO

#### 7.1.1 Give Notice Requiring Obliteration of Graffiti

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

## 7.1.2 Notices – Deal with Objections and Give Effect to Notices

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

## 7.1.3 Obliterate Graffiti on Private Property

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

## 7.1.4 Powers of Entry

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Executive Manager Infrastructure Services</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 8. BUSH FIRES ACT 1954

### 8.1 Council to CEO, Shire President and Bush Fire Control Officers

#### 8.1.1 Appoint Authorised Persons

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.18 Prohibited burning times may be declared by Minister s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer Chief Bush Fire Control Officer Deputy Bush Fire Control Officer</b>
<b>Function:</b>	1. Authority to perform the functions of the local government under the Bush Fires Act 1954.
<b>Council Conditions on this Delegation:</b>	a. Authority excludes powers and duties that: b. Are prescribed in the Act with a requirement for a resolution of the local government; or c. Are prescribed by the Act for performance by other designated officers.
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

# Delegation Register

Shire of Exmouth



## 8.1.2 Prosecution of Offences

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.18(1) Prohibited burning times may be declared by Minister s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 8.1.3 Restricted Burning Times – Vary and Control Activities

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C].</li> <li>3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)].</li> <li>4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)].</li> <li>5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].</li> <li>6. Authority to recover the cost of measures taken by the Shire of Exmouth or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].</li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>



# Delegation Register

Shire of Exmouth



## 8.1.4 Control of Operations likely to Create a Bush Fire Danger

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954:</i> r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of r.39E Fireworks, use of
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)]</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

# Delegation Register

Shire of Exmouth



## 8.1.5 Firebreaks

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

## Delegation Register

Shire of Exmouth



### 8.1.6 Prosecution of Offences

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	Bush Fires Act 1954 s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	Bush Fires Act 1954: s.59 Prosecution of offences s. 59A(2)(4) &(5) Alternative procedure – infringement notices
<b>Delegate:</b>	<b>Chief Executive Officer Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer</b>
<b>Function:</b>	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)(4)(5)]
<b>Council Conditions on this Delegation:</b>	a. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
<b>Express Power to Sub-Delegate:</b>	NIL – Sub-delegation is prohibited by s.48(3)
<b>Sub-Delegate/s: <i>Appointed by CEO</i></b>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## Delegation Register

Shire of Exmouth



### 8.1.7 Control and Extinguishment of Bush Fires

<b>Delegator:</b>	Local Government
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)].             <ol style="list-style-type: none"> <li>a. Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</li> </ol> </li> </ol>
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## Delegation Register

Shire of Exmouth



### 8.1.8 Recovery of Expense Incurred through Contravention of this Act

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express Power or Duty Delegated:</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Exmouth or those on behalf of the Shire of Exmouth to do [s.58].
<b>Council Conditions on this Delegation:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>NIL – Sub-delegation is prohibited by s.48(3)</i>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 9. LITTER ACT 1979

### 9.1 Council to CEO

#### 9.1.1 Appoint Authorised Persons

<b>Delegator:</b>	Local Government
<b>Express Power to delegate:</b>	<i>Litter Act 1979</i> s.26(1)(C)(ii) Authorised Officers, appointment and jurisdiction of
<b>Express Power or Duty Appointed:</b>	<i>Litter Act 1979</i> s.27 Authorised officers, powers of s.27A Offences involving vehicles, presumptions as to offender etc. s.30 Infringement notices
<b>Delegate:</b>	Chief Executive Officer
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. To issue infringement notices [s.30(1)]</li> <li>2. To withdraw an infringement notice [s.30(4)&amp;(4A)]</li> <li>3. The powers and functions of authorised officers [s.27]</li> <li>4. To institute a prosecution [s.27A]</li> </ol>
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Nil
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Nil
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 10. EMERGENCY MANAGEMENT ACT 2005

### 10.1 Council to CEO/Employees

#### 10.1.1 Power of Local Government to Destroy Vegetation or Premises in Cyclone Area

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to delegate:</b>	<i>Emergency Management Act 2005</i> s.45 Exercise of powers under this division
<b>Express Power or Duty Appointed:</b>	<i>Emergency Management Act 2005</i> s.46 Power of local government to destroy dangerous vegetation or premises in cyclone area s.47 Local government may require owner or occupier of land to take action. s.48 Additional powers when direction given
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Powers and functions of local government during a cyclone under Part 3 Division 3 of the Emergency Management Act 2005.
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Nil
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	Executive Manager Infrastructure Services
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 11. PLANNING AND DEVELOPMENT ACT 2005

### 11.1 Council to CEO

#### 11.1.1 Illegal Development

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development:             <ol style="list-style-type: none"> <li>(a) to remove, pull down, take up, or alter the development; and</li> <li>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.</li> </ol>
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<p><b>Deputy CEO/ Community and Economic Growth</b> <b>Senior Planning Officer</b> <b>Strategic Planning Officer</b></p>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil



# Delegation Register

Shire of Exmouth



## 11.1.2 Subdivision and Amalgamation

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i>  s.5.42(b) Delegation of some powers or duties to the CEO  s.5.43 Limitations on delegations to the CEO  <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>  r.82 Delegations by local government</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005</i>  s.142 To make recommendations and objections with respect to a subdivision plan</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	Provide correspondence regarding powers and function described below in the Planning and Development Act 2005, To make recommendations and objections with respect to a subdivision plan.
<b>Conditions on this Appointment:</b>	<ol style="list-style-type: none"> <li>1. Recommendations and/or objections must be made within 42 day of receipt of the plan or copy being received by the local government.</li> <li>2. Compliance with the relevant requirements of the Local Planning Scheme No. 4, R-Codes, Local Development Plan, Structure Plan, Local Planning Strategy and Council Planning Policies.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<p><i>Local Government Act 1995:</i>  s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth</b> <b>Senior Planning Officer</b> <b>Strategic Planning Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

# Delegation Register

Shire of Exmouth



## 11.1.3 Built Strata Subdivision

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i>  s.5.42(b) Delegation of some powers or duties to the CEO  s.5.43 Limitations on delegations to the CEO  <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>  r.82 Delegations by local government</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005</i>  s. 16 Delegation by Commission</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>approve built strata applications consistent with West Australian Planning Commission delegations; and</li> <li>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.</li> </ol>
<b>Conditions on this Appointment:</b>	<ol style="list-style-type: none"> <li>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 the local government or state governing body.</li> <li>compliance with the relevant requirements of Local Planning Scheme No. 4, R-Codes, Local Development Plan, Structure Plan, Local Planning Strategy and Council Planning Policies.</li> <li>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.</li> </ol>
<b>Express Power to Sub-Delegate:</b>	<p><i>Local Government Act 1995:</i>  s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<p><b>Deputy CEO/ Community and Economic Growth</b>  <b>Senior Planning Officer</b>  <b>Strategic Planning Officer</b></p>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

# Delegation Register

Shire of Exmouth



## 11.1.4 Enforcement Powers

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42(1b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	The enforcement powers and functions described below in the <i>Planning and Development Act 2005</i> : 1. Apply for an injunction [s.216(1)] 2. Commence a prosecution [s.218]
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 11.1.5 Authorised Person – Infringement Notices and Enforcement Powers

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005:</i> s. 214 Illegal development, responsible authority's powers as to s.228 Giving of infringement notice s.229 Content of infringement notice s.230 Extending time to pay modified penalty s.231 Withdrawal of infringement notice s.234 Designated person, appointment of</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>1. Issue a direction notice, pursuant to section 214 and 218.</li> <li>2. Appoint a Shire of Exmouth employee to give an infringement notice in accordance with section 228.</li> <li>3. Determine the content of an infringement notice in accordance with section 229.</li> <li>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.</li> <li>5. Withdraw an infringement notice in exceptional circumstances in accordance with section 231.</li> </ol>
<b>Conditions on this Appointment:</b>	<p>*Please note the s. 234 of the <i>Planning and Development Act 2005</i> states: "234. Designated persons, appointment of</p> <ol style="list-style-type: none"> <li>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.</li> <li>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." </li></ol>
<b>Express Power to Sub-Delegate:</b>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO / Community and Economic Growth (1,3) Senior Planning Officer (1, 3)</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

# Delegation Register

Shire of Exmouth



## 11.1.6 Response to Applications for Public Works

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995</i> s.5.42(b) Delegation of some powers or duties to the CEO  <i>Planning and Development Act 2005:</i> s. 6 Public works, Act does not interfere with
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. Exercise discretion and make recommendations on applications referred to the Shire pursuant to section 6 of the <i>Planning and Development Act 2005</i> for public works subject to: <ul style="list-style-type: none"> <li>• The notification of relevant provisions that are considered necessary to ensure compliance with the relevant requirements of Local Planning Scheme No. 4, R-Codes, Local Development Plan, Structure Plan, Local Planning Strategy and Council Planning Policies; and</li> <li>• The total value of works being less than \$1 million per application referred.</li> </ul>
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth</b> <b>Senior Planning Officer</b> <b>Strategic Planning Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

## 11.1.7 Development Applications

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Under Schedule 2, Part 10: r.79 Entry and Inspection powers r.82 Delegations by local government</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> Under Part 9 of Schedule 2: r. 68 Determination of applications r. 70 Form and date of determination r. 77 Amending or cancelling applications</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function 1:</b>	<ol style="list-style-type: none"> <li>1. To determine development applications and impose conditions [r.68].</li> <li>2. To determine whether to amend or cancel development applications and impose conditions [r.70]. [r.77].</li> </ol>
<b>Conditions on this Appointment:</b>	<ol style="list-style-type: none"> <li>a. The delegated power under 1 and 2 (regulations 68 and 77) is conditional upon each of the following: <ul style="list-style-type: none"> <li>• The use in the development application is listed in the zoning table in the local planning scheme; Either: <ul style="list-style-type: none"> <li>• no third-party objections have been received (whether the application has been advertised or not); or</li> <li>i. third party objections have been received Unless in the opinion of the Chief Executive Officer or their delegate: <ol style="list-style-type: none"> <li>ii. a) The proposal is consistent with the objectives and intent of Local Planning Scheme No.4, the Residential Design Codes and any relevant Council Policy, and</li> <li>iii. b) The objection can be overcome by imposing a condition on any approval granted, or modifying the design of the development; or</li> <li>iv. c) The objection does not relate to the matter for which it has been referred and/or does not relate to valid planning or development grounds associated with the proposal; or</li> <li>v. d) The application is refused.</li> <li>vi. Has a development value of less than \$10,000,000.</li> </ol> </li> </ul> </li> </ul> </li> </ol>
<b>Function 2:</b>	<p><b>Amendments and Cancellations to Previously Approved Development</b> Authority is granted to determine applications to amend or cancel previously Council approved developments, and Development Assessment Panel Form 2 Applications</p>
<b>Function 3:</b>	<p><b>Approvals for Development Applications – Use Not Listed</b> Types Previously Determined by Council Authority granted to make determinations on development applications for “Use Not Listed” types that have previously been determined by Council.</p>

# Delegation Register

Shire of Exmouth



<b>Express Power to Sub-Delegate:</b>	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 Part 10 cl 83(1) Local government CEO may delegate powers.
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Deputy CEO/ Community and Economic Growth</b> <b>Senior Planning Officer</b> <b>Strategic Planning Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 11.1.8 Structure Plans and Local Development Plans

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<p><i>Local Government Act 1995</i>  s.5.42(b) Delegation of some powers or duties to the CEO  s.5.43 Limitations on delegations to the CEO  <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i>  r.82 Delegations by local government  r.79 Entry and Inspection powers</p>
<b>Express Power or Duty Delegated:</b>	<p><i>Planning and Development Act 2005:</i>  Section 214(2), (3) and (5)</p> <p>Under Parts 4, 5 and 6 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations:</i>  r. 17Action by local government on receipt of application  r.18Advertising structure plan  r.19Consideration of submission  r.20Local government report to Commission  r.29 Amendment of structure plan  r.48 Preparation of local development plan  r.50 Advertising of local development plan  r.51 Consideration of submission  r.52 Decision of local government  r.53 Local development plan may provide for later approval of details of development  r.59 Amendment of local development plan</p>
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ul style="list-style-type: none"> <li>• To determine if a proposed structure plan complies with regulation 16(1) or if further information is required [r.17(1)].</li> <li>• To determine whether to advertise a proposed structure plan and seek comment from any public authority or utility provider [r.18(1)].</li> <li>• To consider any submissions made in respect of a proposed structure plan [r.19(1)].</li> <li>• To prepare a report on the proposed structure plan and provide it to the Commission [r.20(1)].</li> <li>• To determine if amendment to a Structure Plan requires advertising [r.29(3)].</li> <li>• To determine if a proposed local development plan complies or if further information is required and give the applicant an estimate of the fee for dealing with the application under regulation [r.49(1)].</li> <li>• To determine whether to advertise a proposed local development plan and seek comment from any public authority or utility service provider [r.50(1)].</li> </ul>



# Delegation Register

Shire of Exmouth



	<ul style="list-style-type: none"> <li>• To consider any submission made in respect of a proposed local development plan [r.51].</li> <li>• To determine a local development plan for approval, approval subject to modification or refusal [r.52(1)].</li> <li>• To approve a local development plan that provides for further details [r.53].</li> <li>• To amend a local development plan [r.59(1)].</li> <li>• To determine whether to advertise an amendment of a local development plan [r.59(4)].</li> </ul>
<b>Conditions on this Appointment:</b>	Nil
<b>Express Power to Sub-Delegate:</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Sub-Delegate/s:</b> <i>Appointed by CEO</i>	<b>Senior Planning Officer</b> <b>Strategic Planning Officer</b>
<b>CEO Conditions on this Sub-Delegation:</b>	Nil

For Council Adoption

## 11.2 Local Planning Scheme - Council to CEO

### 11.2.1 Shire of Exmouth Operative Local Planning Scheme

<b>Delegator:</b>	<b>Local Government</b>
<b>Express Power to Delegate:</b>	<i>Local Government Act 1995:</i> s.5.42(1)(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Express Power or Duty Delegated:</b>	<i>Local Government Act 1995:</i> s.5.42(1)(b) Delegation of some powers or duties to the CEO (limited to only s.214(2), (3) or (5) of the Planning and Development Act.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	<ol style="list-style-type: none"> <li>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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, or any other information deemed necessary to properly assess and determine the application;</li> <li>2. Determine the land use classification applicable to the proposed use/development for which approval is sought;</li> <li>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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>;</li> <li>4. Determine and effect the consultation of a development (planning) application pursuant to clause 64 of the Deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>;</li> <li>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.</li> <li>6. 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.</li> <li>7. To grant approval to a development (planning) application for a development designated as a 'P' use , 'I' use or 'A' use in the scheme, and is determined to comply with relevant provisions and standards prescribed by the scheme, Council planning policies, structure plan, local development plan, local planning strategy and R-Codes where applicable;</li> </ol>

	<ol style="list-style-type: none"> <li>8. 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 , 'I' use or 'A' use, or the equivalent, by a lawfully adopted planning instrument;</li> <li>9. 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:             <ol style="list-style-type: none"> <li>ii. Side and rear setbacks;</li> <li>iii. Front setback variations up to 0.5 metres;</li> <li>iv. Wall height and/or maximum pitched roof height variations up to 0.5 metres;</li> <li>v. Outbuilding area variations up to 10%;</li> <li>vi. Signage dimension and/or maximum height variations up to 0.5 metres;</li> <li>vii. Signage area variations up to 0.5m<sup>2</sup>.</li> </ol> </li> <li>10. 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 development plan, local planning strategy and R-Codes where applicable;</li> <li>11. 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 development plan, local planning strategy and R-Codes where applicable;</li> <li>12. 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 development plan, local planning strategy and R-Codes where applicable;</li> <li>13. Certify that any condition imposed on any development (planning) approval has been completed and fulfilled to the Executive Manager's satisfaction;</li> <li>14. 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 development plan, local planning strategy and R-Codes where applicable;</li> <li>15. To grant approval to a development (planning) application for an extension of time to commence development of a development (planning) approval;</li> </ol>
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# Delegation Register

Shire of Exmouth



	<p>16. 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 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; and</p> <p>17. 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 development plan, local planning strategy and R-Codes where applicable.</p> <p>18. 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 development plan, local planning strategy and R-Codes where applicable;</p> <p>19. To grant approval to a development (planning) application for development on land classified as a local planning scheme reserve as follows:</p> <ol style="list-style-type: none"> <li>i. Where the land is in the control and/or management of the Shire of Exmouth;</li> <li>ii. The development is for a permitted use and/or purpose outlined in a lawfully executed lease issued by the Shire of Exmouth;</li> <li>iii. The development is consistent with any objectives outlined for that reserve in the Scheme; and</li> <li>iv. The value of any works is less than \$500,000.</li> </ol>
<p><b>Council Conditions on this Delegation:</b></p>	<p>Nil</p>
<p><b>Express Power to Sub-Delegate:</b></p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p><b>Sub-Delegate/s:</b> <i>Appointed by CEO</i></p>	<p><b>Deputy CEO /Community and Economic Growth</b> <b>Senior Planning Officer</b> <b>Strategic Planning Officer</b></p>
<p><b>CEO Conditions on this Sub-Delegation:</b></p>	<p>Nil</p>

## 12. STATUTORY AUTHORISATION AND DELEGATIONS TO LOCAL GOVERNMENT FROM STATE GOVERNMENT ENTITIES

### 12.1 Planning and Development Act 2005

#### 12.1.1 Instrument of Authorisation – Sign Development Applications for Crown Land as Owner

<b>Delegator:</b>	The Minister of Lands pursuant to section 267A of the Act delegated this power directly to the CEO of any local government (see Government Gazette dated 2 June 2016)
<b>Express Power to delegate:</b>	The power to sign as owner in respect of Crown land relating to development applications under the <i>Planning and Development Act 2005</i> , subject to the below conditions.
<b>Delegate:</b>	<b>Chief Executive Officer</b>
<b>Function:</b>	1. The power to sign as owner in respect of Crown Land under Management Order and consistent with reserves purpose.
<b>Conditions on this Appointment:</b>	<p>The powers in Column 1 subject to the conditions in Column 3 of the Schedule to Government Gazette dated 2 June 2016:</p> <p><i>Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the Planning and Development Act 2005 (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</i></p>

DoL FILE 1738/2002v8; 858/2001v9

**PLANNING AND DEVELOPMENT ACT 2005**

**INSTRUMENT OF AUTHORISATION**

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

Dated the 2<sup>nd</sup> day of June 2016



**HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS**

For Council

## SCHEDULE

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

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

# Delegation Register

Shire of Exmouth



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

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

HON DONALD TERRENCE REDMAN MLA  
MINISTER FOR LANDS

2<sup>nd</sup> day of June 2016

FOI



## 12.2 Environmental Protection Act 1986

### 12.2.1 Noise Control – Environmental Protection Notices [Reg.65(1)]

Published by:  
Environment

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Western Australia  
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No. 47. 19-Mar-2004  
Page: 919 [Pdf](#) - 476kb

**EV401**

### **ENVIRONMENTAL PROTECTION ACT 1986**

#### **Section 20**

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9<sup>th</sup> day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

## 12.2.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

Published by:  
Environment

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No. 232. 20-Dec-2013  
Page: 6282 [Pdf](#) - [3Mb](#)

**EV402**

### **ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 112

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

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

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

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

12.2.3 Noise Management Plans – Construction Sites

Published by:  
Environment

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No. 71. 16-May-2014  
Page: 1548 [Pdf](#) - [2Mb](#)

**EV405**

**ENVIRONMENTAL PROTECTION ACT 1986**

Delegation No. 119

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

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

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

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

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

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

For Co.

## 12.3 Main Roads Act 1930

### 12.3.1 Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)



Government of  
Western  
Australia

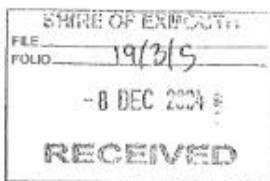
**MAIN ROADS**  
Western Australia  
ABN: 50 880 676 021

Enquiries: Kamal Weeratunga on (08) 9323 4604  
Our Ref: 04/1706-02  
Your Ref: 19/3/5 KJG/LGD Main Roads 21Sep04

3 December 2004

Chief Executive Officer  
Shire Of Exmouth  
PO Box 21  
EXMOUTH WA 6707

ATTENTION: KERRY GRAHAM



Dear Sir

#### **AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS NEW INSTRUMENT OF AUTHORISATION**

I refer to your letter of 21 September 2004 regarding the above.

Please find herewith enclosed an Instrument of Authorisation executed by the Commissioner of Main Roads, for your retention. This Instrument of Authorisation enables the Shire of Exmouth and its Representatives to use traffic signs and devices for works on roads within its jurisdiction, subject to the conditions attached to the Instrument of Authorisation, without further approval from Main Roads. The Shire of Exmouth will be added to the list of Authorised Bodies on Main Roads' website at [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au) (Traffic < Roadworks < Administration).

I thank you for taking the opportunity to become an Authorised Body by signing the Instrument of Authorisation and trust that the Shire of Exmouth will use traffic signs and devices for works on roads in a safe and appropriate manner as per the Main Roads' Traffic Management for Works on Roads Code of Practice.

If you require any further information please contact Kamal Weeratunga on (08) 9323 4604. In reply please quote file reference 04/1706-02.

Yours faithfully

Kamal Weeratunga  
ROAD SAFETY ENGINEER

Enc - Instrument of Authorisation executed by the Commissioner of Main Roads

*CEB  
WIM-1*

290

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

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

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

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

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

# Delegation Register

Shire of Exmouth



Dated: 31.12.04

THE COMMON SEAL OF THE )  
COMMISSIONER OF MAIN ROADS )  
WAS AFFIXED BY )  
*[Signature]* )  
COMMISSIONER OF MAIN ROADS )  
FOR THE TIME BEING IN THE PRESENCE OF: )



*[Signature]*  
Signature of Witness  
*Leon Wonnacott*  
Name of Witness

### ACKNOWLEDGMENT BY AUTHORISED BODY

The Shire of Exmouth ..... agrees to observe, perform and be bound by the above conditions.

THE COMMON SEAL OF THE )  
SHIRE OF EXMOUTH )  
..... )  
WAS AFFIXED PURSUANT TO A RESOLUTION )  
OF THE COUNCIL IN THE PRESENCE OF )

*[Signature]*  
Chief Executive Officer  
*Davis JP*  
Witness WA9044

## 12.3.2 Traffic Management – Events on Roads

A list of local governments authorised for Traffic Management for Events can be found on the Main Roads WA website [here](#)



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

RELATING TO  
**TRAFFIC MANAGEMENT FOR EVENTS**

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

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 139 of the *Road Traffic Administration Act 2008* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

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

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

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

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

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

# Delegation Register

Shire of Exmouth



Dated: 8<sup>th</sup> August 2023

THE COMMON SEAL OF THE  
COMMISSIONER OF MAIN ROADS


WAS AFFIXED BY PETER WOODROW



COMMISSIONER OF MAIN ROADS

FOR THE TIME BEING IN THE  
PRESENCE OF:

*Philip O'Suda*

  
Signature of Witness

PHILIP O'SUDA  
Name of Witness (please print)

## ACKNOWLEDGMENT BY AUTHORISED BODY

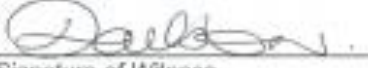
**Shire of Exmouth** agrees to unconditionally observe,  
perform and be bound by the above conditions.

THE COMMON SEAL of

**Shire of Exmouth**

Was affixed pursuant to a resolution of  
the Council in the presence of:

  
Signature of Chief Executive Officer

  
Signature of Witness

D. ALLEN  
Name of Witness (please print)  
Shire President, Shire of Exmouth







## **Council Member Charter**

**5 DECEMBER 2023**

# Council Member Charter

Shire of Exmouth



## INTRODUCTION

This Charter was created to engender a collegiate working relationship between Council Members to collectively define the behaviours of the Council by clarifying factors that will lead to success for all Council Members in achieving the Council goals, deliverables, milestones, and key values.

This Charter should be read in conjunction with the Code of Conduct for Council Members, Committee Members and Candidates for Election (ES001) and the Shire's Social Media Policy (ES018).

ICR52810	Shire of Exmouth Council Member Charter
Directorate	Executive Services
Adoption Date	14/12/2023
Last Review Date	5/12/2023

## OBJECTIVES

The Shire of Exmouth Council Member Charter acts as a vision for the Council to be a team, helping to serve as a touchstone for decision-making and day-to-day behaviour. The benefits of a charter are numerous, including:

- Ensuring buy-in from all Council Members.
- Building a collegiate Council working for the community.
- Holding all Council Members accountable.
- Clarifying roles and responsibilities within the Shire.
- Demonstrating the Council's purpose to the Shire of Exmouth Administration, community and all other stakeholders.
- Providing clarity and reducing confusion in cases where conflicts may arise.
- Setting the standard for the Shire of Exmouth on how to behave.

The Shire of Exmouth Council Member Charter aims to improve outcomes for Council Members whilst being a Councillor. It recognises that all Council Members need to work together in a way that places the community's best interests, safety, and wellbeing first.

# Council Member Charter

Shire of Exmouth



## THE CHARTER

### RESPECT

As a Council Member of the Shire of Exmouth, I have the right to:

- be treated with courtesy and dignity, without discrimination of any kind.
- not be bullied or harassed by any other person in any way.
- not have offensive or derogatory language used against me.
- be recognised and respected as an Elected Member on behalf of the Shire of Exmouth's community.
- not have my character disparaged in the performance of my duties.
- not have imputed dishonest and unethical behaviours levied against me.
- have my feelings acknowledged and understood in a sensitive and non-judgemental way.
- have my culture respected and understood.
- be treated ethically and as an equal amongst Council.

### INFORMATION

As a Council Member of the Shire of Exmouth, I have the right to:

- have my concerns and possible outcomes explained to me clearly and in a way that I understand.
- be given information about what I need to do now and what happens next.
- be informed about my performance in a supportive way.
- honesty and transparency with communications.
- use social media responsibly and comply with the Shire's adopted Policies.

### FAIR TREATMENT

As an Elected Member of the Shire of Exmouth, I have the right to:

- be treated fairly and equitably regardless of race, culture, gender, or religion.
- consistency and fairness in service delivery and information provided to me.
- make a complaint or raise a concern without fear of reprisal.
- be afforded procedural fairness.
- have my concerns heard, recorded, and responded to in a reasonable timeframe.

### PARTICIPATION AND INCLUSION

As an Elected Member of the Shire of Exmouth, I have the right to:

- have my voice heard, acknowledged, and considered seriously in the decision-making process.
- to work in a safe environment.
- not be subject to others being impaired by alcohol whilst undertaking my duties.
- have a clear understanding of the Council's goals and what I need to do to support and meet them.

### ACCOUNTABILITY

As an Elected Member of the Shire of Exmouth, I have the right to:

- work together with other elected members to the benefit of the community.

# Council Member Charter

Shire of Exmouth



- act and expect other Elected Members to act with care and diligence.
- use the resources of the Shire in a responsible and accountable manner.
- be open about my decisions and actions.
- be enabled to give reasons for my decisions and actions when required.
- make decisions solely on their merits and in accordance with statutory obligations.

## LEADERSHIP

As an Elected Member of the Shire of Exmouth, I have the right to:

- expect my colleagues to help each other accomplish organisational objectives.
- comply with my statutory obligations and not be operational, involved in administration, or attempt to influence employees.
- expect my colleagues to observe the highest standards of integrity and avoid conduct that suggests a departure from these standards.
- expect my colleagues to be professional, frank, honest, and respectful in their official dealings with each other.

## SIGNED

---

Matthew Niikkula  
Shire President

---

Jackie Brooks  
Deputy Shire President

---

Darlene Allston  
Councillor

---

Todd Bennett  
Councillor

---

Kai Broedner  
Councillor

---

Kristy Devereux  
Councillor

---

David Gillespie  
Councillor



# Monthly Financial Report

For the period ended

## October 2023

PO Box 21  
2 Truscott Crescent  
Exmouth  
Western Australia 6707

Phone: (08) 9949 3000  
Fax: (08) 9949 3050  
Email: [records@exmouth.wa.gov.au](mailto:records@exmouth.wa.gov.au)  
Web: [www.exmouth.wa.gov.au](http://www.exmouth.wa.gov.au)

ABN: 32 865 822 043

# SHIRE OF EXMOUTH

## MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)  
For the period ended 31 October 2023

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

### TABLE OF CONTENTS

#### *Statements required by regulation*

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1      Basis of Preparation	4
Note 2      Statement of Financial Activity Information	5
Note 3      Explanation of Material Variances	6

**SHIRE OF EXMOUTH**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2023**

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
General rates	9	4,223,000	4,216,332	<b>4,286,759</b>	70,427	1.67%	▲
Specified area rates	10	62,000	62,000	<b>62,316</b>	316	0.51%	▲
Grants, subsidies and contributions	13	2,380,000	674,984	<b>81,951</b>	(593,033)	(87.86%)	▼
Fees and charges		11,168,000	4,373,437	<b>4,888,804</b>	515,367	11.78%	▲
Interest revenue		292,000	137,328	<b>180,275</b>	42,947	31.27%	▲
Other revenue		400,000	133,320	<b>110,107</b>	(23,213)	(17.41%)	▼
		<b>18,525,000</b>	<b>9,597,401</b>	<b>9,610,212</b>	12,811	0.13%	
<b>Expenditure from operating activities</b>							
Employee costs		(8,529,000)	(2,842,736)	<b>(2,500,019)</b>	342,717	12.06%	▲
Materials and contracts		(6,408,000)	(2,124,232)	<b>(1,223,735)</b>	900,497	42.39%	▲
Utility charges		(940,000)	(313,276)	<b>(277,807)</b>	35,469	11.32%	▲
Depreciation		(3,683,000)	(1,227,592)	<b>(1,226,954)</b>	638	0.05%	
Finance costs		(98,000)	(29,332)	<b>(31,277)</b>	(1,945)	(6.63%)	
Insurance		(709,000)	(709,000)	<b>(711,813)</b>	(2,813)	(0.40%)	
Other expenditure		(690,000)	(80,328)	<b>(60,777)</b>	19,551	24.34%	▲
		<b>(21,057,000)</b>	<b>(7,326,496)</b>	<b>(6,032,382)</b>	1,294,114	17.66%	
Non-cash amounts excluded from operating activities	Note 2(b)	3,683,000	1,227,592	<b>1,226,954</b>	(638)	(0.05%)	
<b>Amount attributable to operating activities</b>		<b>1,151,000</b>	<b>3,498,497</b>	<b>4,804,784</b>	1,306,287	37.34%	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	14	4,662,000	1,554,000	<b>691,656</b>	(862,344)	(55.49%)	▼
Proceeds from disposal of assets	5	140,000	60,000	<b>60,000</b>	0	0.00%	
		<b>4,802,000</b>	<b>1,614,000</b>	<b>751,656</b>	(862,344)	(53.43%)	
<b>Outflows from investing activities</b>							
Payments for property, plant and equipment	4	(6,169,000)	(2,024,630)	<b>(519,250)</b>	1,505,380	74.35%	▲
Payments for construction of infrastructure	4	(4,320,000)	(3,725,055)	<b>(826,957)</b>	2,898,098	77.80%	▲
		<b>(10,489,000)</b>	<b>(5,749,685)</b>	<b>(1,346,207)</b>	4,403,478	76.59%	
<b>Amount attributable to investing activities</b>		<b>(5,687,000)</b>	<b>(4,135,685)</b>	<b>(594,551)</b>	3,541,134	85.62%	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Proceeds from new debentures	10	1,500,000	0	<b>0</b>	0	0.00%	
Transfer from reserves	3	2,953,000	0	<b>0</b>	0	0.00%	
Proceeds from community loans		38,000	0	<b>0</b>	0	0.00%	
		<b>4,491,000</b>	<b>0</b>	<b>0</b>	0	0.00%	
<b>Outflows from financing activities</b>							
Repayment of borrowings	10	(367,000)	(98,786)	<b>(98,786)</b>	0	0.00%	
Payments for principal portion of lease liabilities	11	(7,000)	0	<b>0</b>	0	0.00%	
Transfer to reserves	3	(3,779,000)	0	<b>(152,042)</b>	(152,042)	0.00%	▼
		<b>(4,153,000)</b>	<b>(98,786)</b>	<b>(250,828)</b>	(152,042)	(153.91%)	
<b>Amount attributable to financing activities</b>		<b>338,000</b>	<b>(98,786)</b>	<b>(250,828)</b>	(152,042)	(153.91%)	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>		4,198,722	4,198,722	<b>4,787,189</b>	588,467	14.02%	▲
Amount attributable to operating activities		1,151,000	3,498,497	<b>4,804,784</b>	1,306,287	37.34%	▲
Amount attributable to investing activities		(5,687,000)	(4,135,685)	<b>(594,551)</b>	3,541,134	85.62%	▲
Amount attributable to financing activities		338,000	(98,786)	<b>(250,828)</b>	(152,042)	(153.91%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>722</b>	<b>3,462,748</b>	<b>8,746,594</b>	5,283,846	152.59%	▲

**KEY INFORMATION**

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

\* Refer to Note 3 for an explanation of the reasons for the variance.

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

**SHIRE OF EXMOUTH**  
**STATEMENT OF FINANCIAL POSITION**  
**FOR THE PERIOD ENDED 31 OCTOBER 2023**

	Supplementary Information	30 June 2023	31 October 2023
		\$	\$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	2	16,192,455	20,607,339
Trade and other receivables		3,257,776	2,506,746
Inventories	7	213,637	214,243
<b>TOTAL CURRENT ASSETS</b>		<b>19,663,868</b>	<b>23,328,328</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables		148,965	148,965
Other financial assets		122,234	122,234
Property, plant and equipment		105,915,965	105,745,361
Infrastructure		48,301,115	48,624,409
Right-of-use assets		57,375	57,375
<b>TOTAL NON-CURRENT ASSETS</b>		<b>154,545,654</b>	<b>154,698,344</b>
<b>TOTAL ASSETS</b>		<b>174,209,522</b>	<b>178,026,672</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	8	1,484,254	1,078,667
Other liabilities	12	300,000	300,000
Lease liabilities	11	4,698	4,698
Borrowings	10	366,560	267,774
Employee related provisions	12	749,513	740,530
<b>TOTAL CURRENT LIABILITIES</b>		<b>2,905,025</b>	<b>2,391,669</b>
<b>NON-CURRENT LIABILITIES</b>			
Lease liabilities	11	53,147	53,147
Borrowings	10	2,732,361	2,732,361
Employee related provisions		247,497	247,497
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>3,033,005</b>	<b>3,033,005</b>
<b>TOTAL LIABILITIES</b>		<b>5,938,030</b>	<b>5,424,674</b>
<b>NET ASSETS</b>		<b>168,271,492</b>	<b>172,601,998</b>
<b>EQUITY</b>			
Retained surplus		69,788,275	73,907,036
Reserve accounts	3	13,023,570	13,175,612
Revaluation surplus		72,717,919	72,717,919
<b>TOTAL EQUITY</b>		<b>155,529,764</b>	<b>159,800,567</b>

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



# NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 OCTOBER 2023

## 1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

### BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

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

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

### Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

### SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

### PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 17 November 2023

**SHIRE OF EXMOUTH**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2023**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

<b>(a) Net current assets used in the Statement of Financial Activity</b>	<b>Supplementary Information</b>	<b>Adopted Budget Opening 30 June 2023</b>	<b>Last Year Closing 30 June 2023</b>	<b>Year to Date 31 October 2023</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Current assets</b>				
Cash and cash equivalents	2	13,822,550	16,192,455	20,607,339
Trade and other receivables		3,237,853	3,257,776	2,506,746
Inventories	7	152,032	213,637	214,243
		<u>17,212,435</u>	<u>19,663,868</u>	<u>23,328,328</u>
<b>Less: current liabilities</b>				
Trade and other payables	8	(3,091,754)	(1,484,254)	(1,078,667)
Other liabilities	12	(354,092)	(300,000)	(300,000)
Lease liabilities	11	(7,000)	(4,698)	(4,698)
Borrowings	10	(379,000)	(366,560)	(267,774)
Employee related provisions	12	(778,391)	(749,513)	(740,530)
		<u>(4,610,237)</u>	<u>(2,905,025)</u>	<u>(2,391,669)</u>
<b>Net current assets</b>		<b>12,602,198</b>	<b>16,758,843</b>	<b>20,936,659</b>
<b>Less: Total adjustments to net current assets</b>	Note 2(c)	(12,601,476)	(11,971,654)	(12,190,065)
<b>Closing funding surplus / (deficit)</b>		<b>722</b>	<b>4,787,189</b>	<b>8,746,594</b>

**(b) Non-cash amounts excluded from operating activities**

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

<b>Non-cash amounts excluded from operating activities</b>	<b>Adopted Budget</b>	<b>YTD Budget (a)</b>	<b>YTD Actual (b)</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Adjustments to operating activities</b>			
Add: Depreciation	3,683,000	1,227,592	1,226,954
<b>Total non-cash amounts excluded from operating activities</b>	<b>3,683,000</b>	<b>1,227,592</b>	<b>1,226,954</b>

**(c) Current assets and liabilities excluded from budgeted deficiency**

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

<b>Adjustments to net current assets</b>	<b>Supplementary Information</b>	<b>Adopted Budget Opening 30 June 2023</b>	<b>Last Year Closing 30 June 2023</b>	<b>Year to Date 31 October 2023</b>
		<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Less: Reserve accounts</b>				
- Current financial assets at amortised cost - self supporting loans	3	(13,727,867)	(13,023,570)	(13,175,612)
- Current portion of community loans		(38,000)	(38,000)	(10,000)
<b>Add: Current liabilities not expected to be cleared at the end of the year:</b>				
- Current portion of borrowings	10	379,000	366,560	267,774
- Current portion of lease liabilities	11	7,000	4,698	4,698
- Current portion of employee benefit provisions held in reserve	3	778,391	718,658	723,075
<b>Total adjustments to net current assets</b>	Note 2(a)	<b>(12,601,476)</b>	<b>(11,971,654)</b>	<b>(12,190,065)</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

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

**SHIRE OF EXMOUTH**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 31 OCTOBER 2023**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$25,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	(593,033)	(87.86%)	▼
Timing of operating grants (e.g. early payment of financial assistance & DWER grant)			
<b>Fees and charges</b>	515,367	11.78%	▲
Timing of airport operations			
<b>Interest revenue</b>	42,947	31.27%	▲
Timing of Term deposit maturities			
<b>Other revenue</b>	(23,213)	(17.41%)	▼
Timing of reimbursements			
<b>Expenditure from operating activities</b>			
<b>Employee costs</b>	342,717	12.06%	▲
Vacant positions			
<b>Materials and contracts</b>	900,497	42.39%	▲
Timing of maintenance and operational projects			
<b>Utility charges</b>	35,469	11.32%	▲
Timing of billing (bi-monthly)			
<b>Other expenditure</b>	19,551	24.34%	▲
Timing of community grants			
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	(862,344)	(55.49%)	▼
Timing of projects			
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	1,505,380	74.35%	▲
See note 5			
<b>Payments for construction of infrastructure</b>	2,898,098	77.80%	▲
See note 5			

**SHIRE OF EXMOUTH**  
**SUPPLEMENTARY INFORMATION**

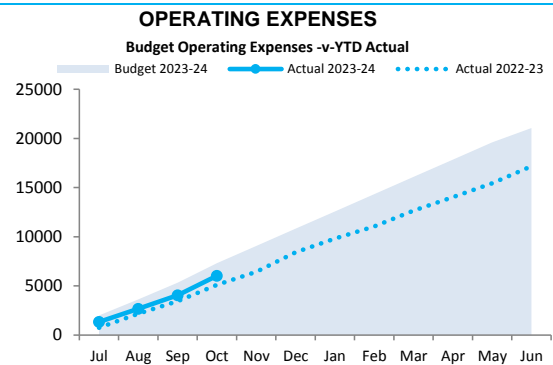
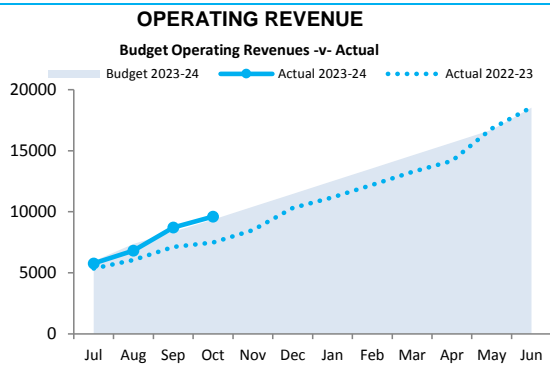
**TABLE OF CONTENTS**

1	Key Information - Graphical	8
2	Cash and Financial Assets	9
3	Reserve Accounts	10
4	Capital Acquisitions	11
5	Disposal of Assets	12
6	Receivables	13
7	Other Current Assets	14
8	Payables	15
9	Rate Revenue	16
10	Borrowings	17
11	Lease Liabilities	18
12	Other Current Liabilities	19
13	Grants and contributions	20
14	Capital grants and contributions	21
15	Trust Fund	22

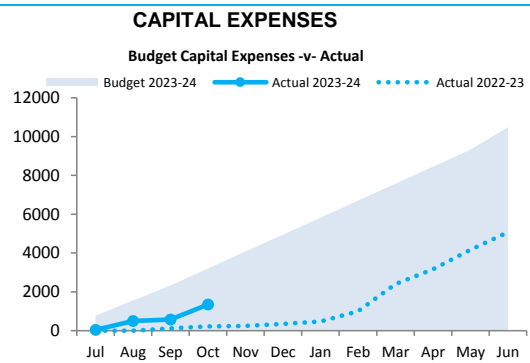
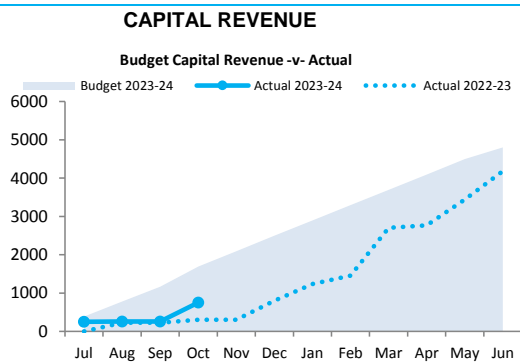
**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2023**

**1 KEY INFORMATION - GRAPHICAL**

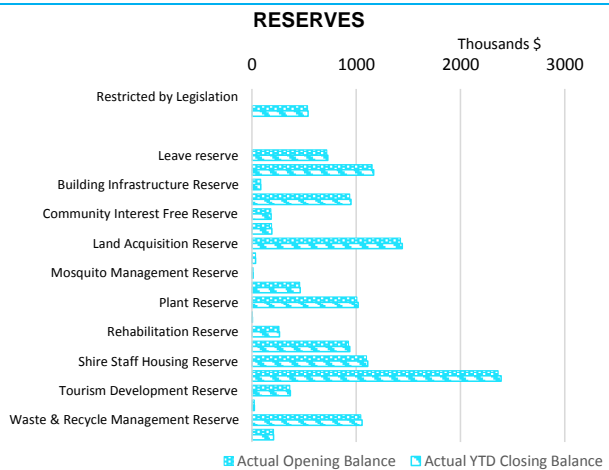
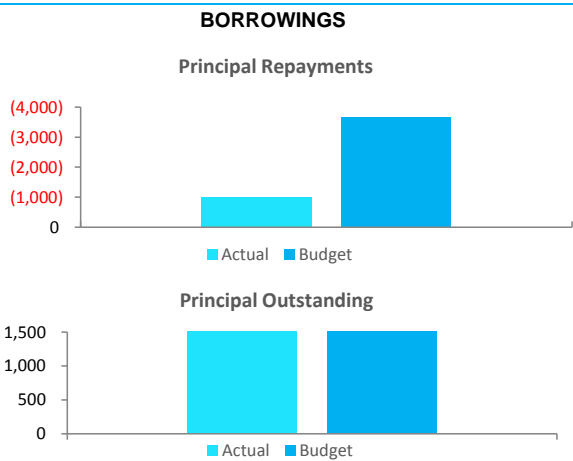
**OPERATING ACTIVITIES**



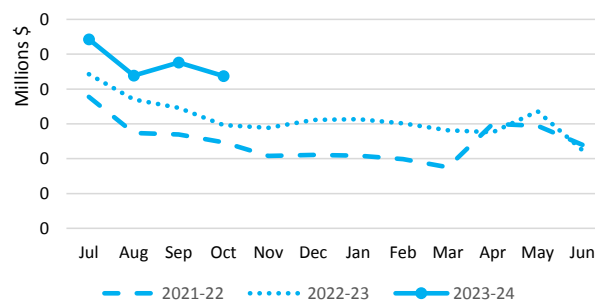
**INVESTING ACTIVITIES**



**FINANCING ACTIVITIES**



**Closing funding surplus / (deficit)**



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

**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2023**

**2 CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$	\$			
<b>Cash on hand</b>								
Petty Cash and Floats	Cash and cash equivalents	2,650		2,650				
Municipal Funds	Cash and cash equivalents	4,429,077		4,429,077		Westpac	0.00%	N/A
Reserve Funds	Cash and cash equivalents	0	2,675,612	2,675,612		Westpac	0.01%	N/A
Trust Funds	Cash and cash equivalents	0		0	114,654	Westpac	0.00%	N/A
		0						
<b>Investments</b>								
<b>A-1+</b>								
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.14%	11/2023
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	0	2,500,000	2,500,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.11%	01/2024
Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000		CBA	4.42%	11/2023
Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000		Westpac	5.11%	01/2024
<b>A-2</b>								
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		AMP	5.45%	08/2024
<b>Total</b>		<b>7,431,727</b>	<b>13,175,612</b>	<b>20,607,339</b>	<b>114,654</b>			
<b>Comprising</b>								
Cash and cash equivalents		7,431,727	13,175,612	20,607,339	114,654			
		<b>7,431,727</b>	<b>13,175,612</b>	<b>20,607,339</b>	<b>114,654</b>			

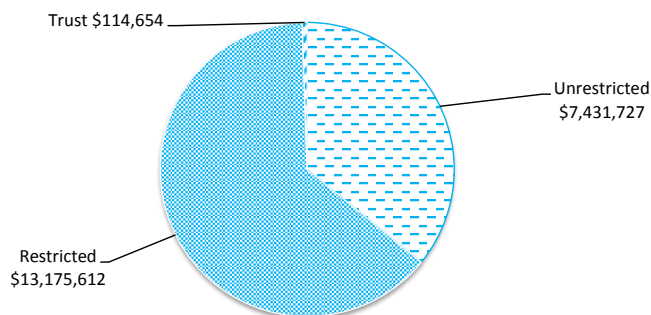
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



SHIRE OF EXMOUTH  
 SUPPLEMENTARY INFORMATION  
 FOR THE PERIOD ENDED 31 OCTOBER 2023

3 RESERVE ACCOUNTS

Reserve name	Budget Opening Balance	Budget Interest Earned	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Interest Earned	Actual Transfers In (+)	Actual Transfers Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Legislation</b>										
Marina Canal Reserve (Specified Area Rates)	528,329	11,000	62,000	0	601,329	533,394	6,322	0	0	539,716
<b>Restricted by Council</b>										
Leave reserve	711,834	14,000	0	0	725,834	718,658	8,518	0	0	727,176
Aviation Reserve	1,141,876	22,000	400,000	(550,000)	1,013,876	1,152,823	13,665	0	0	1,166,488
Building Infrastructure Reserve	82,924	2,000	0	0	84,924	83,719	992	0	0	84,711
Community Development Reserve	929,384	19,000	0	0	948,384	938,294	11,122	0	0	949,416
Community Interest Free Reserve	180,795	3,000	0	0	183,795	182,528	2,164	0	0	184,692
Insurance/Natural Disaster Reserve	187,298	4,000	0	0	191,298	189,093	2,241	0	0	191,334
Land Acquisition Reserve	1,411,921	28,000	0	0	1,439,921	1,425,457	17,020	0	0	1,442,477
Marina Village Asset Replacement Reserve	34,047	1,000	0	0	35,047	34,373	407	0	0	34,780
Mosquito Management Reserve	10,345	0	0	0	10,345	10,444	124	0	0	10,568
Ningaloo Centre Reserve	453,314	9,000	537,000	0	999,314	457,660	5,425	0	0	463,085
Plant Reserve	997,317	20,000	1,230,000	(1,394,000)	853,317	1,006,878	11,935	0	0	1,018,813
Public Radio Infrastructure Reserve	5,279	0	0	0	5,279	5,330	63	0	0	5,393
Rehabilitation Reserve	258,014	5,000	0	0	263,014	260,488	3,088	0	0	263,576
Roads Reserve	917,431	18,000	800,000	(260,000)	1,475,431	926,226	10,979	0	0	937,205
Shire Staff Housing Reserve	1,088,110	22,000	0	0	1,110,110	1,098,542	13,021	0	0	1,111,563
Swimming Pool Reserve	2,339,846	45,000	0	0	2,384,846	2,362,278	28,003	0	0	2,390,281
Tourism Development Reserve	360,226	7,000	0	(100,000)	267,226	363,679	4,311	0	0	367,990
Town Planning Scheme Reserve	22,366	0	0	0	22,366	22,581	268	0	0	22,849
Waste & Recycle Management Reserve	1,034,081	20,000	500,000	(480,000)	1,074,081	1,043,995	12,375	0	0	1,056,370
Unspent Grants & Contributions Reserve	207,130	0	0	(169,000)	38,130	207,130	0	0	0	207,130
	<b>12,901,867</b>	<b>250,000</b>	<b>3,529,000</b>	<b>(2,953,000)</b>	<b>13,727,867</b>	<b>13,023,570</b>	<b>152,042</b>	<b>0</b>	<b>0</b>	<b>13,175,612</b>

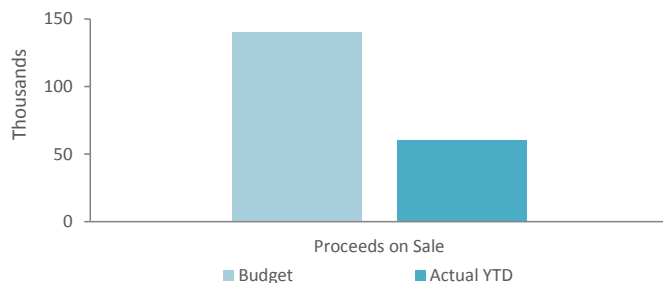
4 CAPITAL ACQUISITIONS

Account Description	Adopted		YTD Actual	Variance (Under)/Over
	Budget	YTD Budget		
	\$	\$	\$	\$
<b>Buildings - specialised</b>				0
NADC Workshop Upgrade	70,000	11,662	0	11,662
Depot Office Renovation	250,000	41,650	78,591	(36,941)
Building Renewals	170,000	56,664	3,522	53,142
Heliport Works	4,000,000	1,333,332	160,799	1,172,533
	<b>4,490,000</b>	<b>1,443,308</b>	<b>242,912</b>	<b>1,200,396</b>
<b>Furniture and equipment</b>				
Portable Traffic Lights	15,000	5,000	0	5,000
	<b>15,000</b>	<b>5,000</b>	<b>0</b>	<b>5,000</b>
<b>Plant and equipment</b>				
Events Trailer	10,000	0	0	0
Plant Replacement	1,394,000	468,000	275,000	193,000
Landfill Waste Compactor	260,000	108,322	1,338	106,984
	<b>1,664,000</b>	<b>576,322</b>	<b>276,338</b>	<b>299,984</b>
<b>Infrastructure - roads</b>				
Asphalt Intersection Overlays	100,000	354,065	0	354,065
Bitumen Road Reseals	200,000	354,065	0	354,065
Footpath Construction	200,000	133,300	0	133,300
Murat Rd Pedestrian Crossover	80,000	354,065	0	354,065
Murat Rd Works	235,000	354,065	(44,192)	398,257
Reid St Asphalt Overlay	390,000	354,065	0	354,065
Yardie Creek Rd Works	320,000	354,065	0	354,065
Disaster Recovery Works	1,200,000	354,065	735,072	(381,007)
Tantabiddi Floodway Upgrade	0	0	11,072	(11,072)
	<b>2,725,000</b>	<b>2,611,755</b>	<b>701,952</b>	<b>1,909,803</b>
<b>Other infrastructure</b>				
Beach Volleyball	10,000	0	9,296	(9,296)
Pool Renewals	45,000	66,663	9,296	57,367
Youth Precinct - Skate Park	430,000	625,000	64,381	560,619
NADC Interpretive Works Upgrade	120,000	0	0	0
Mangrove Zone Exhibit	25,000	0	0	0
Lighting - Ross Street Mall and Federation Park	40,000	13,332	0	13,332
Water Spraypark Refurbishment	35,000	66,663	0	66,663
Chlorine Storage Compound	90,000	14,994	0	14,994
Sentinel Chicken Pen Upgrades	30,000	4,998	1,965	3,034
Waste Water Irrigation Pond	40,000	13,332	927	12,405
Qualing Scarp Fencing	50,000	0	1,338	(1,338)
Landfill Recyclables Storage Shed	80,000	108,322	1,338	106,984
Light Pole Replacement & Mains Upgrade	500,000	166,664	0	166,664
Aerodrome Airstrip Upgrades	100,000	33,332	35,272	(1,940)
Welch Street Camp Ground	0	0	1,192	0
	<b>1,595,000</b>	<b>1,113,300</b>	<b>125,005</b>	<b>988,295</b>
	<b>10,489,000</b>	<b>5,749,685</b>	<b>1,346,207</b>	<b>4,403,478</b>



5 DISPOSAL OF ASSETS

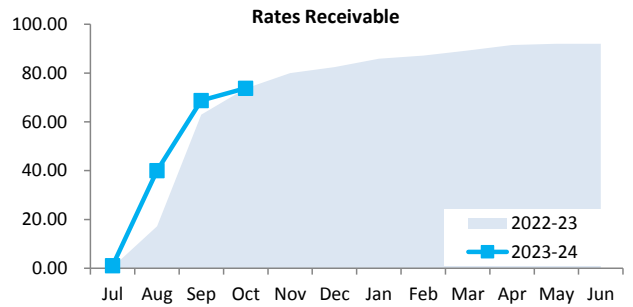
Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
	Plant Replacement	140,000	140,000	0	0	60,000	60,000	0	0
		<b>140,000</b>	<b>140,000</b>	<b>0</b>	<b>0</b>	<b>60,000</b>	<b>60,000</b>	<b>0</b>	<b>0</b>



6 RECEIVABLES

Rates receivable

	30 Jun 2023	31 Oct 2023
	\$	\$
Opening arrears previous years	137,432	345,367
Levied this year	3,983,885	4,349,375
Less - collections to date	(3,775,950)	(3,463,361)
Gross rates collectable	<b>345,367</b>	<b>1,191,117</b>
Net rates collectable	<b>345,367</b>	<b>1,191,117</b>
% Collected	91.6%	73.8%



Receivables - general

	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(82,684)	686,832	121,256	99,092	190,619	1,015,115
Percentage	(8.1%)	67.7%	11.9%	9.8%	18.8%	
<b>Balance per trial balance</b>						
Trade receivables						1,015,115
GST receivable						142,883
Loans receivable - clubs/institution						10,000
Property Service Charges						147,631
<b>Total receivables general outstanding</b>						<b>1,315,629</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

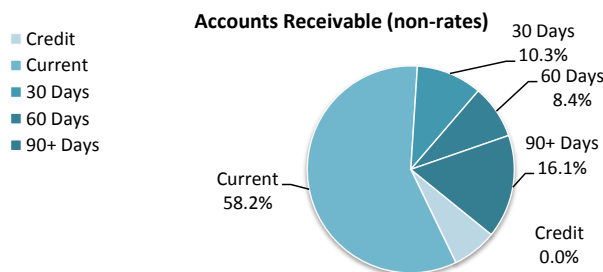
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



7 OTHER CURRENT ASSETS

<b>Other current assets</b>	<b>Opening Balance 1 July 2023</b>	<b>Asset Increase</b>	<b>Asset Reduction</b>	<b>Closing Balance 31 October 2023</b>
	\$	\$	\$	\$
<b>Inventory</b>				
Fuel and materials	53,062	0	606	53,668
Visitor centre stock	160,575	0	0	160,575
<b>Total other current assets</b>	<b>213,637</b>	<b>0</b>	<b>606</b>	<b>214,243</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

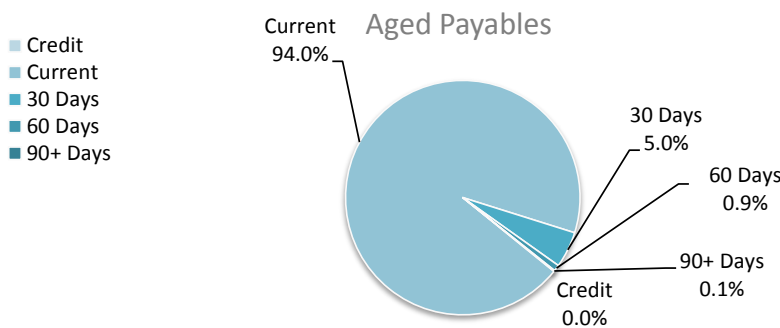
8 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	153,991	8,172	1,394	230	163,787
Percentage	0.0%	94.0%	5.0%	0.9%	0.1%	
<b>Balance per trial balance</b>						
Sundry creditors						191,444
ATO liabilities						111,486
Prepaid rates						41,310
BSL						37,467
BCITF						7,346
Bonds and deposits held						399,587
Payroll Creditors						290,027
<b>Total payables general outstanding</b>						<b>1,078,667</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



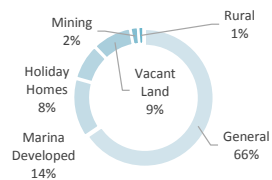
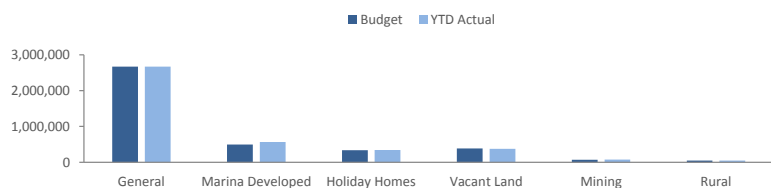
9 RATE REVENUE

General rate revenue

RATE TYPE	Rate in	Number of	Rateable	Rate	Budget	Total	Rate	YTD Actual	Total
	\$ (cents)	Properties	Value	Revenue	Interim	Revenue	Revenue	Interim	Revenue
				\$	\$	\$	\$	\$	\$
<b>Gross rental value</b>									
General	0.088900	1,203	29,924,715	2,660,000	10,000	2,670,000	2,673,413	0	2,673,413
Marina Developed	0.120000	119	4,133,407	496,000	0	496,000	564,493	0	564,493
Holiday Homes	0.123200	114	2,760,170	340,000	0	340,000	342,518	0	342,518
Vacant Land	0.177600	210	2,188,530	389,000	0	389,000	374,647	0	374,647
<b>Unimproved value</b>									
Mining	0.189000	10	358,420	68,000	0	68,000	73,135	0	73,135
Rural	0.094600	6	537,400	50,000	0	50,000	50,838	0	50,838
<b>Sub-Total</b>		<b>1,662</b>	<b>39,902,642</b>	<b>4,003,000</b>	<b>10,000</b>	<b>4,013,000</b>	<b>4,079,044</b>	<b>0</b>	<b>4,079,044</b>
<b>Minimum payment</b>	<b>Minimum Payment \$</b>								
<b>Gross rental value</b>									
General	1,075	93	623,962	100,000	0	100,000	99,975	0	99,975
Marina Developed	1,075	1	0	1,000	0	1,000	1,075	0	1,075
Holiday Homes	1,075	0	0	0	0	0	1,075	0	1,075
Vacant Land	845	124	398,530	105,000	0	105,000	102,245	0	102,245
<b>Unimproved value</b>									
Mining	280	10	9,366	3,000	0	3,000	2,800	0	2,800
Rural	845	1	5,800	1,000	0	1,000	845	0	845
<b>Sub-total</b>		<b>229</b>	<b>1,037,658</b>	<b>210,000</b>	<b>0</b>	<b>210,000</b>	<b>208,015</b>	<b>0</b>	<b>208,015</b>
<b>Total general rates</b>						<b>4,223,000</b>			<b>4,287,059</b>
<b>Specified area rates</b>	<b>Rate in \$ (cents)</b>								
Marina Specified Area	0.015800			62,000	0	62,000	62,316	0	62,316
<b>Total specified area rates</b>			<b>0</b>	<b>62,000</b>	<b>0</b>	<b>62,000</b>	<b>62,316</b>	<b>0</b>	<b>62,316</b>
<b>Total</b>						<b>4,285,000</b>			<b>4,349,375</b>

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs, the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



10 BORROWINGS

Repayments - borrowings

Information on borrowings	Loan No.	1 July 2023	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Particulars		\$	\$	\$	\$	\$	\$	\$	\$	\$
Staff Dwellings	80	332,676	0	0	(25,980)	(79,000)	306,696	253,676	(5,092)	(14,000)
Staff Dwellings	83	438,103	0	0	0	(52,000)	438,103	386,103	.	(6,000)
Staff Dwellings	84	1,518,016	0	0	(72,806)	(147,000)	1,445,210	1,371,016	(25,785)	(50,000)
Ningaloo Centre	82	658,181	0	0	0	(64,000)	658,181	594,181	0	(21,000)
1 Bennett Street	76	151,945	0	0	0	(25,000)	151,945	126,945	0	(7,000)
Heliport Works		0	0	1,500,000	0	0	0	1,500,000	0	0
<b>Total</b>		<b>3,098,921</b>	<b>0</b>	<b>1,500,000</b>	<b>(98,786)</b>	<b>(367,000)</b>	<b>3,000,135</b>	<b>4,231,921</b>	<b>(30,877)</b>	<b>(98,000)</b>
Current borrowings		367,000					267,774			
Non-current borrowings		2,731,921					2,732,361			
		<b>3,098,921</b>					<b>3,000,135</b>			

All debenture repayments were financed by general purpose revenue.

New borrowings 2023-24

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$				\$	%	\$	\$	\$
Heliport Works	0	1,500,000	0	0	10	0	0	0	0	0
	<b>0</b>	<b>1,500,000</b>				<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>

KEY INFORMATION

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

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

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments		
		1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
RAAF Airport Lease		74,089	0	0	0	(7,000)	74,089	67,089	0	0
<b>Total</b>		<b>74,089</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(7,000)</b>	<b>74,089</b>	<b>67,089</b>	<b>0</b>	<b>0</b>
Current lease liabilities		4,698					4,698			
Non-current lease liabilities		53,147					53,147			
		<b>57,845</b>					<b>57,845</b>			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

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

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

## 12 OTHER CURRENT LIABILITIES

	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 31 October 2023
		\$	\$	\$	\$	\$
<b>Other current liabilities</b>						
<b>Other liabilities</b>						
Contract liabilities		300,000	0	0	0	300,000
<b>Total other liabilities</b>		300,000	0	0	0	300,000
<b>Employee Related Provisions</b>						
Provision for annual leave		528,321	0	0	0	528,321
Provision for long service leave		221,192	0	0	(8,983)	212,209
<b>Total Provisions</b>		749,513	0	0	(8,983)	740,530
<b>Total other current liabilities</b>		<b>1,049,513</b>	<b>0</b>	<b>0</b>	<b>(8,983)</b>	<b>1,040,530</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13

### KEY INFORMATION

#### Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

#### Employee Related Provisions

##### Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

##### Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

#### Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

#### Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.



13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD Budget	YTD Revenue
	1 July 2023		(As revenue)	31 Oct 2023	31 Oct 2023	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>								
Financial Assistance Grant - General	0	0	0	0	0	1,500,000	375,000	15,995
Financial Assistance Grant - Road	0	0	0	0	0	423,000	141,000	6,583
DFES	0	0	0	0	0	0	0	4,000
Fight the Bite	0	0	0	0	0	2,000	664	1,077
Heritage	0	0	0	0	0	20,000	6,664	0
Regional and Remote ASIC Card subsidy	0	0	0	0	0	0	0	8,636
WABN Funding Shared Path subsidy	0	0	0	0	0	0	0	1,000
CHRMAP	0	0	0	0	0	45,000	15,000	0
District Water Management Strategy	0	0	0	0	0	240,000	80,000	0
Cape Range Crossing	0	0	0	0	0	65,000	21,664	0
Operator Consultation	0	0	0	0	0	20,000	6,664	0
Inclusion Plan	0	0	0	0	0	0	0	2,000
Art on the Move	0	0	0	0	0	0	0	15,010
Reimbursements	0	0	0	0	0	85,000	28,328	27,650
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,400,000</b>	<b>674,984</b>	<b>81,951</b>

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities				Capital grants, subsidies and contributions revenue			
	Liability 1 July 2023	Increase in Liability	Decrease in Liability (As revenue)	Liability 31 Oct 2023	Current Liability 31 Oct 2023	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>								
Youth Precinct - Skate Park	0	0	0	0	0	300,000	100,000	36,983
Youth Precinct - Cricket Nets	0	0	0	0	0	0	0	4,545
NADC Interpretive Works Upgrade	0	0	0	0	0	120,000	40,000	0
Regional Road Group	0	0	0	0	0	405,000	135,000	125,184
Roads to Recovery	0	0	0	0	0	267,000	89,000	0
Direct Road Grant	0	0	0	0	0	0	0	126,168
Disaster Recovery Works	0	0	0	0	0	1,020,000	340,000	398,776
Heliport Works	0	0	0	0	0	2,500,000	850,000	0
Aerodrome Airstrip Upgrades	0	0	0	0	0	50,000	4,167	0
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,662,000</b>	<b>1,558,167</b>	<b>691,656</b>

**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 31 OCTOBER 2023**

**15 TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

<b>Description</b>	<b>Opening Balance 1 July 2023</b>	<b>Amount Received</b>	<b>Amount Paid</b>	<b>Closing Balance 31 Oct 2023</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
Cash in Lieu POS	45,640	0	0	45,640
Bond Deed Exmouth Marina Holdings	18,186	0	0	18,186
Exmouth Volunteer Fire & Rescue	50,828	0	0	50,828
	<b>114,654</b>	<b>0</b>	<b>0</b>	<b>114,654</b>

## MONTHLY LIST OF PAYMENTS - OCTOBER 2023

## Municipal Account:

Cheque	\$	-
Direct Debits and EFT Payments (EFT26080-EFT26261)	\$	1,925,540.99
Credit Card Purchases	\$	6,865.71
<b>Total Municipal Account</b>	<b>\$</b>	<b>1,932,406.70</b>

## Trust Account:

Cheque ( )	\$	-
EFT Payments ( )	\$	-
<b>Total Trust Account</b>	<b>\$</b>	<b>-</b>
<b>TOTAL PAYMENTS</b>	<b>\$</b>	<b>1,932,406.70</b>

Reference	Date	Name	Description	Municipal Account	Trust Account
				<b>TOTAL CHEQUES</b>	<b>\$ - \$ -</b>
DD	02/10/2023	WESTNET	INTERNET SERVICE	\$ 99.99	
DD8799.2	04/10/2023	BEAM CONNECT	SUPERANNUATION PAYMENTS	\$ 41,914.43	
DD8636.7	04/10/2023	PAYMATE	FLEXI PAYMATE WATER DISPENSER EXPENSES	\$ 165.00	
DD	06/10/2023	HP FINANCIAL	EQUIPMENT LEASE	\$ 3,318.17	
DD	09/10/2023	BOND ADMINISTRATION	TENANCY BOND	\$ 800.00	
DD	16/10/2023	TELSTRA	TELSTRA MOBILE ACCOUNTS	\$ 933.13	
DD8800.2	16/10/2023	WESTERN AUSTRALIAN TREASURY CORP.	LOAN REPAYMENT	\$ 7,768.00	
DD	16/10/2023	MESSAGE MEDIA	MESSAGE MEDIA MONTHLY DEBIT	\$ 44.00	
DD	17/10/2023	TELAIR	FIBRE INTERNET SERVICE - LEARMONTH AIRPORT	\$ 724.90	
DD	18/10/2023	GLOBALSTAR - PIVOTEL	SATELLITE PHONE SPOT TRACKING	\$ 31.00	
DD	19/10/2023	TELSTRA	TELSTRA RETIC LINE	\$ 69.95	
DD	20/10/2023	NAYAX	AIRPORT VENDING MACHINE SERVICE FEE	\$ 54.34	
DD	24/10/2023	TELSTRA	TELSTRA MAIN ACCOUNT - COMMS EXPENSES	\$ 9,758.18	
DD	25/10/2023	WESTNET	INTERNET SERVICE	\$ 49.99	
DD8800.1	30/10/2023	WESTERN AUSTRALIAN TREASURY CORP.	LOAN REPAYMENT	\$ 98,591.37	
				<b>TOTAL DIRECT DEBIT PAYMENTS</b>	<b>\$ 164,322.45 \$ -</b>
EFT26080	05/10/2023	AUSTRALIAN SERVICE UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 157.00	
EFT26081	05/10/2023	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 46,514.00	
EFT26082	05/10/2023	PAYWISE PTY LTD	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 911.94	
EFT26083	05/10/2023	AUSTRALIAN SERVICE UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 157.00	
EFT26084	05/10/2023	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 64,521.86	
EFT26085	05/10/2023	PAYWISE PTY LTD	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 911.94	
EFT26104	06/10/2023	AUSTRALIA POST	POSTAGE AND FREIGHT FOR THE MONTH OF AUGUST	\$ 789.59	
EFT26105	06/10/2023	BOOMER CRAFTS	NVC MERCHANDISE	\$ 772.00	
EFT26106	06/10/2023	BOYA EQUIPMENT	PARTS FOR RIDE ON MOWER	\$ 312.77	
EFT26107	06/10/2023	CARROLL & RICHARDSON FLAGWORLD PTY LTD	AUSTRALIAN FLAGS FOR NINGALOO CENTRE FLAG POLES	\$ 309.00	
EFT26108	06/10/2023	DELNORTH PTY LTD	GUIDE POSTS	\$ 3,880.80	
EFT26109	06/10/2023	EXMOUTH WHOLESALERS	CONSUMABLES	\$ 705.76	
EFT26110	06/10/2023	GYPSY MERMAID CREATIVE	NVC MERCHANDISE	\$ 2,345.00	
EFT26111	06/10/2023	HT CLEANING SERVICES PTY LTD	AMENITIES CLEANING SEPTEMBER 2023	\$ 18,813.83	
EFT26113	06/10/2023	MUMBY'S AUTO ELECTRICAL AND AIR CONDITIONING	RECTIFY SHIRE VEHICLE AIRCONDITIONER BLOWING HOT AIR	\$ 1,960.50	
EFT26114	06/10/2023	NINGALOO CARAVAN AND HOLIDAY PARK (PHOBOS NOMINEES)	WATER AND SERVICE CHARGES FOR TRANSIT HOUSES	\$ 4,011.70	
EFT26115	06/10/2023	RAY WHITE TRUST ACCOUNT	STORAGE UNIT RENT	\$ 400.00	
EFT26116	06/10/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	NADC TURTLE FOOD	\$ 491.98	
EFT26117	06/10/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FRIEGHT CHARGES	\$ 145.56	
EFT26118	06/10/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM	\$ 121.45	
EFT26119	06/10/2023	WESTBOOKS (JD CAFFEY & CAFFEY FAMILY TRUST)	BOOK PURCHASES	\$ 39.86	
EFT26120	06/10/2023	WESTRAC PTY LTD	PARTS FOR MINI EXCAVATOR	\$ 262.32	
EFT26121	06/10/2023	WORMALD AUSTRALIA PTY LTD	REPAIRS TO NINGALOO CENTRE FIRE PUMPS	\$ 3,537.16	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26123	10/10/2023	GHD	PROJECT MANAGEMENT OF DISASTER RECOVERY WORKS	\$ 5,383.99	
EFT26124	10/10/2023	PORTER EQUIPMENT AUSTRALIA PTY LTD	NEW WHEEL LOADER AS PER RFT 03/2023	\$ 236,500.00	
EFT26125	10/10/2023	PRO EARTH CIVIL	PROJECT MANAGEMENT FOR DISASTERY RECOVERY WORKS	\$ 54,687.88	
EFT26126	13/10/2023	AQUATIC ADVENTURE EXMOUTH	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 2,337.50	
EFT26127	13/10/2023	BULLARA ESTATES PTY LTD	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 161.50	
EFT26128	13/10/2023	CAPE IMMERSION TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 459.00	
EFT26129	13/10/2023	COASTAL ADVENTURE TOURS PTY LTD	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 395.25	
EFT26130	13/10/2023	CORAL BAY CHARTERS & GLASS BOTTOM BOATS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 442.00	
EFT26131	13/10/2023	CORAL BAY ECOTOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 1,806.25	
EFT26132	13/10/2023	DIVE NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 476.00	
EFT26133	13/10/2023	EXMOUTH ADVENTURE COMPANY	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 212.50	
EFT26134	13/10/2023	EXMOUTH BUS CHARTERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 306.00	
EFT26135	13/10/2023	EXMOUTH DIVE & WHALESHARKS NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 10,399.75	
EFT26136	13/10/2023	KINGS NINGALOO REEF TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 6,655.50	
EFT26137	13/10/2023	NINGALOO AVIATION	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 1,564.00	
EFT26138	13/10/2023	NINGALOO CARAVAN AND HOLIDAY PARK (PHOBOS NOMINEES)	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 4,273.15	
EFT26139	13/10/2023	NINGALOO CORAL BAY - BAYVIEW	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 1,388.05	
EFT26140	13/10/2023	NINGALOO CORAL BAY BACKPACKERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 1,279.25	
EFT26141	13/10/2023	NINGALOO DISCOVERY	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 31,239.20	
EFT26142	13/10/2023	NINGALOO ECOLOGY CRUISES (NINGALOO GLASS BOTTOM BOAT)	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 8,206.75	
EFT26143	13/10/2023	NINGALOO MARINE INTERACTIONS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 459.00	
EFT26144	13/10/2023	NINGALOO REEF DIVE	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 714.00	
EFT26145	13/10/2023	NINGALOO REEF TO RANGE TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 280.50	
EFT26146	13/10/2023	NINGALOO WHALESHARK N DIVE	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 6,537.35	
EFT26147	13/10/2023	OCEAN ECO ADVENTURES	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 4,222.80	
EFT26148	13/10/2023	POTSHOT RESORT HOTEL	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 3,340.50	
EFT26149	13/10/2023	RAC TOURISM ASSETS PTY LTD	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 221.00	
EFT26150	13/10/2023	SHIRE OF EXMOUTH	NINGALOO VISITOR CENTRE COMMISSION SEPTEMBER 2023	\$ 18,273.50	
EFT26151	13/10/2023	SKYHAVEN PTY LTD T/AS NINGALOO BLUE CHARTERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 3,366.00	
EFT26152	13/10/2023	THREE ISLANDS WHALE SHARK DIVE	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 2,380.00	
EFT26153	13/10/2023	VIEW NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 6,277.25	
EFT26154	13/10/2023	YARDIE CREEK BOAT TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS SEPTEMBER 2023	\$ 4,199.00	
EFT26155	13/10/2023	AQUA RESEARCH AND MONITORING SERVICES	NAVY PIER FOOTAGE FOR DISPLAY IN NVC	\$ 5,000.00	
EFT26156	13/10/2023	AUSCOINSWEST	NVC MERCHANDISE	\$ 2,488.20	
EFT26157	13/10/2023	BRITTANY KULICK	AWARDS AND GRANTS MEDIA COPY RELEASES	\$ 759.00	
EFT26158	13/10/2023	CAPRICORN PEST CONTROL	PEST CONTROL AT COMMUNITY PURPOSE PRECINCT	\$ 1,320.00	
EFT26159	13/10/2023	CJ LORD BUILDING AND RENOVATION WA PTY LTD	REPLACE WATER DAMAGED KIOSK AT LEARMONTH AIRPORT ARRIVAL HALL	\$ 137.50	
EFT26160	13/10/2023	DAVID GRAY & CO PTY LTD	RUBBISH BINS AND LIDS	\$ 2,581.15	
EFT26161	13/10/2023	DEPARTMENT OF DEFENCE - TREASURY AND BANKING *RENT/WATER*	RECOVERY COSTS OF POTABLE WATER SEPT 22 - DEC 22	\$ 627.00	
EFT26162	13/10/2023	DKM WORKPLACE SOLUTIONS PTY LTD	ADDITIONAL ADHOC HR SUPPORT	\$ 759.00	
EFT26163	13/10/2023	EXMOUTH DISTRICT HIGH SCHOOL	YEAR 7-11 PRESENTATIONS - SCHOLARSHIP AWARDS DONATION	\$ 500.00	
EFT26164	13/10/2023	EXMOUTH WHOLESALERS	CONSUMABLES	\$ 425.61	
EFT26165	13/10/2023	EXY PLUMBING & CONTRACTING	REPAIR AND RELAY BROKEN WATER MAIN AT LIGHT AIRCRAFT STRIP	\$ 1,501.26	
EFT26166	13/10/2023	HORIZON POWER - ACCOUNTS	ELECTRICITY CHARGES	\$ 15,257.95	
EFT26167	13/10/2023	IXOM OPERATIONS PTY LTD	CHLORINE GAS BOTTLES	\$ 4,257.00	
EFT26168	13/10/2023	JOURNEY JOTTINGS PTY LTD	NVC MERCHANDISE	\$ 573.00	
EFT26169	13/10/2023	KAYFER DESIGNS	LEARMONTH ARCHITECTURAL CONCEPT DRAWINGS FOR TRANSIT LOUNGE	\$ 4,037.00	
EFT26170	13/10/2023	NGT GLOBAL PTY LTD T/AS VICTORY FREIGHTLINES	FREIGHT CHARGES	\$ 613.80	
EFT26171	13/10/2023	OFFICEWORKS	OFFICE CHAIRS AND FREIGHT	\$ 811.86	
EFT26172	13/10/2023	SHIRE OF PLANTAGENET	LONG SERVICE LEAVE LIABILITY	\$ 20,345.16	
EFT26173	13/10/2023	SMART IN DESIGN	NVC MERCHANDISE	\$ 455.00	
EFT26174	13/10/2023	SMITHS DETECTION (AUSTRALIA) PTY LTD	SMITHS BAGGAGE X-RAY SERVICE	\$ 39,988.80	
EFT26175	13/10/2023	STRATEGIC LEADERSHIP CONSULTING	UNDERTAKE CEO PERFORMANCE REVIEW	\$ 6,160.00	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26176	13/10/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	NADC FOOD FOR AQUARIUM STOCK	\$ 297.77	
EFT26177	13/10/2023	THE BBQ FATHER (T/AS ARMANDO (WA) PTY LTD)	CATERING FOR CLUB DEVELOPMENT WORKSHOP	\$ 109.00	
EFT26178	13/10/2023	TNT EXPRESS AUSTRALIA - ACCOUNTS	FREIGHT CHARGES	\$ 1,445.14	
EFT26179	13/10/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM	\$ 339.38	
EFT26180	13/10/2023	TECHWEST	NINGALOO CENTRE SECURITY SYSTEM MONITORING	\$ 243.10	
EFT26181	13/10/2023	WATERCOLOUR ART BY KAREN (KAREN SUZUKI)	NVC MERCHANDISE	\$ 440.00	
EFT26182	13/10/2023	WESFARMERS KLEENHEAT GAS PTY LTD	GAS BOTTLE SERVICE FEE	\$ 46.75	
EFT26183	13/10/2023	WESTBOOKS (JD CAFFEY & CAFFEY FAMILY TRUST)	BOOK PURCHASES	\$ 616.99	
EFT26184	13/10/2023	WESTRAC PTY LTD	PARTS FOR MINI EXCAVATOR	\$ 957.78	
EFT26185	13/10/2023	WORMALD AUSTRALIA PTY LTD	FIRE PANEL SERVICING	\$ 987.22	
EFT26186	20/10/2023	ABBERFIELD TECHNOLOGY PTY LTD	ANNUAL FEE FOR HOSTING WATER FILLING STATION COMMUNICATIONS 1/7/22 - 30/6/23	\$ 616.00	
EFT26187	20/10/2023	ALLIED CO COMMERCIAL PTY LTD (ALLIED PUMPS)	SERVICE KITS FOR PLANT	\$ 441.83	
EFT26188	20/10/2023	ASM ECLIPSE PTY LTD	NVC MERCHANDISE	\$ 286.00	
EFT26189	20/10/2023	BOOEKASY PTY LTD	MONTHLY FEE FOR BOOKINGS AUGUST AND UNDERCHARGED AMOUNT JULY 2023	\$ 5,928.50	
EFT26190	20/10/2023	CARAVAN OF CONSERVATION	NVC MERCHANDISE	\$ 9,998.89	
EFT26191	20/10/2023	CHECKED EVENTS	CONSULTANCY FEE AND STRATEGIC DOCUMENT TEMPLATES	\$ 462.00	
EFT26192	20/10/2023	CJ LORD BUILDING AND RENOVATION WA PTY LTD	SERVICE AND ADJUST ELECTRIC SLIDING DOOR AT NINGALOO CENTRE	\$ 137.50	
EFT26193	20/10/2023	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PAYMENTS AUGUST 2023	\$ 6,042.30	
EFT26194	20/10/2023	EXMOUTH DISTRICT HIGH SCHOOL PARENTS AND CITIZENS (P&C)	FUNDRAISING COMMUNITY GRANT	\$ 1,000.00	
EFT26195	20/10/2023	EXMOUTH IGA	MONTHLY CONSUMABLES ACCOUNT	\$ 495.98	
EFT26196	20/10/2023	EXMOUTH NEWSAGENCY & TOYWORLD	NEWSPAPER PURCHASE SEPTEMBER 2023	\$ 110.83	
EFT26197	20/10/2023	EXMOUTH WHOLESALERS	AIRPORT CLEANING PRODUCTS AND CONSUMABLES & AIRPORT VENDING MACHINE STOCK ORDER	\$ 11,088.81	
EFT26198	20/10/2023	EXY PLUMBING & CONTRACTING	REPAIR BURST WATER LINE AT AERODROME	\$ 315.84	
EFT26199	20/10/2023	HARPER & BOWIE (SEAN SCOTT PHOTOGRAPHY)	CONTENT CREATION	\$ 5,500.00	
EFT26200	20/10/2023	HEMPFIELD SMALL ENGINE SERVICES	RAMMER AND PLATE COMPACTOR	\$ 4,755.00	
EFT26201	20/10/2023	HESPERIAN PRESS	NVC MERCHANDISE	\$ 4,165.95	
EFT26202	20/10/2023	HT CLEANING SERVICES PTY LTD	AUGUST MONTHLY CONTRACT CLEANING	\$ 30,827.79	
EFT26203	20/10/2023	NETWORK POWER SOLUTIONS PTY LTD	REPLACE FAULTY LIGHT FITTINGS AT THE DEPOT WITH LED FITTINGS	\$ 277.00	
EFT26204	20/10/2023	NINGALOO HARVEST IGA	MONTHLY CONSUMABLES	\$ 221.53	
EFT26205	20/10/2023	NUTRIEN AG SOLUTIONS LTD	LAYING PELLETS AND TURF FOR SENTINEL CHICKENS	\$ 2,684.00	
EFT26206	20/10/2023	REGIONAL AIRPORT MANAGEMENT SERVICES PTY LTD	AIRPORT MANAGEMENT SERVICES SEPTEMBER 2023	\$ 85,462.09	
EFT26207	20/10/2023	SCENT AUSTRALIA PTY LTD	MONTHLY AMBIENT SCENTING FOR NINGALOO CENTRE	\$ 143.00	
EFT26208	20/10/2023	SHIRE OF EXMOUTH	BSL COMMISSION AUGUST 2023	\$ 75.00	
EFT26209	20/10/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	ROPE FOR TOWN POOL	\$ 75.99	
EFT26210	20/10/2023	TYRES4U	TYRE FOR WHEEL LOADER	\$ 2,502.50	
EFT26211	20/10/2023	WA COUNTRY HEALTH SERVICE - (OUTPATIENTS/ PUBLIC SERVICE INVOICES)	EMPLOYEE EMERGENCY ATTENDANCE	\$ 702.00	
EFT26212	20/10/2023	WATER CORPORATION	WATER CHARGES	\$ 131.88	
EFT26214	26/10/2023	CUSTOMER	REFUND FOR CANCELLED TOUR BOOKING	\$ 115.00	
EFT26215	27/10/2023	AFFORDABLE SIGNS	SUPPLY SIGN	\$ 429.00	
EFT26216	27/10/2023	AIRSAFE TRANSPORT TRAINING	DANGEROUS GOODS AWARENESS ONLINE TRAINING	\$ 180.00	
EFT26217	27/10/2023	AMPAC DEBT RECOVERY	RATES DEBT COLLECTION EXPENSES - RECOVERABLE	\$ 56.50	
EFT26218	27/10/2023	ASM ECLIPSE PTY LTD	NVC MERCHANDISE	\$ 4,471.25	
EFT26219	27/10/2023	BING TECHNOLOGIES PTY LIMITED	PRINTING SERVICE FOR RATES 23/24 FINAL NOTICES	\$ 530.68	
EFT26220	27/10/2023	BRUMBY SUNSTATE	NVC MERCHANDISE	\$ 4,949.30	
EFT26221	27/10/2023	CAPRICORN PEST CONTROL	TREATMENT OF BEES AT FEDERATION PARK	\$ 300.00	
EFT26222	27/10/2023	CENTAMAN SYSTEMS PTY LTD T/A JONAS LEISURE	ANNUAL LICENSE AND SUPPORT FEE 01/11/23 - 31/10/24	\$ 3,787.15	
EFT26223	27/10/2023	CAVALIERI UNIT TRUST T/A RID AUSTRALIA	INSECT REPELLENT PLUS FREIGHT	\$ 1,101.02	
EFT26224	27/10/2023	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PAYMENT SEPTEMBER 2023	\$ 6,427.10	
EFT26225	27/10/2023	ES2 PTY LTD	CYBER SECURITY AWARENESS TRAINING	\$ 323.53	
EFT26226	27/10/2023	EXMOUTH HARDWARE & BUILDING SUPPLIES	MONTHLY CONSUMABLES ACCOUNT	\$ 2,639.25	
EFT26227	27/10/2023	EXMOUTH SMASH REPAIRS	REMOVE AND REFIT DOOR GLASS TO MINI EXCAVATOR	\$ 132.00	
EFT26228	27/10/2023	EXMOUTH WHOLESALERS	POOL KIOSK STOCK	\$ 564.14	
EFT26229	27/10/2023	EXY PLUMBING & CONTRACTING	UNDERTAKE BACKFLOW DEVICE TESTING ON NINGALOO CENTRE RETICULATION TANK	\$ 641.47	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26230	27/10/2023	GASCOYNE OFFICE EQUIPMENT	RICOH COPIER SERVICE AND MAINTENANCE AUGUST 2023	\$ 2,418.05	
EFT26231	27/10/2023	GRANTS EMPIRE	DEVELOPMENT OF RECYCLING MODERNISATION FUND APPLICATION PART 1	\$ 1,056.00	
EFT26232	27/10/2023	GROUND CONTROL AND GARDENS	PRUNE TREES AND WASTE REMOVAL AT SHIRE HOUSING	\$ 1,595.00	
EFT26233	27/10/2023	GYPSY MERMAID CREATIVE	NVC MERCHANDISE	\$ 700.00	
EFT26234	27/10/2023	HORIZON POWER - ACCOUNTS	DEPOT HORIZON POWER SUPPLY UPGRADE	\$ 86,561.21	
EFT26235	27/10/2023	ILLION TENDERLINK	TENDERLINK ADVERTISING FOR 23/24 FY RFQS AND RFTS	\$ 1,089.00	
EFT26236	27/10/2023	IXOM OPERATIONS PTY LTD	CHLORINE GAS SERVICE FEES	\$ 777.48	
EFT26237	27/10/2023	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	ATTENDANCE FEE COMMTELLIGENCE 2023	\$ 300.00	
EFT26238	27/10/2023	MANDALAY TECHNOLOGIES PTY LTD	SUBSCRIPTION RENEWAL FOR 1/10/23 - 30/9/24	\$ 14,474.37	
EFT26239	27/10/2023	MARK'S SIGNS	SHIRE HOUSING POOL SERVICE	\$ 405.63	
EFT26240	27/10/2023	MOORE AUSTRALIA (WA) PTY LTD	RATING SUPPORT SERVICES	\$ 3,019.50	
EFT26241	27/10/2023	MUMBY'S AUTO ELECTRICAL AND AIR CONDITIONING	REVOLVING LIGHT BEACON BRACKET FOR SHIRE VEHICLE	\$ 26.00	
EFT26242	27/10/2023	MCLEODS BARRISTERS AND SOLICITORS	ADVICE ON FREEDOM OF INFORMATION REQUEST	\$ 5,918.25	
EFT26243	27/10/2023	NAPA (COVS GERALDTON)	BEARINGS FOR RIDE ON MOWER	\$ 624.80	
EFT26244	27/10/2023	NGT GLOBAL PTY LTD T/AS VICTORY FREIGHTLINES	FREIGHT CHARGES	\$ 2,333.65	
EFT26245	27/10/2023	NINGALOO HARVEST IGA	SENIORS EVENT JUNE 2023	\$ 876.00	
EFT26246	27/10/2023	NORCAPE BUILDING COMPANY	30% DEPOSIT FOR CONSTRUCTION OF HELIPORT TRANSIT LOUNGE	\$ 164,441.64	
EFT26247	27/10/2023	REMA TIP TOP AUSTRALIA PTY LTD	PARTS FOR WHEEL LOADER	\$ 63.82	
EFT26248	27/10/2023	SCOPE BUSINESS IMAGING	PHOTOCOPIER SERVICE AND MAINTENANCE	\$ 900.49	
EFT26249	27/10/2023	SENSE RECRUITMENT	RECRUITMENT CONSULTING & SUPPORT SERVICES	\$ 8,286.80	
EFT26250	27/10/2023	SHIRE OF EXMOUTH	BSL COMMISSION PAYMENT SEPTEMBER 2023	\$ 60.00	
EFT26251	27/10/2023	STARMART EXMOUTH	SUPPLY AND FIT TYRES TO SHIRE VEHICLE	\$ 1,000.00	
EFT26252	27/10/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	NADC FOOD FOR TURTLES	\$ 376.08	
EFT26253	27/10/2023	EMPLOYEE	REFUND OF UNUSED 23/24 SEASON POOL PASS	\$ 299.00	
EFT26254	27/10/2023	THE AUSTRALIAN LOCAL GOVERNMENT JOB DIRECTORY PTY LTD	JOB ADVERTISEMENT - RATES FINANCE OFFICER	\$ 550.00	
EFT26255	27/10/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 56.79	
EFT26256	27/10/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM	\$ 125.91	
EFT26257	27/10/2023	VERITAS ENGINEERING PTY LTD	SHIRE EMPLOYEE ASIC APPLICATION	\$ 290.40	
EFT26258	27/10/2023	WA HOLIDAY GUIDE PTY LTD	MARKETTING FEE FOR SEPTEMBER BOOKINGS	\$ 54.29	
EFT26259	27/10/2023	WESTRAC PTY LTD	PARTS FOR MINI EXCAVATOR	\$ 1,757.24	
EFT26260	30/10/2023	AUSTRALIAN TAXATION OFFICE	BAS SEPTEMBER 2023 & FBT JULY 2023 - SEPTEMBER 2023	\$ 86,152.00	
EFT26261	30/10/2023	LGISWA	INSURANCES 2023/2024 - 2 INSTALMENT	\$ 484,127.68	
EFT	16/10/2023	SIAM BETTER HEALTH CO.,LTD. (MS. KULJIRA LAOPRASERT )	REMAINING 40% BALANCE FOR NVC MERCHANDISE ORDER	\$ 2,427.00	
EFT	19/10/2023	SIAM BETTER HEALTH CO.,LTD. (MS. KULJIRA LAOPRASERT )	REMAINING 40% BALANCE FOR NVC MERCHANDISE ORDER	\$ 2,380.00	
				\$ 1,761,218.54	\$ -
	27/09/2023	MAILCHIMP	SUBSCRIPTION FEE	\$ 240.74	
	02/10/2023	WA NEWS EDIT	SUBSCRIPTION FEE	\$ 84.00	
	02/10/2023	GRAMMARLY	SUBSCRIPTION FEE	\$ 115.62	
	04/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 9.95	
	07/10/2023	CROWN METROPOL PERTH	REFUND	-\$ 38.32	
	10/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 21.95	
	10/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 21.95	
	10/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 29.85	
	10/10/2023	ARTICLY AI	CONTENT CREATION APPLICATION	\$ 47.09	
	10/10/2023	FACEBOOK	ADVERTISEMENT	\$ 103.00	
	11/10/2023	QANTAS	FLIGHTS - EMPLOYEE FOR COUNCILLOR INDUCTION	\$ 976.78	
	15/10/2023	FACEBOOK	ADVERTISEMENT	\$ 70.55	
	18/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 21.95	
	19/10/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 19.95	
	24/10/2023	ADOBE	ADOBE SUITE	\$ 83.58	
	25/10/2023	LOCAL GOVERNMENT MANA	TRAINING AND DEVELOPMENT_WEBINAR CEO	\$ 70.00	
	25/10/2023	QANTAS	FLIGHTS - CONSULTANT FOR COUNCILLOR INDUCTION	\$ 1,060.21	
	26/10/2023	FACEBOOK	ADVERTISEMENT	\$ 103.00	
			<b>TOTAL CREDIT CARD CEO</b>	<b>\$ 3,041.85</b>	

Reference	Date	Name	Description	Municipal Account	Trust Account
	28/09/2023	HARVEY NORMAN	COFFEE MACHINE REPLACEMENT	\$ 598.95	
	28/09/2023	SHIRE OF EXMOUTH	STAFF FAREWELL GIFT	\$ 141.30	
	03/10/2023	AUSTRALIAN GEOGRAPHIC	LIBRARY SUBSCRIPTION RENEWAL	\$ 74.99	
	03/10/2023	MAGSHOP ONLINE	LIBRARY SUBSCRIPTION RENEWAL	\$ 69.99	
	12/10/2023	STARLINK	STARLINK MONTHLY INTERNET SERVICE	\$ 174.00	
			<b>TOTAL CREDIT CARD EMIS</b>	<b>\$ 1,059.23</b>	
	09/10/2023	AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS	ACCREDITED MEMBER RENEWAL	\$ 1,210.00	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 3.83	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 1.00	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 300.00	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 148.23	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 5.99	
	11/10/2023	WESTPAC	FRAUDULENT TRANSACTION REFUND	-\$ 4.99	
	13/10/2023	BAMBOO	STAFF EVENT / TEAM BUILDING	\$ 50.00	
	17/10/2023	AYRES PACKAGING	NVC MERCHANDISE	\$ 503.73	
	17/10/2023	EXMOUTH CHAMBER	MEMBERSHIP PAYMENT	\$ 495.00	
	17/10/2023	CITY OF GREATER GERALDTON	BUILDING CERTIFICATION SERVICES	\$ 308.75	
	18/10/2023	AUSTRALIA POST - EXMOUTH LPO	POSTAGE ON CHARGED FOR NVC CUSTOMER	\$ 12.19	
	20/10/2023	EXMOUTH BUS CHARTER	TRANSPORT FOR HYPNOTIST PERFORMER TO AND FROM LEARMOUTH AIRPORT	\$ 75.00	
	25/10/2023	TACKLE WORLD EXMOUTH	STAFF FAREWELL GIFT	\$ 99.99	
	25/10/2023	TACKLE WORLD EXMOUTH	STAFF FAREWELL GIFT	\$ 50.01	
	26/10/2023	OUT OF THE BLUE	STAFF FAREWELL GIFT	\$ 200.00	
	26/10/2023	KMART	SENIORS WEEK CONSUMABLES AND DECORATIONS	\$ 224.00	
			<b>TOTAL CREDIT CARD DCEO</b>	<b>\$ 2,764.63</b>	
			<b>TOTAL CREDIT CARD PURCHASES</b>	<b>\$ 6,865.71</b>	
			<b>TOTAL PAYMENTS</b>	<b>\$ 1,932,406.70</b>	





# Monthly Financial Report

For the period ended

## **November 2023**

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# SHIRE OF EXMOUTH

## MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 30 November 2023

*LOCAL GOVERNMENT ACT 1995*

*LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996*

### TABLE OF CONTENTS

#### *Statements required by regulation*

Statement of Financial Activity	2
Statement of Financial Position	3
Note 1 Basis of Preparation	4
Note 2 Statement of Financial Activity Information	5
Note 3 Explanation of Material Variances	6

**SHIRE OF EXMOUTH**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 NOVEMBER 2023**

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
<b>OPERATING ACTIVITIES</b>							
<b>Revenue from operating activities</b>							
General rates	9	4,223,000	4,217,165	<b>4,343,391</b>	126,226	2.99%	▲
Specified area rates	10	62,000	62,000	<b>65,494</b>	3,494	5.64%	
Grants, subsidies and contributions	13	2,380,000	714,730	<b>119,799</b>	(594,931)	(83.24%)	▼
Fees and charges		11,168,000	5,187,422	<b>5,629,246</b>	441,824	8.52%	▲
Interest revenue		292,000	161,660	<b>225,538</b>	63,878	39.51%	▲
Other revenue		400,000	166,650	<b>166,024</b>	(626)	(0.38%)	
		<b>18,525,000</b>	<b>10,509,627</b>	<b>10,549,492</b>	39,865	0.38%	
<b>Expenditure from operating activities</b>							
Employee costs		(8,529,000)	(3,553,420)	<b>(3,095,445)</b>	457,975	12.89%	▲
Materials and contracts		(6,408,000)	(2,655,290)	<b>(1,676,061)</b>	979,230	36.88%	▲
Utility charges		(940,000)	(391,595)	<b>(373,817)</b>	17,778	4.54%	
Depreciation		(3,683,000)	(1,534,490)	<b>(1,533,454)</b>	1,036	0.07%	
Finance costs		(98,000)	(29,165)	<b>(32,486)</b>	(3,321)	(11.39%)	▼
Insurance		(709,000)	(709,000)	<b>(712,288)</b>	(3,288)	(0.46%)	
Other expenditure		(690,000)	(88,160)	<b>(66,766)</b>	21,394	24.27%	▲
		<b>(21,057,000)</b>	<b>(8,961,120)</b>	<b>(7,490,316)</b>	1,470,804	16.41%	
Non-cash amounts excluded from operating activities	Note 2(b)	3,683,000	1,534,490	<b>1,533,454</b>	(1,036)	(0.07%)	
<b>Amount attributable to operating activities</b>		<b>1,151,000</b>	<b>3,082,997</b>	<b>4,592,630</b>	1,509,633	48.97%	
<b>INVESTING ACTIVITIES</b>							
<b>Inflows from investing activities</b>							
Proceeds from capital grants, subsidies and contributions	14	4,662,000	1,942,500	<b>691,656</b>	(1,250,844)	(64.39%)	▼
Proceeds from disposal of assets	5	140,000	60,000	<b>60,000</b>	0	0.00%	
		<b>4,802,000</b>	<b>2,002,500</b>	<b>751,656</b>	(1,250,844)	(62.46%)	
<b>Outflows from investing activities</b>							
Payments for property, plant and equipment	4	(6,169,000)	(2,587,015)	<b>(611,054)</b>	1,975,961	76.38%	▲
Payments for construction of infrastructure	4	(4,320,000)	(6,390,160)	<b>(846,728)</b>	5,543,432	86.75%	▲
		<b>(10,489,000)</b>	<b>(8,977,175)</b>	<b>(1,457,782)</b>	7,519,393	83.76%	
<b>Amount attributable to investing activities</b>		<b>(5,687,000)</b>	<b>(6,974,675)</b>	<b>(706,126)</b>	6,268,549	89.88%	
<b>FINANCING ACTIVITIES</b>							
<b>Inflows from financing activities</b>							
Proceeds from new debentures	10	1,500,000	0	<b>0</b>	0	0.00%	
Transfer from reserves	3	2,953,000	0	<b>0</b>	0	0.00%	
Proceeds from community loans		38,000	0	<b>0</b>	0	0.00%	
		<b>4,491,000</b>	<b>0</b>	<b>0</b>	0	0.00%	
<b>Outflows from financing activities</b>							
Repayment of borrowings	10	(367,000)	(105,345)	<b>(105,345)</b>	0	0.00%	
Payments for principal portion of lease liabilities	11	(7,000)	0	<b>0</b>	0	0.00%	
Transfer to reserves	3	(3,779,000)	0	<b>(181,821)</b>	(181,821)	0.00%	▼
		<b>(4,153,000)</b>	<b>(105,345)</b>	<b>(287,166)</b>	(181,821)	(172.60%)	
<b>Amount attributable to financing activities</b>		<b>338,000</b>	<b>(105,345)</b>	<b>(287,166)</b>	(181,821)	(172.60%)	
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>							
<b>Surplus or deficit at the start of the financial year</b>		4,198,722	4,198,722	<b>5,119,501</b>	920,779	21.93%	▲
Amount attributable to operating activities		1,151,000	3,082,997	<b>4,592,630</b>	1,509,633	48.97%	▲
Amount attributable to investing activities		(5,687,000)	(6,974,675)	<b>(706,126)</b>	6,268,549	89.88%	▲
Amount attributable to financing activities		338,000	(105,345)	<b>(287,166)</b>	(181,821)	(172.60%)	▼
<b>Surplus or deficit after imposition of general rates</b>		<b>722</b>	<b>201,699</b>	<b>8,718,838</b>	8,517,140	4222.70%	▲

**KEY INFORMATION**

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

\* Refer to Note 3 for an explanation of the reasons for the variance.

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

**SHIRE OF EXMOUTH**  
**STATEMENT OF FINANCIAL POSITION**  
**FOR THE PERIOD ENDED 30 NOVEMBER 2023**

	Supplementary Information	30 June 2023	30 November 2023
		\$	\$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	2	16,192,455	20,915,300
Trade and other receivables		3,257,776	1,863,560
Inventories	7	213,637	220,871
<b>TOTAL CURRENT ASSETS</b>		<b>19,663,868</b>	<b>22,999,731</b>
<b>NON-CURRENT ASSETS</b>			
Trade and other receivables		108,700	108,700
Property, plant and equipment		(39,282,481)	(39,541,533)
Infrastructure		(53,675,260)	(53,466,880)
<b>TOTAL NON-CURRENT ASSETS</b>		<b>(92,849,041)</b>	<b>(92,899,713)</b>
<b>TOTAL ASSETS</b>		<b>(73,185,173)</b>	<b>(69,899,982)</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	8	1,482,797	1,061,400
Borrowings	10	0	(105,345)
Employee related provisions	12	221,192	212,209
<b>TOTAL CURRENT LIABILITIES</b>		<b>1,703,989</b>	<b>1,168,264</b>
<b>NON-CURRENT LIABILITIES</b>			
<b>TOTAL NON-CURRENT LIABILITIES</b>		<b>0</b>	<b>0</b>
<b>TOTAL LIABILITIES</b>		<b>1,703,989</b>	<b>1,168,264</b>
<b>NET ASSETS</b>		<b>(74,889,162)</b>	<b>(71,068,246)</b>
<b>EQUITY</b>			
Retained surplus		2	3,579,306
Reserve accounts	3	13,023,570	13,205,390
Revaluation surplus		72,717,919	72,717,919
<b>TOTAL EQUITY</b>		<b>85,741,491</b>	<b>89,502,615</b>

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

# NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2023

## 1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

### BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

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

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

*Local Government (Financial Management) Regulations 1996*, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

### THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

### Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

### SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

### PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 05 December 2023

**SHIRE OF EXMOUTH**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

		Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 November 2023
<b>(a) Net current assets used in the Statement of Financial Activity</b>				
<b>Current assets</b>		\$	\$	\$
Cash and cash equivalents	2	13,822,550	16,192,455	20,915,300
Trade and other receivables		3,237,853	3,257,776	1,863,560
Inventories	7	152,032	213,637	220,871
		17,212,435	19,663,868	22,999,731
<b>Less: current liabilities</b>				
Trade and other payables	8	(3,091,754)	(1,482,797)	(1,061,400)
Other liabilities	12	(354,092)	0	0
Lease liabilities	11	(7,000)	0	0
Borrowings	10	(379,000)	0	105,345
Employee related provisions	12	(778,391)	(221,192)	(212,209)
		(4,610,237)	(1,703,989)	(1,168,264)
<b>Net current assets</b>		<b>12,602,198</b>	<b>17,959,879</b>	<b>21,831,467</b>
<b>Less: Total adjustments to net current assets</b>	Note 2(c)	(12,601,476)	(12,840,378)	(13,112,629)
<b>Closing funding surplus / (deficit)</b>		<b>722</b>	<b>5,119,501</b>	<b>8,718,838</b>

**(b) Non-cash amounts excluded from operating activities**

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

	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash amounts excluded from operating activities</b>	\$	\$	\$
<b>Adjustments to operating activities</b>			
Add: Depreciation	3,683,000	1,534,490	1,533,454
<b>Total non-cash amounts excluded from operating activities</b>	<b>3,683,000</b>	<b>1,534,490</b>	<b>1,533,454</b>

**(c) Current assets and liabilities excluded from budgeted deficiency**

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

		Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 30 November 2023
<b>Adjustments to net current assets</b>		\$	\$	\$
Less: Reserve accounts	3	(13,727,867)	(13,023,570)	(13,205,391)
- Current financial assets at amortised cost - self supporting loans				
- Current portion of community loans		(38,000)	(38,000)	(10,000)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	10	379,000	0	(105,345)
- Current portion of lease liabilities	11	7,000	0	0
- Current portion of employee benefit provisions held in reserve	3	778,391	221,192	208,108
<b>Total adjustments to net current assets</b>	Note 2(a)	<b>(12,601,476)</b>	<b>(12,840,378)</b>	<b>(13,112,629)</b>

**CURRENT AND NON-CURRENT CLASSIFICATION**

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

**SHIRE OF EXMOUTH**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**3 EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2023-24 year is \$25,000 or 10.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
<b>Revenue from operating activities</b>			
<b>Grants, subsidies and contributions</b>	(594,931)	(83.24%)	▼
Timing of operating grants (e.g. early payment of financial assistance & DWER grant)			
<b>Fees and charges</b>	441,824	8.52%	▲
Timing of airport operations			
<b>Interest revenue</b>	63,878	39.51%	▲
Timing of Term deposit maturities			
<b>Expenditure from operating activities</b>			
<b>Employee costs</b>	457,975	12.89%	▲
Vacant positions			
<b>Materials and contracts</b>	979,230	36.88%	▲
Timing of maintenance and operational projects			
<b>Other expenditure</b>	21,394	24.27%	▲
Timing of community grants			
<b>Inflows from investing activities</b>			
<b>Proceeds from capital grants, subsidies and contributions</b>	(1,250,844)	(64.39%)	▼
Timing of projects			
<b>Outflows from investing activities</b>			
<b>Payments for property, plant and equipment</b>	1,975,961	76.38%	▲
See note 5			
<b>Payments for construction of infrastructure</b>	5,543,432	86.75%	▲
See note 5			

**SHIRE OF EXMOUTH**  
**SUPPLEMENTARY INFORMATION**

**TABLE OF CONTENTS**

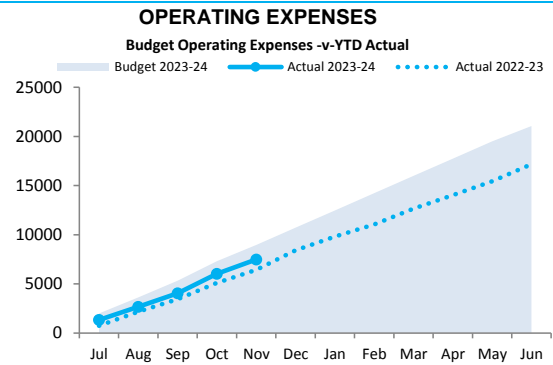
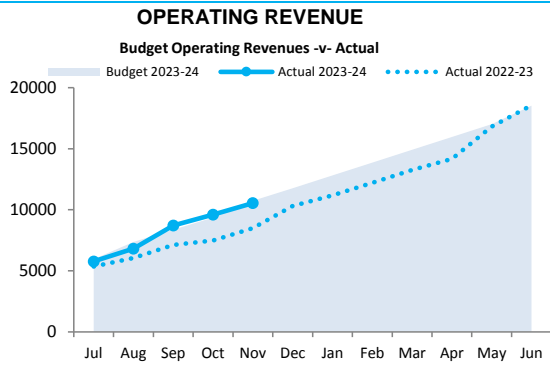
1	Key Information - Graphical	8
2	Cash and Financial Assets	9
3	Reserve Accounts	10
4	Capital Acquisitions	11
5	Disposal of Assets	12
6	Receivables	13
7	Other Current Assets	14
8	Payables	15
9	Rate Revenue	16
10	Borrowings	17
11	Lease Liabilities	18
12	Other Current Liabilities	19
13	Grants and contributions	20
14	Capital grants and contributions	21
15	Trust Fund	22



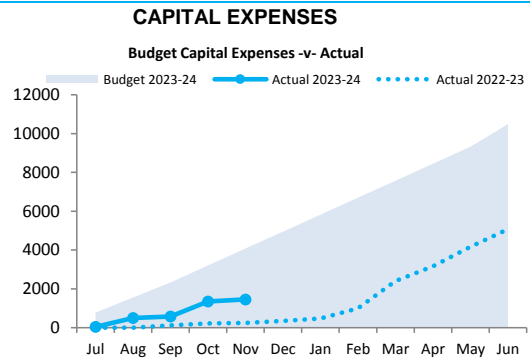
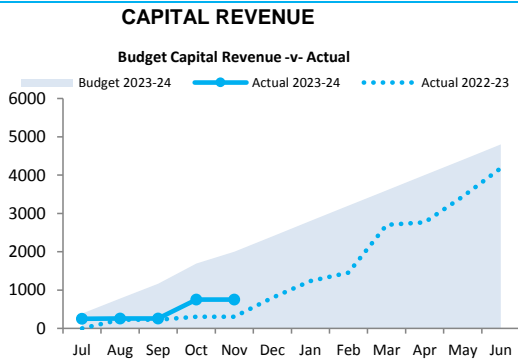
**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**1 KEY INFORMATION - GRAPHICAL**

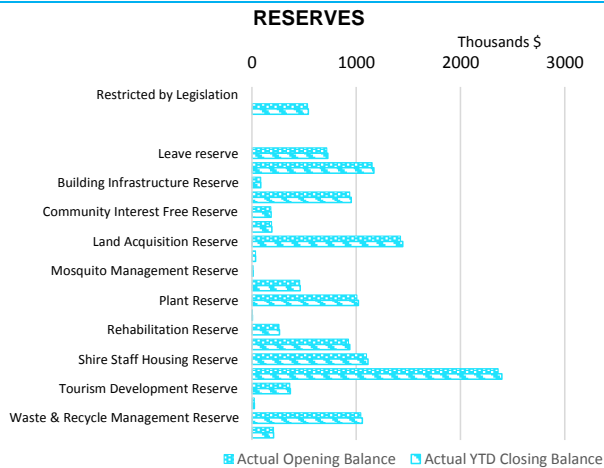
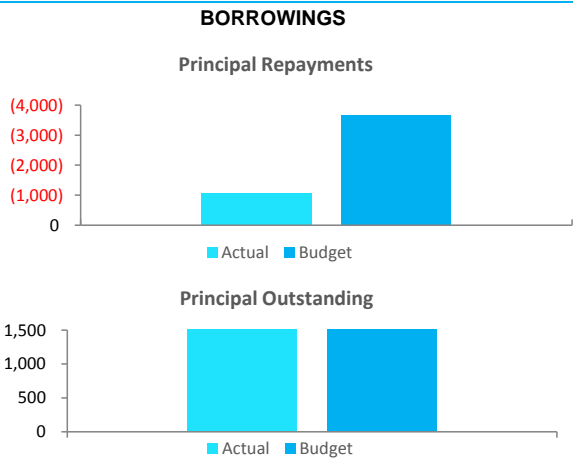
**OPERATING ACTIVITIES**



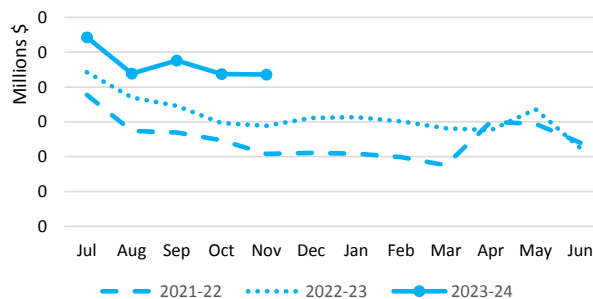
**INVESTING ACTIVITIES**



**FINANCING ACTIVITIES**



**Closing funding surplus / (deficit)**



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

**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**2 CASH AND FINANCIAL ASSETS**

Description	Classification	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
		\$	\$	\$				
<b>Cash on hand</b>								
Petty Cash and Floats	Cash and cash equivalents	2,650		2,650				
Municipal Funds	Cash and cash equivalents	3,207,259		3,207,259		Westpac	0.00%	N/A
Reserve Funds	Cash and cash equivalents	0	2,705,391	2,705,391		Westpac	0.01%	N/A
Trust Funds	Cash and cash equivalents	0		0	114,654	Westpac	0.00%	N/A
		0						
<b>Investments</b>								
<b>A-1+</b>								
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	0	2,500,000	2,500,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.11%	01/2024
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		Westpac	5.11%	02/2023
Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000		Westpac	5.16%	12/2023
Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000		Westpac	5.11%	01/2024
Term Deposit	Cash and cash equivalents	2,500,000	0	2,500,000		Westpac	5.16%	02/2024
<b>A-2</b>								
Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000		AMP	5.45%	08/2024
<b>Total</b>		<b>7,709,909</b>	<b>13,205,391</b>	<b>20,915,301</b>	<b>114,654</b>			
<b>Comprising</b>								
Cash and cash equivalents		7,709,909	13,205,391	20,915,301	114,654			
		<b>7,709,909</b>	<b>13,205,391</b>	<b>20,915,301</b>	<b>114,654</b>			

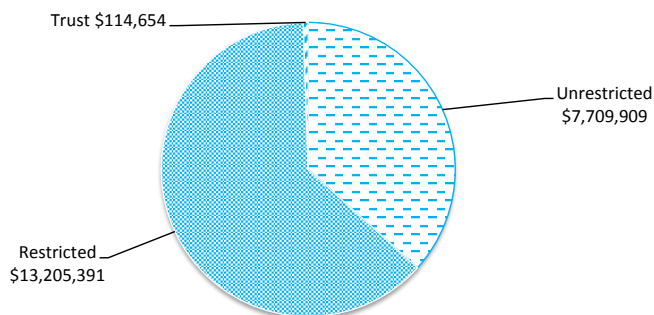
**KEY INFORMATION**

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



SHIRE OF EXMOUTH  
 SUPPLEMENTARY INFORMATION  
 FOR THE PERIOD ENDED 30 NOVEMBER 2023

3 RESERVE ACCOUNTS

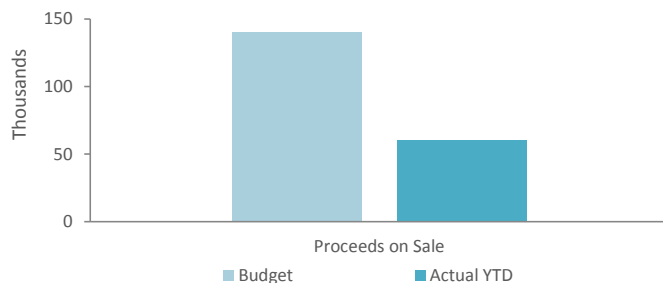
Reserve name	Budget Opening Balance	Budget Interest Earned	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Interest Earned	Actual Transfers In (+)	Actual Transfers Out (-)	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
<b>Restricted by Legislation</b>										
Marina Canal Reserve (Specified Area Rates)	528,329	11,000	62,000	0	601,329	533,394	7,562	0	0	540,956
<b>Restricted by Council</b>										
Leave reserve	711,834	14,000	0	0	725,834	718,658	10,188	0	0	728,846
Aviation Reserve	1,141,876	22,000	400,000	(550,000)	1,013,876	1,152,823	16,343	0	0	1,169,166
Building Infrastructure Reserve	82,924	2,000	0	0	84,924	83,719	1,187	0	0	84,906
Community Development Reserve	929,384	19,000	0	0	948,384	938,294	13,302	0	0	951,596
Community Interest Free Reserve	180,795	3,000	0	0	183,795	182,528	2,588	0	0	185,116
Insurance/Natural Disaster Reserve	187,298	4,000	0	0	191,298	189,093	2,681	0	0	191,774
Land Acquisition Reserve	1,411,921	28,000	0	0	1,439,921	1,425,457	20,332	0	0	1,445,789
Marina Village Asset Replacement Reserve	34,047	1,000	0	0	35,047	34,373	487	0	0	34,860
Mosquito Management Reserve	10,345	0	0	0	10,345	10,444	148	0	0	10,592
Ningaloo Centre Reserve	453,314	9,000	537,000	0	999,314	457,660	6,488	0	0	464,148
Plant Reserve	997,317	20,000	1,230,000	(1,394,000)	853,317	1,006,878	14,274	0	0	1,021,152
Public Radio Infrastructure Reserve	5,279	0	0	0	5,279	5,330	76	0	0	5,406
Rehabilitation Reserve	258,014	5,000	0	0	263,014	260,488	3,693	0	0	264,181
Roads Reserve	917,431	18,000	800,000	(260,000)	1,475,431	926,226	13,131	0	0	939,357
Shire Staff Housing Reserve	1,088,110	22,000	0	0	1,110,110	1,098,542	15,574	0	0	1,114,116
Swimming Pool Reserve	2,339,846	45,000	0	0	2,384,846	2,362,278	33,491	0	0	2,395,769
Tourism Development Reserve	360,226	7,000	0	(100,000)	267,226	363,679	5,156	0	0	368,835
Town Planning Scheme Reserve	22,366	0	0	0	22,366	22,581	320	0	0	22,901
Waste & Recycle Management Reserve	1,034,081	20,000	500,000	(480,000)	1,074,081	1,043,995	14,800	0	0	1,058,795
Unspent Grants & Contributions Reserve	207,130	0	0	(169,000)	38,130	207,130	0	0	0	207,130
	<b>12,901,867</b>	<b>250,000</b>	<b>3,529,000</b>	<b>(2,953,000)</b>	<b>13,727,867</b>	<b>13,023,570</b>	<b>181,821</b>	<b>0</b>	<b>0</b>	<b>13,205,391</b>

4 CAPITAL ACQUISITIONS

Account Description	Adopted		YTD Actual	Variance (Under)/Over
	Budget	YTD Budget		
	\$	\$	\$	\$
<b>Buildings - specialised</b>				0
NADC Workshop Upgrade	70,000	23,324	0	23,324
Depot Office Renovation	250,000	83,300	78,591	4,709
Building Renewals	170,000	70,830	3,522	67,308
Heliport Works	4,000,000	1,666,665	203,065	1,463,600
	<b>4,490,000</b>	<b>1,844,119</b>	<b>285,179</b>	<b>1,558,940</b>
<b>Furniture and equipment</b>				
Portable Traffic Lights	15,000	6,250	0	6,250
	<b>15,000</b>	<b>6,250</b>	<b>0</b>	<b>6,250</b>
<b>Plant and equipment</b>				
Events Trailer	10,000	0	0	0
Plant Replacement	1,394,000	585,000	325,502	259,498
Landfill Waste Compactor	260,000	151,646	374	151,272
	<b>1,664,000</b>	<b>736,646</b>	<b>325,876</b>	<b>410,770</b>
<b>Infrastructure - roads</b>				
Asphalt Intersection Overlays	100,000	708,130	0	708,130
Bitumen Road Reseals	200,000	708,130	0	708,130
Footpath Construction	200,000	166,640	0	166,640
Murat Rd Pedestrian Crossover	80,000	708,130	0	708,130
Murat Rd Works	235,000	708,130	(44,192)	752,322
Reid St Asphalt Overlay	390,000	708,130	0	708,130
Yardie Creek Rd Works	320,000	708,130	0	708,130
Disaster Recovery Works	1,200,000	708,130	735,072	(26,942)
Tantabiddi Floodway Upgrade	0	0	11,666	(11,666)
	<b>2,725,000</b>	<b>5,123,550</b>	<b>702,546</b>	<b>4,421,004</b>
<b>Other infrastructure</b>				
Beach Volleyball	10,000	0	19,848	(19,848)
Pool Renewals	45,000	78,328	19,848	58,480
Youth Precinct - Skate Park	430,000	625,000	64,381	560,619
NADC Interpretive Works Upgrade	120,000	0	0	0
Mangrove Zone Exhibit	25,000	0	0	0
Lighting - Ross Street Mall and Federation Park	40,000	16,665	0	16,665
Water Spraypark Refurbishment	35,000	78,328	0	78,328
Chlorine Storage Compound	90,000	29,988	0	29,988
Sentinel Chicken Pen Upgrades	30,000	9,996	1,965	8,032
Waste Water Irrigation Pond	40,000	26,664	927	25,737
Qualing Scarp Fencing	50,000	0	374	(374)
Landfill Recyclables Storage Shed	80,000	151,646	374	151,272
Light Pole Replacement & Mains Upgrade	500,000	208,330	0	208,330
Aerodrome Airstrip Upgrades	100,000	41,665	35,272	6,393
Welch Street Camp Ground	0	0	1,192	0
	<b>1,595,000</b>	<b>1,266,610</b>	<b>144,182</b>	<b>1,122,428</b>
	<b>10,489,000</b>	<b>8,977,175</b>	<b>1,457,782</b>	<b>7,519,393</b>

5 DISPOSAL OF ASSETS

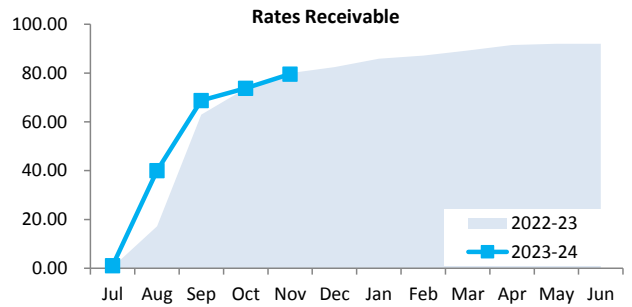
Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	<b>Plant and equipment</b>								
	Plant Replacement	140,000	140,000	0	0	60,000	60,000	0	0
		<b>140,000</b>	<b>140,000</b>	<b>0</b>	<b>0</b>	<b>60,000</b>	<b>60,000</b>	<b>0</b>	<b>0</b>



6 RECEIVABLES

Rates receivable

	30 Jun 2023	30 Nov 2023
	\$	\$
Opening arrears previous years	137,432	345,367
Levied this year	3,983,885	4,349,375
Less - collections to date	(3,775,950)	(3,735,685)
Gross rates collectable	<b>345,367</b>	<b>918,792</b>
Net rates collectable	<b>345,367</b>	<b>918,792</b>
% Collected	91.6%	79.6%



Receivables - general

	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(646,230)	803,044	103,505	113,324	244,816	618,460
Percentage	(104.5%)	129.8%	16.7%	18.3%	39.6%	
<b>Balance per trial balance</b>						
Trade receivables						618,460
GST receivable						203,700
Loans receivable - clubs/institution						10,000
Property Service Charges						112,608
<b>Total receivables general outstanding</b>						<b>944,768</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

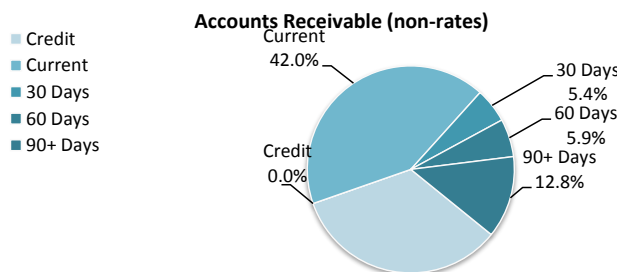
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



7 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 30 November 2023
	\$	\$	\$	\$
<b>Inventory</b>				
Fuel and materials	53,062	0	7,234	60,296
Visitor centre stock	160,575	0	0	160,575
<b>Total other current assets</b>	<b>213,637</b>	<b>0</b>	<b>7,234</b>	<b>220,871</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

**Inventory**

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

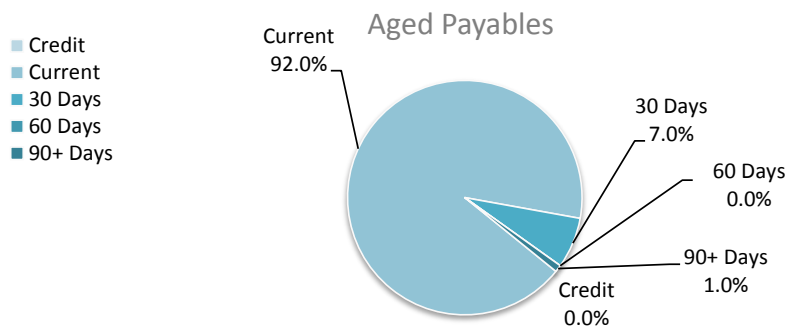
8 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	149,778	11,433	0	1,577	162,788
Percentage	0.0%	92.0%	7.0%	0.0%	1.0%	
<b>Balance per trial balance</b>						
Sundry creditors						193,548
ATO liabilities						151,253
Prepaid rates						45,129
BSL						30,240
BCITF						10,069
Bonds and deposits held						347,684
Payroll Creditors						283,478
<b>Total payables general outstanding</b>						<b>1,061,400</b>

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.





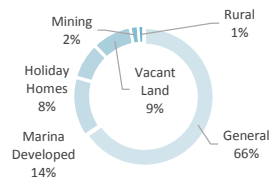
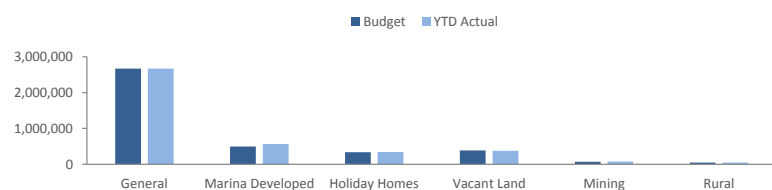
9 RATE REVENUE

General rate revenue

RATE TYPE	Rate in	Number of	Rateable	Rate	Budget	Total	Rate	YTD Actual	Total
	\$/ (cents)	Properties	Value	Revenue	Interim Rate Revenue	Revenue	Revenue	Interim Rate Revenue	Revenue
				\$	\$	\$	\$	\$	\$
<b>Gross rental value</b>									
General	0.088900	1,203	29,924,715	2,660,000	10,000	2,670,000	2,673,413	0	2,673,413
Marina Developed	0.120000	119	4,133,407	496,000	0	496,000	564,493	0	564,493
Holiday Homes	0.123200	114	2,760,170	340,000	0	340,000	342,518	0	342,518
Vacant Land	0.177600	210	2,188,530	389,000	0	389,000	374,647	0	374,647
<b>Unimproved value</b>									
Mining	0.189000	10	358,420	68,000	0	68,000	73,135	0	73,135
Rural	0.094600	6	537,400	50,000	0	50,000	50,838	0	50,838
<b>Sub-Total</b>		<b>1,662</b>	<b>39,902,642</b>	<b>4,003,000</b>	<b>10,000</b>	<b>4,013,000</b>	<b>4,079,044</b>	<b>0</b>	<b>4,079,044</b>
<b>Minimum payment</b>	<b>Minimum Payment \$</b>								
<b>Gross rental value</b>									
General	1,075	93	623,962	100,000	0	100,000	99,975	0	99,975
Marina Developed	1,075	1	0	1,000	0	1,000	1,075	0	1,075
Holiday Homes	1,075	0	0	0	0	0	1,075	0	1,075
Vacant Land	845	124	398,530	105,000	0	105,000	102,245	0	102,245
<b>Unimproved value</b>									
Mining	280	10	9,366	3,000	0	3,000	2,800	0	2,800
Rural	845	1	5,800	1,000	0	1,000	845	0	845
<b>Sub-total</b>		<b>229</b>	<b>1,037,658</b>	<b>210,000</b>	<b>0</b>	<b>210,000</b>	<b>208,015</b>	<b>0</b>	<b>208,015</b>
<b>Total general rates</b>						<b>4,223,000</b>			<b>4,287,059</b>
<b>Specified area rates</b>	<b>Rate in \$ (cents)</b>								
Marina Specified Area	0.015800			62,000	0	62,000	62,316	0	62,316
<b>Total specified area rates</b>			<b>0</b>	<b>62,000</b>	<b>0</b>	<b>62,000</b>	<b>62,316</b>	<b>0</b>	<b>62,316</b>
<b>Total</b>						<b>4,285,000</b>			<b>4,349,375</b>

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs, the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



10 BORROWINGS

Repayments - borrowings

Information on borrowings	Loan No.	1 July 2023	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
			Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
Particulars		\$	\$	\$	\$	\$	\$	\$	\$	\$
Staff Dwellings	80	332,676	0	0	(32,539)	(79,000)	300,137	253,676	(6,301)	(14,000)
Staff Dwellings	83	438,103	0	0	0	(52,000)	438,103	386,103	0	(6,000)
Staff Dwellings	84	1,518,016	0	0	(72,806)	(147,000)	1,445,210	1,371,016	(25,785)	(50,000)
Ningaloo Centre	82	658,181	0	0	0	(64,000)	658,181	594,181	0	(21,000)
1 Bennett Street	76	151,945	0	0	0	(25,000)	151,945	126,945	0	(7,000)
Heliport Works		0	0	1,500,000	0	0	0	1,500,000	0	0
<b>Total</b>		<b>3,098,921</b>	<b>0</b>	<b>1,500,000</b>	<b>(105,345)</b>	<b>(367,000)</b>	<b>2,993,576</b>	<b>4,231,921</b>	<b>(32,086)</b>	<b>(98,000)</b>
Current borrowings		367,000					-105,345			
Non-current borrowings		2,731,921					3,098,921			
		<b>3,098,921</b>					<b>2,993,576</b>			

All debenture repayments were financed by general purpose revenue.

New borrowings 2023-24

Particulars	Amount Borrowed	Amount Borrowed	Institution	Loan Type	Term Years	Total Interest & Charges	Interest Rate	Amount (Used)		Balance Unspent
	Actual	Budget						Actual	Budget	
	\$	\$					%	\$	\$	\$
Heliport Works	0	1,500,000	0	0	10	0	0	0	0	0
	<b>0</b>	<b>1,500,000</b>				<b>0</b>		<b>0</b>	<b>0</b>	<b>0</b>

KEY INFORMATION

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

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

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases Particulars	Lease No.	New Leases		Principal Repayments		Principal Outstanding		Interest Repayments		
		1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
RAAF Airport Lease		74,089	0	0	0	(7,000)	74,089	67,089	0	0
<b>Total</b>		<b>74,089</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(7,000)</b>	<b>74,089</b>	<b>67,089</b>	<b>0</b>	<b>0</b>

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

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

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

12 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2023	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 30 November 2023
		\$	\$	\$	\$	\$
<b>Employee Related Provisions</b>						
Provision for long service leave		221,192	0	0	(8,983)	212,209
<b>Total Provisions</b>		221,192	0	0	(8,983)	212,209
<b>Total other current liabilities</b>		<b>221,192</b>	<b>0</b>	<b>0</b>	<b>(8,983)</b>	<b>212,209</b>

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note

**KEY INFORMATION**

**Provisions**

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

**Employee Related Provisions**

**Short-term employee benefits**

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

**Other long-term employee benefits**

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD Budget	YTD Revenue
	1 July 2023		(As revenue)	30 Nov 2023	30 Nov 2023	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Grants and subsidies</b>								
Financial Assistance Grant - General	0	0	0	0	0	1,500,000	375,000	30,446
Financial Assistance Grant - Road	0	0	0	0	0	423,000	141,000	13,166
DFES	0	0	0	0	0	0	0	4,000
Fight the Bite	0	0	0	0	0	2,000	664	1,077
Heritage	0	0	0	0	0	20,000	6,664	0
Regional and Remote ASIC Card subsidy	0	0	0	0	0	0	0	8,636
WABN Funding Shared Path subsidy	0	0	0	0	0	0	0	1,000
CHRMAP	0	0	0	0	0	45,000	15,000	0
District Water Management Strategy	0	0	0	0	0	240,000	80,000	0
Cape Range Crossing	0	0	0	0	0	65,000	21,664	0
Operator Consultation	0	0	0	0	0	20,000	6,664	0
Inclusion Plan	0	0	0	0	0	0	0	5,500
Art on the Move	0	0	0	0	0	0	0	15,010
Reimbursements	0	0	0	0	0	85,000	28,328	30,964
Tourism Trainee	0	0	0	0	0	0	0	10,000
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,400,000</b>	<b>674,984</b>	<b>119,799</b>

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue		
	Liability	Increase in Liability	Decrease in Liability	Liability	Current Liability	Adopted Budget	YTD	YTD Revenue
	1 July 2023		(As revenue)	30 Nov 2023	30 Nov 2023	Revenue	Budget	Actual
	\$	\$	\$	\$	\$	\$	\$	\$
<b>Capital grants and subsidies</b>								
Youth Precinct - Skate Park	0	0	0	0	0	300,000	100,000	36,983
Youth Precinct - Cricket Nets	0	0	0	0	0	0	0	4,545
NADC Interpretive Works Upgrade	0	0	0	0	0	120,000	40,000	0
Regional Road Group	0	0	0	0	0	405,000	135,000	125,184
Roads to Recovery	0	0	0	0	0	267,000	89,000	0
Direct Road Grant	0	0	0	0	0	0	0	126,168
Disaster Recovery Works	0	0	0	0	0	1,020,000	340,000	398,776
Heliport Works	0	0	0	0	0	2,500,000	850,000	0
Aerodrome Airstrip Upgrades	0	0	0	0	0	50,000	4,167	0
	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,662,000</b>	<b>1,558,167</b>	<b>691,656</b>

**SHIRE OF EXMOUTH  
SUPPLEMENTARY INFORMATION  
FOR THE PERIOD ENDED 30 NOVEMBER 2023**

**15 TRUST FUND**

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening	Amount	Amount	Closing
	Balance			Received
	1 July 2023			30 Nov 2023
	\$	\$	\$	\$
Cash in Lieu POS	45,640	0	0	45,640
Bond Deed Exmouth Marina Holdings	18,186	0	0	18,186
Exmouth Volunteer Fire & Rescue	50,828	0	0	50,828
	<b>114,654</b>	<b>0</b>	<b>0</b>	<b>114,654</b>

## MONTHLY LIST OF PAYMENTS - NOVEMBER 2023

## Municipal Account:

Cheque	\$	-
Direct Debits and EFT Payments (EFT26262-EFT26511)	\$	1,028,267.46
Credit Card Purchases	\$	8,611.86
<b>Total Municipal Account</b>	<b>\$</b>	<b>1,036,879.32</b>

## Trust Account:

Cheque ( )	\$	-
EFT Payments ( )	\$	-
<b>Total Trust Account</b>	<b>\$</b>	<b>-</b>
<b>TOTAL PAYMENTS</b>	<b>\$</b>	<b>1,036,879.32</b>

Reference	Date	Name	Description	Municipal Account	Trust Account
				<b>TOTAL CHEQUES</b>	<b>\$ - \$ -</b>
DD	01/11/2023	WESTNET	INTERNET SERVICE	\$ 69.99	
DD	03/11/2023	HP FINANCIAL	EQUIPMENT LEASE	\$ 3,318.17	
DD	13/11/2023	TELSTRA	TELSTRA MOBILE ACCOUNTS	\$ 965.60	
DD	14/11/2023	MESSAGE MEDIA	MESSAGE MEDIA MONTHLY DEBIT	\$ 584.94	
DD	15/11/2023	TELAIR	FIBRE INTERNET SERVICE - LEARMONTH AIRPORT	\$ 724.90	
DD	16/11/2023	WESTERN AUSTRALIAN TREASURY CORP.	LOAN REPAYMENT	\$ 7,768.00	
DD	17/11/2023	TELSTRA	TELSTRA RETIC LINE	\$ 69.95	
DD	20/11/2023	NAYAX	AIRPORT VENDING MACHINE SERVICE FEE	\$ 54.34	
DD	21/11/2023	GLOBALSTAR - PIVOTEL	SATELLITE PHONE SPOT TRACKING	\$ 31.00	
DD	29/11/2023	PAYMATE	FLEXI PAYMATE WATER DISPENSER EXPENSES	\$ 165.00	
DD	29/11/2023	WESTNET	INTERNET SERVICE	\$ 49.99	
				<b>TOTAL DIRECT DEBIT PAYMENTS</b>	<b>\$ 13,801.88 \$ -</b>
EFT26262	03/11/2023	AUSTRALIA POST	MONTHLY POSTAGE COSTS SEPTEMBER 2023	\$ 271.45	
EFT26263	03/11/2023	BLUE OCEAN PUBLICATIONS	NVC MERCHANDISE	\$ 1,728.00	
EFT26264	03/11/2023	BOOEKASY PTY LTD	BOOKING FEES SEPTEMBER 2023 & AUGUST 2023 UNDERCHARGED	\$ 6,049.97	
EFT26265	03/11/2023	BUGS N THINGS	INSECTS FOR REPTILES	\$ 215.55	
EFT26266	03/11/2023	CAPRICORN PEST CONTROL	PLAYGROUP PEST CONTROL	\$ 902.00	
EFT26267	03/11/2023	CARNARVON MOTOR GROUP	PARTS FOR SHIRE VEHICLE	\$ 151.20	
EFT26268	03/11/2023	EMPLOYEE	REIMBURSEMENT OF AROC APPLICATION FEE	\$ 50.00	
EFT26269	03/11/2023	CONSTRUCTION TRAINING FUND	BCITF PAYMENT AUGUST 2023	\$ 7,078.04	
EFT26270	03/11/2023	CORSIGN WA PTY LTD	STREET SIGNS	\$ 2,143.35	
EFT26271	03/11/2023	DEPARTMENT OF TRANSPORT - TRANSPORT CENTRE PERTH	DISCLOSURE OF INFORMATION FEES	\$ 39.60	
EFT26272	03/11/2023	DKM WORKPLACE SOLUTIONS PTY LTD	ADDITIONAL ADHOC HR SUPPORT	\$ 187.00	
EFT26273	03/11/2023	EXMOUTH CIVIL PTY LTD	SUPPLY ROAD BASE FOR AERODROME WORKS	\$ 21,245.40	
EFT26274	03/11/2023	EXMOUTH FUEL SUPPLIES	FUEL AND OIL PURCHASES SEPTEMBER	\$ 155.53	
EFT26275	03/11/2023	EXMOUTH WHOLESALERS	TOILET ROLLS AND BIN LINERS, AIRPORT AND HELIPORT CONSUMABLES & POOL KIOSK ORDER	\$ 3,646.32	
EFT26276	03/11/2023	EXY PLUMBING & CONTRACTING	DEPOT BACKFLOW DEVICE ANNUAL TESTING & REPLACE LEARMONTH HELIPORT HYDRO FILTER	\$ 4,160.38	
EFT26277	03/11/2023	GRANTS EMPIRE	DEVELOP GRANT APPLICATION NINGALOO SKY FESTIVAL	\$ 924.00	
EFT26278	03/11/2023	GROUND CONTROL AND GARDENS	TRIME VERGE TREES AND WASTE REMOVAL AT SHIRE HOUSING	\$ 550.00	
EFT26279	03/11/2023	HORIZON POWER - ACCOUNTS	ELECTRICITY CHARGES	\$ 5,458.50	
EFT26280	03/11/2023	HT CLEANING SERVICES PTY LTD	AMENITIES & NINGALOO CENTRE CLEANING OCTOBER 2023	\$ 34,596.92	
EFT26281	03/11/2023	INMARSAT AUSTRALIA PTY LTD	SATELLITE PHONE CHARGES	\$ 81.05	
EFT26282	03/11/2023	KOR EQUIPMENT SOLUTIONS PTY LTD T/A KOR EQUIPMENT SOLUTIONS	PARTS FOR ROAD SWEEPER	\$ 3,212.11	
EFT26283	03/11/2023	LANDGATE	TITLE SEARCHES	\$ 61.00	
EFT26284	03/11/2023	MIO ANGELA BOFILL GADON	NVC MERCHANDISE	\$ 3,600.00	
EFT26285	03/11/2023	MUMBY'S AUTO ELECTRICAL AND AIR CONDITIONING	RECTIFY AIRCONDITIONER AIR FLOW AND FAN ISSUES	\$ 840.50	
EFT26286	03/11/2023	MUTTS CAFE	FOOD TRUCK FIESTA ENTERTAINMENT SEPTEMBER 2023	\$ 330.00	
EFT26287	03/11/2023	NETSIGHT CONSULTING PTY LTD ATF AM2 TRUST & FM2 TRUST	MYOSH MONTHLY SUBSCRIPTION	\$ 283.80	
EFT26288	03/11/2023	NETWORK POWER SOLUTIONS PTY LTD	PROVIDE AND MOUNT OUTDOOR LED FLOOD LIGHTS TO DEPOT & VARIOUS ELECTRICAL WORKS	\$ 4,371.00	



Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26289	03/11/2023	NGT GLOBAL PTY LTD T/AS VICTORY FREIGHTLINES	FREIGHT CHARGES	\$ 577.50	
EFT26290	03/11/2023	NINGALOO CEILINGS	PATCH, REMOVE AND REPACE CEILING AT SHIRE HOUSING	\$ 175.00	
EFT26291	03/11/2023	NINGALOO COOKING STUDIO	CATERING FOR SENIORS MORNING TEA 13 SEPTMEBER 2023	\$ 400.00	
EFT26292	03/11/2023	NINGALOO HARVEST IGA	SEPTEMBER POOL KIOSK ORDER	\$ 740.41	
EFT26293	03/11/2023	NINGALOO WATER & ICE	WATER PURCHASE	\$ 91.00	
EFT26294	03/11/2023	OFFICEWORKS	MONTHLY STATIONARY ORDER	\$ 842.47	
EFT26295	03/11/2023	PATHWEST LABORATORY WA	DRUG AND ALCOHOL SCREENING	\$ 49.50	
EFT26296	03/11/2023	PURCHER INTERNATIONAL	RUBBISH TRUCK LOW COOLANT SENSOR	\$ 214.04	
EFT26297	03/11/2023	SEROLO PTY LTD FRESH BY DESIGN	NADC FILTRATION EQUIPMENT	\$ 638.00	
EFT26298	03/11/2023	SHIRE OF EXMOUTH	BCITF COMMISSION AUGUST 2023	\$ 74.25	
EFT26299	03/11/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 446.99	
EFT26300	03/11/2023	TOTALLY WORKWEAR MIDLAND	STAFF PPE	\$ 1,413.71	
EFT26301	03/11/2023	TYRES4U	TRUCK TYRES FOR SHIRE PLANT	\$ 2,541.00	
EFT26302	03/11/2023	VEBAS AQUARIUMS PTY LTD	AQUARIUM SUPPLIES FOR WATER TESTING	\$ 629.06	
EFT26303	03/11/2023	VERITAS ENGINEERING PTY LTD	ASIC FOR STAFF MEMBER	\$ 580.80	
EFT26304	03/11/2023	VISUAL CONTRAST	NADC BROCHURES	\$ 357.50	
EFT26305	03/11/2023	WESTBOOKS (JD CAFFEY & CAFFEY FAMILY TRUST)	BOOK PURCHASE	\$ 272.50	
EFT26306	03/11/2023	WESTWATER ENTERPRISES PTY LTD	PARTS FOR SEWERAGE FARM	\$ 326.92	
EFT26307	03/11/2023	WREN OIL	WASTE OIL DISPOSAL FEES	\$ 33.00	
EFT26308	03/11/2023	WESTERN IRRIGATION	COUPLINGS FOR SEWERAGE FARM	\$ 194.30	
EFT26309	07/11/2023	HORIZON POWER - ACCOUNTS	ELECTRICITY CHARGES	\$ 5,475.36	
EFT26310	09/11/2023	AUSTRALIAN SERVICE UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 314.00	
EFT26311	09/11/2023	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 97,889.13	
EFT26312	09/11/2023	PAYWISE PTY LTD	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 1,856.43	
EFT26313	10/11/2023	AQUA BLUE DISTRIBUTION	NADC FISH FOOD AND WATER CONDITIONER	\$ 2,445.99	
EFT26314	10/11/2023	CAPRICORN PEST CONTROL	PEST CONTROL LEARMONTH AIRPORT, HELIPORT & BUNDEGI ABLUTIONS	\$ 3,938.00	
EFT26315	10/11/2023	EMPLOYEE	REIMBURSEMENT FOR INTERNET COSTS	\$ 150.00	
EFT26316	10/11/2023	CJ LORD BUILDING AND RENOVATION WA PTY LTD	SUPPLY AND FIT SHELVES TO BOOKCASE IN SHIRE OFFICE	\$ 1,605.40	
EFT26317	10/11/2023	CONSCIOUS SOUL CREATIONS	CHILDRENS WEEK FACILITATION AND EQUIPMENT	\$ 1,800.00	
EFT26318	10/11/2023	COUNCILLOR	REIMBURSEMENT OF COUNCILLOR NOMINATION FEE - LG ELECTION 2023	\$ 100.00	
EFT26319	10/11/2023	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2023/2024 EMERGENCY SERVICES LEVY	\$ 12,721.64	
EFT26320	10/11/2023	DIRECT TILES AND CARPET	CARPET CLEAN NINGALOO CENTRE	\$ 3,485.10	
EFT26321	10/11/2023	ENVIROLAB SERVICES WA PTY LTD	LANDFILL BORE MONITORING	\$ 994.49	
EFT26322	10/11/2023	EXMOUTH BUS CHARTERS	AIRPORT SHUTTLE SERVICE FEE OCTOBER 2023	\$ 6,000.00	
EFT26323	10/11/2023	EXMOUTH HANDYMAN SERVICES	RESEAL TIMBER FINS TO NINGALOO CENTRE AND COMMUNITY CENTRE	\$ 1,487.00	
EFT26324	10/11/2023	EXMOUTH IGA	MONTHLY CONSUMABLES ACCOUNT SEPTEMBER	\$ 865.41	
EFT26325	10/11/2023	EXMOUTH INDUSTRIAL SERVICES	MANUFACTURE HYDRAULIC HOSE FOR RUBBISH TRUCK TRANSCOOLER	\$ 196.24	
EFT26326	10/11/2023	EXMOUTH KART CLUB	MAJOR EVENTS SPONSORSHIP	\$ 1,575.25	
EFT26327	10/11/2023	EXMOUTH SMASH REPAIRS	SUPPLY AND FIT NEW WINDSCREEN TO SHIRE VEHICLE	\$ 1,708.30	
EFT26328	10/11/2023	EXMOUTH WHOLESALERS	TOILET ROLL AND BIN LINERS, POOL KIOSK ORDER & WATER SPRAY PARK CHEMICALS	\$ 2,724.46	
EFT26329	10/11/2023	EXY PLUMBING & CONTRACTING	INVESTIGATE AND REPLACE LEARMONTH AIRPORT WATER FOUNTAIN PUMP	\$ 2,587.13	
EFT26330	10/11/2023	GRANTS EMPIRE	DEVELOPMENT OF RECYCLING MODERNISATION FUND APPLICATION PAYMENT 2 OF 2	\$ 1,056.00	
EFT26331	10/11/2023	KICK SOLUTIONS (C & C WA PTY LTD FOR THE C & C FAMILY TRUST	SUPPLY PVC BANNER	\$ 289.00	
EFT26332	10/11/2023	LANDGATE	INTERIM VALUATIONS	\$ 651.64	
EFT26333	10/11/2023	LIQUID PACIFIC ASSET CONSULTANTS	VALUATION OF INFRASTRUCTURE ASSETS	\$ 8,698.80	
EFT26334	10/11/2023	COUNCILLOR	REIMBURSEMENT OF COUNCILLOR NOMINATION FEE - LG ELECTION 2023	\$ 100.00	
EFT26335	10/11/2023	MCLEODS BARRISTERS AND SOLICTORS	LEGAL ADVICE FEES	\$ 310.75	
EFT26336	10/11/2023	NE OCCUPATIONAL HYGIENE SERVICES PTY LTD	ASBESTOS RISK ASSESSMENT REPORT	\$ 1,100.00	
EFT26337	10/11/2023	NINGALOO COOKING STUDIO	CHILDRENS WEEK CATERING	\$ 2,200.00	
EFT26338	10/11/2023	NINGALOO HARVEST IGA	CATERING AND CONSUMABLES FOR SENIORS MONTHLY ENGAGEMENT OCTOBER	\$ 736.00	
EFT26339	10/11/2023	OFFICEWORKS	PAINT FOR CHILDRENS WEEK	\$ 254.14	
EFT26340	10/11/2023	OMNICOM MEDIA GROUP PTY LTD	NEWSPAPER ADVERTISEMENT RFQS & RFTS	\$ 2,278.35	
EFT26341	10/11/2023	OTIUM PLANNING GROUP PTY LTD	DEVELOPMENT OF SPORT AND RECREATION MASTER PLAN (40%)	\$ 28,760.60	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26342	10/11/2023	QUBE LOGISTICS (AUST) PTY LTD	FREIGHT CHARGES	\$ 5,478.75	
EFT26343	10/11/2023	RAY WHITE TRUST ACCOUNT	STORAGE UNIT RENT	\$ 400.00	
EFT26344	10/11/2023	ROYAL LIFE SAVING SOCIETY WA INC.	POOL LIFEGUARD LICENCE RENEWAL - 5 PERSON CLASS	\$ 1,352.00	
EFT26345	10/11/2023	SAPIO PTY LTD	MONTHLY IT SUPPORT JOB	\$ 9,287.05	
EFT26346	10/11/2023	SCENT AUSTRALIA PTY LTD	MONTHLY AMBIENT SCENTING OF NINGALOO CENTRE	\$ 143.00	
EFT26347	10/11/2023	STARMART EXMOUTH	SUPPLY AND FIT TYRE	\$ 340.00	
EFT26348	10/11/2023	EMPLOYEE	REIMBURSEMENT OF BUILDING SURVEYOR REGISTRATION RENEWAL	\$ 1,125.00	
EFT26349	10/11/2023	TNT EXPRESS AUSTRALIA - ACCOUNTS	FREIGHT CHARGES	\$ 1,184.53	
EFT26350	10/11/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 286.31	
EFT26351	10/11/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM ORDER	\$ 275.56	
EFT26352	13/11/2023	AQUATIC ADVENTURE EXMOUTH	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,785.00	
EFT26353	13/11/2023	BIRDS EYE VIEW NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 729.30	
EFT26354	13/11/2023	BLUE HORIZON CHARTERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,972.00	
EFT26355	13/11/2023	CAPE IMMERSION TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 459.00	
EFT26356	13/11/2023	CORAL BAY CHARTERS & GLASS BOTTOM BOATS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 892.50	
EFT26357	13/11/2023	CORAL BAY ECOTOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,810.50	
EFT26358	13/11/2023	DIVE NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 875.50	
EFT26359	13/11/2023	EXMOUTH ADVENTURE COMPANY	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 390.15	
EFT26360	13/11/2023	EXMOUTH BUS CHARTERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 144.50	
EFT26361	13/11/2023	EXMOUTH DIVE & WHALESHARKS NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 7,097.50	
EFT26362	13/11/2023	NINGALOO AVIATION	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,564.00	
EFT26363	13/11/2023	NINGALOO CORAL BAY - BAYVIEW	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,610.75	
EFT26364	13/11/2023	NINGALOO DISCOVERY	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 52,303.90	
EFT26365	13/11/2023	NINGALOO ECOLOGY CRUISES (NINGALOO GLASS BOTTOM BOAT)	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 5,206.25	
EFT26366	13/11/2023	NINGALOO REEF DIVE	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 306.00	
EFT26367	13/11/2023	NINGALOO REEF TO RANGE TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 569.50	
EFT26368	13/11/2023	OCEAN ECO ADVENTURES	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 3,348.15	
EFT26369	13/11/2023	POTSHOT RESORT HOTEL	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,173.00	
EFT26370	13/11/2023	RAC TOURISM ASSETS PTY LTD	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 183.60	
EFT26371	13/11/2023	SHIRE OF EXMOUTH	NINGALOO VISITOR CENTRE COMMISSION OCTOBER 2023	\$ 16,556.40	
EFT26372	13/11/2023	SKYHAVEN PTY LTD T/AS NINGALOO BLUE CHARTERS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 1,921.00	
EFT26373	13/11/2023	VIEW NINGALOO	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 6,638.50	
EFT26374	13/11/2023	YARDIE CREEK BOAT TOURS	NINGALOO VISITOR CENTRE OPERATOR PAYMENTS OCTOBER 2023	\$ 2,839.00	
EFT26375	13/11/2023	CARNARVON MOTOR GROUP	PARTS FOR SHIRE VEHICLE	\$ 469.12	
EFT26376	13/11/2023	EXMOUTH VET CLINIC	SENTINEL CHICKEN & TURTLE VET EXPENSES	\$ 637.00	
EFT26377	13/11/2023	EXMOUTH WHOLESALERS	AIRPORT AND HELIPORT CONSUMABLES	\$ 1,360.84	
EFT26378	13/11/2023	GRANTS EMPIRE	DEVELOPMENT OF REGIONAL EVENTS SCHEME APPLICATION - PAYMENT 2 OF 2	\$ 924.00	
EFT26379	13/11/2023	HT CLEANING SERVICES PTY LTD	OVERFLOW ABLUTIONS CLEANS AUGUST & SEPTEMBER	\$ 16,472.28	
EFT26380	13/11/2023	MOORE AUSTRALIA (WA) PTY LTD	NUTS & BOLTS WORKSHOP & WALGA TAX WEBINAR ATTENDANCE	\$ 1,430.00	
EFT26381	13/11/2023	TOTAL FIRST AID SOLUTIONS (KATHRYN CHAPMAN)	STAFF TRAINING - PROVIDE FIRST AID	\$ 210.00	
EFT26382	13/11/2023	VEBAS AQUARIUMS PTY LTD	NADC WATER TEST KITS AND FISH TREATMENTS	\$ 302.07	
EFT26383	13/11/2023	WORMALD AUSTRALIA PTY LTD	FIRE PANEL SERVICING	\$ 987.22	
EFT26384	20/11/2023	AUSTRALIAN SERVICE UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 157.00	
EFT26385	20/11/2023	AUSTRALIAN TAX OFFICE (PAYG)	PAYROLL DEDUCTIONS/CONTRIBUTIONS	\$ 65,276.36	
EFT26386	21/11/2023	AMPAC DEBT RECOVERY	DEBT RECOVERY EXPENSES	\$ 2,174.26	
EFT26387	21/11/2023	AUSTRALIAN TRAVELLER MEDIA PTY LTD	AUSTRALIAN TRAVELLER MAGAZINE - TOURISM DESTINATION MARKETING CAMPAIGN	\$ 16,494.50	
EFT26388	21/11/2023	CAPRICORN EXTINGUISHERS	NINGALOO CENTRE AND SHIRE BUILDINGS FIRE EXTINGUISHER & HOSE REEL SERVICE	\$ 3,565.25	
EFT26389	21/11/2023	CAPRICORN PEST CONTROL	ANNUAL PEST INSPECTION NINGALOO CENTRE	\$ 1,485.00	
EFT26390	21/11/2023	CASTROL AUSTRALIA PTY LTD	OIL PURCHASE	\$ 109.81	
EFT26391	21/11/2023	CHADSON ENGINEERING PTY LTD	TOWN POOL DISABILITY CHAIR LIFT	\$ 9,500.00	
EFT26392	21/11/2023	CJ LORD BUILDING AND RENOVATION WA PTY LTD	REPAIRS TO HAND RAILING AT LEARNMOUTH JETTY	\$ 643.50	
EFT26393	21/11/2023	CONSTRUCTION TRAINING FUND	BCITF PAYMENTS SEPTEMBER 2023	\$ 9,117.72	
EFT26394	21/11/2023	CROMMELINS OPERATIONS PTY LTD	ELECTRIC BRICKSAW	\$ 2,664.20	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26395	21/11/2023	DEPARTMENT OF WATER AND ENVIRONMENTAL REGULATION	ANNUAL LICENCE FEE FOR QUALING SCARP WASTE MANAGEMENT SITE	\$ 1,303.50	
EFT26396	21/11/2023	EXMOUTH TOY LIBRARY	SUPPLIES FOR CHILDRENS WEEK ACTIVITY 2023	\$ 800.00	
EFT26397	21/11/2023	EXMOUTH VET CLINIC	SENTINEL CHICKEN VET EXPENSES	\$ 430.00	
EFT26398	21/11/2023	EXMOUTH WHOLESALERS	CONSUMABLES	\$ 21.60	
EFT26399	21/11/2023	EXY PLUMBING & CONTRACTING	DIG UP & REPAIR WATER LEAKS ON WATER MAIN	\$ 614.67	
EFT26400	21/11/2023	GASCOYNE OFFICE EQUIPMENT	RICOH COPIER SERVICING AND MAINTENANCE	\$ 1,786.25	
EFT26401	21/11/2023	HORIZON POWER - ACCOUNTS	ELECTRICITY CHARGES	\$ 14,604.67	
EFT26402	21/11/2023	JACKSON'S PLUMBING CONTRACTORS	LIQUID WASTE DEPOT	\$ 1,786.40	
EFT26403	21/11/2023	KICK SOLUTIONS (C & C WA PTY LTD FOR THE C & C FAMILY TRUST	CYCLONE BOOKLETS	\$ 2,059.00	
EFT26404	21/11/2023	LIZO T/AS STIHL SHOP OSBORNE PARK	STARTER COVER WITH REWIND STARTER	\$ 170.80	
EFT26405	21/11/2023	NETWORK POWER SOLUTIONS PTY LTD	REPLACE HELIPORT TERMINAL SWITCH BOARD, HELIPORT LOCK REPAIR & VARIOUS WORKS	\$ 44,522.80	
EFT26406	21/11/2023	NINGALOO WATER & ICE	CONSUMABLES	\$ 208.00	
EFT26407	21/11/2023	OMNICOM MEDIA GROUP PTY LTD	NEWSPAPER ADVERTISING FOR RFTS & RFQS	\$ 537.04	
EFT26408	21/11/2023	ONE CONSTRUCTION WA PTY LTD	REFUND OF OVERPAID BSL LEVY	\$ 424.00	
EFT26409	21/11/2023	POOLBUILD WA	REFUND OF DUPLICATE BCITF PAYMENT	\$ 104.05	
EFT26410	21/11/2023	REGIONAL AIRPORT MANAGEMENT SERVICES PTY LTD	AIRPORT MANAGEMENT SERVICES OCTOBER 2023	\$ 85,462.09	
EFT26411	21/11/2023	SCOPE BUSINESS IMAGING	PHOTOCOPIER SERVICE AND MAINTENANCE	\$ 3,047.24	
EFT26413	21/11/2023	SHIRE OF EXMOUTH	BCITF COMMISSION SEPTEMBER 2023	\$ 82.50	
EFT26414	21/11/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	AQUARIUM FOOD	\$ 299.68	
EFT26415	21/11/2023	THE AUSTRALIAN LOCAL GOVERNMENT JOB DIRECTORY PTY LTD	JOB ADVERTISEMENT - FINANCE OFFICER ACCOUNTS RECEIVABLE	\$ 550.00	
EFT26416	21/11/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 89.75	
EFT26417	21/11/2023	TOTALLY WORKWEAR MIDLAND	STAFF PPE	\$ 197.95	
EFT26418	21/11/2023	UNICARD SYSTEMS PTY LTD	PRINTER CARTRIDGE & STOCK FOR POOL PASS PRINTER	\$ 252.78	
EFT26419	21/11/2023	VEBAS AQUARIUMS PTY LTD	WATER TESTING EQUIPMENT AND QUARANTINE DOSING MEDICATION	\$ 201.71	
EFT26420	21/11/2023	WATER CORPORATION	WATER CHARGES	\$ 6,471.77	
EFT26421	21/11/2023	WESTRAC PTY LTD	CATERPILLAR PARTS	\$ 1,681.94	
EFT26422	23/11/2023	ABCO PRODUCTS PTY LTD	CLEANING CONSUMABLES	\$ 1,150.16	
EFT26423	23/11/2023	ALCOLIZER PTY LTD	CALIBRATION OF BREATHALYSERS	\$ 154.00	
EFT26424	23/11/2023	BIGFISH GEAR AUSTRALIA PTY LTD	STAFF POLO SHIRTS UNIFORM ORDER FOR STOCK	\$ 7,291.38	
EFT26425	23/11/2023	BLACKWOODS (J.BLACKWOOD & SON PTY LTD)	STAFF PPE	\$ 189.07	
EFT26426	23/11/2023	CENTRAL REGIONAL TAFE	STAFF TRAINING COURSE - HEALTH AND SAFETY REP	\$ 582.00	
EFT26427	23/11/2023	CJ LORD BUILDING AND RENOVATION WA PTY LTD	REPAIRS TO NINGALOO CENTRE DOOR CLOSER	\$ 137.50	
EFT26428	23/11/2023	CORSIGN WA PTY LTD	SIGNAGE	\$ 544.50	
EFT26429	23/11/2023	DAIMLER TRUCKS PERTH	GEAR SHIFT ASSY FOR FUSO TIPPER TRUCK	\$ 2,615.24	
EFT26430	23/11/2023	EMPLOYEE	REIMBURSEMENT OF IMMUNISATION COST	\$ 97.70	
EFT26431	23/11/2023	DEPARTMENT OF DEFENCE - TREASURY AND BANKING *RENT/WATER*	SUPPLY OF POTABLE WATER TO BUNDEGI	\$ 519.20	
EFT26432	23/11/2023	EXMOUTH BETTA HOME LIVING	BLENDER FOR NADC CORAL FEEDS	\$ 55.95	
EFT26433	23/11/2023	EXMOUTH DISTRICT HIGH SCHOOL	ELECTRICITY COSTS FOR HARDCOURTS	\$ 437.45	
EFT26434	23/11/2023	EXMOUTH FUEL SUPPLIES	FUEL PURCHASES OCTOBER 2023	\$ 177.87	
EFT26435	23/11/2023	EXMOUTH GOLF CLUB	PAYMENT OF FACILITY HIRE FOR OVERFLOW CAMPSITE	\$ 22,115.50	
EFT26436	23/11/2023	EXMOUTH WHOLESALERS	POOL KIOSK STOCK NOVEMBER	\$ 816.26	
EFT26437	23/11/2023	EXY PLUMBING & CONTRACTING	INVESTIGATE AND REPAIR WATER MAINS TO SPRAY PARK	\$ 540.63	
EFT26438	23/11/2023	EMPLOYEE	REIMBURSEMENT OF IMMUNISATION COSTS	\$ 144.45	
EFT26439	23/11/2023	HORIZON POWER - ACCOUNTS	ELECTRICITY CHARGES	\$ 48,897.21	
EFT26440	23/11/2023	KLEENIT PTY LTD	PRESSURE CLEANING ROSS STREET MALL AND THEW STREET	\$ 4,620.00	
EFT26441	23/11/2023	KOR EQUIPMENT SOLUTIONS PTY LTD T/A KOR EQUIPMENT SOLUTIONS	INTAKE SEALS FOR ROAD SWEEPER	\$ 405.47	
EFT26442	23/11/2023	LANDGATE	VALUATIONS	\$ 95.37	
EFT26443	23/11/2023	MATHRYN ENTERPRISES PTY LTD	COMEDY HYPNOTIST SHOW	\$ 5,604.50	
EFT26444	23/11/2023	MELBOURNE INTERNATIONAL COMEDY FESTIVAL LIMITED	EXMOUTH COMEDY FESTIVAL ROADSHOW 2024 50% DEPOSIT	\$ 2,750.00	
EFT26445	23/11/2023	NETWORK POWER SOLUTIONS PTY LTD	CARRY OUT GROUND SURVEY AT LEARMONTH TERMINAL	\$ 934.00	
EFT26446	23/11/2023	NGT GLOBAL PTY LTD T/AS VICTORY FREIGHTLINES	FREIGHT CHARGES	\$ 625.90	
EFT26447	23/11/2023	OFFICEWORKS	2024 DIARY ORDER	\$ 601.54	
EFT26448	23/11/2023	OUTBACK FLORAL DESIGNS	WREATH FOR REMEMBRANCE DAY 2023	\$ 140.00	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26449	23/11/2023	PUMPS AUSTRALIA PTY LTD	PUMP KITS	\$ 1,210.00	
EFT26450	23/11/2023	REON STEVEN FEUTRILL T/AS APACHE DRONE IMAGERY	DRONE IMAGERY FOR NAIDOC CEREMONY AT EXMOUTH HIGH SCHOOL	\$ 750.00	
EFT26451	23/11/2023	EMPLOYEE	REIMBURSEMENT OF EXPENSES DURING COMMTELLIGENCE CONFERENCE 2023	\$ 1,799.35	
EFT26452	23/11/2023	SIGNS PLUS	NAME BADGES	\$ 166.00	
EFT26453	23/11/2023	ST JOHN AMBULANCE WESTERN AUSTRALIA LTD	SERVICE FIRST AID KITS AT DEPOT AND PLANT	\$ 1,623.16	
EFT26454	23/11/2023	STRATAGREEN	SOIL WETTER 20LT	\$ 2,871.50	
EFT26455	23/11/2023	SUNNY INDUSTRIAL BRUSHWARE	REFILL BROOM SEGMENTS	\$ 671.00	
EFT26456	23/11/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	NADC AQUARIUM FOOD	\$ 257.86	
EFT26457	23/11/2023	THE AUSTRALIAN LOCAL GOVERNMENT JOB DIRECTORY PTY LTD	ADVERTISING SENIOR PLANNING OFFICER	\$ 550.00	
EFT26458	23/11/2023	THE BBQ FATHER (T/AS ARMANDO (WA) PTY LTD)	CATERING FOR CLUB DEVELOPMENT WORKSHOP	\$ 113.00	
EFT26459	23/11/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 564.45	
EFT26460	23/11/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM	\$ 200.78	
EFT26461	23/11/2023	VERITAS ENGINEERING PTY LTD	AVIATION STAFF ASIC CARD	\$ 290.40	
EFT26462	23/11/2023	WA COUNTRY HEALTH SERVICE - MIDWEST (EXM HOSPITAL INVOICES - PRE EMP	PRE EMPLOYMENT MEDICAL	\$ 198.00	
EFT26463	23/11/2023	WEST AUSTRALIAN COUNTRY FOOTBALLLEAGUE	WACFL CLUB FOUNDATIONS PROGRAM PART 2	\$ 3,000.00	
EFT26464	23/11/2023	WORMALD AUSTRALIA PTY LTD	REPLACE FAULTY SMOKE DETECTORS AT LEARMONTH AIRPORT	\$ 1,704.12	
EFT26465	23/11/2023	WATER CORPORATION	WATER CHARGES	\$ 33,139.20	
EFT26466	27/11/2023	AFFORDABLE SIGNS	PRINTING AND FRAMING OF NAIDOC PICTURE	\$ 1,100.00	
EFT26467	27/11/2023	AQUA BLUE DISTRIBUTION	NADC BACTERIA ELIMINATOR	\$ 392.50	
EFT26468	27/11/2023	BING TECHNOLOGIES PTY LIMITED	RATES INSTALMENT REMINDER POSTAGE	\$ 463.16	
EFT26469	27/11/2023	BLACKWOODS (J.BLACKWOOD & SON PTY LTD)	DEPOT CONSUMABLES	\$ 229.65	
EFT26470	27/11/2023	BUGS N THINGS	BUGS FOR NADC REPTILES	\$ 215.55	
EFT26471	27/11/2023	BUSINESS EVENTS PERTH	MEMBERSHIP FEES FOR 2023-2024	\$ 2,326.50	
EFT26472	27/11/2023	CAPRICORN EXTINGUISHERS	LEARMONTH AIRPORT FIRE EXTINGUISHER AND EQUIPMENT SERVICES	\$ 3,658.01	
EFT26473	27/11/2023	CAPRICORN PEST CONTROL	PEST CONTROL AT EXM CULTURAL ARTS CENTRE	\$ 484.00	
EFT26474	27/11/2023	DEPARTMENT OF THE PREMIER AND CABINET	APPROVED LOCAL PLANNING SCHEME AMENDMENT	\$ 285.60	
EFT26475	27/11/2023	DIVERSE AQUARIA	CORALS AND FISH LIVESTOCK	\$ 5,000.00	
EFT26476	27/11/2023	DUALCO CONTRACTING (WA) PTY LTD	DE-GAS LANDFILL FRIDGES	\$ 2,145.00	
EFT26477	27/11/2023	ES2 PTY LTD	CYBER SECURITY AWARENESS TRAINING	\$ 323.53	
EFT26478	27/11/2023	EXMOUTH BETTA HOME LIVING	NADC IPAD CHARGERS	\$ 324.75	
EFT26479	27/11/2023	EXMOUTH CIVIL PTY LTD	HIRE OF FLOAT TO STRANSPORT STEEL ROLLER	\$ 550.00	
EFT26480	27/11/2023	EXMOUTH FREIGHT & LOGISTICS	REMOVAL AND REPLACEMENT OF BIG PRAWN FROM MURAT ROAD TO HORIZON POWER SHED	\$ 902.00	
EFT26481	27/11/2023	EXMOUTH HARDWARE & BUILDING SUPPLIES	MONTHLY CONSUMABLES ACCOUNT	\$ 31.75	
EFT26482	27/11/2023	EXMOUTH NEWSAGENCY & TOYWORLD	PRINTER INK FOR TOWN POOL	\$ 419.89	
EFT26483	27/11/2023	EXMOUTH TACKLE AND CAMPING SUPPLIES	STAFF FAREWEL GIFT	\$ 150.00	
EFT26484	27/11/2023	EXY PLUMBING & CONTRACTING	CHANGE TOILET SYSTEMS FLUSH CYCLE AT BONEFISH TOILET BLOCK & VARIOUS MAINTENANCE	\$ 4,593.90	
EFT26485	27/11/2023	HT CLEANING SERVICES PTY LTD	CLEANING OF AMENTITIES, DEPOT & TRANSIT HOUSES	\$ 20,586.03	
EFT26486	27/11/2023	ILLION TENDERLINK	TENDERLINK ADVERTISING VIA PORTAL FOR 23/24 FY RFQS AND RFQS	\$ 726.00	
EFT26487	27/11/2023	INMARSAT AUSTRALIA PTY LTD	SATELLITE PHONE CHARGES	\$ 81.05	
EFT26488	27/11/2023	IXOM OPERATIONS PTY LTD	CHLORINE GAS BOTTLE SERVICE FEES	\$ 725.65	
EFT26489	27/11/2023	KAYFER DESIGNS	STRUCTURAL DESIGN AND DRAWINGS FOR LEARMONTH HELIPORT TRANSIT LOUNGE	\$ 7,535.00	
EFT26490	27/11/2023	LANDGATE	COPY OF CERTIFICATE OF TITLE SEARCHES	\$ 152.50	
EFT26491	27/11/2023	METAL ARTWORK BADGES	COUNCILLOR DESK NAME PLAQUES	\$ 249.70	
EFT26492	27/11/2023	MOORE AUSTRALIA (WA) PTY LTD	RATING SUPPORT SERVICES OCTOBER 2023	\$ 6,985.00	
EFT26493	27/11/2023	MCLEODS BARRISTERS AND SOLICTORS	LEGAL ADVICE COSTS	\$ 683.65	
EFT26494	27/11/2023	NAPA (COVS GERALDTON)	V BELT FOR PLANT	\$ 16.50	
EFT26495	27/11/2023	NGT GLOBAL PTY LTD T/AS VICTORY FREIGHTLINES	FREIGHT CHARGES	\$ 869.00	
EFT26496	27/11/2023	NINGALOO HARVEST IGA	CATERING FOR STAFF FAREWELLS, COUNCIL INDUCTIONS & SENIORS WEEK	\$ 1,604.00	
EFT26497	27/11/2023	OMNICOM MEDIA GROUP PTY LTD	NEWSPAPER ADVERTISEMENT FOR RFQS & RTFS	\$ 2,993.09	
EFT26498	27/11/2023	R&L COURIERS	FREIGHT FOR CYCLONE BOOKLETS FROM SUPPLIER	\$ 163.35	
EFT26499	27/11/2023	RESULTS FOCUSED BUSINESS EXCELLENCE CONSULTING PTY. LTD.	CONSULTATION FEES FOR LEARMONTH AIRPORT UPGRADE FINANCIAL PROPOSAL	\$ 8,200.50	
EFT26500	27/11/2023	SENSE RECRUITMENT	RECRUITMENT CONSULTING AND SUPPORT SERVICES	\$ 22,217.25	
EFT26501	27/11/2023	SPECIALISED & PRECISION ENGINEERING	REPAIRS TO BROKEN MARLIN LIGHT POST	\$ 423.91	

Reference	Date	Name	Description	Municipal Account	Trust Account
EFT26502	27/11/2023	ST JOHN AMBULANCE WESTERN AUSTRALIA LTD	STANDBY AMBULANCE SERVICE FOR REMEMBRANCE DAY 2023	\$ 200.00	
EFT26503	27/11/2023	STRATEGIC LEADERSHIP CONSULTING	UNDERTAKE VARIOUS ORGANISATION REVIEW SERVICES	\$ 16,340.50	
EFT26504	27/11/2023	TACKLE WORLD EXMOUTH (BLUE WATER)	NADC TURTLE FOOD	\$ 376.08	
EFT26505	27/11/2023	TOLL - TEAM GLOBAL EXPRESS PTY LTD	FREIGHT CHARGES	\$ 97.41	
EFT26506	27/11/2023	TOTALLY WORKWEAR MIDLAND	STAFF UNIFORM ORDER	\$ 275.42	
EFT26507	27/11/2023	WA COUNTRY HEALTH SERVICE - MIDWEST (EXM HOSPITAL INVOICES - PRE EMP	PRE EMPLOYMENT MEDICAL	\$ 594.00	
EFT26508	27/11/2023	WATER CORPORATION	WATER CHARGES	\$ 3,606.55	
EFT26509	27/11/2023	WESTBOOKS (JD CAFFEY & CAFFEY FAMILY TRUST)	BOOK PURCHASES	\$ 476.06	
EFT26510	27/11/2023	WORLDWIDE ONLINE PRINTING - PERTH	POSTAGE PAID ENVELOPES	\$ 488.00	
EFT26511	27/11/2023	WESTERN IRRIGATION	RETICULATION PARTS	\$ 1,628.17	
				\$ 1,014,465.58	\$ -
	27/10/2023	MAILCHIMP	SUBSCRIPTION FEE	\$ 245.25	
	27/10/2023	FACEBOOK	ADVERTISEMENT	\$ 103.00	
	31/10/2023	PACIFIC AVIONICS	HELIPORT HEADSET REPAIRS	\$ 832.37	
	08/11/2023	QANTAS	FLIGHTS - CONSULTANT	\$ 888.90	
	08/11/2023	QANTAS	FLIGHTS - CONSULTANT	\$ 888.90	
	09/11/2023	QANTAS	FLIGHTS - COUNCILLOR TRAINING	\$ 1,075.40	
	10/11/2023	ARTICLY AI	CONTENT CREATION APPLICATION	\$ 46.74	
	12/11/2023	VENTRA IP	DOMAIN REGISTRATION	\$ 19.95	
	15/11/2023	FACEBOOK	ADVERTISEMENT	\$ 59.17	
	15/11/2023	FACEBOOK	ADVERTISEMENT	\$ 3.91	
	15/11/2023	MERCURE PERTH HOTEL	ACCOMMODATION - COUNCILLOR TRAINING	\$ 475.20	
	16/11/2023	QANTAS	FLIGHTS CHANGE FEE - CONSULTANT	\$ 56.42	
	16/11/2023	QANTAS	FLIGHTS CHANGE FEE - CONSULTANT	\$ 99.00	
	23/11/2023	PERFORMANCE DRIVING	STAFF - TRAINING	\$ 297.00	
	24/11/2023	ADOBE	ADOBE SUITE	\$ 83.58	
	24/11/2023	TEMU.COM	SENIORS - CHRISTMAS CRAFT CONSUMABLES	\$ 153.83	
	23/11/2023	IATA	AIRPORT - DANGEROUS GOODS REGULATIONS	\$ 1,235.15	
	24/11/2023	WESTERN AUSTRALIAN	CORPORATE FIREARMS LICENCE RENEWAL	\$ 166.00	
	25/11/2023	COLES TOM PRICE	FUEL FOR PLANT # P135	\$ 256.01	
			<b>TOTAL CREDIT CARD CEO</b>	<b>\$ 6,985.78</b>	
	27/10/2023	RED BALLOON	STAFF FAREWELL GIFT	\$ 251.12	
	31/10/2023	AUSTRALIA POST	STAFF FAREWELL GIFTS	\$ 261.90	
	09/11/2023	STARLINK	STARLINK MONTHLY INTERNET SERVICE	\$ 174.00	
	21/11/2023	COSTUME SUPERCENTRE	SANTA SUIT	\$ 216.70	
	24/11/2023	LIBERTY KARRATHA SERVICE STATION	FUEL FOR PLANT # P136	\$ 144.01	
			<b>TOTAL CREDIT CARD EMIS</b>	<b>\$ 1,047.73</b>	
	08/11/2023	REZDY	MONTHLY NVC BOOKING AGENT SUBSCRIPTION NOV	\$ 297.56	
	10/11/2023	REZDY	MONTHLY NVC BOOKING AGENT SUBSCRIPTION OCT	\$ 280.79	
			<b>TOTAL CREDIT CARD DCEO</b>	<b>\$ 578.35</b>	
			<b>TOTAL CREDIT CARD PURCHASES</b>	<b>\$ 8,611.86</b>	
			<b>TOTAL PAYMENTS</b>	<b>\$ 1,036,879.32</b>	