

ATTACHMENTS

ORDINARY COUNCIL AGENDA

27 OCTOBER 2020

Attachment No. 1

Ordinary Council Minutes of 29 September 2020

Attachment No. 2

- EMRC – Ordinary Council Meeting – Abridged Minutes 17 September 2020
- EMRC – Ordinary Council Meeting – Delegates Report – 17 September 2020

Attachment No. 3

Proposed Schedule of Works

Attachment No. 4

Draft Local Planning Policy – Home Based Businesses

Attachment No. 5

- Draft Local Planning Policy No. 6 – Industrial Development
- LLP 6 - Industrial Zones Development Design Guidelines

Attachment No. 6

- Parklet Elevation
- Parklet Plan

Attachment No. 7

Draft Corporate Business Plan 2020-2024

Attachment No. 8

- Draft Delegations Register
- Draft Delegations to be Revoked

Attachment No. 9

List of Payments

ATTACHMENT NO. 1

TOWN OF BASSENDEAN

MINUTES

ORDINARY COUNCIL MEETING

HELD IN THE COUNCIL CHAMBER, 48 OLD PERTH ROAD, BASSENDEAN

ON TUESDAY 29 SEPTEMBER 2020 AT 6.00PM

1.0 DECLARATION OF OPENING; ACKNOWLEDGEMENT OF COUNTRY; ACKNOWLEDGEMENT OF VISITORS

The Presiding Member, Cr Kathryn Hamilton, declared the meeting open, welcomed all those in attendance and acknowledged the past and present traditional owners and custodians of the land on which the meeting was held.

2.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

On behalf of Council and the Town Administration, Cr Hamilton extended condolences to the family of Tina Klein and acknowledged her service and achievements.

3.0 ATTENDANCES, APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

Present

Councillors

Cr Kathryn Hamilton, Deputy Mayor
Cr Chris Barty
Cr John Gangell
Cr Hilary MacWilliam
Cr Sarah Quinton
Cr Jai Wilson

Officers

Ms Peta Mabbs, Chief Executive Officer
Mr Paul White, Director Corporate Services

Mr Luke Gibson, Director Community Planning
Mr Jeremy Maher, Manager Sustainability & Environment
Mrs Amy Holmes, Minute Secretary

Public

One member of the public was in attendance.

Press

Nil

Apologies

Cr Renee McLennan, Mayor
Mr Phil Adams, Executive Manager Infrastructure
Ms Elizabeth Kania, Manager Governance & Strategy

Leave of Absence

Council Resolution – Item 3.0 OCM – 1/09/20

MOVED Cr Quinton, Seconded Cr Wilson, that the following leave of absence be granted:

- Cr McLennan – 30 September to 12 October
- Cr Barty – 16 November to 30 November
- Cr MacWilliam – 30 September to 6 October

CARRIED UNANIMOUSLY 6/0

4.0 DECLARATIONS OF INTEREST

Cr Hamilton declared an Impartiality Interest for Item 12.2 as an elected member of the JDAP Committee.

Cr Wilson and Cr MacWilliam also declared an Impartiality Interest for Item 12.2, however as Deputy Members they will not be required to attend the meeting.

5.0 PRESENTATIONS OR DEPUTATIONS

Council Resolution – Item 5.0(a) OCM – 2/09/20

MOVED Cr Gangell, Seconded Cr Wilson, that the meeting go behind closed doors, the time being 6.10pm.

CARRIED UNANIMOUSLY 6/0

Mr Grau addressed the Council on Item 16.1 - Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program.

Council Resolution – Item 5.0(b)
OCM – 3/09/20

MOVED Cr Gangell, Seconded Cr Barty, that the meeting come from behind closed doors, the time being 6.33pm.

CARRIED UNANIMOUSLY 6/0

6.0 STATEMENTS BY MEMBERS OF THE PUBLIC ON AGENDA ITEMS

Nil

7.0 QUESTIONS FROM MEMBERS OF THE PUBLIC

Nil

8.0 PETITIONS

Nil

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held on 25 August 2020

Council Resolution/Officer Recommendation – Item 9.1(a)
OCM – 4/09/20

MOVED Cr MacWilliam, Seconded Cr Barty, that the minutes of the Ordinary Council Meeting held on 25 August 2020, be received.

CARRIED UNANIMOUSLY 6/0

Council Resolution/Officer Recommendation – Item 9.1(b)
OCM – 5/09/20

MOVED Cr Barty, Seconded Cr MacWilliam, that the minutes of the Ordinary Council Meeting held on 25 August 2020, be confirmed as a true record.

CARRIED UNANIMOUSLY 6/0

10.0 BUSINESS DEFERRED FROM PREVIOUS MEETING

Nil

11.0 EXTERNAL COMMITTEE REPORTS/UPDATES

Item No. 11.1	Receipt of External Committee and Organisation Minutes
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act, Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 2	<ul style="list-style-type: none"> • Minutes - WALGA East Metropolitan Zone • Summary Minutes - WALGA State Council Meeting

Purpose

The purpose of this report was for Council to consider minutes from external Committees and organisations.

Council Resolution/Officer Recommendation – Item 11.1
OCM – 6/09/20

MOVED Cr Wilson, Seconded Cr Barty, that Council notes the attached minutes from external Committee meetings held within the reporting period.

CARRIED UNANIMOUSLY 6/0

12.0 REPORTS

12.1 Adoption of Recommendations En Bloc

It was agreed that items 12.2, 12.3 (withdrawn) & 12.4 be removed from the en-bloc table and considered separately.

Council Resolution/Officer Recommendation – Item 12.1 **OCM – 7/09/20**

MOVED Cr Quinton, Seconded Cr Barty, that Council adopts en bloc the following Officer recommendations contained in the Ordinary Council Meeting Agenda of 29 September 2020:

Item	Report
12.5	Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines
12.8	Monthly Financial Report – August 2020
12.9	Accounts Paid – August 2020
12.10	Use of Common Seal
12.11	Calendar for October 2020

CARRIED UNANIMOUSLY 6/0

Council was then requested to consider the balance of the Officer recommendations independently.

Item	Report
12.2	Joint Development Assessment Panel Application (Aged Care Facility & Commercial)
12.3	Bassendean Oval Business Case
12.4	Request for Office Space by the 5000meals Program inside the Bassendean Seniors and Community Centre
12.6	Councillor Training and Professional Development Policy
12.7	Appointment of Acting Chief Executive Officer Policy
13.1	Cr Wilson – Differential Rates and Rateable Properties on Minimum Rates
16.1	Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program

Item No. 12.2	Joint Development Assessment Panel Application (Aged Care Facility & Commercial)
Property Address	Lot 54 (27) Hamilton Street, Lots 84 (68) & 85 (70) Old Perth Road, Bassendean
Landowner/Applicant	Ms Clare McLean, Peter Webb & Associates Mr Geoff Taylor, T & T Management Services Pty Ltd Mr Michael Cross, T & T Management Services Pty Ltd
File Ref/ROC	DABC/BDVAPPS/2020-082
Previous Council Reports (if applicable)	N/A
Directorate	Community Planning
Authority/Discretion	
<input checked="" type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment No. 3	<ul style="list-style-type: none"> • Responsible Authority Report • Development Report • Development Plans • Consultation Plan • Schedule of Submissions

*Cr Hamilton declared an Impartiality Interest and left the meeting at 6.36pm.
Cr Gangell took the Chair.*

Purpose

The purpose of this report was for Council to provide a recommendation to the Metro Inner-North Joint Development Assessment Panel (JDAP) for a proposed Aged Care Facility & Commercial development at Lot 54 (27) Hamilton Street, Lots 84 (68) & 85 (70) Old Perth Road, Bassendean.

Council Resolution/Officer Recommendation – Item 12.2
OCM – 8/09/20

MOVED Cr Quinton, Seconded Cr MacWilliam, that Council endorses the Officer Recommendation contained within the attached Responsible Authority Report for the following reasons:

“The proposed development is consistent with LPS 10 and relevant local planning policies, with the exception of those requirements outlined above that are acceptable to be varied or can be adequately addressed via conditions. The Town is satisfied that the proposed development is consistent with the objectives of the Town Centre Zone and it is therefore recommended that the application be approved subject to conditions.”

CARRIED UNANIMOUSLY 5/0

Cr Hamilton returned to the meeting at 6.42pm. Cr Gangell vacated the chair and Cr Hamilton resumed as Presiding Member.

Item No. 12.3	Bassendean Oval Business Case
Property Address	1 West Road, Bassendean
Landowner/Applicant	Crown land vested with Town of Bassendean
Ref	COMDEV/PLANNG/4 and ROC19/69544
Directorate	Community Planning
Decision Type	Executive

This item was withdrawn.

Item No. 12.4	Request for Office Space by the 5000meals Program inside the Bassendean Seniors and Community Centre
Property Address (if applicable)	50 Old Perth Road, Bassendean (Bassendean Seniors and Community Hall)
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref	COUP/USAGE/7
Directorate	Community Planning
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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	from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 4	<ul style="list-style-type: none">• Letter from 5000Meals• Letter of Support from 55plus Association

Purpose

The purpose of this report was for Council to consider allocating office space for the 5000meals Program inside the Bassendean Seniors and Community Centre.

Cr Quinton moved the officer recommendation with an amendment to Point 4 and the addition of a Point 5, as shown in bold.

Council Resolution/Officer Recommendation – Item 12.4 **OCM – 9/09/20**

MOVED Cr Quinton, Seconded Cr Hamilton that Council approves the use of the office space in the Bassendean Seniors and Community Centre for the 5000meals Program at no cost for one year being from 1 October 2020 to 30 September 2021, subject to:

1. The 5000meals Program indemnifying the Town from any liability and provides a copy of current insurance certificates;
2. The 5000meals Program ensuring that any of their own equipment used on the premises complies with the requirements of the Occupation Health and Safety Act and has been certified by a qualified electrician; and follow the Town's policy and procedure for regular hirers;
3. The 5000meals Program acknowledging the Town in its promotion/branding for its contribution; and
4. **Staff providing assistance to the 5000meals Program to transition to environmentally friendly products in order to comply with Council Policy 2.15 – Single Use Plastics & Balloons.**
5. **The provision of an evaluation report in August 2021 for consideration by Council.**

CARRIED UNANIMOUSLY 6/0

Item No. 12.5	Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines
Property Address	N/A
Landowner/Applicant	N/A
Ref	LUAP/POLCY/12
Previous Council Reports (if applicable)	
Directorate	Community Planning
Decision Type	Legislative
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans, reports and strategies, accepting tenders, setting and amending budgets.
<input checked="" type="checkbox"/> Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/> Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/> Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under <i>Health Act</i> , <i>Dog Act</i> or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.
Attachment No. 5	<ul style="list-style-type: none"> Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines Draft Local Planning Policy – Commercial and Mixed Use Development.

Purpose

The purpose of this report was for Council to consider amending Local Planning Policy No. 7 – Local Shopping Centre Zone Design Guidelines (LPP 7).

Council Resolution/Officer Recommendation - Item 12.5

OCM – 10/09/20

MOVED Cr Quinton, Seconded Cr Barty, that Council, pursuant to Clause 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, advertises draft Local Planning Policy No.7 – Commercial and Mixed Use Development.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/09/20 6/0

Item No. 12.6	Councillor Training and Professional Development Policy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment No. 6	<ul style="list-style-type: none"> • Councillor Training and Professional Development Draft Policy • Councillor Professional Development Policy • Councillors Allowances and Expenses Policy

Purpose

The purpose of this report was for Council to consider the adoption of the proposed Councillor Training and Professional Development Policy.

Council Resolution/Officer Recommendation – Item 12.6 **OCM – 11/09/20**

MOVED Cr Wilson, Seconded Cr Barty, that Council:

1. Adopts the proposed Councillor Training and Professional Development Policy as contained in and the attachment; and
2. Repeals the Councillor Professional Development Policy dated September 2017.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.7	Appointment of Acting Chief Executive Officer Policy
Property Address (if applicable)	N/A
Landowner/Applicant (if applicable)	N/A
File Ref/ROC	GOVR/POLCY/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans, reports and strategies, accepting tenders, setting and amending budgets.
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Attachment No. 7	<ul style="list-style-type: none"> • Chief Executive Officer and Executive Officers Employment Policy • Appointment of an Acting Chief Executive Officer Draft Policy

Purpose

The purpose of this report was for Council to consider the adoption of the proposed Appointment of an Acting Chief Executive Officer Policy, and the revocation of the current Chief Executive Officer and Executive Officers Employment Policy.

Council Resolution/Officer Recommendation – Item 12.7 **OCM – 12/09/20**

MOVED Cr Barty, Seconded Cr MacWilliam, that Council:

1. Revokes the Chief Executive Officer and Executive Officers employment Policy; and
2. Adopts the proposed Appointment of an Acting Chief Executive Officer Policy as attached.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Item No. 12.8	Monthly Financial Report – August 2020
Property Address (if applicable)	n/a
Landowner/Applicant (if applicable)	n/a
File Ref/ROC	FINM/AUD/1
Previous Council Reports (if applicable)	n/a
Directorate	Corporate Services
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/> Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
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Attachment No. 8	Financial Statements

Purpose

The purpose of this report was for Council to consider the monthly financial report for August 2020.

Council Resolution/Officer Recommendation - Item 12.5 **OCM – 13/09/20**

MOVED Cr Quinton, Seconded Cr Barty, that Council receive the Financial Report for August 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/09/20 6/0

Item No. 12.9	Accounts Paid – August 2020
Property Address (if applicable)	n/a
Landowner/Applicant (if applicable)	n/a
File Ref/ROC	FINM/CREDTS/4
Previous Council Reports (if applicable)	n/a
Directorate	Corporate Services

Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment No. 9	List of Accounts

Purpose

The purpose of this report was for Council to receive the list of payments for August 2020.

Council Resolution/Officer Recommendation – Item 12.9 **OCM – 14/09/20**

MOVED Cr Quinton, Seconded Cr Barty, that Council receive the List of Payments for August 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/09/20 6/0

Item No. 12.10	Use of Common Seal
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	Not applicable
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment	Nil

Purpose

The purpose of this report was for Council to note the documents affixed with the Common Seal during the reporting period.

Council Resolution/Officer Recommendation – Item 12.10 **OCM – 15/09/20**

MOVED Cr Quinton, Seconded Cr Barty, that Council notes the affixing of the Common Seal during the reporting period.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/09/20 6/0

Item No. 12.11	Calendar for October 2020
Property Address (if applicable)	Not applicable
Landowner/Applicant (if applicable)	Not applicable
File Ref/ROC	INFM/INTPROP/1
Previous Council Reports (if applicable)	
Directorate	Chief Executive
Authority/Discretion <input type="checkbox"/> <input checked="" type="checkbox"/>	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Attachment	Nil

Purpose

The purpose of this report was for Council to consider the calendar for October 2020.

Council Resolution/Officer Recommendation – Item 12.11

OCM – 16/09/20

MOVED Cr Quinton, Seconded Cr Barty, that Council adopt the calendar for October 2020.

CARRIED UNANIMOUSLY BY EN BLOC RESOLUTION – OCM-7/09/20 6/0

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Cr Wilson – Differential Rates and Rateable Properties on Minimum Rates

Council Resolution – Item 13.1

OCM – 17/09/20

MOVED Cr Wilson, Seconded Cr Quinton, that Town staff:

1. Prepare a report for Council:
 - a) Outlining the requirements that a local government must meet in order for differential rates to be approved;
 - b) Providing an analysis of the percentage of rateable properties in all categories that are on the minimum rate; and
2. Convene a workshop, prior to the end of the calendar year, for Councillors to discuss the report once it has been prepared.

CARRIED 5/1

Crs Wilson, Quinton, Hamilton, Barty and MacWilliam voted in favour of the motion. Cr Gangell voted against the motion.

14.0 ANNOUNCEMENTS OF NOTICES OF MOTION FOR THE NEXT MEETING

14.1 Cr Wilson – Provision of a 360 Litre Recycling Bin

That the CEO prepare a report for Council outlining the cost and contractual implications for the Town providing a 360 litre recycling bin in the range of bin options provided to our community from the start of the 2020/21 financial year.

14.2 Cr Hamilton – Recognition of the late Tina Klein

That Council:

Formally recognises the achievements of the late Tina Klein by:

1. Authorising the CEO to investigate and implement potential planting/dedication of a tree in a prominent location to occur during the next winter planting season; and
2. Requests staff to select a tree variety that has potential to grow into a stately and prominent specimen offering decades of shaded amenity for future generations;
3. Write to the family of the late Tina Klein to ascertain their wishes in respect to points 1 and 2 of this Motion.

Background:

Sadly, Wouterina (Tina) Klein (nee Huisman) OAM JP passed away recently and the Council and staff provide their sincere condolences to her husband, Jan and family.

Tina was born in 1930 in the Eastern Netherlands. Tina and Jan moved to Australia in 1954 and to Eden Hill in 1973.

Tina was a Councillor from 1986, serving as Deputy Mayor for 8 years and as Mayor from 2003 to 2009, making a valuable contribution to the Town. Tina was honoured by the Lions Club in 2005 for her commitment to the community.

Tina was further honoured with an Order of Australia medal in 2010 for services to local government and the community of Bassendean and awarded a Life Membership to the Bassendean Senior Citizens Association in 2011. Tina was inducted in the Western Australian Women's Hall of Fame in 2011.

A transcript and oral history interview is available on the Bassendean Memorial Library website.

15.0 URGENT BUSINESS

Nil

16.0 CONFIDENTIAL BUSINESS

Council Resolution – Item 16.0(a)
OCM – 18/09/20

MOVED Cr Wilson, Seconded Cr Barty, that the meeting go behind closed doors in accordance with Section 5.23 of the Local Government Act 1995, the time being 7.07pm.

CARRIED UNANIMOUSLY 6/0

Item No. 16.1	Use of the Bassendean Seniors and Community Centre Kitchen for the Community Kitchen Pilot Program
Property Address (if applicable)	50 Old Perth Road, Bassendean
Landowner/Applicant (if applicable)	Town of Bassendean
File Ref	COUP/USAGE/7
Directorate	Community Planning
Authority/Discretion	
<input type="checkbox"/> Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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Confidential Attachment	Submitted Assessment Report

This matter was considered with members of the public excluded from the Chamber under Clause 5.23 (2) (b) of the Local Government Act 1995, as the officer report discusses information of a personal nature.

Council Resolution – Item 16.0(b)
OCM – 19/09/20

MOVED Cr Gangell, Seconded Cr Wilson, that this Item be deferred to the October Ordinary Council Meeting to allow Mr Gau more time to submit a report.

CARRIED UNANIMOUSLY 6/0

Council Resolution – Item 16.0(b)
OCM – 20/09/20

MOVED Cr Gangell, Seconded Cr Wilson, that the meeting come from behind closed doors, the time being 7.10pm.

CARRIED UNANIMOUSLY 6/0

17.0 CLOSURE

The next Briefing Session will be held on Tuesday 20 October 2020.
The next Ordinary Council Meeting will be held on Tuesday 27 October 2020.

There being no further business, the Presiding Member declared the meeting closed, the time being 7.10pm.

ATTACHMENT NO. 2



ABRIDGED MINUTES

Ordinary Meeting of Council

17 September 2020

The Full Minutes of this meeting are available on the EMRC's website:

<http://www.emrc.org.au/council/council-and-committees/council-minutes.aspx>

ORDINARY MEETING OF COUNCIL

ABRIDGED MINUTES

17 September 2020

(REF: D2020/21190)

An Ordinary Meeting of Council was held at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, BELMONT WA 6104 on **Thursday, 17 September 2020**. The meeting commenced at **6:00pm**.

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1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Chairman opened the meeting at 6:00pm, and acknowledged the traditional custodians of the land on which the meeting was held and paid respects to the elders past, present and future.

Kaya Maaman, Kaya Yorga, Kaya Bridia
Ngalak kaartitj windji ngalak nynininy
Nagalak kaartitj nidja boodja baal Whadjuk Noongar Boodja ngalak nyininy
Koorah, Nitja yeyi, Boordahwan

Translation

Greetings everyone

We all understand where we are meeting.

We know that we meet on the lands of the Whadjuk Noongar people

Always was, always will be.

2 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Councillor Attendance

Cr Jai Wilson (Chairman)	EMRC Member	Town of Bassendean
Cr Doug Jeans (Deputy Chairman) (from 6:23pm)	EMRC Member	Shire of Mundaring
Cr Kathryn Hamilton	EMRC Member	Town of Bassendean
Cr Lorna Clarke (from 6:21pm)	EMRC Member	City of Bayswater
Cr Giorgia Johnson	EMRC Member	City of Bayswater
Cr Janet Powell	EMRC Member	City of Belmont
Cr Steve Wolff	EMRC Member	City of Belmont
Cr Lesley Boyd	EMRC Member	City of Kalamunda
Cr Dylan O'Connor	EMRC Member	City of Kalamunda
Cr John Daw	EMRC Member	Shire of Mundaring
Cr Mel Congerton	EMRC Member	City of Swan
Cr Charlie Zannino	EMRC Member	City of Swan

EMRC Officers

Mr Marcus Geisler	Chief Executive Officer
Mr Hua Jer Liew	Chief Financial Officer
Mr Steve Fitzpatrick	Chief Project Officer
Mrs Wendy Harris	Chief Sustainability Officer
Mr Brad Lacey	Chief Operating Officer
Ms Theresa Eckstein	Executive Assistant to the Chief Executive Officer
Mrs Lee Loughnan	Personal Assistant to Chief Financial Officer (Minutes)

EMRC Observers

Mr David Ameduri	Manager Financial Services
Ms Izabella Krzysko	Manager Procurement and Governance
Mr David Schmidt	Manager Information Services

Observer(s)

Cr Ian Johnson	EMRC Deputy Member	City of Swan
Mr Doug Pearson	Director Works and Infrastructure	City of Bayswater
Mr Brett Jackson	Director Asset Services	City of Kalamunda



4 ANNOUNCEMENTS BY THE CHAIRMAN OR PRESIDING MEMBER WITHOUT DISCUSSION

4.1 DILIGENT BOARDS

The Chairman announced that following the Council resolution adopting Diligent Boards for the distribution of agendas and minutes, the Agenda for tonight's meeting of Council is available on this new system.

Councillors would have received email instructions regarding one on one remote training. The Chairman encouraged all Councillors to organise their training and utilise the new platform.

The Council Portal will still continue to run for another six months to accommodate the transition.

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.1 RESPONSE TO QUESTIONS FROM MS JANE BREMMER

Following the receipt of the response to the initial 8 questions [see minutes from 23 July 2020 Ordinary meeting of Council], Ms Bremmer has sent through follow up questions which were taken on notice at the last meeting. The responses to the follow up questions are as follows:

Question 1: In response to Question 4.
Please provide the report detailing the substantial implementation of the project as required in Ministerial statement 1028 submitted in July 2017?

Response: The initial Compliance Assessment Report from July 2017 is attached.

Question 2: In response to Question 5.
Please provide the Compliance Assessment Plan submitted to the CEO in July 2016?

Response: The Compliance Assessment Plan from July 2016 is attached.

Question 3: Further does the EMRC consider that such reports should be publicly available on the EMRC website? If yes when will such information be provided?

Response: The EMRC is required to make Compliance Assessment Reports publicly available in accordance with the OEPA Post Assessment Guideline for Making Information Publicly Available. This Guideline states that all information and/or documentation required to be made publicly available must be made available to stakeholders, including members of the public, upon request and within 7 days of the proponent receiving the request.

Question 4: When and where will the EMRC provide the detailed information identified in the Community Partnership Agreement about the HRRP and particularly the WWTEP?

Response: The Community Partnership Agreement relates to the East Rockingham Waste to Energy Plant, not the HRRP. The Community Partnership Agreement was included in the tender documents for the Resource Recovery Facility and tenderers were required to include statements in their submission about compliance with the CPA.

Question 5: When will the EMRC provide the report detailing the project milestones, given the wood waste to energy incinerator's imminent operation?

Response: Please refer to the attached report.



Item 5 continued

Question 6: Will the EMRC correct some of the false and misleading claims made on the Frequently Asked Question page? I refer to claims made that waste incineration does not adversely impact the recycling sector and also claims that Pyrolysis technologies are not incineration?

Response: *The statement regarding the impact of waste incineration on the recycling sector was independent advice provided by Dr Robin Davidov. This is the evidence from overseas. The East Rockingham Waste to Energy plant will use residual waste as feedstock.*

The statement in the Frequently Asked Questions section of our website which we believe you are referring to states as follows:

Question 7: Is the Wood Waste to Energy Plant the same thing as a biomass incinerator?

Response: *The proposed Hazelmere Wood Waste to Energy Plant is not an incinerator. The Plant will use pyrolysis technology, which involves the indirect heating of the residual wood waste. In the absence of oxygen, the process will produce the valuable resources of syngas and biochar. Emissions modelling shows that the Plant will meet ambient air quality standards and health standards for the public.*

The Australian Government has determined that energy from biomass is renewable energy and is therefore carbon neutral. Pyrolysis of biomass to produce a fuel gas is not incineration, as evidenced by the emission standards in the EU Waste Incineration Directive, which states syngas is a fuel not a waste material.

We stand by this statement, pyrolysis technologies are not waste incineration, there is no waste combustion occurring.

In 2013, the EPA sought independent strategic advice on waste to energy technologies and their published report "Environmental and health performance of waste to energy technologies (Report 1468)" details the differences between the different types of waste to energy technologies (refer pages 7 and 8 of Report 1468).

7 APPLICATIONS FOR LEAVE OF ABSENCE

7.1 CR LORNA CLARKE - LEAVE OF ABSENCE

COUNCIL RESOLUTION(S)

MOVED CR HAMILTON

SECONDED CR POWELL

THAT COUNCIL APPROVE APPLICATIONS FOR LEAVE OF ABSENCE FOR CR LORNA CLARKE FROM 18 SEPTEMBER TO 22 SEPTEMBER 2020 INCLUSIVE.

CARRIED UNANIMOUSLY



9 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.1 MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON 23 JULY 2020

That the minutes of the Ordinary Meeting of Council held on 23 July 2020 which have been distributed, be confirmed.

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON SECONDED CR ZANNINO

THAT THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 23 JULY 2020 WHICH HAVE BEEN DISTRIBUTED, BE CONFIRMED.

CARRIED UNANIMOUSLY

11 QUESTIONS BY MEMBERS WITHOUT NOTICE

Cr Johnson suggested that the formatting and writing of the agendas and financial reports need to be reviewed for easier reading and presentation. Feedback to be provided.

Cr Johnson queried what was being done at an organisational level for the provision of recycling services for polystyrene and solar panels. Clarification was also sought on battery collection.

The CEO advised that the EMRC applied for a State Government Waste Sorted grant application for polystyrene infrastructure at EMRC managed sites.

The CEO also advised that due to the low volume of batteries collected in WA there was not enough to create a battery recycling facility.

The CEO took Cr Johnson's question regarding Solar panels on notice.

Cr Johnson also queried how Baywaste was going.

The CEO advised it is receiving great accolades that it is clean and offers great customer service - a win for the EMRC, City of Bayswater and the community. Comparisons of budgeted costs, patronage and tonnage are currently being reviewed.

12 ANNOUNCEMENT OF CONFIDENTIAL MATTERS FOR WHICH MEETINGS MAY BE CLOSED TO THE PUBLIC

NOTE: Section 5.23(2) of the *Local Government Act 1995*, details a number of matters upon which Council may discuss and make decisions without members of the public being present. These matters include: matters affecting employees; personal affairs of any person; contractual matters; legal advice; commercial-in-confidence matters; security matters; among others.

The following report items are covered in Section 19 of this agenda:

12.1 ITEM 14.1 OF THE WASTE ADVISORY COMMITTEE MINUTES

CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)



14 REPORTS OF EMPLOYEES

- 14.1 *LIST OF ACCOUNTS PAID DURING THE MONTH OF JULY 2020*
- 14.2 *FINANCIAL REPORT FOR PERIOD ENDED 30 JUNE 2020*
- 14.3 *FINANCIAL REPORT FOR PERIOD ENDED 31 JULY 2020*
- 14.4 *REVIEW OF COUNCIL POLICY 3.5 – PURCHASING POLICY*
- 14.5 *REVIEW OF COUNCIL POLICY 7.3 – RECORDS MANAGEMENT*
- 14.6 *REQUEST FOR TENDER RFT2020-006 EMRC STRATEGIC REVIEW*
- 14.7 *EMRC'S DRAFT WASTE PLAN*
- 14.8 *ITEMS CONTAINED IN THE INFORMATION BULLETIN*

QUESTIONS

The Chairman invites questions from members on the reports of employees.

Councillors requested that Item 14.6 Request For Tender RFT2020-006 EMRC Strategic Review be withdrawn and dealt with as a confidential item.

RECOMMENDATION(S)

That with the exception of items....., which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Reports of Employees (Section 14).

Cr Clarke entered the meeting at 6:21pm.

Cr Jeans entered the meeting at 6:23pm.

COUNCIL RESOLUTION(S)

MOVED CR JOHNSON SECONDED CR O'CONNOR

THAT WITH THE EXCEPTION OF ITEM 14.6, WHICH IS TO BE WITHDRAWN AND DEALT WITH SEPARATELY, COUNCIL ADOPTS THE RECOMMENDATIONS IN THE REPORTS OF EMPLOYEES (SECTION 14).

CARRIED UNANIMOUSLY



15 REPORTS OF COMMITTEES

**15.1 CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE MEETING HELD 4 AUGUST 2020
(REFER TO MINUTES OF COMMITTEE)**

REFERENCE: D2020/12846 (CEOAC) - D2020/20100

The minutes of the Chief Executive Officers Advisory Committee meeting held on **4 August 2020** accompany and form part of this agenda – (refer to section of ‘Minutes of Committees’ for Council accompanying this Agenda).

QUESTIONS

The Chairman invites general questions from members on the minutes of the Chief Executive Officers Advisory Committee.

RECOMMENDATION(S)

That with the exception of items, which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Chief Executive Officers Advisory Committee reports (Section 15.1).

COUNCIL RESOLUTION(S)

MOVED CR JOHNSON SECONDED CR HAMILTON

THAT COUNCIL ADOPTS THE RECOMMENDATIONS IN THE CHIEF EXECUTIVE OFFICERS ADVISORY COMMITTEE REPORTS (SECTION 15.1).

CARRIED UNANIMOUSLY



**15.2 WASTE ADVISORY COMMITTEE MEETING HELD 3 SEPTEMBER 2020
(REFER TO MINUTES OF COMMITTEE)**

REFERENCE: D2020/13852 (WAC) - D2020/19920

The minutes of the Waste Advisory Committee meeting held on **3 September 2020** accompany and form part of this agenda – (refer to section of ‘Minutes of Committees’ for Council accompanying this Agenda).

QUESTIONS

The Chairman invites general questions from members on the minutes of the Waste Advisory Committee. Any questions relating to the confidential report will be dealt with under section 19.1 of the agenda “Confidential Items.”

RECOMMENDATION(S)

That with the exception of items, which are to be withdrawn and dealt with separately, Council adopts the recommendations in the Waste Advisory Committee reports (Section 15.2).

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON SECONDED CR O’CONNOR

THAT WITH THE EXCEPTION OF ITEM 11.2, WHICH IS TO BE WITHDRAWN AND DEALT WITH SEPARATELY, COUNCIL ADOPTS THE RECOMMENDATIONS IN THE WASTE ADVISORY COMMITTEE REPORTS (SECTION 15.2).

CARRIED UNANIMOUSLY

11.2 EXEMPTION FROM TENDER REGULATIONS FOR A SUPPLIER

REFERENCE: D2020/19068 (WAC) – D2020/20523

RECOMMENDATION(S)

That:

1. Council acknowledges that because of Petro Min Engineers existing involvement and experience, it has good reason to believe there is unlikely to be any other supplier who can provide a similar value for money outcome to complete the electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. In accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

Discussion ensued.

Cr O’Connor raised a question as to why the electrical design work is of a unique nature. He suggested that this item should go to tender for good governance, probity and process.

Mr Fitzpatrick advised that the request for an exemption related to the close involvement of PME in the project up to this point and articulated the concerns regarding the amount of time required to introduce a new electrical engineering consultant at this late stage of the project.

In response to a question, the CEO confirmed that there are no issues with probity.



Item 11.2 continued

With the discussion completed, the Chairman put the Officer Recommendations to the vote.

RECOMMENDATION(S)

MOVED CR CONGERTON SECONDED CR JEANS

That:

1. Council acknowledges that because of Petro Min Engineers existing involvement and experience, it has good reason to believe there is unlikely to be any other supplier who can provide a similar value for money outcome to complete the electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. In accordance with r.11(2)(f) of the *Local Government (Functions and General) Regulations 1996* that tenders not be invited on this occasion.

LOST 5/6

For: Purdy, Congerton, Coten, Jeans, Pearson
Against: Wolff, O'Connor, Jackson, Reid, Campbell, Hamilton

Cr Johnson arrived at this point of the meeting, after the voting has been cast at 5:50pm.

In response to a query, Mr Fitzpatrick advised that the preparation of a tender would take several weeks and would result in a report item to WAC at its meeting on 19 November 2020 and then to the 3 December 2020 Ordinary Meeting of Council.

Mr Purdy suggested in order to accelerate the tender process that the CEO be authorised to award the tenderer within the limits.

The following alternative motion was moved by Cr O'Connor and seconded by Ms Reid.

ALTERNATIVE MOTION

That Council:

1. Proceeds to tender for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. Authorise the CEO to award the tender to the maximum value of \$200,000.

WAC RECOMMENDATION(S)

MOVED CR O'CONNOR SECONDED MS REID

That Council:

1. Proceeds to tender for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project.
2. Authorise the CEO to award the tender to the maximum value of \$200,000.

CARRIED UNANIMOUSLY



Item 11.2 continued

A discussion paper was issued to the Councillors prior to the meeting with a request to amend the WAC recommendation.

Officer Comments

This WAC recommendation as currently tabled before Council poses some difficulties as on a strict interpretation, it would mean the immediate cessation of all remaining electrical engineering works including those provided by Petro Min Engineers or any other providers on the Hazelmere Wood Waste to Energy Project until an electrical engineering consultant is procured via a tender process.

As a tender process could take up to 8 weeks, this will cause time and cost delays to the project.

While EMRC officers do not believe this was the intention of the alternative motion, the motion as it stands would compromise the timeframe and have a material impact on the project.

EMRC officers recommend that consultants Petro Min Engineers be allowed to continue to be used for essential work on the project up to a maximum expenditure of \$250,000 (ex GST) whilst alternatives are sought through a request for quote up to the tender threshold or tender process as appropriate. This will enable work to continue on the project unimpeded by electrical engineering constraints.

It is noted that the second part of the WAC recommendation authorising the CEO to award a tender up to the maximum value of \$200,000 is redundant as the CEO already has this delegation from Council.

Discussion ensued on the following points:

- Purchasing Policy;
- Budget threshold; and
- Scope of works.

Proposed Alternate Recommendation

An alternative motion to meet the intent of the WAC's deliberations was proposed:

That Council:

1. *Notes that the EMRC will continue to use Petro Min Engineers for the remaining electrical engineering requirements for the Hazelmere Wood Waste to Energy Project up to the tender limit if required*
2. *Proceeds to procure alternative electrical engineering services in the event that Petro Min Engineers cannot complete the work required for the Hazelmere Wood Waste to Energy Project.*

COUNCIL RESOLUTION(S)

MOVED CR O'CONNOR

SECONDED CR HAMILTON

THAT COUNCIL:

1. NOTES THAT THE EMRC WILL CONTINUE TO USE PETRO MIN ENGINEERS FOR THE REMAINING ELECTRICAL ENGINEERING REQUIREMENTS FOR THE HAZELMERE WOOD WASTE TO ENERGY PROJECT UP TO THE TENDER LIMIT IF REQUIRED.
2. PROCEEDS TO PROCURE ALTERNATIVE ELECTRICAL ENGINEERING SERVICES IN THE EVENT THAT PETRO MIN ENGINEERS CANNOT COMPLETE THE WORK REQUIRED FOR THE HAZELMERE WOOD WASTE TO ENERGY PROJECT.

CARRIED UNANIMOUSLY



16 REPORTS OF DELEGATES

Cr Johnson as the EMRC's MWAC representative provided an overview of the recent meeting held. Minutes of the meeting were provided by Cr Johnson and will be distributed by EMRC officers to Councillors.

19 CONFIDENTIAL MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

RECOMMENDATION (Closing meeting to the public)

That with the exception of, the meeting be closed to members of the public in accordance with Section 5.23 (2) of the *Local Government Act 1995* for the purpose of dealing with matters of a confidential nature.

COUNCIL RESOLUTION(S)

MOVED CR HAMILTON

SECONDED CR POWELL

THAT WITH THE EXCEPTION OF THE CEO, CHIEF FINANCIAL OFFICER, CHIEF PROJECT OFFICER, CHIEF SUSTAINABILITY OFFICER, CHIEF OPERATING OFFICER, MANAGER PROCUREMENT AND GOVERNANCE, MANAGER FINANCIAL SERVICES, MANAGER INFORMATION SERVICES, DIRECTOR OF WORKS AND INFRASTRUCTURE (CITY OF BAYSWATER), DIRECTOR OF ASSET SERVICES (CITY OF KALAMUNDA), EXECUTIVE ASSISTANT TO THE CEO AND PERSONAL ASSISTANT TO THE CHIEF FINANCIAL OFFICER THE MEETING BE CLOSED TO MEMBERS OF THE PUBLIC IN ACCORDANCE WITH SECTION 5.23 (2) OF THE *LOCAL GOVERNMENT ACT 1995* FOR THE PURPOSE OF DEALING WITH MATTERS OF A CONFIDENTIAL NATURE.

CARRIED UNANIMOUSLY

The doors of the meeting were closed at 6:45pm and members of the public departed the Council Chambers.

The Chief Executive Officer, Chief Financial Officer, Chief Project Officer, Chief Sustainability Officer, Chief Operating Officer, Manager Procurement and Governance, Manager Financial Services, Manager Information Services, Director of Works and Infrastructure (City of Bayswater), Director of Asset Services (City of Kalamunda), Executive Assistant to the CEO and Personal Assistant to the Chief Financial Officer remained in Council Chambers.

14.6 REQUEST FOR TENDER RFT2020-006 EMRC STRATEGIC REVIEW

REFERENCE: D2020/20033

This item was withdrawn to be discussed behind closed doors to enable Councillors to deliberate on that part of the tender and is recommended to be confidential because it contains matters of commercial-in-confidence.

19.1 ITEM 14.1 OF THE WASTE ADVISORY COMMITTEE MINUTES – CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)

REFERENCE: D2020/20103

This item is recommended to be confidential because it contains matters of commercial-in-confidence.

The Council considered the Confidential Item circulated with the Agenda under Separate Cover.



Item 19 continued

RECOMMENDATION [Meeting re-opened to the public]

That the meeting be re-opened, the members of the public be invited to return to the meeting and the recommendations passed behind closed doors be recorded.

COUNCIL RESOLUTION

MOVED CR HAMILTON SECONDED CR JOHNSON

THAT THE MEETING BE RE-OPENED, THE MEMBERS OF THE PUBLIC BE INVITED TO RETURN TO THE MEETING AND THE RECOMMENDATIONS PASSED BEHIND CLOSED DOORS BE RECORDED.

CARRIED UNANIMOUSLY

The doors were reopened at 6:51pm and members of the public returned to the meeting.

14.6 REQUEST FOR TENDER RFT2020-006 EMRC STRATEGIC REVIEW

REFERENCE: D2020/20033

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON SECONDED CR O'CONNOR

THAT:

1. COUNCIL AWARD TENDER RFT2020-006 EMRC STRATEGIC REVIEW TO TENDERER E FOR \$298,535 (EX GST) BASED ON A FIXED PRICE SCHEDULE.
2. THE CEO BE AUTHORISED ON BEHALF OF THE EMRC TO ENTER INTO A CONTRACT WITH TENDERER E IN ACCORDANCE WITH THEIR SUBMITTED TENDER, SUBJECT TO ANY MINOR VARIATIONS THAT MAY BE AGREED BETWEEN THE EMRC AND TENDERER E.
3. COUNCIL AUTHORISE A 10% CONTINGENCY BASED ON THE TENDERED PRICE SCHEDULE FOR ANY CONTRACT VARIATIONS THAT MAY ARISE IN RELATION TO TENDER RFT2020-006.
4. THE IDENTITY OF THE SUCCESSFUL TENDERER AND THE AWARDED AMOUNT BE REDACTED FOR LEGAL REASONS AND REMAIN CONFIDENTIAL UNTIL SUCH TIME THAT THE RESULTANT CONTRACT HAS BEEN FORMED.

CARRIED UNANIMOUSLY



Item 19 continued

19.2 ITEM 14.1 OF THE WASTE ADVISORY COMMITTEE MINUTES – CLASS IV WASTE CELL (PRELIMINARY DESIGN & APPROVALS)

REFERENCE: D2020/20103

COUNCIL RESOLUTION(S)

MOVED CR CONGERTON SECONDED CR HAMILTON

THAT:

1. COUNCIL AUTHORISES THE COMMENCEMENT OF THE DESIGN AND APPROVAL PROCESS FOR CLASS IV STAGE 3 CELL DEVELOPMENT.
2. COUNCIL BY ABSOLUTE MAJORITY IN ACCORDANCE WITH S.6.8 OF THE *LOCAL GOVERNMENT ACT 1995* APPROVES THE UNBUDGETED EXPENDITURE UP TO THE AMOUNT DETAILED IN THE REPORT TO PROCEED WITH THE DESIGN AND REGULATORY APPROVALS FOR THE DEVELOPMENT OF A NEW CLASS IV CELL AT THE RED HILL WASTE MANAGEMENT FACILITY.
3. THE REPORT AND ATTACHMENT(S) REMAIN CONFIDENTIAL AND BE CERTIFIED BY THE CHAIRMAN AND CEO.

CARRIED UNANIMOUSLY

20 FUTURE MEETINGS OF COUNCIL

The next meeting of Council will be held on ***Thursday 22 October (If required)*** at the EMRC Administration Office, 1st Floor, 226 Great Eastern Highway, Belmont WA 6104 commencing at 6:00pm.

Future Meetings 2020

Thursday	22 October (if required)	at	EMRC Administration Office
Thursday	3 December	at	EMRC Administration Office
January 2021 (recess)			

21 DECLARATION OF CLOSURE OF MEETING

There being no further business, the meeting was closed at 6:52 pm.

TOWN OF BASSENDEAN DELEGATES REPORT

The following report is based on the 17 SEPTEMBER 2020 MEETING OF THE EMRC COUNCIL.

1. Council Minutes

1a. Request For Tender RFT2020-006 EMRC Strategic Review (Item 14.6)

Overview

- Council at its 5 December 2019 ordinary meeting endorsed the tender document for the EMRC Strategic Review. It is proposed that the EMRC hire an external consultant through an RFT process to jointly explore strategic options, timing and scenario modelling for both Waste and Regional Services.
- Tender RFT2019-005 was advertised in December 2019 and submissions closed on 31 January 2020. However, following the evaluation of all tenders a decision was made to not accept any tender and to issue a re-tender for the EMRC Strategic Review.
- The request for re-tender (RFT2020-006) was advertised on 1 July 2020 and the submissions closing date was 23 July 2020.
- A total of seven (7) conforming submissions were received and the evaluation process has been concluded and the preferred tenderer has been selected subject to Council approval.

Resolution(s)

That:

1. Council award Tender RFT2020-006 EMRC Strategic Review to Tenderer E for \$298,535 (ex GST) based on a fixed price schedule.
2. The CEO be authorised on behalf of the EMRC to enter into a contract with Tenderer E in accordance with their submitted tender, subject to any minor variations that may be agreed between the EMRC and Tenderer E.
3. Council authorise a 20% contingency based on the tendered price schedule for any contract variations that may arise in relation to Tender RFT2020-006.
4. The identity of the successful tenderer and the awarded amount be redacted for legal reasons and remain confidential until such time that the resultant contract has been formed.

Implication(s) for Town of Bassendean

- The outcome of the EMRC Strategic Review may impact on the future services that the EMRC provides to its member Councils.

2. Chief Executive Officers Advisory Committee Minutes 4 August 2020

2a. Attracting Business Investment In Perth's Eastern Region (Item 11.1)

Overview

- Business Investment and Attraction was identified and included in the approved Regional Services Project Funding Summary 2019/2020.
- The EMRC, in consultation with member Councils and the consultant developed the draft *Investing in Perth's Eastern Region* for Perth's Eastern Region.
- The Economic Development Officer Group (EDOG) has been consulted and had input into the draft Prospectus content.
- The draft Prospectus includes the following key sections:
 - The Regions Global Position and Industry Overview in the Region
 - The Regions Competitive Advantage in prominent industries
 - Overview of Major Projects in the Region
 - Industry Opportunities in the Region
- The Prospectus will be utilised by the EMRC to advocate and provide support to member Councils and key stakeholders in the region by providing investment opportunities and attracting key business investment.

Resolution(s)

- That Council endorses the revised draft prospectus *Investing in Perth's Eastern Region*.

Implication(s) for Town of Bassendean

- Prospectus can also be utilised by member Council's when advocating and marketing for business investment, where appropriate.

Upcoming EMRC PROJECTS, ACTIVITIES AND INITIATIVES that have a bearing on the Town of Bassendean are as follows:

1. EMRC Waste Plan

Overview

At its recent meeting Council endorsed the EMRC's draft Waste Plan and for the draft Plan to be submitted DWER for comment.

Regional councils are required to prepare waste plans that provide the opportunity to map their current waste management performance in relation to the new Waste Strategy targets and to identify and implement the strategies needed to achieve these targets.

The Plan comprises two main parts:

- In Part 1 the EMRC identified how it is performing in relation to the objectives of the Waste Strategy; to identify the major waste management challenges; to identify strategic waste and resource recovery infrastructure needs; to provide a baseline to compare progress when annually reviewing and updating the waste plan; and to establish an evidence base to inform decision-making and target setting when developing the implementation plan.
- Part 2 of the EMRC's Implementation plan includes existing waste policies and programs, and new actions which the EMRC has determined best suit the circumstances and needs and those which contribute to the achievement of Waste Strategy targets and objectives. The actions contained in the Implementation Plan are SMART: specific, measurable, attainable, realistic and time-bound, and are largely derived from the Key Actions outlined in the Corporate Business Plan 2020/2021 to 2024/2025.

The EMRC facilitated the generation of the Waste Plan using contributions from all relevant departments and stakeholders to ensure the Plan fits within the regional & local governments Integrated Planning and Reporting framework.

EMRC Contact

- Chief Sustainability Officer

ATTACHMENT NO. 3

Table 1. Proposed timeline of works at 1 River Street Bassendean

Task No	Task	Predicted time for completion	Notes
1	<i>Undertake re-roofing works to the main roof (1896 Building).</i>	6 months	Owners to liaise with contractors to finalise quotes as per approval given. Most of finance in place.
2	<i>Replace fascia and guttering to all four elevations of main roof (1896 Building).</i>	6 months	To be completed at same time as Task 1 by the same contractors.
3	<i>Undertake repairs to Dining Room west wall (externally and internally) to address issues of damp.</i>	6 months	Contractors not yet approached – estimate only.
4	<i>Undertake urgent repairs to four timber double hung windows to the Dining Room west wall where water damage is evident. New ropes and pulleys to all double hung windows. New glass where required. Prepare to paint and paint all windows. Replace hardware to match original where required.</i>	N/A	Large and expensive task, tedious repair work.
5	<i>Ensure sufficient storm water drainage away from buildings.</i>	N/A	6 soak-wells have been installed previously.
6	<i>Undertake investigation and reconstruction works to the verandah by Structural Engineer and Heritage Architect.</i>	N/A	Engineering assessment completed previously ^a , Heritage architect's assessment will wait until grants are available.
7	<i>Undertake any essential structural stabilising works to the verandah, as instructed by engineer report.</i>	N/A	Engineer's report primarily recommends improving rainwater drainage, replacement of first floor perimeter beam and replacement of stair stringers.
8	<i>Remove intrusive air vent pipes to verandah as part of reconstruction.</i>	N/A	First requires removal or bypass of grease trap. In absence of grease trap a vent pipe will still be required, though of smaller thickness. Need to find solution with HC.
9	<i>All timber in the entire place should be thoroughly investigated and fully treated for termite control. Ongoing termite control system put in place.</i>	N/A	Updated termite inspection will be performed. Termidor has been installed throughout property and around perimeter.
10	<i>Undertake any works deemed necessary in response to recommendations arising from the thorough termite investigation.</i>	N/A	Issues will be rectified when identified.

^a A structural assessment was performed in 2011 by Structural Engineering consultancy McDowall Affleck in 2011.

List of works come from the Conservation Management Strategy for Success Hill Lodge: 1 River Street Bassendean, page 27, Section 7.1.1. All predicted times for completion will depend on finance and available contractors after completion of roof works.

ATTACHMENT NO. 4

Policy Number: Local Planning Policy No xx
Policy Title: Home Based Businesses

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. xx – Home Based Businesses.

2. Policy Statement

The Town recognises the economic and social benefits associated with home based businesses, and also acknowledges that working from home is an expanding area of employment.

The facilitation of home based businesses needs to be balanced against the need to protect the amenity and character of residential areas, and any impacts associated with home based businesses such as the scale of the operation, noise, odour, emissions, traffic generation and car parking requirements.

3. Policy Objectives

- (a) To provide guidance for the assessment of applications for home based businesses.
- (b) To ensure that home based businesses will not compromise the character and amenity of the surrounding residential area or nearby residents.
- (c) To provide for economic growth and employment opportunities by facilitating the development of home based businesses.

4. Application

This policy applies to applications for home based businesses including Family Day Cares, Home Businesses and Home Occupations.

This Policy does not apply to applications for a Home Office, which are exempt from requiring Development Approval under Local Planning Scheme No. 10.

5. Definitions

Family Day Care: *means premises where a family day care service as defined in the Education and Care Services National Law (Western Australia) is provided.*

Home Business: *means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:*

- (a) *does not employ more than 2 people not members of the occupier's household;*
- (b) *will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) *does not occupy an area greater than 50 square metres;*
- (d) *does not involve the retail sale, display or hire of goods of any nature;*
- (e) *in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*
- (f) *does not involve the use of an essential service of greater capacity than normally required in the zone.*

Home Occupation:

means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) *does not employ any person not a member of the occupier's household;*
- (b) *will not cause injury to or adversely affect the amenity of the neighbourhood;*
- (c) *does not occupy an area greater than 20 square metres;*
- (d) *does not display a sign exceeding 0.2 square metres;*
- (e) *does not involve the retail sale, display or hire of goods of any nature;*
- (f) *in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and*
- (g) *does not involve the use of an essential service of greater capacity than normally required in the zone.*

Home Office:

means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not:

- (a) *entail clients or customers travelling to and from the dwelling;*
- (b) *involve any advertising signs on the premises; or*
- (c) *require any external change to the appearance of the dwelling.*

6. Policy Requirements

6.1 Information Requirements

An application for development approval for any Home Based Business is to include the following:

- (a) A written submission detailing:
 - (i) The nature of the home based business;
 - (ii) Confirmation that the home based business will be conducted by an occupier of the dwelling, and the number of persons to be employed and their relationship to the applicant;
 - (iii) Hours and days of operation;
 - (iv) The number of customers/clients and the frequency of visits, or for Family Day Cares, the number of children; and
 - (iv) Details of any signage proposed.
- (b) Scaled plans detailing:
 - (i) The area which the home based business will be occupied;
 - (ii) The location of proposed car parking and access; and
 - (iii) The location of any storage area associated with the home based business.
- (c) Payment of fees in accordance with Council's adopted Schedule of Fees and Charges.

6.2 Consultation

- (a) Applications for a Family Day Care and Home Occupations that comply with the requirements of this Policy will not require advertising. Applications that seek a variation to the policy will require community consultation.
- (b) Applications for Home Businesses (compliant or not) will require community consultation in accordance with clause 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

6.3 General

- 6.3.1 All home based businesses must comply with the *Environmental Protection (Noise) Regulations 1997* and Food Safety Standards (if applicable) at all times.
- 6.3.2 Applications for home based businesses on strata lot sites that involve visitations will only be supported where consent from the strata body or all landowners within the strata complex has been received.
- 6.3.3 Advertising signs shall not exceed 0.2m² in area.

6.4 Family Day Care

- (a) A Family Day Care must operate within the requirements of the *Child Care Services Act 2007*.
- (b) A Family Day Care shall only operate between 6am and 7pm, Monday to Friday and between 7am and 6pm on Saturdays unless it can be demonstrated that the use will not impact on the amenity of surrounding properties.
- (c) The maximum number of children accommodated by a Family Day Care operation (including the applicant's children) shall be determined as follows:

Lot Size	Maximum Number of Children
0-350m ²	Proposal not supported
351m ² -500m ²	4
551m ² -649m ²	6
650m ² +	7

- (d) With the exception of member(s) of the occupier's household, employees are not permitted.

6.5 Home Businesses and Home Occupations

6.5.1 Operation

- (a) In determining the appropriateness of a Home Business or Home Occupation, the nature and scale of the business, noise, odour, emissions, traffic generation, car parking requirements and hours of operation will be taken into consideration.
- (b) A Home Business or Home Occupation shall only be permitted to operate between the hours of:
 - (i) 8:00am and 5:00pm Mondays to Saturdays; and
 - (ii) Not at all on Sundays and Public Holidays.
- (c) The retail display, direct in –person sale or hire of goods is not permitted on-site. Retail sales are permitted so long as the goods are ordered by customers via telephone or internet and are dispatched by post.

6.5.2 Customers and Clients

- (a) The number of customers/clients permitted to attend the premises shall be determined having regard to the amenity of the surrounding locality.
- (b) All customer/client visits must be made with 15 minute appointment intervals, unless there is adequate car parking.

6.5.3 Traffic and Car Parking

- (a) In addition to the car parking bays required for the dwelling, a minimum of two car parking bays shall be provided that adequately cater for the expected number of customers/clients and/or employees attending the site at any one time. Car parking in the driveway is not to obstruct footpaths.
- (b) The use of on-street car parking may be considered for the use of customers/clients and/or employees where the safety and functionality of the road network is not compromised.

6.6 Approval Period

- (a) The Town may withdraw approval of a home based business upon the receipt of substantiated complaints from neighbours.
- (b) The Town may grant approval for an initial period of twelve months, where it has concerns regarding the potential operation of the use on the amenity of the locality.

In such cases, the applicant will be required to seek a renewal of approval to continue to operate the home based business after the initial 12 month period.

6.7 Garage Sales

Garage sales generally will not require Development Approval, however, in the event that a property accommodates more than one garage sale in any 30 day period, it shall be considered a Home Store and require Development Approval under Local Planning Scheme No.10.

Document Control

Directorate	Community Planning
Business Unit	Development and Place
Inception Date	[Insert OCM RESOLUTION NO & DATE]
Version	
Next Review Date	[Insert date – maximum 2 years generally is considered good practice]

ATTACHMENT NO. 5

Policy Number: Local Planning Policy No. 6
Policy Title: Industrial Development

1. Citation

This is a Local Planning Policy prepared under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy No. 6 – Industrial Development.

2. Policy Statement

The Town recognises the importance of its industrial areas in contributing towards employment self-sufficiency. The purpose of this Policy is to provide clear and comprehensive design criteria for development within the Town's industrial zones.

3. Policy Objectives

- (a) To ensure a high standard of industrial development, in terms of appearance, landscaping, **environmental sustainability** and provision of parking and access.
- (b) To encourage attractive developments that are well designed, with functional and efficient buildings and site layouts.
- (c) To achieve a degree of consistency and compatibility in the built form and landscaping.
- (d) To ensure that industrial areas are developed in a manner which has due regard to potential industries and their infrastructure needs, and that adjacent urban areas are not subjected to pollution and hazards.

4. Application

This Policy applies to all land zoned 'Light Industry' or 'General Industry' under Local Planning Scheme No. 10.

5. Definitions

Industrial Unit: *means a building or group of buildings on Industrial zoned land that may have separate tenancies and/or uses in operation.*

Primary Street: *means, unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) of the building.*

Secondary Street: *means, in the case of a site that has access from more than one public road, a road that is not the primary street but which intersects with or adjoins that road.*

6. Policy Requirements

6.1 Built Form

- (a) The facades of all buildings facing public streets shall be articulated and use a variety of materials to avoid a rigid, uniform outcome.
- (b) The ground floor level facades of all buildings facing public streets shall be constructed of brick, glass, stone, masonry or concrete in respect of the ground floor level.
- (c) The use of zincalume sheeting for construction of industrial buildings is only permitted where such buildings or parts of buildings are not visible from any public street.
- (d) The main entrance is to be on the front elevation or close to the front of the building, clearly visible from the street.

6.2 Building Setbacks

Buildings are to be setback a minimum of:

- (a) 13 metres from the primary street;
- (b) 6 metres from the secondary street;
- (c) Side and rear setbacks are to be determined having regard to vehicle access, manoeuvring, loading and unloading arrangements and the requirements of the Building Code of Australia.

6.3 Access and Car Parking

- (a) On-site car parking is to be in accordance with the requirements of Local Planning Scheme No. 10 and any relevant Local Planning Policy.
- (b) Where access is required to the rear or any other part of the building, the access way shall be paved and have a minimum width of 4.5 metres, unless otherwise approved by the Town.
- (c) Access ways shall be constructed so that all vehicles can enter and exit the street in forward gear without reversing any part of the vehicle onto a street.
- (d) Manoeuvring areas shall be exclusive of car parking bays and the interior of the building.
- (e) The development is to incorporate clear pedestrian paths that are separate to areas for vehicle access and car parking.

6.4 Fencing

- (a) Any security fence on a front lot boundary (including to a secondary street) shall be open-style palisade fencing.
- (b) Solid fencing is to be setback as if it were a building.

6.5 Landscaping

Provision shall be made for a minimum area of landscaping as follows:

- (a) A minimum width of 3 metres abutting the primary street and 2 metres abutting the secondary street;
- (b) Landscaped areas and the street verge are to be landscaped, irrigated and maintained to the satisfaction of the Town, including the provision of appropriate shade trees; and
- (c) Shade trees in car parking areas shall be provided at a ratio of 1 per 4 car parking bays.

6.6 Industrial Units

- (a) The floor area of any industrial unit shall not be less than 100m² and the minimum dimensions between the internal wall surfaces is not less than 6 metres; and
- (b) Each unit is provided with a visually screened service yard of an area not less than 16m² and a minimum dimension of not less than 2 metres. The service yard is to be located to allow for vehicles to have direct access via a paved internal service road, adjoining and having connecting access to each unit.

6.7 Storage

- (a) The area between the street alignment and the prescribed building setback line shall not be used for storage.
- (b) Irrespective of whether a storage area is required for a development, no land shall be used for open storage purposes unless it is screened from view of any public street by a fence or wall built to the specifications and satisfaction of the Town.

6.8 Servicing

- (a) Where areas for the storage of refuse are required, this area shall be:
 - (i) Screened from view from any public street;
 - (ii) Enclosed by a wall of masonry or other approved building material being of not less than 1.8 metres in height; and
 - (iii) Accessible to service vehicles.
- (b) Should any portion of the development be used for vehicle or equipment servicing, an approved bunded wash down area with a petrol and oil trap shall be provided in accordance with the requirements of the Water Corporation.

6.9 Signage

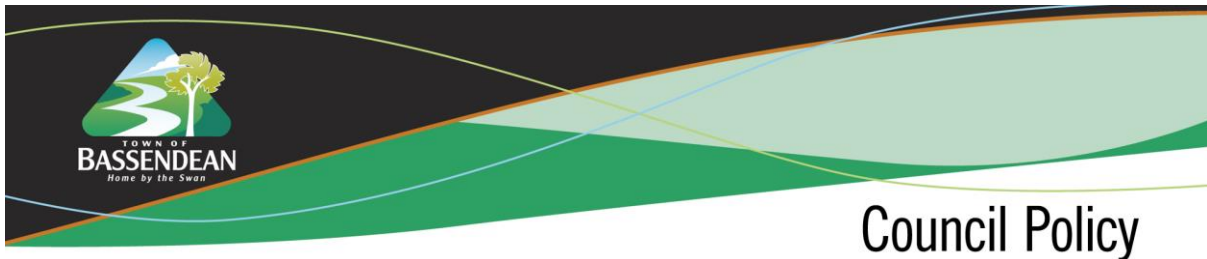
- (a) Signs attached to the buildings shall be designed to be an integrated part of the building, e.g. recessed into the facade, fascia or awning.
- (b) Signage on fencing is not permitted.

6.10 Environmentally Sustainable Design

- (a) The incorporation of environmentally sustainable design elements into industrial development proposals **is strongly encouraged and** will be positively considered when assessing any application that seeks to vary any aspect of this Local Planning Policy.
- (b) **Proposals for solar panels are exempt from requiring development approval on all land zoned 'Light Industry' or 'General Industry' under Local Planning Scheme No. 10.**

Document Control

Directorate	Community Planning
Business Unit	Development and Place
Inception Date	[Insert OCM RESOLUTION NO & DATE]
Version	
Next Review Date	2023



LOCAL PLANNING SCHEME NO. 10

LOCAL PLANNING POLICY NO. 6 - INDUSTRIAL ZONES DEVELOPMENT DESIGN GUIDELINES

OBJECTIVE

To ensure a high standard of industrial development, in terms of appearance, landscaping, provision of parking and access.

APPLICATION

This policy applies to all the land zoned 'Light Industrial' and 'General Industrial' under Local Planning Scheme No. 10.

POLICY

All development within the 'Light Industrial' and 'General Industrial' zones shall comply with the following requirements:

Building Setbacks

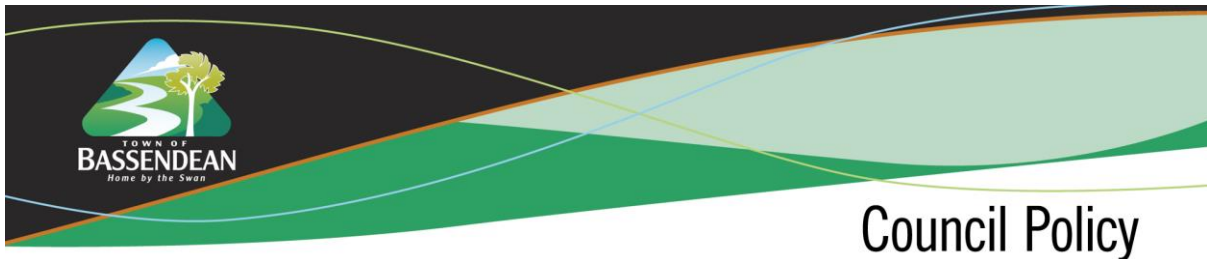
The minimum setback requirements for all buildings within these zones shall be in accordance with those prescribed as follows:

Front	13-00m
Rear	Nil
Side	4.50m one side
Secondary Street	6.00m

Plot Ratio Limit and Definition

The maximum plot ratio for a site is 0.75.

Plot ratio is defined as the ratio of the gross total of the areas of all the floor to the land within the site boundaries. In calculating the gross total of the areas of all floors the areas shall be measured over any walls provided that lift shafts, stairs, toilets and amenities, external wall thicknesses, plant rooms and the gross floor area of any floor space used for the parking of wheeled vehicles, including access to and from that space within the building, shall not be included.



Site Cover

The maximum site coverage permitted to any development excluding loading bay awnings is 50%.

Vehicle parking

Car parking spaces shall be provided, constructed and maintained in accordance with the provisions of Part 5 of the Scheme, Local Planning Policy No. 8 (Parking Specifications) and the approved plan relating thereto.

Landscaping

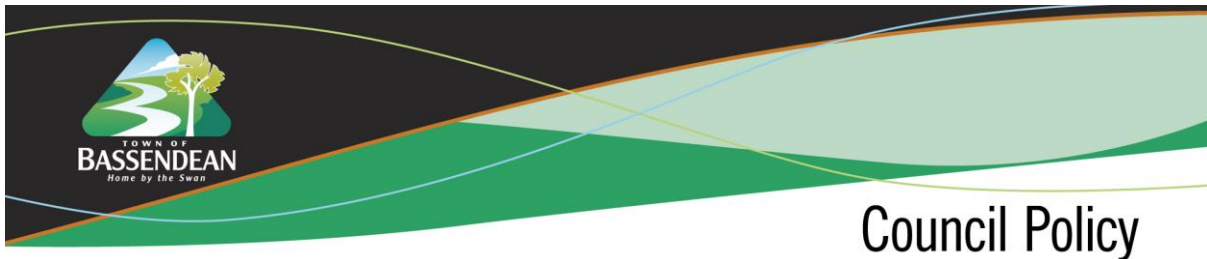
All development within these zones shall be landscaped in accordance with the following requirements

- a) the minimum width of front boundary landscaping shall be 2 metres, except in the case of a corner lot, in which case the minimum shall be 1.0 metres on the secondary street as nominated by Council;
- b) the minimum width of side boundary landscaping (excluding side street boundaries) shall be 1 metre, to be provided from the front boundary to the setback line;
- c) landscaping is to be provided in accordance with Council's landscaping policy as amended from time to time, and shall be maintained by the owner of the lot thereafter.
- d) Shade trees in car parking areas shall be provided at a ratio of one tree per four car parking bays with all tree planting to comply with the Town's specifications.

Security Fencing

Where a security fence is proposed on a street lot boundary, it shall be of an open style either mesh fencing or palisade style fencing and setback 2-metres behind the street alignment.

Solid screen fences on industrial sites are only acceptable where located at or behind the 13-metre building line to the front setback area. In the case of corner lots solid screen fencing must be setback 6-metres from the secondary street.



Service Access

Provision shall be made for service access in the following manner:

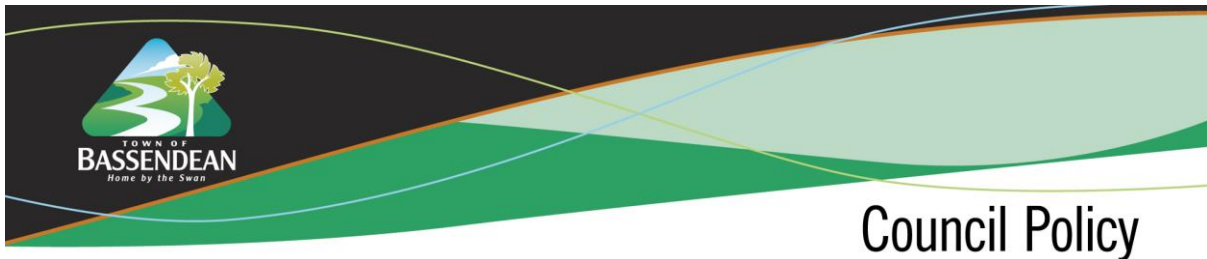
- a) a paved accessway shall be provided for vehicles from the street to the rear of and to any other part of the building where provision is made in the external walls of the building for the entry of or the loading or unloading of vehicles;
- b) the access way shall be so constructed that all vehicles using it can enter from and return to a street in forward gear without reversing any part of the vehicle onto a street; and
- c) except as hereinafter mentioned, the access way shall not be less than 4.5 metres in width, unless the size of the lot makes the provision of such an access way impracticable or unreasonable the Council may permit an access way of a narrower width but in no case less than 3.0 metres in width.
- d) the provision of on-site delivery manoeuvring areas where large single axle commercial vehicles can enter and leave the site in forward gear. The manoeuvring area shall be exclusive of car parking bays and the interior of the building.

Storage and Refuse areas

The Council may require the provision of one or more areas for the storage of refuse in a development. This area shall be:

- a) screened from view from any public street, and enclosed by a wall of masonry or other approved building material, and being of not less than 1.8 metres in height; and
- b) accessible to service vehicles.

Irrespective of whether a storage area is required for a development, no land shall be used for open storage purposes unless it is screened from view of any public street by a fence or wall built to the specifications and satisfaction of the Council.



Building Materials

The facades of all buildings facing public streets shall be constructed of brick, glass, stone, masonry or concrete in respect of the ground floor level. The second floor level, or its equivalent, may be constructed of other material in accordance with the Building Code of Australia.

The use of Zinalume sheeting for construction of Industrial buildings is prohibited, unless such buildings or parts of buildings are not visible from any public street, or Council approval is granted to vary this requirement.

Floor Area

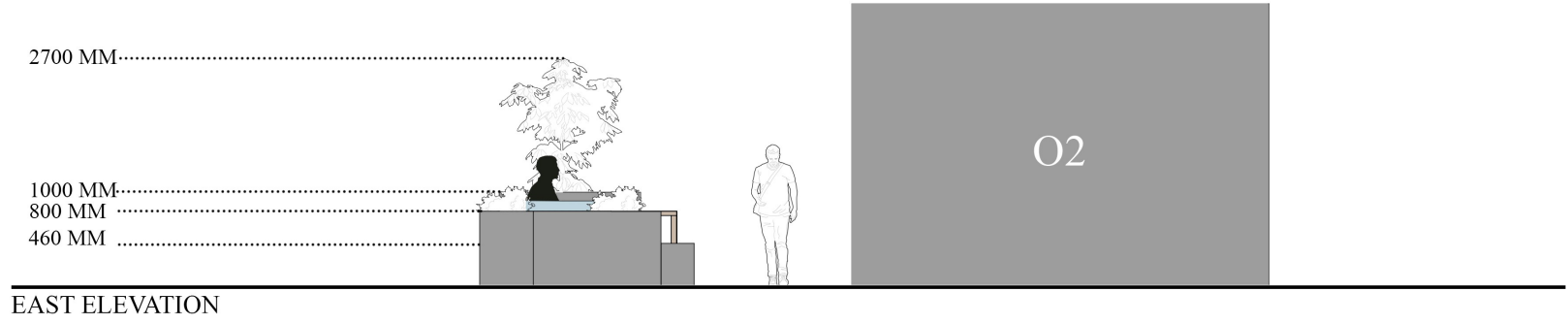
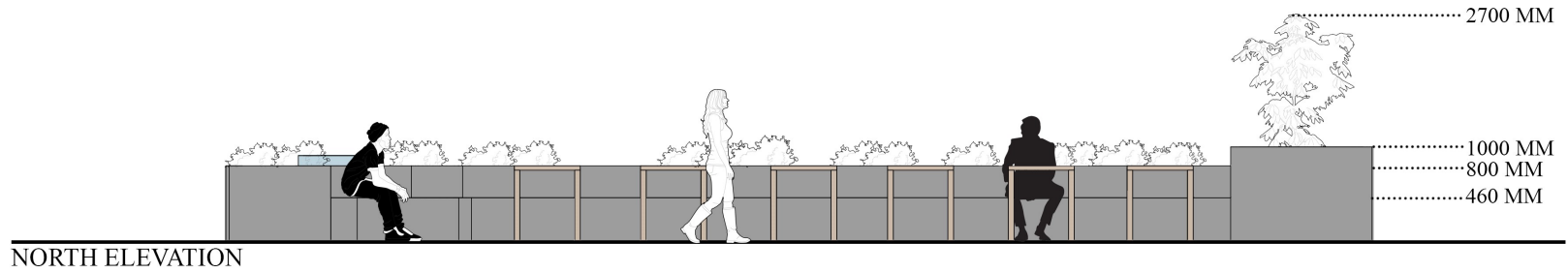
A factory or factory unit shall have a floor area of not less than 100m² and each the length and width shall not be less than 6 metres clear between the internal wall surfaces.

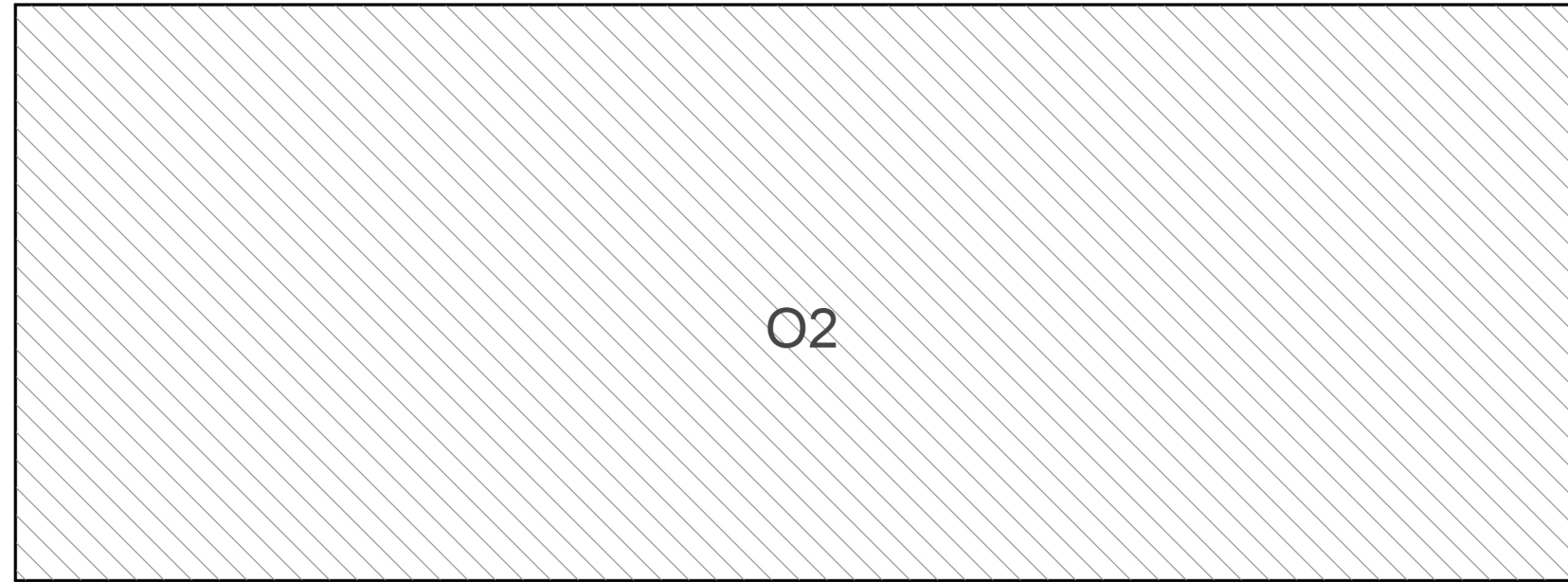
Factory Units

Multiple factory units on one lot shall not be permitted unless the following requirements are complied with:

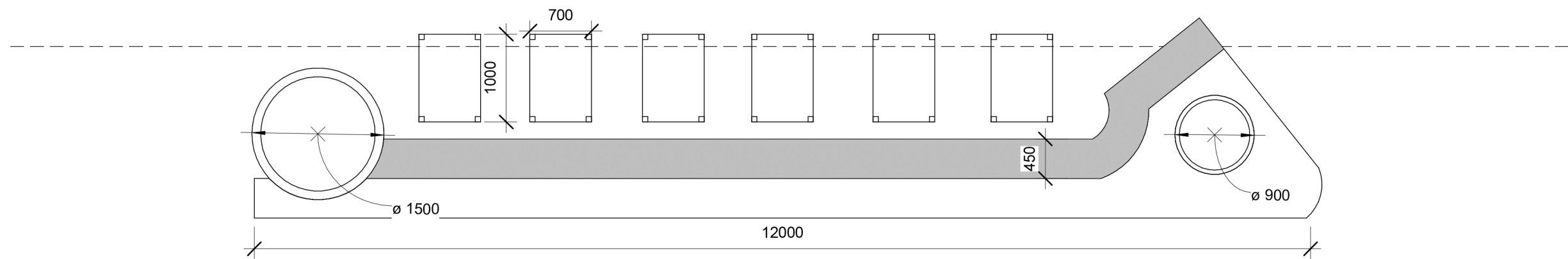
- a) each factory unit shall have a visually screened service yard of not less than 16m² with a minimum depth of 2m adjoining and having connecting access to each unit; and
- b) the internal partition walls between factory units shall be constructed of brick, stone or concrete or other material approved by Council.

ATTACHMENT NO. 6





FOOTPATH



ATTACHMENT NO. 7



DRAFT

CORPORATE BUSINESS PLAN 2020 – 2024

23 October 2020

Acknowledgement of Country
*Ngalak kaadtij nidja boodja
Baal Whadjuk Noongar
boodja Ngalak nyininy*

We-together know this land. It Whadjuk Noongar land. We together sitting.

In the language of the first people of this land we say that we know that we are gathered together here on the land of the Whadjuk Noongar people. Always was, always will be.

Message from the Chief Executive Officer

I am pleased to provide you with the Town's Corporate Business Plan which outlines how the organisation will deliver on the community's aspirations identified within our new Strategic Community Plan.

The Corporate Business Plan (CBP) translates those aspirations into a four year work program, which we will review each year. Importantly, the CBP considers the resources and capacity of the organisation to deliver the priority projects and day-to-day services that are important to our community whilst considering our financial sustainability.

We have evolved and adapted our day-to-day services more recently, in response to COVID-19 which remains foremost in our minds in terms of support for our community and our local economy.

The CBP is not a rigid document. It will be reviewed and updated annually to respond to changes in our broader environment and Council priorities.

For transparency purposes and to share our successes (plus any issues along the way) we will monitor and report back to our community and Council every quarter, our progress against the priority areas within the CBP.

The Town is very fortunate to have an enlightened and engaged community. The aspirations of our community are embedded in the CBP. The Town is looking forward to continuing to work with our community to deliver over the next four years and beyond.

Thank you for the opportunity to:








- be part of this community which has been a big part of my life
- work with the engaged and dedicated Councillors that represent the interests of our community; and
- lead the committed and professional team of people that deliver the services and amenity we all enjoy.

Insert signature




PETA MABBS

Chief Executive Officer

The Council of the Town of Bassendean

<p>Cr Renee McLennan Mayor</p>		<p>Cr Katherine Hamilton Deputy Mayor</p>	
<p>Cr John Gangell</p>		<p>Cr Sarah Quinton</p>	
<p>Cr Jai Wilson</p>		<p>Cr Chris Barty</p>	
<p>Cr Hillary MacWilliam</p>			

Executive Team

<p>Chief Executive Officer</p> 	<p>Areas of Responsibility:</p> <ul style="list-style-type: none"> • Manage day-to-day operations of the local government • Liaison with the Mayor on local government affairs and function • Implement council decisions • Council support • Corporate communications • Human resources and organisational development • Strategy, governance and reporting
<p>Director Services Corporate</p> 	<p>Areas of Responsibility:</p> <ul style="list-style-type: none"> • Finance, rates and procurement • Customer service • Information management and IT • Children's services • Seniors services
<p>Director Planning Community</p> 	<p>Areas of Responsibility:</p> <ul style="list-style-type: none"> • Strategic town planning • Development control • Rangers and environmental health • Community engagement, development and recreation • Volunteering • Library Services • Youth Services
<p>Executive Infrastructure Manager</p> 	<p>Areas of Responsibility:</p> <ul style="list-style-type: none"> • Roads, cycling and transport • Parks and gardens • Civil construction projects • Facilities maintenance • Asset management • Fleet

Executive Sustainability Environment Manager and



Areas of Responsibility:

- Waste management and recycling
- Sustainability
- Environment

About the Town of Bassendean

The Town of Bassendean is a small local government area that sits on the Swan River, approximately 8km north-east of the Perth CBD.

The community is vibrant and diverse, drawing upon a dynamic cultural background.

Key Facts	
Area	10.40km ²
Population	15,092
Number of dwellings	6,200
Town employees (FTE)	130
Number of Elected Members	7
Suburbs	Ashfield, Bassendean, Eden Hill
Length of sealed roads	98km
Libraries	Bassendean Memorial Library

Key statistics about our Town can be found at:
www.bassendean.wa.gov.au.

Our vision for the future

Over the next 10 years, our Town and community will be:

A welcoming and inclusive community whose members know and support each other.



A community and local government that take environmentally sustainable actions for our Town, State, country and planet.



An accessible place with a rich natural environment, thriving town centre and precincts, and connection to history.



Supported by a proactive local government that makes brave decisions and enables positive change.



Resilient, adaptable to change and moving towards self-sufficiency.



**ONE PLANET
LIVING PRINCIPLES**

HEALTH AND HAPPINESS
EQUITY AND LOCAL ECONOMY
CULTURE AND HERITAGE
LAND USE AND WILDLIFE
SUSTAINABLE WATER
LOCAL AND SUSTAINABLE FOOD
SUSTAINABLE MATERIALS
SUSTAINABLE TRANSPORT
ZERO WASTE
ZERO CARBON

Integrated Planning and Reporting Framework

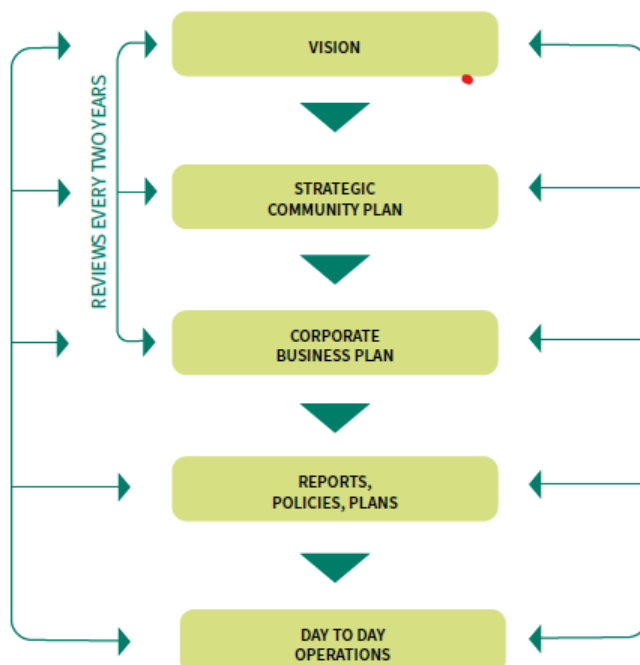
In 2019, the Town undertook its most comprehensive community engagement project – *BassenDream Our Future* – which saw thousands of community members share their views on the future direction of Ashfield, Bassendean and Eden Hill. In light of this feedback, in 2020, a new Strategic Community Plan was developed to reflect community aspirations and outline where our Town is headed over the coming decade.

Strategic Community Plan

The Strategic Community Plan is the primary document that guides local governments to ensure that its actions and decisions reflect the community that it represents.

Every local government in Western Australia is required to have a Strategic Community Plan. It is the overarching document that informs all other plans, strategies and policies and is subject to a major review every 4 years and a minor review every 2 years.

The Town's Strategic Community Plan is designed to guide everything we do including the Corporate Business Plan (this document). A key element embedded throughout the Strategic Community Plan are the One Planet Living Principles which Council adopted in 2019 to demonstrate our commitment to sustainability.



Corporate Business Plan

The CBP represents the Town's four year delivery plan, which gives effect to its first four years of the 10 year Strategic Community Plan. It outlines the projects/actions and day-to-day services that the Town will deliver.

The key projects contained within the CBP are those agreed upon by Council which have been resourced through the budgetary process as achievable in the forthcoming years covered by this Plan.

The CBP informs the annual budget for the Town. The annual budget is based on the projected financial costings of the related years of the CBP, with the opportunity to review this during the budget review process which occurs once or twice throughout the year.

Reporting is a significant component of the CBP as it is important for the Town to be able to measure, monitor and report on progress of the projects and actions contained in the CBP. The Town will deliver quarterly reports of progress against the CBP, in addition to its Annual Report.

The CBP is not an exhaustive document. There are a range of obligations the Town undertakes that are governed by legislative and compliance obligations, which form part of business-as-usual for the organisation.

The CBP is required to be reviewed annually to ensure that it is relevant and aligns with the aspirations of the community and priorities of Council.

Major Projects

It is anticipated that the following projects will be delivered during the timeframes of the Corporate Business Plan. The delivery of these projects may be influenced by the Town's contributing partners, competition for resources, community engagement and approvals.

The key projects are real actions to measure the Town's performance, include:

- Strategic Advocacy
- Town Centre Masterplan
- New Local Planning Framework
- Underground Power
- Waste Management Strategy
- Emissions Reduction Strategy (for organisation and community)
- FOGO Implementation
- Sandy Beach Playground and Ablutions
- Jubilee Reserve Master Plan
- Living Streams – Second to Fourth Avenue
- Mary Crescent Wetlands Upgrade
- Tree Planting Program
- Whitfield Safe Active Street
- Information and Communications (ICT) Strategy
- Success Hill Spillway
- Assessment of our river and foreshore condition (including Point Reserve)
- Foreshore plan for Point Reserve
- Ashfield Flats Look-out
- Public Health Plan (including mental health)

Strategic Risks and Challenges

The projects and services that flow from the Strategic Community Plan and the Corporate Business Plan will be subject to risk assessment and management. This allows the Town to identify the circumstances that may impact on the Town's ability to achieve its agreed outcomes and ensure that risks are minimised. The Town has commenced the development of a new Strategic Risk Framework.

Measures

The measures used to assess the success of each priority area within the Corporate Business Plan have been included.

To improve the way the Town of Bassendean delivers its services to the community, performance needs to be monitored on a continual basis.

Reporting

Reporting on the progress of the Town's performance to Council and the Community is achieved through–

Council and Community

- Annual Report
- Quarterly Performance Report
- Monthly Financial Report
- Compliance and Performance Audits
- Thrive Newsletter to all households and businesses

Council

- Chief Executive Officer Performance Agreement and Review
- Weekly CEO Bulletins

Business as Usual and Statutory Responsibilities

The Town of Bassendean delivers a range of services. A summary of which is provided below:

Directorate	Activities
Office of the CEO	Provide oversight and compliance with the Local Government Act and Regulations; drive organisational performance
Human Resources	Delivery of human resource and organisational development services in relation to workforce planning, recruitment and selection, occupational health and safety, training and development and recognition and wellbeing.
Governance	Election process and education programs for councillors; management of meetings and decisions; local laws; delegations; policy reviews; risk management; Annual Report
Strategic Communications	Strategic advocacy and media
Integrated Planning and Reporting	Monitor, report and review the Strategic Community Plan and Corporate Business Plan
Council and Executive Support	Support the Mayor and Elected Members
Corporate Services	Deliver financial management and good governance
Customer Service	Responding to requests and enquiries
Finance Services	Efficient, effective and compliant accounting services, financial management and reporting; development of long term financial plan
Rating Services	Managing the application and payment of approved rates to properties across the Town
Information Management	Plan and manage IT resources to support the business; provide systems to promote compliance with the State Records Act and FOI requirements
Procurement services	Coordination and management of the procurement of goods and services, in compliance with legislation and policy
Children's Services	Management of two early childhood education centres
Seniors Services	Management of the Hyde Retirement Village and provision of in-home care for seniors
Community Planning	Plan and deliver services and facilities for the community
Community Services	Coordinating civic events, management of recreation facilities, provision of recreation and volunteering programs; support of community groups and initiatives and providing opportunities for community inclusion and connection.

Library Services	Support the recreational, educational and technological needs of the community
Ranger Services	Provision of parking and traffic management control; management of public amenity; animal control; and emergency management
Youth Services	Provision of youth programs and support
Statutory Planning and Development Services	Provision of statutory planning and development; development of Local Planning Strategy and Scheme; issue building approvals and undertake building compliance
Environmental Health Services	Regulate and deliver public health; food safety; and mosquito control
Infrastructure	Facilitate development and implementation of asset management plans; deliver and maintain infrastructure within the Town
Engineering Services	Provide safe, efficient and effective infrastructure including roads and drainage
Parks and Gardens	Maintain parks and open spaces
Facilities Management	Day to day management of the Town's facilities
Asset Planning and Management	Development and management of asset plans aligned to the SCP and CBP
Sustainability and Environment	Develop, manage and implement plans for the future sustainability of our environment
Waste management and recycling	Developing and implementing strategies and engagement to reduce the Town's waste
Sustainability	Developing and implementing concepts to reduce the Town's and District's carbon footprint
Environment	Improve the water quality of the river and catchment areas; develop plans to improve the natural environment including urban forest

Priority Areas

These priority areas were identified following community engagement and were refined during workshops with staff and elected members. They form the basis of the Corporate Business Plan and shape the projects that the community have identified as of importance to the forward planning of the Town of Bassendean.

1. Strengthening and connecting our community
2. Leading environmental sustainability
3. Creating a vibrant town centre and precincts
4. Driving financial sustainability
5. Facilitating people-centred services
6. Providing visionary leadership and making great decisions
7. Building community identity by celebrating culture and heritage

Priority Areas

Priority Area 1 - Strengthening and Connecting our Community

Objective 1.1 Fostering a culture of collaboration and trust between the organisation and community

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.1.1 Provide opportunity to listen and involve our community in decisions that affect them	Build and nurture relationships with community groups for shared outcomes	Greater community support for decision making	*	*	*	*

Objective 1.2 Establishing partnerships with the community that build capacity, connection and sense of belonging

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.2.1 Identify community members and organisations with the capacity to deliver projects and programs	Develop new community awards framework	Increased percentage of services delivered by community groups compared to the Town	*			
	Deliver annual community awards		*	*	*	*
	Promote an Expression of Interest for the delivery of future markets in Bassendean	Increased social return on investment using an agreed approach	*			
	Increased volunteer participation rates					
1.2.2 Build capacity of community groups to deliver social return on investment	Co-design community amenity where opportunity exists to promote multi-use and social benefits	Town staff hours result in greater return for time in volunteer management	*	*	*	*
1.2.3 Identify and deliver community funding	Revise Sponsorship and Grants Policy		*			
	Promote grant opportunities to community groups	*	*	*	*	
1.2.4 Foster volunteering to provide services for our community and to build connections	Coordinate volunteer services		*	*	*	
1.2.5 Build capacity of volunteers to deliver programs and services with limited input from the Town	Deliver workshops and advice to support volunteers		*	*	*	

Objective 1.3 Treating people equitably with access to programs and services, regardless of advantage or ability

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.3.1 Ensure access and inclusion to spaces and places throughout our Town for all, including community members with disabilities, youth, seniors, Indigenous people, and culturally and linguistically diverse people	Implement Disability Access and Inclusion Plan and promote the plan within the wider community	Alignment between services delivered and community needs Diversity (in terms of demographic, ability, culture, background) of community members accessing spaces, places, programs and services is reflective of community structure	*	*	*	*
1.3.2 Enable programs and services that cater for all, including community members with disabilities, youth, seniors, Indigenous people, and culturally and linguistically diverse people	Inclusion to be considered as part of all new infrastructure, programs and services delivered		*	*	*	*

Objective 1.4 Creating an environment where people feel welcome and safe

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.4.1 Create public spaces and transport routes that encourage people to linger, interact and enjoy (including evening use)	Upgrade Palmerston and Padbury Reserves	Increased use of public transport by different demographics	*	*		
	Co-design and develop Mary Crescent Wetlands with local community and Greening Australia	Increased active transport by different demographics	*	*		
	Deliver underground power to Eden Hill and parts of Bassendean	Reduced antisocial incidents	*	*		
	Complete construction of a new nature based playground (and ablutions) at Sandy Beach Reserve		*	*		
	Develop Ashfield Flats Look-out		*	*		
	Develop foreshore plan for Point Reserve		*	*		
1.4.2 Encourage the adoption of a collective responsibility towards safety	Provide a welcome pack to all new households		*	*	*	*
	Ongoing campaign in Town's communications		*	*	*	*

Objective 1.5 Supporting healthy lifestyles throughout our Town

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.5.1 Improve functionality of amenities and lifestyle options	Provide health and wellbeing programs	Increased use of public open spaces and other amenities Improved health and wellbeing of residents	*	*	*	*
	Develop a Public Health Plan (to include mental health)		*	*		
1.5.2 Improve walkability and cycle-ability, including through infrastructure improvements	Develop and activate Whitfield Safe Active Street		*	*	*	*
	Implement footpath program		*	*	*	*

Objective 1.6 Creating a resilient and adaptable community

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.6.1 Support community organisations in crisis preparedness and recovery	Develop and deliver education programs for community groups	Community organisations with their own crisis preparedness strategies		*	*	*
1.6.2 Prioritise local employment	Facilitate and promote opportunities to work and live locally via town centre masterplan, new planning framework and procurement model	Increased proportion of local workers are local residents Clarity on prioritisation of services	*	*	*	*
1.6.3 Identify essential and non-essential services for clear prioritisation	Undertake annual reviews as part of Workforce Plan		*	*	*	*

Objective 1.7 Facilitating community connection

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
1.7.1 Prioritise projects that bring people together and strengthen community connectedness	Facilitate, support and/or deliver opportunities for community connection, cohesion and inclusion	Increased participation rates in volunteering, community activities and events	*	*	*	*
	Undertake a precinct planning approach in and around Parks and Playgrounds to improve accessibility with paths seating and shade		*	*	*	*

Priority Area 2 – Leading Environmental Sustainability

Objective 2.1 Demonstrate strong leadership in waste reduction and carbon neutrality

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.1.1 Initiate and drive innovative waste management practices	Develop Waste Management Strategy	SHORT TERM State Government targets are met	*			
	Implement Waste Management Strategy	Waste generated per capita is reduced by 10%	*	*	*	*
2.1.2 Initiate and drive innovative renewable energy practices	Create Emissions Reduction Strategy for organisation	LONG TERM 70% of waste is diverted from landfill by 2030		*		
	Create Emissions Reduction Strategy for Community			*		
	Implement Emissions Reduction Strategies for organisation and community	On track to achieve carbon neutrality by 2030		*	*	*

Objective 2.2 Be innovative in responses to sustainability challenges

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.2.1 Embed sustainability considerations in Council decision making	Reduce our environmental footprint through investigating the co-location of Town administration	SHORT TERM Examples of being first adopters are evident	*			
	Embed sustainability as a key consideration in all planning, policies, reports etc		*	*	*	*
	Share our experiences as an early adopter of FOGO with other Councils to facilitate their transition		*	*	*	*
2.2.2 Practise early uptake of suitable new technologies and innovations	Recycled concrete for footpath and kerb replacement		*			
	Explore 'green' power for Town facilities, battery storage and power purchasing agreements		*	*	*	*

Objective 2.3 Foster an empowered community that drives sustainability

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.3.1 Increase community support for sustainability considerations	Continue to promote community awareness and benefits for more sustainable approaches through partnering and supporting community.	SHORT TERM Increased community support for sustainable initiatives	*	*	*	*

Objective 2.4 Conserve, protect and enhance our natural environment and biodiversity

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.4.1 Conserve, enhance and repair natural and urban areas	Weed strategy; continuous improvements and implementation	SHORT TERM Increased number and rate of participation of environmental volunteers	*	*	*	*
	Implement and finalise Town Planning Scheme No 4A		*	*	*	*
	Undertake an assessment of our river and foreshore condition (including Point Reserve)	LONG TERM Restoration and revegetation measures improve	*			
	Develop a 10 year investment program for our environment based on priorities		*	*		
2.4.3 Facilitate management of reserves by Friends groups	Partner and support community groups		*	*	*	*

Objective 2.5 Value and conserve and protect our water resources and waterways

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.5.1 Implement waterwise initiatives and policies for residents, businesses and other organisations	Deliver a water indexing workshop	SHORT TERM Gold Waterwise Council status is retained	*			
	Develop a Waterwise Bassendean Strategy			*		
2.5.2 Convert drains into living streams	Repurpose open drain between Second and Fourth Avenue to create a Living Stream	Stream restoration measures improve	*	*	*	
	Create a rolling program for the design and implementation of living streams and integrate into Long term Financial Plan			*	*	*

Objective 2.6 Support the creation of a more green and shaded Town

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
2.6.1 Create an urban forest throughout reserves, gardens and streets	Deliver tree planting program for winter 2021	SHORT TERM Fewer trees lost during development SHORT TERM Increased proportion of tree cover Reduced heat island effect	*	*		
	Develop longer term tree planting and biodiversity corridors program			*	*	*
	Deliver a 'Green Trail' along our Principal Shared Path (near Railway line)		*	*		
	Promote and develop verge garden program		*	*	*	*
2.6.2 Protect existing trees and green spaces	Maintain our street gardens and street trees		*	*	*	*
	Assess and map the health of our existing trees to better plan for the future		*	*	*	
	Implement Local Planning Policy 13 – Tree Retention and Provision		*	*	*	*
	Educate and promote the benefits of trees in our community		*	*	*	*

Priority Area 3 – Creating a vibrant town and precincts

Objective 3.1 Support the town centre to thrive

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe				
			20/21	21/22	22/23	23/24	
3.1.1 Advocate for economic growth of our Bassendean town centre	Drive opportunities to promote and support investment in the Town	LONG TERM Increased number of developments within the town centre	*	*	*	*	
3.1.2 Engage potential government and private sector development partners to realise opportunities within the Town of Bassendean	Develop a Town Centre Master Plan to promote and facilitate future investment	Increased population within the Town	*				
	Promote local businesses	Improved retention of existing businesses	*	*	*	*	
	Explore and advocate for redevelopment of Wilson St carpark and civic/community buildings	Increased number and retention of new businesses		*	*	*	*
		Increased local employment					

Objective 3.2 Increase the residential population close to centres and train stations

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
3.2.1 Ensure planning and development strategies and policies align with the desire to focus future development around centres and train stations	Review the Local Planning Strategy and create a new Local Planning Scheme	LONG TERM Meet obligations under State population targets	*	*	*	
	Implement recommendations of Local Planning Strategy	Appropriately located development Increased dwelling numbers and diversity of dwelling types Enhanced quality of development outcomes		*	*	*

Priority Area 4 Driving financial sustainability

Objective 4.1 Ensure there is sufficient, effective and sustainable use of assets

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
4.1.1 Assess assets (including review of portfolio, landholdings and facility condition, use and capacity) to optimise and rationalise	Implement Land Asset Strategy	SHORT TERM All Town-owned buildings increased in their utilisation	*	*	*	*
	Develop Asset Management Strategy	Defined position and strategy of when buildings need renewal	*	*		
	Develop Asset Management Plans	LONG TERM Consolidated infrastructure footprint	*			
	Design and Deliver Success Hill Spillway (including restoration of embankment)	Enhanced sustainability footprint	*	*		
4.1.2 Ensure financial planning has a long-term outlook and a focus on land asset rationalisation	Integrate Long Term Financial Plan with SCP, CBP and AMPs	Clear indications of whole-of-life costs	*	*	*	*
	Review the Town's asset portfolio against the SCP, community aspirations and long term financial sustainability		*	*	*	*

Objective 4.2 Ensure community facilities are accessible to and well utilised by a diverse range of community members

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
4.2.1 Community Infrastructure Strategy (use of community spaces, shared or individual hubs, appropriate number of facilities)	Develop Jubilee Reserve Masterplan	SHORT TERM Increased use of facilities Increased shared use of spaces/diversity of use	*			
	Develop Business Case for Bassendean Oval		*	*		
4.2.2 Leasing, Licensing and Hiring Strategy	Audit all facilities and lease/hire agreements prior to expiration		*	*	*	*
	Review standard hire conditions		*			
	Identify opportunities for standardisation and inclusion of social dividend as leases/licenses expire		*	*	*	*

Objective 4.3 Support the local economy

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
4.3.1 Prioritise infrastructure projects that generate local employment and support a circular economy	Advocate for local employment opportunities as they arise	SHORT TERM Increased local employment, relative to nonlocal employment	*	*	*	*
	Consider the impacts and opportunities when assessing the Town's projects in terms of priorities		Increased local supply-chain use, relative to non-local supply	*	*	*
4.3.2 Ensure the local economy is positioned to recover from crises	Town to promote 'buy local' procurement practices		*	*	*	*
	Encourage social enterprise to build community capacity		*	*		

Priority Area 5 Facilitating people-centred services

Objective 5.1 Ensure community members know where and how to access services

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
5.1.1 Improve communication regarding where community members can receive services, advice and provide feedback	Review Customer Services Charter and Complaints Handling Procedure	SHORT TERM Clarity within the community and local government regarding who deals with different types of decision		*		
	Develop educational guide regarding who deals with different decisions			*		
	Continue to deliver people-centred approaches to engagement	Clarity and consistency around complaints procedure	*	*	*	*
	Build and nurture relationships with community groups for shared outcomes		*	*	*	*

Objective 5.2 Deliver efficient and well-connected internet and computer technology systems

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
5.2.1 Improve efficiency of internet and computer technology systems for community-facing services	Develop ICT strategy and investment roadmap	SHORT TERM Improved efficiency of online services for community Improved efficiency of online services for administration Increased customer base for online services Ability to deliver core work and services via non-contact methods	*			
	Develop and implement annual ICT work program		*	*	*	*
	Develop and implement agenda preparation module		*	*		
	Prepare Policy addressing Councillor ICT requirements		*			
	Undertake Records Management review to align to ICT strategy			*		
5.2.2 Explore online options for services that currently require physical presence	Facilitate online applications, lodgements and payments	Ability to deliver core services via non-contact methods (2021/22)	*	*		
	Improve website functionality		*	*		

Priority Area 6 - Providing visionary leadership and making great decisions

Objective 6.1 Make brave decisions in line with a risk appetite

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.1.1 Early identification of potential risks / issues/ opportunities	Develop a Fraud and Corruption Control Plan	SHORT TERM Efficient and effective Council meetings	*			
	Develop new risk management framework	Defensible decision making that is based on the identification of opportunities and benefits as well as negative impacts	*			
	Implement Audit and Risk Register findings / recommendations to further strengthen organisation		*	*	*	*
6.1.2 Embed opportunity cost considerations	Council reports include recommendations that consider risks and opportunity cost	LONG TERM Examples of being first adopters	*	*	*	*

Objective 6.2 Ensure major decision making is informed by community feedback

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.2.1 Ensure community engagement processes are implemented in major strategic projects	Develop and implement community engagement guidelines	Ensure community engagement processes are implemented in major strategic projects		*	*	*
	Embed community engagement as a key consideration in all major decision making		*	*	*	*
	Develop a strategic communications plan which is driven by Council's vision and SCP priorities		*			

Objective 6.3 Ensure operational activities reflect the strategic focus of Council

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.3.1 Ensure clear communication and flow of information from decision makers to operational staff	Continue to embed Councillor and Administration protocol	SHORT TERM Openness and transparency of decision making Enhanced staff morale	*	*	*	*
	Develop Internal Communications Plan		*			
6.3.2 Implement a framework on decision making that identifies delegated authority for different levels of decision	Delegated Authority Register review and adoption to balance risk and efficient operations	Staff have appropriate strategic direction	*			
	Review policies and procedures to ensure good governance	Agreement on the link between projects and Strategic Community Plan	*	*	*	*
	Develop and implement new Quarterly reporting framework	General alignment regarding values	*			

Objective 6.4 Reinforce a culture of collaboration, trust and demarcation between Council, administration and the community

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.4.1 Build understanding and support for the vision and Strategic Community Plan	Engage and consult with the community on key initiatives and changes	SHORT TERM Openness and transparency of decision making	*	*	*	*
	Demonstrate linkage and alignment to SCP in officer reports for Council decisions	Enhanced staff morale	*	*	*	*
	Implement regular communications with all staff via monthly debriefs regular staff newsletters, team building events and team meetings	Staff have appropriate strategic direction Agreement on the link between projects and Strategic Community Plan	*	*	*	*
6.4.2 Demonstrate clear connections between the Strategic Community Plan, project and business-as-usual services and operations	Deliver a new employee performance system to align organisational efforts to the Strategic Community Plan and Corporate Business Plan	General alignment regarding values	*			
6.4.3 Create an organisational culture of performance, innovation and excellence	Develop and implement new Quarterly reporting framework to report on projects and align to SCP		*			
	Implement new model of Code of Conduct		*			

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.4.4 Develop shared values between Council, administration and the community	Develop and promote shared values to ensure alignment to Strategic Community Plan		*			
	Develop and deliver induction program for new Council			*		*

Objective 6.5 Foster an environment of innovation and leadership

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.5.1 Foster an environment of innovation, where people are encouraged to contribute	Create and model agreed values and behaviours in everything we do	SHORT TERM Councillors and staff feel empowered to make appropriate decisions	*	*	*	*
6.5.2 Foster leadership: harness the talent of individuals	Promote ongoing development of the Administration	Professional development for staff and councillors	*	*	*	*
	Coordinate professional development and training opportunities for Elected Members	Inductions to professional networks	*	*	*	*
6.5.3 Recognise and reward innovation and leadership	Implement recognition system for staff to acknowledge right behaviours and performance	LONG TERM Recognition of excellence by other organisations	*	*	*	*

Objective 6.6 Respond effectively and efficiently to crises

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
6.6.1 Implement crisis management framework	Finalise Business Continuity, Pandemic, and Disaster Recovery Plans	SHORT TERM Clarity of impacts to business continuity among elected members and staff prior to crisis situations Clarity amongst the community of local government, organisation and community responses	*	*		
6.6.2 Communicate the impacts to business continuity	Develop and deliver communications strategy as required		*	*	*	*

Priority Area 7 - Building community identity by celebrating culture and heritage

Objective 7.1 Appreciate, celebrate and engage with Noongar Boodjar (land), history, culture and people

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
7.1.1 Enhance partnerships with Noongar people – be guided by Traditional Owners in the appreciation, celebration and participation of Noongar Boodjar, history, culture and people	Inclusion of Acknowledgement and Welcome to Country at key events and ceremonies	SHORT AND LONG TERM Noongar people being active participants during projects and direction, in collaboration with the Town of Bassendean Increased understanding of Noongar Boodjar, history, culture and people among nonindigenous community	*	*	*	*
	Develop a heritage agreement or shared approach to maintain and share noongar history, stories and culture		*	*	*	*
7.1.2 Enhance participation and engagement of local Noongar people in community life and decision making	Host a workshop with the Whadjuk Working Group to build and nurture the Towns relationship with the Whadjuk Working Group		*	*	*	*
7.1.3 Enhance participation and engagement of local Noongar people in caring for the land	Create a cultural compact agreement (statement of respect) with the Whadjuk Working group.			*		

Objective 7.2 Create a community closely connected to its history and heritage

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
7.2.1 Maintain and share the historical stories of the Town of Bassendean	Develop further opportunities to share the historical stories of the Town of Bassendean <i>e.g. new history walks</i>	SHORT TERM Local studies collection actively accessed by the community	*	*	*	*
	<i>Develop a heritage agreement or shared approach to maintain and share noongar history, stories and culture</i>		LONG TERM Historical and heritage facilities are well used by the community	*	*	*
7.2.2 Ensure heritage locations and buildings of historical value within the Town are recognised, cared for and utilised by the community	Review the Town's Local Heritage Survey	Heritage sites and buildings are visible to locals and visitors"		*		
	Create a Local Planning Policy relating to protecting heritage and character			*		
7.2.3 Implement initiatives, events and activities that focus on a range of cultural and artistic endeavours (not limited to entertainment)	Create opportunities to showcase the Town's history and heritage to the community and visitors		*	*	*	*

Objective 7.3 Engage the community in arts and culture

Strategies How the Town will do this	Projects/Actions	Success Measures	Timeframe			
			20/21	21/22	22/23	23/24
7.3.1 Implement arts and cultural programs and activities that reflect the unique history of the Town of Bassendean and are relevant to its community	Review Council's Public Arts Policy Framework	SHORT AND LONG TERM Community participation in arts and cultural programs and activities	*	*		
	Review Relax program		*	*		

ATTACHMENT NO. 8



DRAFT

DELEGATIONS REGISTER 2020

Current as at October 2020

Register of Delegations

Town of Bassendean



VERSION CONTROL			
Number	Date	Item	Reason
All		OCM	▪ Section 5.46(2), <i>Local Government Act 1995</i> , annual financial year review; major reform required.
All	23.10.2018	OCM-12/10/18	▪ Section 5.46(2), <i>Local Government Act 1995</i> , annual financial year review.

COMPLIANCE LINKS – IMPORTANT INFORMATION

Delegations exercised under this Register of Delegations must be recorded in accordance with Administration Regulation 19.

Compliance links, including Legislation, Council Policy, Local Laws or external standards and guidelines, referred to each instrument of delegation contained in this register were correct at time of Council adoption.

Delegates **must** always review the primary legislation and compliance links before exercising a delegated authority to ensure decision making complies with legislative and other compliance obligations.

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1. Local Government Act 1995 Delegations

1 Local Government Act 1995 Delegations

1.1 Council to Committees of Council

1.1.1 Audit and Governance Committee

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.16 Delegation of some powers and duties to certain committees. ▪ s 7.1B Delegation of some powers and duties to audit committees.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 7.12A(2), (3) & (4) Duties of Local Government with respect to audits
Delegate:	Audit and Governance Committee
Function:	<ol style="list-style-type: none"> 1. Authority to meet with the City's Auditor at least once every year on behalf of the Council [s 7.12A(2)]. 2. Authority to: <ol style="list-style-type: none"> a. examine the report of the Auditor and determine matters that require action to be taken by the Town of Bassendean; and b. ensure that appropriate action is taken in respect of those matters [s 7.12A(3)]. 3. Authority to review and endorse the Town of Bassendean's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s 7.12A(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is not to be used where a Management Letter or Audit Report raises significant issues. ▪ In that instance the Local Government's meeting with the Auditor must be directed to the Council.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil. Sub-delegation is prohibited by s 7.1B.
Compliance Links:	<ul style="list-style-type: none"> ▪ Department of Local Government, Sport and Cultural Industries Operational Guideline - The appointment, function and responsibilities of Audit Committees. ▪ Audit and Governance Committee Instrument and Terms of Reference ▪ Town of Bassendean Investment Policy ▪ Town of Bassendean Financial Sustainability Policy
Record Keeping:	<ul style="list-style-type: none"> ▪ Audit Committee Minutes shall record and identify each decision made under this delegation in accordance with the requirements of <i>Local Government (Administration) 1996</i> Regulation 19. ▪ Town of Bassendean Record Keeping Policy.

1. Local Government Act 1995 Delegations

1.2 Council to CEO

1.2.1 Appoint Authorised Persons

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land – ss 3.25; 3.26; 3.27] ▪ s 9.10 Appointment of authorised persons
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <i>Local Government Act 1995</i> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i>; and Local Laws made under the <i>Local Government Act 1995</i>. [s 3.24 and s 9.10]. 2. Authority to appoint ‘authorised officers’ for the purposes of section 9.16 of the <i>Local Government Act 1995</i> as a precondition for appointment as authorised officers in accordance with Regulation 70(2) of the Building Regulations 2012 and section 6(b) of the Criminal Procedure Act 2004. 3. Authority to appoint authorised persons for the purposes of section 15 the <i>Graffiti Vandalism Act 2016</i>, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ A register of Authorised Persons is to be maintained as a Local Government Record. ▪ Only persons who are appropriately qualified and trained may be appointed as Authorised persons. ▪ Appointments under this delegation must be in writing. ▪ Each person appointed under this delegation must be issued with a certificate stating that the person is so authorised. ▪ Each person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person. ▪ For <i>Building Act</i> and <i>Building Regulations</i> authorisations, a delegation of a special permit authority’s powers or duties may be only to: <ul style="list-style-type: none"> ○ an employee of the special permit authority (s 96(2)); or

1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> ○ a person employed by the Local Government under s 5.36 Local Government Act 1995 (s 96(3)).
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<p><i>Local Government Act 1995</i></p> <ul style="list-style-type: none"> ▪ Section 3.24 Authorising persons under this subdivision. ▪ Section 3.31(2) General procedure for entering property ▪ Section 3.39 Power to remove and impound ▪ Section 3.40(A)(1) Abandoned vehicle wreck may be taken ▪ Section 9.11 Persons to give name on demand ▪ Section 9.13 Onus of proof in vehicle offences may be shifted ▪ Section 9.16 Notice, giving to alleged offender ▪ Section 9.24 Prosecutions, commencing ▪ Section 9.49A(3)(b) Execution of documents
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded on the Town's Records Management System. ▪ Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person's personnel file. ▪ A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

1. Local Government Act 1995 Delegations

1.2.2 Powers of Entry

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.28 When this Subdivision applies ▪ s 3.31(2) General Procedure of Entering Land ▪ s 3.32 Notice of entry ▪ s 3.33 Entry under warrant ▪ s 3.34 Entry in an emergency ▪ s 3.36 Opening fences
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under the <i>Local Government Act 1995</i>, other than entry under a Local Law [s 3.28]. 2. Authority to give notice of entry [s 3.32]. 3. Authority to seek and execute an entry under warrant [s 3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s 3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s 3.36].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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 or in an emergency.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 9.10 Appointment of authorised persons – refer also s 3.32(2)] Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry. ▪ s 3.34(2) Entry in an emergency.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

1.2.3 Declare Vehicle is Abandoned Vehicle Wreck

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Chief Executive Officer
Function:	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s 3.40A(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.4 Disposing of Confiscated or Uncollected Goods or alternatively, referred to Council for decision.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Local Government Act 1995 Part 3 Division 3 Subdivision 4</i> Impounding abandoned vehicle wrecks and goods.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.4 Confiscated or Uncollected Goods

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.46 Goods May be withheld until costs paid ▪ s 3.47 Confiscated or uncollected goods, disposal of ▪ s 3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s 3.39 or s 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s 3.46]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s 3.43 [s 3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s 3.48].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with <i>Local Government (Functions and General) Regulations 1996</i> Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Local Government Act 1995:</i> Part 3, Division 3, Subdivision 3 <ul style="list-style-type: none"> ▪ s 3.58 Disposing of Property - applies to the sale of goods under s 3.47 as if they were property referred to in that section.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.5 Close Thoroughfare to Vehicles

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 3.50 Closing certain thoroughfares to vehicles. ▪ s 3.50A Partial closure of thoroughfare for repairs or maintenance. ▪ s 3.51 Affected owners to be notified of certain proposals.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks [s 3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and before doing so, to: <ul style="list-style-type: none"> ▪ give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and ▪ consider submissions relevant to the road closure/s proposed [s 3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s 3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s 3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s 3.51].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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)]. ▪ Maintain access to adjoining land [s 3.52(3)].
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	

1. Local Government Act 1995 Delegations

Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.6 Obstruction of Footpaths and Thoroughfares

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

1. Local Government Act 1995 Delegations

<p>Council Conditions on this Delegation:</p>	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in <i>the Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the person has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
<p>Express Power to Sub-Delegate:</p>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
<p>Sub-Delegate/s:</p>	
<p>CEO Conditions on this Sub-Delegation:</p>	
<p>Compliance Links:</p>	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.
<p>Record Keeping</p>	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.7 Public Thoroughfare – Dangerous Excavations

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

1. Local Government Act 1995 Delegations

CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i> – prescribe applicable statutory procedures. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>. ▪ <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.8 Crossing – Construction, Repair and Removal

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch 9.1, cl 7(2) ▪ reg 13(1) Requirement to construct or repair crossing – Sch 9.1 cl 7(3)
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP reg 12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP reg 12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP reg 13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP reg 13(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>. ▪ <i>Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.9 Private Works on, over or under Public Places

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ Reg 17 Private works on, over, or under public places – Sch 9.1, cl 8
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP reg 17(3)]. 2. Authority to impose conditions on permission including those prescribed in reg 17(5) and (6) [ULP reg 17(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Actions under this Delegation must comply with procedural requirements under <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.

1. Local Government Act 1995 Delegations

Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.
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1. Local Government Act 1995 Delegations

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

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government (Uniform Local Provisions) 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 21(1) Wind erosion and sand drifts – Sch 9.1, cl 12.
Delegate:	Chief Executive Officer
Function:	<p>1. Authority to give notice to an owner or occupier of land if it is considered that clearing the owner or occupier's land may cause local government land, having a common boundary, to be adversely affected by wind erosion or sand drift [ULP reg 21(1)].</p>
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Uniform Local Provisions) Regulations 1996.</i> ▪ Penalties under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.11 Expressions of Interest for Goods and Services

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.57 Tenders for providing goods and services <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 21 Limiting who can tender, procedure for ▪ reg 23 Rejecting and accepting expressions of interest to be acceptable tenderer.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G reg 21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G reg 23].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil.
CEO Conditions on this Sub-Delegation:	Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Functions and General) Regulations 1996.</i> ▪ WALGA Subscription Service – Procurement Toolkit. ▪ Town of Bassendean Purchasing Policy. ▪ Town of Bassendean Procurement Guidelines.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.12 Tenders for Goods and Services

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO ▪ s 5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.57 Tenders for providing goods or services <p><i>Local Government (Functions and General) Regulations 1996:</i></p> <ul style="list-style-type: none"> ○ reg 11 When tenders have to be publicly invited; ○ reg 13 Requirements when local government invites tenders though not required to do so; ○ reg 14 Publicly inviting tenders, requirements for; ○ reg 18 Rejecting and accepting Tenders; ○ reg 20 Variation of requirements before entry into contract; ○ reg 21A Varying a contract for the supply of goods or services.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. The CEO is delegated authority to invite tenders for the supply of contracts over the value of \$250,000 without further reference to Council, unless expressly identified and itemised by resolution of the Council. [F&G reg 11(1)]. 2. Authority to call tenders 3. 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&G reg 11(f)]. 4. Authority to invite tenders although not required to do so [F&G reg 13]. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G reg 14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G reg 14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders. [F&G reg 14(5)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G reg 18(4)]. 9. Authority to accept, or reject tenders up to the value of \$500,000 (excluding GST) and in accordance with the requirements of the Functions and General Regulations [F&G r. 18(2) and (4)].

1. Local Government Act 1995 Delegations

	<p>10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, subject to a maximum 5 percent variation of the contract price and within the \$500,000 detailed as a condition on this Delegation, and to then negotiate minor variations with the successful tenderer before entering into a contract [F&G reg 20(1) and (3)].</p> <p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G reg 18(4a)].</p> <p>12. Authority to decline any tender [F&G reg 18(5)].</p> <p>13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G reg 20(2)].</p> <p>14. Authority to vary a contract that has been entered into with a successful tenderer, provided the total variation value does not exceed 5 percent, of the original contract.</p> <p>15. Authority to exercise an extension option subject to:</p> <ol style="list-style-type: none"> a. the extension being within the original terms and conditions approved by Council; and b. in accordance with reg 11(2)(j) [F&G reg 21A]. <p>16. Authority to accept another tender where within six (6) months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G reg 18(6) & (7)].</p>
<p>Council Conditions on this Delegation:</p>	<ul style="list-style-type: none"> ▪ In accordance with s 5.43(b), tenders may only be accepted where the total consideration under the resulting contract is up to \$500,000, exclusive of GST, and the expense is included in the Annual Budget. ▪ Delegates exercising this delegation must comply with: <ul style="list-style-type: none"> ○ The Town of Bassendean Purchasing Policy. ○ Town of Bassendean Procurement Guidelines. ▪ Prior to going to market, notification to Councillors through the CEO Bulletin of the nature of the goods and the estimated cost sought.
<p>Express Power to Sub-Delegate:</p>	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
<p>Sub-Delegate/s:</p>	
<p>CEO Conditions on this Sub-Delegation:</p>	

1. Local Government Act 1995 Delegations

Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government (Functions and General) Regulations 1996</i> – prescribe applicable statutory procedures▪ WALGA Subscription Service – Procurement Toolkit▪ Purchasing Policy.▪ Town of Bassendean Procurement Guidelines.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

1.2.13 Disposing of Property

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 3.58(2) & (3) Disposing of Property.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> a. the highest bidder at public auction [s 3.58(2)(a); b. the person who at public tender called by the local government makes what is, considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s 3.58(2)(b)]. 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)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Disposal of real property is excluded from this delegation. ▪ When determining the method of disposal: <ol style="list-style-type: none"> (a) Where a public auction is determined as the method of disposal: <ol style="list-style-type: none"> ○ Reserve price has been set by independent valuation. ○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. (b) 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. (c) Where a private treaty is determined [s 3.58(3)] as the method of disposal, authority to: <ol style="list-style-type: none"> ○ Negotiate the sale of the property up to a -10% variance on the valuation; and ○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. ▪ Where the market value of the property is determined as being less than \$20,000 (F&G reg 30(3) excluded disposal) may be undertaken: <ol style="list-style-type: none"> ○ Without reference to Council for resolution; and

1. Local Government Act 1995 Delegations

	<ul style="list-style-type: none"> ○ In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> – s 3.58 Disposal of Property. ▪ <i>Local Government (Functions and General) Regulations 1995</i> – reg 30 Dispositions of property excluded from s 3.58 of the Act. ▪ Asset Management Policy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.14 Payments from the Municipal or Trust Funds

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Delegate:	Chief Executive Officer
Function:	1. Authority to make payments from the municipal or trust funds [reg 12(1)(a)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995.</i> ▪ <i>Local Government (Financial Management) Regulations 1996</i> - refer specifically reg 13: Payments from municipal fund or trust fund by CEO, CEO's duties with respect to. ▪ <i>Local Government (Audit) Regulations 1996.</i> ▪ Department of Local Government, Sport and Cultural Industries Operational Guideline No 11 – Use of Corporate Credit Cards. ▪ Department of Local Government, Sport and Cultural Industries: Accounting Manual. ▪ Town of Bassendean Purchasing Policy. ▪ Town of Bassendean Procurement Guidelines. ▪ Town of Bassendean Use of Corporate Credit Card Procedures.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.15 Defer payment, Grant Discounts, Waive Fees or Write Off Debts

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.12 Power to defer payment, grant discounts, waive fees or write off debts.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Waive a debt, fee or charge which is owed to the Town of Bassendean [s. 6.12(1)(b)]. 2. To waive or grant concessions in relation to any amount of money which is owed to the Town in relation to a development application. [s. 6.12(1)(b)]. 3. Grant a concession in relation to money which is owed to the Town of Bassendean [s 6.12(1)(b)]. 4. Write off an amount of money which is owed to the Town of Bassendean [s 6.12(1)(c)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegation for (1) above does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge [s 6.12(2)]. ▪ A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated to continue the action to recover the debt will outweigh the net value of the debt if recovered by the Town. ▪ This Delegation must be exercised in accordance with Council Policies - Recovery of Sundry Debts, and Town of Bassendean Financial Hardship Policy. ▪ The power to waive fees or write of money is subject to the amount not exceeding \$250. ▪ Authorise a write off of any debts (not including rates or other charges) to a maximum value of \$250. ▪ Council shall be informed of the details whenever this delegation is exercised.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policies - Recovery of Sundry Debts Policy, and Town of Bassendean Financial Hardship Policy. ▪ <i>Planning and Development Regulations 2009</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.16 Power to Invest and Manage Investments

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.14 Power to invest. <p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> ▪ reg 19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s 6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM reg 19].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ All investment activity must comply with the <i>Local Government (Financial Management) Regulations 1996:</i> <ul style="list-style-type: none"> ○ reg 19 Investments ,control procedures for ○ reg 19C Investment of money, restrictions on. ▪ Investment Policy. ▪ A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Statements.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government (Financial Management) Regulations 1996.</i> ▪ Investment Policy.
Record Keeping	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.17 Rate Record Amendment

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.39(2)(b) Amend the rate record
Delegate:	Chief Executive Officer
Function:	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s 6.39(2)(b)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Delegates must comply with the requirements of s 6.40 of the Act.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil.
CEO Conditions on this Sub-Delegation:	Nil.
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> – s 6.40 prescribes consequential actions that may be required following a decision to amend the rate record. ▪ Note – Decisions under this delegation may be referred for review to the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

1.2.18 Agreement as to Payment of Rates and Service Charges

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function:	1. Authority to make an agreement with a person for the payment of rates or service charges [s 6.49]
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in accordance with Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.19 Determine Due Date for Rates or Service Charges

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.50 Rates or service charges due and payable.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine the date on which rates or service charges become due and payable to the Town of Bassendean [s 6.50].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.20 Recovery of Rates or Service Charges

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.56 Rates or service charges recoverable in court. ▪ s 6.64(3) Actions to be taken.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s 6.56(1)]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s 6.64(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in consideration of Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Rates Exemption ○ Financial Hardship.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Rates Exemption ○ Financial Hardship.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.21 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.60 Local Government may require lessee to pay rent.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Town of Bassendean [s 6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s 6.60(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This Delegation must be exercised in consideration of Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> – refer sections 6.61 and 6.62 and Schedule 6.2 prescribe procedures relevant to exercise of authority under s 6.60. ▪ Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges ○ Financial Hardship.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

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

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 6.64(1) Actions to be taken. ▪ s 6.69(2) Right to pay rates, service charges and costs, and stay proceedings. ▪ s 6.71 Power to transfer land to Crown or local government. ▪ s 6.74 Power to have land revested in Crown if rates in arrears 3 years.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s 6.64(1)], including: <ol style="list-style-type: none"> (a) lease the land, or (b) sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> i. cause the land to be transferred to the Crown [s 6.71 and s 6.74]; or ii. cause the land to be transferred to the Town of Bassendean [s 6.71]. 2. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s 6.69(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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 three (3) years attempted to recover the outstanding rates or charges 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. ▪ This Delegation must be exercised in consideration of Council Policies: <ul style="list-style-type: none"> ○ Recovery of Rates and Service Charges
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	

1. Local Government Act 1995 Delegations

Compliance Links:	<ul style="list-style-type: none">▪ <i>Local Government Act 1995</i> – Part 6, Division 6 Subdivision 6 and Schedule 6.3 prescribe procedures relevant to exercise of authority under this delegation.▪ <i>Local Government (Financial Management) Regulations 1996</i>, regulations 72 to 78 prescribe forms and procedures relevant to exercise of authority under this delegation.▪ Council Policies:<ul style="list-style-type: none">○ Recovery of Rates and Service Charges.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

1.2.23 Rate Record – Objections

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 6.76 Grounds of objection.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s 6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s 6.76(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ A delegate who has participated in any matter contributing to a decision related to the rate record, which is the subject of a Rates Record Objection, must not be party to any determination under this Delegation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

1. Local Government Act 1995 Delegations

1.2.24 Administration of Local Laws

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.42 Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s. 3.18(1) <i>Local Government Act 1995.</i>
Delegate:	Chief Executive Officer
Function:	Powers to determine applications, issue and apply conditions to approvals, consents, permits, licences and registrations, undertake enforcement functions and exercise discretion under the following local laws – <ol style="list-style-type: none"> 1. Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2010 2. Animals, Environment, Nuisance and Pests Local Law 2019 3. Bee Keeping Local Law 2018 4. Dogs Local Law 2019 5. Dust and Building Waste Local Law 2018 6. Fencing Local Law 2013 7. Health Local Law 2001 8. Parking Local Law 2019 9. Property Local Law 2001 10. Responsible Cat Ownership Local Law 2006 11. Waste Local Law 2019
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Infringements may only be issued by persons authorised for the purposes of section 9.16 of the <i>Local Government Act 1995.</i>
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Local Government Act 1995</i> ▪ Part 9 Division 1 Objections and Review ▪ Part 9 Division 2 Enforcement and Legal Proceedings
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.25 Disposal of Sick or Injured Animals

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function:	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.26 Compensation for Damage Incurred when Performing Executive Functions

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration
Delegate:	Chief Executive Officer
Function:	1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.
Council Conditions on this Delegation:	a. Delegation is limited to settlements which do not exceed a material value of \$5,000. b. Council shall be informed of the details whenever this delegation is exercised.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

1. Local Government Act 1995 Delegations

1.2.27 Management of Vested Land and Unvested Facilities

Delegator:	Local Government
Express Power to Delegate:	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function:	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything a local government could do under the <i>Parks and Reserves Act 1895</i> if it were a Board appointed under that Act, to control and manage any land reserved under the <i>Land Administration Act 1997</i> and vested in or placed under the control and management of the local government.
Council Conditions on this Delegation:	a. Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping	Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2 Building Act 2011 Delegations

2.1 Council to CEO / Employees

2.1.1 Grant a Building Permit

Delegator:	Local Government
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s. 127(1); s. 127(3) Delegations: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s. 18 Further information. ▪ s. 20 Grant of building permit. ▪ s. 22 Further grounds for not granting an application. ▪ s. 27 Conditions imposed by permit authority <i>Building Regulations 2012:</i> <ul style="list-style-type: none"> ▪ Reg. 23 Application to extend time during which permit has effect (s. 32). ▪ Reg. 24 Extension of time during which permit has effect (s. 32(3)). ▪ Reg. 26 Approval of new responsible person (s. 35(c)).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s. 18(1)]. 2. Authority to refuse to consider an application if s. 18(1) not complied with [s. 18(2)]. 3. Authority to grant or refuse to grant a building permit [s. 20(1); s. 20(2); s. 22]. 4. Authority to impose, vary or revoke conditions on a building permit [s. 27(1); s. 27(3)]. 5. Authority to determine an application to extend time during which a building permit has effect [reg. 23]. <ol style="list-style-type: none"> (a) 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 [reg. 24(1)]. (b) Authority to impose any condition on the building permit extension that could have been imposed under s. 27 [reg. 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [reg. 26].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s. 127(2)); or

2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> ▪ a person employed by the Local Government under s. 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg. 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s. 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Building Act 2011</i> <ul style="list-style-type: none"> ▪ s. 119 Building and demolition permits – application for review by State Administrative Tribunal (SAT). ▪ s. 23 Time for deciding application for building or demolition permit. ▪ s. 17 Uncertified application to be considered by building surveyor. <i>Building Regulations 2012</i> <ul style="list-style-type: none"> ▪ reg. 25: Review of decision to refuse to extend time during which permit has effect (s. 32(3)) – reviewable by SAT. ▪ <i>Building Services (Registration Act) 2011</i> – Section 7. ▪ <i>Home Building Contracts Act 1991</i> – Part 3A, Division 2 – Part 7, Division 2 ▪ <i>Building and Construction Industry Training Levy Act 1990</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

2. Building Act 2011 Delegations

2.1.2 Demolition Permits

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> ▪ s. 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> ▪ 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. <p><i>Building Regulations 2012</i></p> <ul style="list-style-type: none"> ▪ reg 23 Application to extend time during which permit has effect (s 32). ▪ reg 24 Extension of time during which permit has effect (s 32(3)). ▪ reg 26 Approval of new responsible person (s 35(c)).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s 18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s 21(1) requirements have been satisfied [ss 20(1); 20(2); 22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [ss 27(1); 27(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [reg 23]. <ol style="list-style-type: none"> (a) Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [reg 24(1)]. (b) Authority to impose any condition on the demolition permit extension that could have been imposed under s 27 [reg 24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [reg 26].
Council Conditions on this Delegation:	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 Local Government Act 1995; and

2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Building Act 2011</i> <ul style="list-style-type: none"> s 119 Building and demolition permits – application for review by SAT s 23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011</i> – Part 7, Division 2. <i>Building and Construction Industry Training Levy Act 1990</i>. <i>Heritage Act 2018</i>.
Record Keeping:	<ul style="list-style-type: none"> Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 55 Further information. ▪ s 58 Grant of occupancy permit, building approval certificate. ▪ ss 62(1); 62(3) Conditions imposed by permit authority. ▪ s 65(4) Extension of period of duration <i>Building Regulations 2012</i> <ul style="list-style-type: none"> ▪ reg 40 Extension of period of duration of time limited occupancy permit or building approval certificate (s 65).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s 55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s 58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [ss 62(1); 62(3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s 65(4); reg 40].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Building Act 2011</i> <ul style="list-style-type: none"> ▪ s 59 time for granting occupancy permit or building approval certificate. ▪ s 60 Notice of decision not to grant occupancy permit or grant building approval certificate.

2. Building Act 2011 Delegations

	<ul style="list-style-type: none">▪ s 121 Occupancy permits and building approval certificates – application for review by SAT.▪ <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2.</i>▪ <i>Building and Construction Industry Training Levy Act 1990.</i>▪ <i>Heritage Act 2018.</i>
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.4 Designate Employees as Authorised Persons

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 96(3) authorised persons. ▪ s 99(3) Limitation on powers of authorised person.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s 96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s 99(3)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 97 requires each person designated as an authorised person must have an identity card. ▪ reg 5A Authorised persons (s 3) – definition.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.5 Building Orders

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> ▪ ss 127(1); 127(3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<ul style="list-style-type: none"> ▪ <i>Building Act 2011:</i> <ul style="list-style-type: none"> ○ s 110(1) A permit authority may make a building order. ○ s 111(1) Notice of proposed building order other than building order (emergency). ○ ss 117(1); 117(2) A permit authority may revoke a building order or notify that it remains in effect. ○ ss 118(2); 118(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.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ul style="list-style-type: none"> (a) Building work. (b) Demolition work. (c) An existing building or incidental structure [s 110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s 111(1)(c)]. 3. Authority to revoke a building order [s 117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ul style="list-style-type: none"> (a) take any action specified in the order; or (b) commence or complete any work specified in the order; or (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)]. 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)]. 6. Authority to specify a way in which an outward facing side of a particular close/boundary wall must be finished off. 7. 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>.
Council Conditions on this Delegation:	<p>A delegation of a special permit authority's powers or duties may be only to:</p> <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and

2. Building Act 2011 Delegations

	<ul style="list-style-type: none"> ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ Section 111 Notice of proposed building order other than building order (emergency). ▪ Section 112 Content of building order. ▪ Section 113 Limitation on effect of building order. ▪ Section 114 Service of building order. ▪ Part 9 Review - s 122 Building orders – application for review by SAT.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.6 Inspection and Copies of Building Records

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 131(2) Inspection, copies of building records.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine an application from an interested person to inspect and copy a building record [s 131(2)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Building Act 2011</i> – s 146 Confidentiality.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.7 Referrals and Issuing Certificates

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 145A Local Government functions.
Delegate:	Chief Executive Officer
Function:	<ul style="list-style-type: none"> ▪ Authority to refer uncertified applications under s 17(1) to a building surveyor who is not employed by the local government [s 145A(1)]. ▪ 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 Town of Bassendean's, Local Government District [s 145A(2)].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ S 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

Delegator:	Local Government (Permit Authority)
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> ▪ Reg 51 Approvals by permit authority. ▪ Reg 50(4) Use of alternative requirements.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [reg 51(2)]. 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner or 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 [reg 51(3)]. 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [reg 51(5)]. 4. Authority to use alternative requirements for a barrier to a pre-May 2016 private swimming pool [reg 50(4)]. 5. Authority to arrange for an authorised person to inspect.
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

2. Building Act 2011 Delegations

2.1.9 Smoke Alarms – Alternative Solutions

Delegator:	Local Government
Express Power to Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(1) & (3) Delegation: special permit authorities and local government.
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> <ul style="list-style-type: none"> ▪ reg 55 Terms Used (alternative building solution approval). ▪ reg 61 Local Government approval of battery powered smoke alarms.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Principal Building Surveyor
Function:	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [reg 55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [reg 61].
Council Conditions on this Delegation:	A delegation of a special permit authority's powers or duties may be only to: <ul style="list-style-type: none"> ▪ an employee of the special permit authority (s 127(2)); or ▪ a person employed by the Local Government under s 5.36 <i>Local Government Act 1995</i>; and ▪ Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with reg 5 of the <i>Building Regulations 2012</i>.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> ▪ s 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Reg 60: Requirements for smoke alarms.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3 Bush Fires Act 1954 Delegations

3.1 Council to CEO, Mayor and Bush Fire Control Officer

3.1.1 Make Request to FES Commissioner – Control of Fire

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 13(4) Duties and powers of bush fire liaison officers.
Delegate:	Chief Executive Officer
Function:	1. Authority to request on behalf of the Town of Bassendean that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s 13(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited pursuant to s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.2 Prohibited Burning Times - Vary

Delegator:	Local Government
Express Power to Delegate:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government. ▪ s 17(10) local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).
Express Power or Duty Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> ▪ s 17(7) Prohibited burning times may be declared by Minister <p><i>Bush Fire Regulations 1954:</i></p> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (s 18 <i>Bush Fires Act 1954</i>), form of and apply for after refusal etc.
Delegate:	Mayor and Chief Bush Fire Control Officer (jointly)
Function:	1. Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised <i>CALM Act</i> officer [s 17(7)] – [<i>Conservation and Land Management Act 1984</i>]
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Decisions under s 17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s. 17(7B) and (8).
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.3 Prohibited Burning Times – Control Activities

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<ul style="list-style-type: none"> ▪ <i>Bush Fires Act 1954:</i> ▪ s 17(7) Prohibited burning times may be declared by Minister. ▪ 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> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (Act s 18), form of and apply for after refusal etc.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [reg 15]. 2. Authority to recover the cost of measures taken by the Town of Bassendean 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 on the land they occupy [s 28(4)], including authority to recover expenses in any court of competent jurisdiction [s 28(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Decisions by the Mayor under s 17(7) and (8) must be in accordance with the process and requirements set out in the provisions.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3)
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.4 Restricted Burning Times – Vary and Control Activities

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 18(5), (11) Restricted burning times may be declared by FES Commissioner. ▪ s 22(6) and (7) Burning on exempt land and land adjoining exempt land. ▪ s 27(2) and (3) Prohibition on use of tractors or engines except under certain conditions. ▪ s 28(4) and (5) Occupier of land to extinguish bush fire occurring on own land. <i>Bush Fire Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 15 Permit to burn (Act s 18), form of and apply for after refusal etc. ▪ reg 15C Local Government may prohibit burning on certain days.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority, where seasonal conditions warrant it and after consultation with an authorised <i>CALM Act</i> officer, to determine to vary the restricted burning times in respect of that year [s 18(5)]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s 18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [reg 15]. 4. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [reg 15C]. 5. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s 22(6) and (7)]. 6. Authority to recover the cost of measures taken by the Town of Bassendean or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s 28(1) to take all possible measures to extinguish a fire on the land they occupy [s 28(4)], including authority to

3. Bush Fires Act 1954 Delegations

	recover expenses in any court of competent jurisdiction [s 28(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.5 Control of Operations Likely to Create Bush Fire Danger

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 27D Requirements for carriage and deposit of incendiary material. <i>Bush Fires Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 39C Welding and cutting apparatus, use of in open air. ▪ reg 39CA Bee smoker devices, use of in restricted or prohibited burning times etc. ▪ reg 39D Explosives, use of. ▪ reg 39E Fireworks, use of.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 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"> (a) a person operating a bee smoker device during a prescribed period [reg 39CA(5)]. (b) a person operating welding apparatus, a power operated abrasive cutting disc [reg 39C(3)]. (c) a person using explosives [reg 39D(2)]. (d) a person using fireworks [reg 39E(3)] 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]. <p><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></p>
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3)
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.6 Burning Garden Refuse / Open Air Fires

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 24F Burning garden refuse during limited burning times. ▪ s 24G Minister or local government may further restrict burning of garden refuse. ▪ s 25 No fire to be lit in open air unless certain precautions taken. ▪ s 25A Power of Minister to exempt from provisions of section 25. <i>Bush Fires Regulations 1954:</i> <ul style="list-style-type: none"> ▪ reg 27(3) Permit, issue of.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2 metres of a building or fence, only where satisfied it is not likely to create a fire hazard [s 24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s 24F [s 24G(2)]. 3. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [reg 27(3) and reg 33(5)]. 4. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [reg 34]. 5. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a. camping or cooking [s 25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised <i>CALM Act</i> officer [s 25(1)(b)]. 6. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s 25(1a) and s 25(1b)]. 7. Authority to serve written notice on a person to whom an exemption has been given under s 25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s 25A(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).

3. Bush Fires Act 1954 Delegations

Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.7 Firebreaks

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 33 Local government may require occupier of land to plough or clear fire-breaks.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Town of Bassendean: <ol style="list-style-type: none"> a. clearing of firebreaks as determined necessary and specified in the notice; and b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s 33(1)]. 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)]. 3. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s 33(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.8 Appoint Bush Fire Control Officer/s

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 38 Local Government may appoint bush fire control officer.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and: <ol style="list-style-type: none"> a. Of those Officers, appoint one as the Chief Bush Fire Control Officer and one Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s 38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Town of Bassendean [s 38(5A)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – Sub-delegation is prohibited by s 48(3).
Compliance Links:	<ul style="list-style-type: none"> ▪ Firebreak and Fuel Load Notices.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

3. Bush Fires Act 1954 Delegations

3.1.9 Control and Extinguishment of Bush Fires

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 46 Bush fire control officer or forest officer may postpone lighting fire.
Delegate:	Chief Executive Officer
Function:	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)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<ul style="list-style-type: none"> ▪
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.10 Recovery of Expenses Incurred through Contraventions of this Act

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government.
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 58 General penalty and recovery of expenses incurred.
Delegate:	Chief Executive Officer
Function:	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 Town of Bassendean or those on behalf of the Town of Bassendean to do [s 58].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.11 Prosecution of Offences

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 59 Prosecution of offences.
Delegate:	Chief Executive Officer Manager Development and Place
Function:	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s 59].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 65 Proof of certain matters. ▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

3. Bush Fires Act 1954 Delegations

3.1.12 Alternative Procedure – Infringement Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 59A(2) Alternative procedure – infringement notices.
Delegate:	Senior Ranger Ranger
Function:	1. Authority to serve an infringement notice for an offence against this Act [s 59A(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 65 Proof of certain matters. ▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

3. Bush Fires Act 1954 Delegations

3.1.13 Withdrawal of Infringement Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 59A(5) Alternative procedure – infringement notices.
Delegate:	Chief Executive Officer Manager Development and Place
Function:	1. Authority to withdraw an infringement notice for an offence against this Act [s 59A(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Sub-delegation is prohibited by s 48(3).
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> ▪ s 65 Proof of certain matters. ▪ s 66 Proof of ownership or occupancy.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4 Cat Act 2011 Delegations

4.1 Council to CEO

4.1.1 Cat Registrations

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 9 Registration. ▪ s 10 Cancellation of registration. ▪ s 11 Registration numbers, certificates and tags. ▪ s 12 Register of Cats. ▪ s 13 Notice of certain decisions made under this subdivision. <i>Cat Regulations 2012</i> <ul style="list-style-type: none"> ▪ Schedule 3, cl 1(4) Fees Payable.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s 9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s 9(6)]. 3. Authority to cancel a cat registration [s 10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s 11(2)]. 5. Authority to keep a Register of Cats [s 12]. 6. Authority to give notice of certain decisions to a cat owner [s 13]. 7. 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 Town of Bassendean [Regulations Schedule 3 cl 1(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government.
Sub-Delegate/s	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Cat Regulations 2012</i> <ul style="list-style-type: none"> ▪ reg 11 Application for registration (s 8(2)), prescribes the Form of applications for registration. ▪ reg 12 Period of registration (s 9(7)). ▪ reg 11 Changes in registration.

4. Cat Act 2011 Delegations

	<ul style="list-style-type: none">▪ reg 14 Registration certificate (s 11(1)(b)).▪ reg 15 Registration tags (s 76(2)).▪ Decisions are subject to Objection and Review by the State Administrative Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i>.▪ <i>Responsible Cat Ownership Local Law 2006</i>.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4.1.2 Cat Control Notices

Delegator:	Local Government
Express Power to Delegate	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 26 Cat control notice may be given to cat owner.
Delegate:	Chief Executive Officer
Function:	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Town of Bassendean [s 26].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Cat Regulations 2012</i> – reg 20 Cat control notice [s 23(3)], prescribes the Form of the notice. ▪ <i>Responsible Cat Ownership Local Law 2006</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

4. Cat Act 2011 Delegations

4.1.3 Approval to Breed Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 37 Approval to Breed Cats. ▪ s 38 Cancellation of approval to breed cats. ▪ s 39 Certificate to be given to approved cat breeder. ▪ s 40 Notice to be given of certain decisions made under this subsection.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s 37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s 37(4)]. 3. Authority to cancel an approval to breed cats [s 38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s 39(2)]. 5. Authority to give notice of certain decisions made under this subdivision to a cat owner.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> ▪ reg 21 Application for approval to breed cats (s 36(2)). ▪ reg 22 Other circumstances leading to refusal of approval to breed cats (s 37(2)(f)). ▪ reg 23 Person who may not be refused approval to breed cats (s.37(5)). ▪ reg 24 Duration of approval to breed cats (s 37(6)). ▪ reg 25 Certificate given to approved cat breeder (s 39(1)). ▪ <i>Responsible Cat Ownership Local Law 2006</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4.1.4 Appoint Authorised Persons

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 48 Authorised persons.
Delegate:	Chief Executive Officer
Function:	1. Authority to appoint authorised persons by issuing a certificate of authorisation [s 48].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Responsible Cat Ownership Local Law 2006.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4.1.5 Recovery of Costs – Destruction of Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 49(3) Authorised person may cause cat to be destroyed.
Delegate:	Chief Executive Officer
Function:	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s 49(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Responsible Cat Ownership Local Law 2006.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4.1.6 Applications to Keep Additional Cats

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> <ul style="list-style-type: none"> ▪ reg 8 Application to keep additional number of cats ▪ reg 9 Grant of approval to keep additional number of cats
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to require any document or additional information required to determine an application [reg 8(3)]. 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [reg 8(4)]. 3. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [reg 9].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Responsible Cat Ownership Local Law 2006.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

4. Cat Act 2011 Delegations

4.1.7 Reduce or Waiver Registration Fee

Delegator:	Local Government
Express Power to Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 44 Delegation by local government.
Express Power or Duty Delegated:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> ▪ Schedule 3 Fees clause 1(4).
Delegate:	Chief Executive Officer
Function:	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) of the <i>Cat Regulations 2012</i> in respect to any individual cat or class of cat.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation does not provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s. 6.16, s. 6.17 and s. 6.18 of the <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> <ul style="list-style-type: none"> ▪ s 45 Delegation by CEO of local government
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Responsible Cat Ownership Local Law 2006</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5 Dog Act 1976 Delegations

5.1 Dog Act Delegations Council to CEO

5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10A Payments to veterinary surgeons towards costs of sterilisation.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$200.00 [s 10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s 10A(1)(b) and (2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Dog Local Law 2019</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5.1.2 Refuse or Cancel Registration

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 15(2) and s 15(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. ▪ s 19 Refund of fee on cancellation.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine to refuse a dog registration and refund the fee, if any [s 16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> (a) 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 (b) the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or (c) the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; or (d) the dog is required to be microchipped but is not microchipped; or (e) the dog is a dangerous dog [s 16(3) and s 17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Town [s 15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant or owner has not applied to the State Administrative Tribunal for the decision to be reviewed [s 17(4)]. 5. 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)]. 6. Authority to refund such amount as prescribed of the registration fee on cancellation of registration and return by an owner of the registration tag to the Town [s 19].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The CEO may sub-delegate to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.

5. Dog Act 1976 Delegations

Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<i>Dog Act 1976</i> <ul style="list-style-type: none"> ▪ s 17A If no application for registration made – procedure for giving notice of decision under s 16(3). ▪ Note: Decisions under this delegation may be referred for review by the State Administrative Tribunal – s 16A; s17(4); s 17(6). ▪ <i>Dog Local Law 2019</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system.

5. Dog Act 1976 Delegations

5.1.3 Appoint Authorised Persons (Registration Officers)

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 11(1) Staff and Services ▪ s. 29(1) Power to seize dogs (appoint authorised persons for purposes under this Act)
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s 3]. 2. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s 11(1)] and s. 29(1). <ul style="list-style-type: none"> ▪ NB: registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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. ▪ A person authorised under this delegation must be issued with a certificate in the prescribed form, and must produce that certificate on being required to do so by a person in respect of who the delegate exercises, has exercised, or is about to exercise any such power.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Dog Local Law 2019</i> ▪ <i>Public Health Act 2016, section 31.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5.1.4 Recovery of Moneys Due Under this Act

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 29(1) Power to seize dogs. ▪ s 29(5) Power to seize dogs.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to appoint authorised persons to carry out the functions conferred by the <i>Dog Act 1976</i> [s 29(1)]. 2. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s 29(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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 s 29(5) of this Delegation. ▪ The CEO may not further delegate the powers and duties contained in s 29(1) of this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	Includes recovery of expenses relevant to: <ul style="list-style-type: none"> ▪ s 30A(3) Operator of dog management facility may have dog microchipped at owner's expense. ▪ s 33M Local government expenses to be recoverable. ▪ s 47 Veterinary service expenses recoverable from local government. ▪ reg 31 Local government expenses as to dangerous dogs (declared). ▪ <i>Dog Local Law 2019</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5.1.5 Dispose of or Sell Dogs Liable to be Destroyed

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 29(11) Power to seize dogs.
Delegate:	Chief Executive Officer
Function:	1. Authority to dispose of or sell a dog which is liable to be destroyed [s 29(11)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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. ▪ Proceeds from the sale of dogs are to be directed into the Municipal Fund.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5.1.6 Declare Dangerous Dog

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33E(1) Individual dog may be declared to be dangerous dog (declared).
Delegate:	Chief Executive Officer
Function:	1. Authority to declare an individual dog to be a dangerous dog [s 33E(1)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ S 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

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

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33F(6) Owners to be notified of making of declaration ▪ s 33G(4) Seizure and destruction. ▪ s 33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s 33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s 33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s 33H(1)]. 4. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s 33H(2)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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. ▪ Delegation of the s 33F power to deal with an objection to a dangerous dog declaration should not be delegated to the same person or position who is authorised to exercise s 33E powers enabling the declaration of a dangerous dog.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

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

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties.
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33H(5) Local government may revoke declaration or proposal to destroy.
Delegate:	Chief Executive Officer
Function:	1. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s 33H(5)]: <ul style="list-style-type: none"> (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ 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. ▪ Delegation of the s 33H(5) power to deal with an objection should not be delegated to the same person or position authorised to exercise s 33H(1) or s 33H(2).
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019.</i>
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

5. Dog Act 1976 Delegations

5.1.9 Determine Recoverable Expenses for Dangerous Dog Declaration

Delegator:	Local Government
Express Power to Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 33M(1)(a) Local Government expenses to be recoverable.
Delegate:	Chief Executive Officer
Function:	1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s 15, up to any maximum amount prescribed, having regard to the expenses incurred by the Town of Bassendean in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s 33H(5)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ The Chief Executive Officer may sub-delegate to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. ▪ Delegation does not include s 33M(1)(b) as the setting of a fixed fee should occur by Council resolution in accordance with s 6.16 Imposition of fees and charges, <i>Local Government Act 1995</i>.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> ▪ s 10AA(3) Delegation of local government powers and duties.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ <i>Dog Local Law 2019</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6 Food Act 2008 Delegations

6.1 Council to CEO

6.1.1 Determine Compensation

Delegator:	Local Government (s 8 defined as 'enforcement agency')
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 56(2) Compensation to be paid in certain circumstances. ▪ s 70(2) and (3) Compensation.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning ▪ Manager Development and Place ▪ Senior Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s 56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s 70(2); 70(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6.1.2 Prohibition Orders

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 65(1) Prohibition orders. ▪ s 66 Certificate of clearance to be given in certain circumstances. ▪ s 67(4) Request for re-inspection.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s 65 of the <i>Food Act 2008</i> [s 65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s 66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s 67(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6.1.3 Food Business Registrations

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency (local government s 8) may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 110(1) and s 110(5) Registration of food business. ▪ s 112 Variation of conditions or cancellation of registration of food businesses.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s 110(1) and s 110(5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s 112].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Note – Decisions under this delegation may be referred for review by the State Administrative Tribunal. ▪ The Australia and New Zealand Food Authority: Priority Classification System for Food Businesses. ▪ Department of Health, WA Food Regulation: Food Business Risk Profiling – Guidance to the classification of food businesses,
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6.1.4 Appoint Authorised Officers and Designated Officers

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 122(1) Appointment of authorised officers ▪ s 126(6), (7) and (13) Infringement Officers
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning ▪ Manager Development and Place
Function:	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s 122(2)]. 2. Authority to appoint an Authorised Officer appointed under s 122(2) of this Act or s 24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s 126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s 126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s 126(6)] and determining withdrawal of an infringement notice [s 126(7)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ s 122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers. ▪ s 123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6.1.5 Debt Recovery and Prosecutions

Delegator:	Local Government
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118(3) Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 54 Cost of destruction or disposal of forfeited item. ▪ s 125 Institution of proceedings.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Director Community Planning ▪ Manager Development and Place ▪ Senior Environmental Health Officer
Function:	<ol style="list-style-type: none"> 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s 54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s 54(3)]. 2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s 125].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Exercise of the power under s 54 is confined to the Chief Executive Officer and the Manager Development and Place. ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ s 143(1) publication of names of offenders (by the Department of Health CEO).
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

6. Food Act 2008 Delegations

6.1.6 Food Businesses List – Public Access

Delegator:	Local Government (s 8 defined as 'enforcement agency')
Express Power to Delegate:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> ▪ s 118 Functions of enforcement agencies and delegation. ▪ s 118 (2)(b) Enforcement agency may delegate a function conferred on it. ▪ s 118 Delegation subject to conditions [s 119] and guidelines adopted [s 120]. ▪ s 118(4) Sub-delegation permissible only if expressly provided in regulations.
Express Power or Duty Delegated:	<p><i>Food Regulations 2009:</i></p> <ul style="list-style-type: none"> ▪ reg 51 Enforcement agency may make list of food businesses publicly available.
Delegate:	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Manager Development and Place ▪ Senior Environmental Health Officer ▪ Environmental Health Officer
Function:	1. Authority to decide to make a list of food businesses maintained under s 115(a) or s 115(b) publicly available [reg 51].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ In accordance with s 118(3)(b), this delegation is subject to relevant Department of Health Chief Executive Officer Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ NIL – <i>Food Regulations 2009</i> do not provide for sub-delegation.
Compliance Links:	<ul style="list-style-type: none"> ▪ Department of Health Chief Executive Officer Guidelines as amended from time to time.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

7. Graffiti Vandalism Act 2016 Delegations

7 Graffiti Vandalism Act 2016 Delegations

7.1 Council to CEO

7.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government.
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 18(2) Notice requiring removal of graffiti. ▪ s 19(3) and s 19(4) Additional powers when notice is given.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s 18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s 19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s 19(4)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

7. Graffiti Vandalism Act 2016 Delegations

7.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 22(3) Objection may be lodged. ▪ s 24(1)(b) & (3) Suspension of effect of notice.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s 22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> (a) 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 (b) to give notice to the affected person, before taking the necessary actions [s 24(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

7. Graffiti Vandalism Act 2016 Delegations

7.1.3 Obliterate Graffiti on Private Property

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government.
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 25(1) Local government graffiti powers on land not local government property.
Delegate:	Chief Executive Officer
Function:	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)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Subject to exercising Powers of Entry under <i>Graffiti Vandalism Act 2016</i>.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

7. Graffiti Vandalism Act 2016 Delegations

7.1.4 Powers of Entry

Delegator:	Local Government
Express Power to Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 28 Notice of entry. ▪ s 29 Entry under warrant.
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s 28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s 29].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none"> ▪ s 17 Delegation by CEO of local government.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

8. Public Health Act 2016 Delegations

8 Public Health Act 2016 Delegations

8.1.1 Designate Authorised Officers

Delegator:	Enforcement Agency (means at s 4(1) a Local Government)
Express Power to Delegate:	<i>Public Health Act 2016:</i> <ul style="list-style-type: none"> ▪ s 21 Enforcement agency may delegate.
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> <ul style="list-style-type: none"> ▪ s 24(1) and (3) Designation of authorised officers.
Delegate:	Chief Executive Officer
Function:	Authority to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> 1. The <i>Public Health Act 2016</i> or other specified Act. 2. Specified provisions of the <i>Public Health Act 2016</i> or another specified Act; 3. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. <p>Including:</p> <ol style="list-style-type: none"> 4. an environmental health officer or environmental health officers as a class; or 5. a person who is not an environmental health officer or a class of persons who are not environmental health officers; or 6. a combination of the two [s 24(1) and s 24(3)].
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is subject to each person so appointed being: <ul style="list-style-type: none"> ○ Appropriately qualified and experienced [s 25(1)(a)]; and ○ Issued with a certificate, badge or identity card identifying the authorised officer [s 30 and s 31]. ▪ A Register (list) of authorised officers is to be maintained in accordance with s 27.
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ 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)].
Compliance Links:	<i>Public Health Act 2016</i> <ul style="list-style-type: none"> ▪ s 20 Conditions on performance of functions by enforcement agencies. ▪ s 25 Certain authorised officers required to have qualifications and experience. ▪ s 26 Further provisions relating to designations. ▪ s 27 Lists of authorised officers to be maintained. ▪ s 28 When designation as authorised officer ceases. ▪ s 29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers. ▪ s 30 Certificates of authority. ▪ s 31 Issuing and production of certificate of authority for purposes of other written laws. ▪ s 32 Certificate of authority to be returned. ▪ s 136 Authorised officer to produce evidence of authority.

8. Public Health Act 2016 Delegations

	<ul style="list-style-type: none">▪ <i>Criminal Investigation Act 2006</i>, Parts 6 and 13 – refer s 245 of the <i>Public Health Act 2016</i>.▪ <i>The Criminal Code</i>, Chapter XXVI – refer s 252 of the <i>Public Health Act 2016</i>.
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

8. Public Health Act 2016 Delegations

8.1.2 Enforcement Agency Reports to the Chief Health Officer

Delegator:	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to 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 Town of Bassendean [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.

8. Public Health Act 2016 Delegations

8.1.3 Determine Compensation for Seized Items

Delegator:	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate:	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.264 Compensation
Delegate:	Chief Executive Officer
Function:	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].
Council Conditions on this Delegation:	a. Compensation is limited to a maximum value of \$5,000, with any proposal for compensation above this value to be referred for Council's determination.
Express Power to Sub-Delegate:	Nil.
Compliance Links:	
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.

8. Public Health Act 2016 Delegations

8.1.4 ~~Commence Proceedings~~ Amendment to the Act provides power to the CEO to commence proceedings. Delegation is no longer required.

Delegator:	Enforcement Agency (means Local Government vide s.4 definition)
Express Power to Delegate:	Public Health Act 2016: s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	Public Health Act 2016 s.280 Commencing Proceedings
Delegate:	Chief Executive Officer
Function:	1. Authority to commence proceedings for an offence under the Public Health Act 2016 [s.280]
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	Nil.
Compliance Links	
Record Keeping:	Delegations exercised are to be recorded in the Town's document management system.

9. Health (Asbestos) Regulations 1992

9 HEALTH (ASBESTOS REGULATIONS) 1992

9.1.1 Appoint Authorised Officer or Approved Officer

Delegator:	Local Government
Express Power to Delegate:	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> ▪ Reg 15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> <ul style="list-style-type: none"> ▪ Reg 15D(5) Infringement Notices
Delegate:	Chief Executive Officer Senior Environmental Health 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 [reg 15D(5)].
Council Conditions on this Delegation:	Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [reg 15D(6)].
Express Power to Sub-Delegate:	<ul style="list-style-type: none"> ▪ Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Compliance Links	<ul style="list-style-type: none"> ▪ <i>Criminal Procedure Act 2004</i> – Part 2
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town’s document management system. ▪ Instruments or Certificates of Authorisation – Copies are to be retained on the Authorised Person’s personnel file. ▪ A record of each Authorisation is to be retained in the Authorised Persons Register, retained as a Local Government Record.

10. Planning and Development Act 2005 Delegations

10 *Planning and Development Act 2005*

10. 1.1 Illegal Development

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Planning and Development Act 2005:</i></p> <ul style="list-style-type: none"> ▪ Section 214 Illegal development, responsible authority's powers as to ss 214(2), 214(3) and 214(5).
Delegate:	Chief Executive Officer
Function:	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Part 13, <i>Planning and Development Act 2005</i>.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

10. Planning and Development Act 2005 Delegations

10.1.2 Issue Written Notice – proposed road or waterways, drawings etc required

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p><i>Planning and Development Act 2005:</i></p> <ul style="list-style-type: none"> ▪ s 170(3) issue written notice to require a person subdividing land to do certain things. ▪ s 170(4)(b) issue written notice require a person subdividing land to amend certain things.
Delegate:	Chief Executive Officer
Function:	<ul style="list-style-type: none"> ▪ s 170(3)(a) issue written notice requiring person to amend the drawings or specifications or both; and ▪ comply with such further conditions. ▪ s 170(4) issue written notice requiring person to amend the drawings or specifications or both to satisfy s 169 minimum standards.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ Nil
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Part 13, <i>Planning and Development Act 2005</i>. ▪ s 169 Roads and waterways, minimum standards of construction for.
Record Keeping:	<ul style="list-style-type: none"> ▪ Delegations exercised are to be recorded in the Town's document management system.

10. Planning and Development Act 2005 Delegations

10.1.3 Deemed Provisions for Local Planning Scheme

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO. <p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 82 – Delegations by Local Government.
Express Power or Duty Delegated:	<p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 68 – Determination of applications ▪ cl 70 – Form and date of determination ▪ cl 77 – Amending or cancelling applications. <p><i>Planning and Development (Development Assessment Panels) Regulations 2011:</i></p> <ul style="list-style-type: none"> ▪ Regulation 17A – Amendment or cancellation of development approval by responsible authority.
Delegate:	Chief Executive Officer
Function:	<p>To determine an application for development approval or an application to amend or cancel a development approval by -</p> <ul style="list-style-type: none"> ○ Granting approval, with or without conditions; or ○ refusing to grant approval.
Council Conditions on this Delegation:	<ul style="list-style-type: none"> ▪ This delegation is not to be exercised where: <ul style="list-style-type: none"> ○ an applicant requests in writing that Council determine the application. ○ the originating application on a proposal was considered and determined by Council, all subsequent applications on the same proposal are to be presented to Council for determination unless in the opinion of a delegated officer, it is of a minor or insignificant nature. ▪ Determinations are limited to the following matters only: <ul style="list-style-type: none"> ○ uses that are noted with a “P” in Table 1 of the Local Planning Scheme that are permitted as of right subject to compliance with the requirements of the Local Planning Scheme. ○ Uses that are shown as “D” or “A” in the zoning table of the Local Planning Scheme with the exception of the following Use Classes: <ul style="list-style-type: none"> ▪ Cinema or Theatre. ▪ Fast Food Outlet, unless the outlet is located inside a shopping centre. ▪ Hotel. ▪ Industry – Mining. ▪ Night Club. ▪ Restricted Premises. ▪ Tavern.

10. Planning and Development Act 2005 Delegations

	<ul style="list-style-type: none"> ○ Development of land where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have been complied with. ○ Development of land where the requirements of the Local Planning Scheme, State Planning Policies and/or Local Planning Policies have not been complied with but where, in the opinion of the delegated officer: <ul style="list-style-type: none"> ▪ the proposal is consistent with the objectives of the Local Planning Scheme and relevant Policy; ▪ the proposal would not have a detrimental impact on the streetscape or any other property; or ▪ the variation is minor in nature; or ▪ the variation can be overcome by imposing a condition(s) on any development approval granted, or modifying the design of the development. ○ Where advertising of the application is required: <ul style="list-style-type: none"> ▪ consent, no objection or no response is received from those consulted; or ▪ in the opinion of the delegated officer, the proposal is consistent with the objectives and intent of the Local Planning Scheme and any Policy, as well as the principles of orderly and proper planning; or ▪ in the opinion of the delegated officer, the proposal is consistent with the objectives and intent of the Local Planning Scheme and any Policy; or ▪ any objection received can be overcome by imposing a condition(s) on any a development approval granted, or modifying the design of the development; or ▪ the objection does not relate to valid planning and development considerations associated with the proposal. ○ Additions to a Non-Conforming Use where no objection is received from adjoining landowners during consultation. ○ Telecommunications Infrastructure within commercial and industrial zones to a maximum height of thirty (30) metres.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.44 CEO may delegate some powers and duties to other employees. <p><i>Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 9, Division 2:</i></p> <ul style="list-style-type: none"> ▪ cl 83 – Local Government CEO may delegate powers.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	<ul style="list-style-type: none"> ▪ Town of Bassendean Local Planning Policies.

10. Planning and Development Act 2005 Delegations

Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.
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10. Planning and Development Act 2005 Delegations

10.1.4 Other Matters

Delegator:	Local Government
Express Power to Delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> ▪ s 5.42(b) Delegation of some powers or duties to the CEO. ▪ s 5.43 Limitations on delegations to the CEO.
Express Power or Duty Delegated:	<p>See relevant provisions and clauses set out in functions below for:</p> <ul style="list-style-type: none"> ▪ <i>Planning and Development Act 2005</i> ▪ <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> ▪ <i>Local Town Planning Scheme 4A</i> ▪ <i>Local Town Planning Scheme 10</i>
Delegate:	Chief Executive Officer
Function:	<p>1. Structure Plans</p> <p>(a) The determination under Clause 17(1) of the Deemed Provisions as to whether a structure plan complies with the requirements of Clause 16(1), or if further information is required before the structure plan can be accepted for assessment and advertising.</p> <p>(b) The advertising of a structure plan under Clause 18(2) of the Deemed Provisions.</p> <p>(c) The provision of advice and assistance to the Commission under Clause 23 of the Deemed Provisions.</p> <p>(d) The determination that advertising of an amendment to a structure plan is not required, where it is minor in nature, under Clause 29(3) of the Deemed Provisions.</p> <p>(e) The preparation of a report and recommendation on an amendment to a structure plan, under Clause 20 of the Deemed Provisions, where it is determined that the amendment is minor in nature and advertising is not required.</p> <p>2. Activity Centre Plans</p> <p>(a) The determination under Clause 33(1) of the Deemed Provisions as to whether an activity centre structure plan complies with the requirements of Regulation 32(1), or if further information is required before the structure plan can be accepted for assessment and advertising.</p> <p>(b) The advertising of an activity centre structure plan under Clause 34(2) of the Deemed Provisions.</p> <p>(c) The provision of advice and assistance to the Commission under Clause 39 of the Deemed Provisions.</p> <p>(d) The determination that advertising of an amendment to a structure plan is not required, where it is minor in nature, under Clause 45(3) of the Deemed Provisions.</p>

10. Planning and Development Act 2005 Delegations

	<p>(e) The preparation of a report and recommendation on an amendment to an activity centre structure plan, under Clause 36, where it is determined that the amendment is minor in nature and advertising is not required.</p> <p>3. Local Development Plans</p> <p>(a) The determination not to advertise a Local Development Plan under Clause 50(3) of the Deemed Provisions.</p> <p>(b) The approval of a Local Development Plan with or without conditions under Clause 52(1)(a) of the Deemed Provisions.</p> <p>(c) The determination to require modifications to a Local Development Plan under a Clause 52(1)(b) of the Deemed Provisions.</p> <p>(d) The determination to amend an approved Local Development Plan under Clause 59(1) of the Deemed Provisions.</p> <p>(e) The refusal of a Local Development Plan under Clause 52(1)(c) of the Deemed Provisions.</p> <p>4. Heritage</p> <p>(a) The power under Clause 10 of the Deemed Provisions to enter into a Heritage Agreement with the owner or occupier of land or building to bind the land or affect the use of land or building.</p> <p>(b) The determination under Clause 11 of the Deemed Provisions to require a Heritage Assessment to be carried out prior to the approval of any development proposed in heritage area or a place on a heritage list.</p> <p>(c) The determination under Clause 12 (1-3) of the Deemed Provisions to vary site or development requirements, subject to undertaking public consultation to preserve the heritage values of a heritage area or a place on a heritage list or on the Register of Heritage Places.</p> <p>(d) The determination under Clause 13 (1-6) of the Deemed Provisions to consider a place on a heritage list is not being properly maintained and to give a person who is the owner or occupier of the heritage place a written notice requiring specified repairs to the heritage place, or extend or revoke a notice.</p> <p>5. Town Planning Scheme No. 4A The review of estimated costs, acceptance of a cost contribution, the lodgement and withdrawal of caveats and acquisition and disposal of land in accordance with clause 5.5.12.2.</p>
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i>

10. Planning and Development Act 2005 Delegations

	<ul style="list-style-type: none">▪ s 5.44 CEO may delegate some powers and duties to other employees.
Sub-Delegate/s:	
CEO Conditions on this Sub-Delegation:	
Compliance Links:	
Record Keeping:	<ul style="list-style-type: none">▪ Delegations exercised are to be recorded in the Town's document management system.

11. Statutory Delegations and Authorisations to Local Government from State Government

Environmental Protection Act 1986

Noise Control – Environmental Protection Notices [Reg.65(1)]

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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 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.

Dr JUDY EDWARDS MLA, Minister for the Environment.

11. Statutory Delegations and Authorisations to Local Government from State Government

Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

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Environment

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No. 232. 20-Dec-2013
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EV402

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to--

- (a) waste collection and other works--noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship--the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities--noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues--noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues--noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results--requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events--approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation--
 - (i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by--

JOHN DAY, Acting Minister for Environment; Heritage.

11. Statutory Delegations and Authorisations to Local Government from State Government

Noise Management Plans – Construction Sites

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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.

11. Statutory Delegations and Authorisations to Local Government from State Government

Planning and Development Act 2005

Instrument of Authorisation – Local Government CEOs - Sign Development Applications for Crown Land as Owner

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the *2nd* day of *June* 2016



**HON DONALD TERENCE REDMAN MLA
MINISTER FOR LANDS**

11. Statutory Delegations and Authorisations to Local Government from State Government

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the 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, <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>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean 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>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>

11. Statutory Delegations and Authorisations to Local Government from State Government

(vi) section 163 of the *Planning and Development Act 2005* in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the *Heritage of Western Australia Act 1990*, or of which such a place forms part;

(vii) section 171A of the *Planning and Development Act 2005* in respect of a prescribed development application (as that term is defined in that section of that Act).

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 Kojoonup
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 Mundaring
Shire of Murchison
Shire of Murray
Shire of Nannup
Shire of Narembean
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

11. Statutory Delegations and Authorisations to Local Government from State Government

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 Wickkepin
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 TERENCE REDMAN MLA
MINISTER FOR LANDS

2nd day of *June* 2016

11. Statutory Delegations and Authorisations to Local Government from State Government

Development Control Powers – Powers of Local Governments and DOT - Metropolitan Region Scheme (DEL.2017/02)

GOVERNMENT GAZETTE Tuesday, 30 May 2017 No.14

GUIDANCE NOTE:

This delegation must be read in conjunction with amendments Gazetted on Tuesday, 18 December 2018 No.193 – please see inserted below.

PL403

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2017/02 Powers of Local Governments and Department of Transport
Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to an officer of a public authority or to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 24 May 2017, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To delegate to the Managing Director, Policy, Planning and Investment—Transport, of the Department of Transport, and the person or persons from time to time holding or acting in that office, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme (MRS), of applications for approval to commence and carry out development specified in clause 3, Section A, subject to the conditions set out in clause 5 of Section B.
- C. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2011/02 Powers of local governments (MRS)” published in the *Government Gazette* on 10 June 2014, to give effect to this delegation,

KERRINE BLENKINSOP, Secretary,
Western Australian Planning Commission.

11. Statutory Delegations and Authorisations to Local Government from State Government

PLANNING AND DEVELOPMENT ACT 2005
INSTRUMENT OF DELEGATION

SECTION A—Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or
- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest, or
- (e) in respect of public works undertaken by public authorities.

2. Development on regional road reservations

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road, but excluding any application relating to large format digital signage.

3. Large Format Digital Signage applications

Applications from any public authority for development in relation to large format digital signage, on land reserved under the MRS for the purpose of a Primary Regional Road.

SECTION B—Conditions

1. Referral requirements for development on land within or abutting a regional road reservation

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning (DoP), as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).

11. Statutory Delegations and Authorisations to Local Government from State Government

The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
 - Category 1 road means that frontage access is not allowed (control of access);
 - Category 2 road means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
 - Category 3 road means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“Category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“Category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“Category 3 road” applies where regional road reservation is not accurately defined or is under review.

For enquiries and assistance regarding—

- (a) PRR Category 1, 2 and 3—call Main Roads WA on 138 138.
- (b) ORR Category 1, 2 and 3—call Department of Planning on (08) 6551 9000.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves direct vehicle access to and/or from the regional road reservation. 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. Where a development application has one or more of the following characteristics— <ul style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or 	1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

11. Statutory Delegations and Authorisations to Local Government from State Government

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<p>(c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or</p> <p>(d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or</p> <p>(e) Development on a lot affected by the regional road reservation where—</p> <ul style="list-style-type: none"> • all or part of the proposed development is within the regional road reservation; and • has a construction value greater than \$20 000; or <p>(f) Development on a lot affected by the regional road reservation where—</p> <ul style="list-style-type: none"> • none of the proposed development is within the regional road reservation; and • has a construction value greater than \$150 000 	

Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

Notes—

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.planning.wa.gov.au/1212.asp>)
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's D C Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads.
(<http://www.planning.wa.gov.au/publications/812.asp>; and <https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*. (<http://www.planning.wa.gov.au/publications/1197.asp>)
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.planning.wa.gov.au/publications/1182.asp>)
- (5) With regard to development application for the display of advertisements on land reserved under the MRS local government should have regard to the Commission's DC Policy 5.4 *Advertising on Reserved Land*. (<http://www.planning.wa.gov.au/publications/825.asp>)

2. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

11. Statutory Delegations and Authorisations to Local Government from State Government

3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning before being determined by the local government.

4. For the purpose of this Instrument of Delegation (excluding applications under clause 3, Section A)—

- (a) Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- (b) Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- (c) The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

5. Referral Requirements for applications from a public authority for large format digital signage development on land within a Primary Regional Road reservation

Where applications for large format digital signage development relate to land that is reserved as Primary Regional Roads (PRR) reservation in the MRS, the following shall apply—

- (a) DoT shall refer the application to the relevant local government and Main Roads WA for comment and recommendation;
- (b) the local government and Main Roads WA shall provide their comments and recommendations, if any, to the delegate within 30 days of receipt of the application;
- (c) Once the 30 day period has elapsed, the delegate may determine the application, even in the absence of comments and recommendations; and
- (d) the delegate is not bound to follow any recommendation received.

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".
- "development" has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or "development means the development or use of any land, including—
 - (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
 - (b) the carrying out on the land of any excavation or other works;
 - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
 - (i) is likely to change the character of that place or the external appearance of any building; or
 - (ii) would constitute an irreversible alteration of the fabric of any building".
- "DoT" means the Department of Transport
- "Large format digital signage" means an electronic billboard whether freestanding or attached to another structure with a display area of greater than 13m² "local government" means a local government within the area covered by the MRS.
- "local road" means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- "not acceptable" means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- "Public authority" means any of the following—
 - (a) a Minister of the Crown in right of the State;

11. Statutory Delegations and Authorisations to Local Government from State Government

- (b) a department of the Public Service, State trading concern, State instrumentality or State public utility;
- (c) any other person or body, whether corporate or not, who or which, under the authority of a written law, administers or carries on for the benefit of the State, a social service or public utility;
- “regional road” means any road designated under the region Scheme as follows—
 - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
 - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- “reserved land” means land reserved under Part II of the MRS.
- “road reservation” means land reserved for the purposes of a regional road in the MRS.
- “significant increase in traffic” means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission’s *Transport Impact Assessment Guidelines*

CORRECTION TO DELEGATION 2017/02 GOVERNMENT GAZETTE 2 June 2017

PL101

CORRECTION
PLANNING AND DEVELOPMENT ACT 2005
INSTRUMENT OF DELEGATION
Del 2017/02 Powers of Local Governments and Department of Transport
Metropolitan Region Scheme

Certain typographical errors were recorded in the Instrument of Delegation, made under the *Planning and Development Act 2005*, and published on 30 May 2017 from page 2738 to 2743 of the *Government Gazette*.

The errors are corrected as follows—

1. On page 2739, the text of Resolution C is deleted and replaced with the following words—
“TO REVOKE its delegation of powers and functions to local governments and the Department of Transport as detailed in the notice entitled “DEL 2015/02 Powers of local governments and Department of Transport (MRS)” published in the *Government Gazette* on 18 December 2015, to give effect to this delegation.”

AMENDMENT TO DELEGATION 2017/02 GOVERNMENT GAZETTE, Tuesday, 18 December 2019, No.193

GUIDANCE NOTE:

The below gazettal amends the above delegation and the two must be read in conjunction.

PL402

PLANNING AND DEVELOPMENT ACT 2005

AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF LOCAL GOVERNMENT AND DOT
Notice of amendment to the Instrument of Delegation, Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 12 December 2018, pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme as gazetted on 30 May 2017, as set out in Schedule 1 below.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

11. Statutory Delegations and Authorisations to Local Government from State Government

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2017/02—Powers of Local Governments and Department of Transport, Metropolitan Region Scheme, as gazetted on 30 May 2017 and as amended.

2. Amendment to Section A

1. The word “but excluding any application relating to large format digital signage” are deleted from clause 2.
2. Clause 3 is deleted.

3. Amendments to Section B

1. The words in brackets “(excluding applications under clause 3, Section A)” are deleted from the title to clause 4.
2. Clause 5 is deleted.
3. In the interpretation section the terms “Large format digital signage” and “Public Authority” and their respective definitions, are deleted.

11. Statutory Delegations and Authorisations to Local Government from State Government

WA Planning Commission – Powers of Local Governments - s.15 of the Strata Titles Act 1985 (DEL.2020/01)

822

GOVERNMENT GAZETTE, WA

27 March 2020

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 15 of the *Strata Titles Act 1985*.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 19 March 2020, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. To delegate to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1;
- B. To declare that this instrument recording its resolution is to take effect upon the proclamation of the *Strata Titles Amendment Act 2018*.

SAM FAGAN, Secretary,
Western Australian Planning Commission.

Schedule 1

1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications for the issuing of a certificate of approval under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - i. a type of development; and/or
 - ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

2. Reporting requirements

A local government that exercises the power referred to in clause 1 is to provide WAPC with data on all applications determined under this Instrument of Delegation at the conclusion of each financial year in the format prescribed by the WAPC.

11. Statutory Delegations and Authorisations to Local Government from State Government

Main Roads Act 1930

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.

WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION

RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorises (Insert name of Local Government) (Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

11. Statutory Delegations and Authorisations to Local Government from State Government

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE)
PRESENCE OF:)

Signature of Witness

Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

.....(*Insert name of Local Government*)..... agrees to unconditionally observe,
perform and be bound by the above conditions.

THE COMMON SEAL of)
)
)
)

[Insert name of Local Government])
)
Was hereunto affixed pursuant to a)
resolution of the Council in the)
presence of.)
)

Signature of Chief Executive Officer

Signature of Witness

Name of Witness (please print)

11. Statutory Delegations and Authorisations to Local Government from State Government

Traffic Management – Road Works

A list of Local Governments authorised for the purposes of Road Traffic Code 2000 r.297(2) are available on Main Roads WA website [here](#)

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads (“the Commissioner”) hereby authorises (“Authorised Body”) by itself, its employees, consultants, agents and contractors (together “Representatives”) to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the “Traffic Management for Works on Roads Code of Practice” (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia (“the Code”) referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner’s delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

11. Statutory Delegations and Authorisations to Local Government from State Government

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
)
)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE PRESENCE OF:)

Signature of Witness

Name of Witness

ACKNOWLEDGMENT BY AUTHORISED BODY

..... agrees to observe, perform and be
bound by the above conditions.

THE COMMON SEAL OF THE)
.....)
WAS AFFIXED PURSUANT TO A RESOLUTION)
OF THE COUNCIL IN THE PRESENCE OF)

Chief Executive Officer

Witness

11. Statutory Delegations and Authorisations to Local Government from State Government

Road Traffic (Vehicles) Act 2012 Approval for Certain Local Government Vehicles as Special Use Vehicles



ROAD TRAFFIC (VEHICLES) ACT 2012

Road Traffic (Vehicles) Regulations 2014

RTVR-2017-202046

APPROVAL UNDER REGULATION 327(4)(f) FOR CERTAIN LOCAL GOVERNMENT VEHICLES AS SPECIAL USE VEHICLES

Pursuant to the *Road Traffic (Vehicles) Regulations 2014* (the *Regulations*), I, Christopher Davers, Assistant Director Strategy and Policy, Driver and Vehicle Services, Department of Transport, and delegate of the Chief Executive Officer of the Department of Transport by way of a delegation instrument dated 7 August 2017, hereby approve vehicles owned by a local government and ordinarily used by persons authorised or appointed by that local government to perform functions on its behalf under:

- (a) the *Local Government Act 1995*;
- (b) regulations made under the *Local Government Act 1995*;
- (c) a local law;
- (d) any other legislation empowering a local government to authorise or appoint persons to perform functions on the behalf of the local government (including but not limited to the *Dog Act 1976*); or
- (e) any combination of the above paragraphs (a) to (d);

as special use vehicles for the purposes of paragraph "f" of the definition of "special use vehicle" in regulation 327(4) of the *Regulations*, with the effect that those vehicles may be fitted with one or more yellow flashing lights under regulation 327(3)(b) of the *Regulations*, subject to the following conditions:

CONDITIONS

1. Those lights must emit rotating, flashing yellow coloured light(s) and must not be a strobe light.
2. At least one flashing light shall be mounted on top of the vehicle and when lit, shall be visible in normal daylight up to a distance of not less than 200 metres to vehicles approaching from any direction.
3. No part of the lens of the flashing lights is visible either directly or indirectly to the driver when seated in the normal driving position.
4. If more than one flashing light is fitted, they must be placed symmetrically about the centre line of the vehicle or combination of vehicles.
5. An on/off switch for the flashing lights must be installed so as to be easily operated from the driver's seat.
6. Any additional equipment fitted to the vehicle must not interfere with the overall safe operation of the vehicle.
7. Any vehicle fitted with flashing lights for the purposes of this approval must:

3. The value of the asset will not be diminished as a result of the works.

Unless otherwise provided for in the lease, the terms shall be increased to take account of the extension.

Adopted: OCM-19/12/04

Reviewed: OCM-12/10/18

1.4 Granting of Liquor Licences for Special Occasions & for Liquor Licence Applications Generally

LEGISLATIVE POWER	LIQUOR LICENSING ACT 1988
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to deal with applications from clubs seeking approval for liquor licences for special occasions on Council owned or vested land, and the authority to deal with applications for section 39 certificates (certificate of local health authority) and section 40 certificates (certificate of local planning authority).

Adopted: OCM-26/09/04

Amended: OCM-17/10/16

Reviewed: OCM-12/10/18

1.5 Reimbursement of Travel Expenses

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 [SECTION 5.42 and 5.98(2)(b) and (3)] LOCAL GOVERNMENT ADMINISTRATION REGULATIONS, REGULATION 32
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to approve reimbursements of travel expenses in accordance with Section 5.98(2) (b) and (3) of the Local Government Act 1995 and Regulation 32 of the Local Government Administration Regulations.

Adopted: OCM-15/07/05

Reviewed: OCM-12/10/18

1.6 Approval of future requests for donations from the WA Special Children’s Christmas Party Appeal

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to approve future requests for donations from the WA Special Children’s Christmas Party Appeal in liaison with the Mayor.

Adopted: OCM-17/05/06
Reviewed: OCM-12/10/18

1.7 Circuses without Exotic Animals

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to approve the hire of a reserve or facility within the Town for the purpose of conducting a circus without exotic animals. (Refer to the Circus Policy, No 11.11)

Adopted: OCM-8/08/06
Reviewed: OCM-12/10/18

1.8 Unauthorised Signs located within street thoroughfares

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The Chief Executive Officer was delegated the authority to take legal action to enforce infringement notices issued where proprietors fail to adhere to the Town’s instructions to remove unauthorised advertising signs located within thoroughfares, including the impounding of such signs and/or serving of infringement notices where required.

Adopted: OCM-17/04/07
Amended: OCM-53/05/08
Reviewed: OCM-12/10/18

1.9 Donations, Sponsorships & Grants

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The Chief Executive Officer was delegated the authority to assess and approve donations in accordance with Policy 6.11, Donations, Sponsorships & Grants, and to refuse applications for donations and financial assistance where they do not meet the requirements set down in this policy.

Adopted: OCM1-9/09/11
Reviewed: OCM-12/10/18

1.10 Use of the Common Seal

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER & MAYOR

The Chief Executive Officer and Mayor were delegated the responsibility of affixing the Common Seal to documents requiring signing and sealing, and reporting the exercise of that delegation to the next available Ordinary Meeting of the Council.

Adopted: OCM-22/10/15
Reviewed: OCM-12/10/18

2. ADMINISTRATION

2.1 Occupation of Land – State Emergency Service

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to enter into an agreement with the Bassendean State Emergency Service to allow the organisation to occupy a portion of land at Reserve 26417 Scaddan Street, Bassendean.

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18

2.2 Extension of Contract – Old Perth Road Markets Management Agreement

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to award the future options extending the Rotary Club of Swan Valley's contract to facilitate the ground operations the Old Perth Road Markets.

A new Management Agreement from 1 May 2017 to 30 April 2020 was signed in July 2017.

Adopted: OCM-18/11/11
Reviewed: OCM-12/10/18

2.3 Extension of Contract – Supply, Cart & Install Asphalt – Minor & Major Works

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to exercise the option under contract RFT CO 041 2015-16, Supply, Cart & Install Asphalt, Minor & Major Works, to negotiate for a one year extension of the contract beyond the nominal expiry date of 28 February 2019.

Adopted: OCM-11/02/16
Reviewed: OCM-12/10/18

2.4 Extension of Contract - Provision of Plumbing and Gas Services

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to exercise the option under Contract RFT CO 046 2015-16, Provision of Plumbing and Gas Services, to negotiate for a one year extension of the contract beyond the nominal expiry date of 10 June 2019.

Adopted: OCM-10/05/16
Reviewed: OCM-12/10/18
Revoked:

2.5 Extension of Contract - Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to exercise the option under Contract RFT CO 043 2015-16, Provision of Turf Maintenance at Bassendean Oval, Ashfield Reserve and Jubilee Reserve, to negotiate for a one year extension of the contract beyond the nominal expiry date of 30 June 2019.

**Adopted: OCM-13/05/16
Reviewed: OCM-12/10/18**

2.6 Recycling & Waste Services for the Town of Bassendean

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to exercise the option under the contract with Suez Recycling & Recovery Pty Ltd to negotiate an extension of 5 years of the contract beyond the nominal expiry date of 30 June 2022.

**Adopted: OCM-9/03/17
Reviewed: OCM-12/10/18**

2.7 Request for Continuation of Current Access Arrangements – Maidos Street Laneway, Ashfield

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was authorised to duly sign and execute any necessary alterations/amendments to the Deed of Easement and any associated documents required to continue to honour and/or effect the current access arrangements for the Maidos Street Laneway, Ashfield.

**Adopted: OCM-10/11/17
Reviewed: OCM-12/10/18**

2.8 Extension for the term of use of the Bassendean Seniors' & Community Centre Kitchen for the Community Kitchen Pilot Program

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was authorised to enter into an agreement with Michael Grau for the non-exclusive use of the facility until 30 June 2019, subject to the following conditions:

- a. Requests the Applicant to indemnify Council from any liability and provide a copy of their current insurance certificate of currency;
- b. Grants permission for the Applicant to use their own equipment on the premises subject to being certified by a qualified electrician and that the Applicant be instructed to comply with the requirements of the Occupation Health and Safety Act;
- c. The facility be made available to Mr Grau for one day per week, with additional days being made available with the approval of the CEO;
- d. Requests the applicant to work with Officers of the Town to deliver an activity and/or service at no cost for the benefit of the community in return for using the premises at no charge;
- e. Requests the Applicant to provide an evaluation report to Officers in the first instance by 1 March 2019; and
- f. Provide no less than 4 weeks notice in writing to the applicant should Council choose to discontinue the trial prior to 30 June 2019. The user/s of the community kitchen will be required to remove and make good any alterations that the user has made to the premises during the agreement period.

Adopted: OCM-17/07/18
Reviewed: OCM-12/10/18

3. CORPORATE SERVICES

3.3 Approval of Credit Cards

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.42)
DELEGATE	CHIEF EXECUTIVE OFFICER
ON-DELEGATION	DIRECTOR CORPORATE SERVICES MANAGER CORPORATE SERVICES ACCOUNTANT

The CEO was delegated the authority to approve the issue of Council credit cards.

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18

4. PLANNING SERVICES

4.1 Advice to the Western Australian Planning Commission

LEGISLATIVE POWER	PLANNING & DEVELOPMENT ACT 2005 & LOCAL PLANNING SCHEME NO 10
DELEGATE	CHIEF EXECUTIVE OFFICER
ON-DELEGATION	MANAGER DEVELOPMENT SERVICES

The CEO was delegated the authority to give advice to the Western Australian Planning Commission on applications to amalgamate and subdivide land under S142 of the Planning and Development Act 2005, provided the advice is consistent with the requirements of Local Planning Scheme No. 10 and WAPC Development Control Policy 2.2 – Residential Subdivision, subject to all applications for subdivision or amalgamation being presented to the Development Control Unit.

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18
Amended: OCM-05/12/18

4.2 Delegation of Powers under Local Planning Scheme No 10

LEGISLATIVE POWER	PLANNING & DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015
DELEGATE	CHIEF EXECUTIVE OFFICER
ON-DELEGATION	MANAGER DEVELOPMENT SERVICES

The Chief Executive Officer was delegated:

1. The power to determine applications under Clause 68.(2) of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, with the exception of the following classes of development:
 - a) Where, in the opinion of the Chief Executive Officer, the proposal involves a major commercial or residential development, which in the opinion of the delegate is likely to have a significant effect on the Town or on local amenity;

- b) Where, in the opinion of the Chief Executive Officer, the proposal represents a significant departure from the Local Planning Scheme, the R-Codes or Local Planning Policies and nevertheless, the Chief Executive Officer, if he was to decide the matter, would grant approval;
- c) Where, in the opinion of the Chief Executive Officer, the proposal involves the modification of Restrictive Covenants where there are valid objections on planning grounds; and
- d) The proposal has been subjected to neighbour or community consultation and has attracted objections which, in the opinion of the Chief Executive Officer, should not be resolved by Officers.

Note: The power to determine applications under delegated authority includes the power to approve unconditionally or subject to conditions, and the power to refuse applications.

- 2. The authority to prepare responses to the State Administrative Tribunal for applications for review lodged against Council's decisions and notices, and decisions issued under delegated authority, and responses be circulated to Councillors for information.

The CEO has on-delegated these powers to the Town Planner (Manager Development Services), pursuant to Clause 83 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to all applications for development approval being presented to the Development Control Unit in order to provide professional advice and information to the Town Planner (Manager Development Services) under clause 68.(2) of the Planning and Development (Local Planning Schemes) Regulations 2015.

Adopted: OCM-11/06/08
Amended: OCM-8/10/12
Amended: OCM-21/10/14
Reviewed: OCM-12/10/18

4.3 Power to Make Comment on Department of Housing & Works' Planning Proposals

LEGISLATIVE POWER	PLANNING & DEVELOPMENT (LOCAL PLANNING SCHEMES) REGULATIONS 2015
DELEGATE	CHIEF EXECUTIVE OFFICER
ON-DELEGATION	MANAGER DEVELOPMENT SERVICES

The Chief Executive Officer was delegated the power to make comments to the Department of Housing and Works on public housing proposals, subject to Council being advised of such applications upon lodgement.

Adopted: OCM1-8/08/09
Reviewed: OCM-12/10/18

4.4 Dealing with requests from owners of land to pay in lieu of setting aside land for open space onsite (Cash-in-lieu payments)

LEGISLATIVE POWER	PLANNING & DEVELOPMENT ACT 2005, SECTION 153
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to deal with requests from landowners to pay in lieu of setting aside land for open space under section 153 of the Planning and Development Act 2005, provided that:

1. It would be inappropriate, in his opinion for the open space to be provided on site;
2. The request is not made in an area to be considered deficient in open space;
3. The owner pays to the Town of Bassendean the value of providing the open space onsite; and
4. All money received is to be paid into a separate cash-in-lieu fund and to be reported to Council through the quarterly report.

Note: Cash-in-lieu funds are not to be expended without the approval of the Council.

**Adopted: OCM-9/10/12
Reviewed: OCM-12/10/18**

4.5 Strata Titles

LEGISLATIVE POWER	STRATA TITLES ACT 1985
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to endorse “Built Strata” Form 24 and Form 26 documentation in accordance with the Strata Titles Act 1985.

**Adopted: OCM-17/10/16
Reviewed: OCM-12/10/18**

5. BUILDING SERVICES

5.11 Prosecution for Offences Committed under the Building Act 2011

LEGISLATIVE POWER	BUILDING ACT 2011 SECTION 133(1)
DELEGATE	CHIEF EXECUTIVE OFFICER

The Chief Executive Officer was delegated the authority to commence prosecution for offences committed under the Building Act 2011.

Adopted: OCM-13/02/13
Reviewed: OCM-12/10/18

6. HEALTH SERVICES

6.1 Functions under the Health (Miscellaneous Provisions) Act 1911

LEGISLATIVE POWER	HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911
DELEGATES	CHIEF EXECUTIVE OFFICER, SENIOR ENVIRONMENTAL HEALTH OFFICER & ENVIRONMENTAL HEALTH OFFICER

Pursuant to the provisions of Section 26 of the Health (Miscellaneous Provisions) Act 1911 Council delegates to the Chief Executive Officer, the Senior Environmental Health Officer and the Environmental Health Officer, or the persons acting in those positions, as its deputies, for the purpose of discharging its functions under the provisions of the Health (Miscellaneous Provisions) Act 1911.

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18

6.3 Authorised Officers under the Caravan Parks & Camping Grounds Regulations 1997

LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995, SECTION 5.42
DELEGATE	CHIEF EXECUTIVE OFFICER
ON-DELEGATION	SENIOR ENVIRONMENTAL HEALTH OFFICER

The CEO was delegated the power to issue a written approval for a person(s) to camp on land for a period of longer than 3 nights but less than 3 months in any period of 12 months.

Adopted: OCM-22/10/15
Reviewed: OCM-12/10/18

7. RANGER SERVICES

7.2 Applications to keep more than two dogs on a property

LEGISLATIVE POWER	DOG ACT 1976
DELEGATE	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to approve or refuse applications to keep more than two dogs on a property in accordance with Section 26(3) of the Dog Act 1976.

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18

13. MAYORAL DELEGATIONS

13.1 Speaking on Behalf of the Council

DELEGATION NUMBER	13.1
LEGISLATIVE POWER	LOCAL GOVERNMENT ACT 1995 (SECTION 5.41(f))
DELEGATE	MAYOR
ON-DELEGATION	CHIEF EXECUTIVE OFFICER

The CEO was delegated the authority to speak on and represent the view of the Council of the Town of Bassendean to the media and other third parties when the Mayor is not available. Valid until 19/10/2019.

(The letter can be found at: Executive/delegations/delegation to ceo to speak.)

Adopted: OCM-19/12/04
Reviewed: OCM-12/10/18

ATTACHMENT NO. 9

**LIST OF PAYMENTS
FOR PERIOD
ENDED 30th SEPTEMBER 2020**

*Any questions relating to the List of Payments, please raise with Paul White,
Director Corporate Services, prior to Briefing Session.*

SUMMARY OF SCHEDULE OF ACCOUNTS

FUND	VOUCHERS	AMOUNT \$
MUNICIPAL / TRUST		
EFT and Direct Debits 01-30 September 2020	41672 – 41858	4,145,833.86
TRUST FUND		
Cheques Commonwealth 6100-1015-9136	0	0.00
MUNICIPAL BANK		
Cheques Commonwealth 6100-1015-9128	86215 – 86218	19,085.47
		<hr/>
		\$4,164,919.33
		<hr/> <hr/>

DIRECTOR CORPORATE SERVICES' DECLARATION:

This list of payments, covering vouchers as above, will be submitted to Council on 27th October 2020. The List of Payments has been checked and is fully supported by vouchers and invoices, which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings, and the amounts shown have been paid.



DIRECTOR CORPORATE SERVICES

1st September 2020
to
30th September 2020

Chq/EFT	Date	Name	Amount
EFT41672	01/09/2020	AUSTRALIAN SERVICES UNION	Payroll Deductions
EFT41673	01/09/2020	AUSTRALIAN TAX OFFICE (PAYG)	Payroll Deductions
EFT41674	01/09/2020	CHILD SUPPORT AGENCY	Payroll Deductions
EFT41675	01/09/2020	LGRCEU	Payroll Deductions
EFT41676	01/09/2020	TOWN OF BASSENDEAN PAYROLL DEDUCTIONS	Payroll Deductions
EFT41677	01/09/2020	LOCAL COMMUNITY INSURANCE SERVICES	Bassendean Historical Society - Insurance 2020 /2021
EFT41678	01/09/2020	MASTEC AUSTRALIA PTY LTD	Red & Green Lidded Bins And Kitchen Caddies Instalment
EFT41679	15/09/2020	AUSTRALIAN SERVICES UNION	Payroll Deductions
EFT41680	15/09/2020	AUSTRALIAN TAX OFFICE (PAYG)	Payroll Deductions
EFT41681	15/09/2020	CHILD SUPPORT AGENCY	Payroll Deductions
EFT41682	15/09/2020	LGRCEU	Payroll Deductions
EFT41683	15/09/2020	TOWN OF BASSENDEAN PAYROLL DEDUCTIONS	Payroll Deductions
EFT41684	17/09/2020	ASPHALTECH PTY LTD	Construction Of Whitfield Safe Active Street - Instalment
EFT41685	17/09/2020	GENESIS ACCOUNTING CHARTERED ACCOUNTANTS	Consultation - Superannuation
EFT41686	21/09/2020	BCIFF	Building & Construction Industry - Levy Collected - August 2020
EFT41687	21/09/2020	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	Building Services Levy Collected - August 2020
EFT41688	21/09/2020	LGIS	Marine Cargo Insurance - 2020/2021 Instalment
EFT41689	21/09/2020	LGIS WA	Insurance Schedules - Various - 2020/2021 Instalment
EFT41690	21/09/2020	TPG NETWORK PTY LTD	Various Sites - Telephone Charges
EFT41691	22/09/2020	TOWN OF BASSENDEAN (TRANS FROM TRUST TO MUNI)	Rates Refund
EFT41692	23/09/2020	BOON KHIANG SIM	Security Bond Refund
EFT41693	23/09/2020	CU BUILDING GROUP PTY LTD	Security Bond Refund
EFT41694	23/09/2020	GLEN ANDERSON	Security Bond Refund
EFT41695	23/09/2020	JUDE RODRIGUES	Hall Hire Refund
EFT41696	23/09/2020	SALVATORE DE LUCA	Security Bond Refund
EFT41697	23/09/2020	SUMANA BANGERA	Hall Hire Refund
EFT41698	23/09/2020	TOWN OF BASSENDEAN (TRANS FROM TRUST TO MUNI)	Development Bond Transfer
EFT41699	23/09/2020	ABACUS CALCULATORS (WA) PTY LTD	Town Planning - Canon Scanner & Plotter Lease
EFT41700	23/09/2020	ACACIA CONNECTION PTY LTD	Employee Assistance Program - Counselling
EFT41701	23/09/2020	AMANDA WILLIAMS	Council Crossover Contribution

1st September 2020
to
30th September 2020

Chq/EFT	Date	Name	Description	Amount
EFT41702	23/09/2020	AMAZING BRICK PAVING	Various Sites - Repair Verge And Walkway Brick Paving	-3,168.00
EFT41703	23/09/2020	AUSTRALIA POST	Various Business Units - Postal Charges - August 2020	-1,676.80
EFT41704	23/09/2020	BASSEDEAN GALAXY BASKETBALL CLUB	Thrive Magazine - Residential Distribution	-1,800.00
EFT41705	23/09/2020	BASSEDEAN MEN'S SHED INC	Reimbursement For Mens Shed Fitout	-5,601.12
EFT41706	23/09/2020	BASSEDEAN NEWSAGENCY	Library - Subscriptions - August 2020	-142.42
EFT41707	23/09/2020	BRADLEY PAGE	Cloth Nappy Trial Rebate	-100.00
EFT41708	23/09/2020	C & L GRACE	Rates Refund	-800.00
EFT41709	23/09/2020	C.E. NICHOLLS & SON PTY LTD	Swimming Pool Inspections - August 2020	-6,682.50
EFT41710	23/09/2020	CAMERON FARMER	Rates Refund	-3,100.00
EFT41711	23/09/2020	CATHERINE BUSBY	Seniors - Refund Home Care Package Unspent Funds	-25.10
EFT41712	23/09/2020	CHRIS RICHARDSON	Children Services - Food Safety Audit (Compliance)	-550.00
EFT41713	23/09/2020	COLES SUPERMARKETS AUSTRALIA	Various Business Units - Groceries Supplies	-3,476.42
EFT41714	23/09/2020	CREATING COMMUNITIES AUSTRALIA PTY LTD	Consultancy Fees - Town Centre Revitalisation Masterplan	-11,849.75
EFT41715	23/09/2020	DATA3	Office 365 Services - User Lease	-1,197.24
EFT41716	23/09/2020	DEPARTMENT OF FIRE & EMERGENCY SERVICES	Library - Fire & Emergency Service - 01/07/2020 To 30/06/2021	-1,840.93
EFT41717	23/09/2020	DEPARTMENT OF FIRE & EMERGENCY SERVICES	Emergency Services Levy - 2020/20021 Esl 1st Quarter	-714,040.60
EFT41718	23/09/2020	EASIFLEET	Payroll Deductions	-1,707.40
EFT41719	23/09/2020	ELAINE PAGE	Seniors - Refund Home Care Package Unspent Funds	-792.39
EFT41720	23/09/2020	GLEN ANDERSON	Council Crossover Contribution	-592.00
EFT41721	23/09/2020	HERNAN SANCHEZ	Relax Refund - Zumba Cancelled Due To Covid	-40.00
EFT41722	23/09/2020	JEANNE MARTIN	Seniors - Refund Home Care Package Unspent Funds	-1,023.96
EFT41723	23/09/2020	NELLA GLOBAL SOLUTIONS PTY LTD	Human Resources - Investigation Services	-2,200.00
EFT41724	23/09/2020	RUBY 9 PTY LTD	Relax Instructor - Thurs Morning Yoga - Term 3	-1,050.00
EFT41725	23/09/2020	SALVATORE DE LUCA	Council Crossover Contribution	-150.50
EFT41726	23/09/2020	SANYATI PROPERTY SERVICES	Library - Clean Public & Staff, Keyboards, Mice & Monitors	-143.00
EFT41727	23/09/2020	SEGAFREDO ZANETTI AUSTRALIA PTY LTD	Office - Coffee Machine Service & Clean	-405.85
EFT41728	23/09/2020	A. M BOLTS & NUTS	Depot - Minor Supplies	-55.26
EFT41729	23/09/2020	ACTION GLASS AND ALUMINIUM	Various Sites - Window Replacement	-1,553.09
EFT41730	23/09/2020	ADVANCE PRESS (2013) PTY LTD	Various Business Units - Printing	-704.00
EFT41731	23/09/2020	ALSCO PERTH	Office Linen And Laundry Services	-80.10

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Chq/EFT	Date	Name	Description	Amount
EFT41732	23/09/2020	ASSET INFRASTRUCTURE MANAGEMENT	Consulting - Asset Management	-6,311.25
EFT41733	23/09/2020	AUSRECORD PTY LTD	Records - Stationery - Files With Tube Clips	-924.11
EFT41734	23/09/2020	AUSTRALIAN AIRCONDITIONING SERVICES PTY LTD	All Sites - Airconditioning Service & Inspections	-2,615.80
EFT41735	23/09/2020	AUSTRALIAN OFFICE	Various Business Units - Self Seal Window Envelopes	-231.43
EFT41736	23/09/2020	BAILEYS FERTILISER	Various Sites - Fertiliser Applications	-1,306.80
EFT41737	23/09/2020	BANK OF QUEENSLAND FINANCE (AUST) LIMITED	Lease - New Servers / Equipment	-2,247.43
EFT41738	23/09/2020	BASSENDAN TENNIS CLUB	Grass Court Maintenance - Bic Reserve - August 2020	-2,291.30
EFT41739	23/09/2020	BBC ENTERTAINMENT	Welcome To Country - Citizenship Ceremony	-715.00
EFT41740	23/09/2020	BEAVER TREE SERVICES	Various Sites - Street Tree Pruning	-5,775.00
EFT41741	23/09/2020	BEN NASH SURVEYS	West Road - Feature Survey	-660.00
EFT41742	23/09/2020	BENARA NURSERIES	Various Street Gardens - Assorted Plants	-3,427.93
EFT41743	23/09/2020	BOLINDA DIGITAL PTY LTD	Library - Digital Collection Of Books	-2,750.00
EFT41744	23/09/2020	BUNNINGS GROUP LIMITED	Various Sites - Maintenance Supplies And Equipment	-3,262.29
EFT41745	23/09/2020	CASA SECURITY PTY LTD	Various Sites - Security Alarm Repairs And Monitoring	-5,401.95
EFT41746	23/09/2020	CENTRAL SIGNS	Various Street Signs - Corflute Signage	-2,466.86
EFT41747	23/09/2020	COMMAND-A-COM PTY LTD	Various Sites - Telephone System Maintenance & Repairs	-1,469.60
EFT41748	23/09/2020	COMPLETE CORPORATE HEALTH - ASCOT	Various Business Units - Recruitment - Pre Employment Check	-306.90
EFT41749	23/09/2020	CORSIGN WA PTY LTD	Whitfield Street - Modified Street Signage	-695.20
EFT41750	23/09/2020	CTI RISK MANAGEMENT	Customer Service - Banking Collection - August 2020	-181.50
EFT41751	23/09/2020	DAVID A HEANEY	Skate Park - Install Limestone Wall	-1,787.50
EFT41752	23/09/2020	DI CANDILO & SONS	Depot - Minor Supplies	-367.00
EFT41753	23/09/2020	DIAL A NAPPY (BUSICLEAN)	Children Services - Cleaning Supplies	-1,339.30
EFT41754	23/09/2020	DRAINFLOW SERVICES PTY LTD	Various Sites - Drain Cleaning	-2,244.00
EFT41755	23/09/2020	DS WORKWEAR & SAFETY	Depot - Staff Uniforms	-224.70
EFT41756	23/09/2020	EASTERN METROPOLITAN REGIONAL COUNCIL	Various Domestic & Council Rubbish	-53,479.86
EFT41757	23/09/2020	PROCAD PTY LTD	Depot Staff Training - Procad & Autocad Course	-3,900.00
EFT41758	23/09/2020	E FIRE & SAFETY (WA)	Various Sites - Service And Check Fire Extinguishers	-121.00
EFT41759	23/09/2020	ELLENBY TREE FARM PTY LTD	Various Street Garden Sites - New Plants	-10,560.00
EFT41760	23/09/2020	ENVIRONMENTAL INDUSTRIES PTY LTD	Steam Weeding Kerblane For Low Priority Roads	-28,358.84
EFT41761	23/09/2020	FAST BLAST	Depot - Water Truck - Blast & Paint Boom Arm	-308.00

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Chq/EFT	Date	Name	Description	Amount
EFT41762	23/09/2020	FUJI XEROX AUSTRALIA PTY LTD	Various Business Units - Photocopier Lease And Charges	-1,516.90
EFT41763	23/09/2020	GINO'S ALL ROUND HANDYMAN SERVICE	Seniors - Home Garden & Maintenance	-1,645.75
EFT41764	23/09/2020	GRAINGER GARDEN SUPPLIES	Various Sites - Garden Soil Supplies	-1,050.00
EFT41765	23/09/2020	HEALTHY 4 LIFE	Children Services - Nutrition And Health Consultation	-286.00
EFT41766	23/09/2020	HELEN DOBBIE	Relax Instructor - Mon Night Yoga - Term 3	-1,005.00
EFT41767	23/09/2020	HYGIENE CONCEPTS	Various Sites - Soap Dispenser Service	-322.28
EFT41768	23/09/2020	IMAGE DATA	Leisure - Badges For Walking Group	-33.00
EFT41769	23/09/2020	IMAGESOURCE DIGITAL SOLUTIONS	Various Business Units - Staff Business Cards	-114.40
EFT41770	23/09/2020	INSTANT WINDSCREENS	Various Fleet Vehicle - Windscreen Repairs	-360.00
EFT41771	23/09/2020	INTEGRAL DEVELOPMENT ASSOCIATES PTY LTD	Staff Training - Leadership Development Program	-2,255.00
EFT41772	23/09/2020	INTELLIFE GROUP LIMITED	Various Buildings Cleaning - August 2020	-15,050.69
EFT41773	23/09/2020	KLEENIT PTY LTD	Various Sites - Graffiti Removal	-2,494.80
EFT41774	23/09/2020	LANDGATE	Rates - Gross Rental Evaluations	-517.50
EFT41775	23/09/2020	LJR MAINTENANCE SERVICES	Various Building Sites - Maintenance & Repairs	-2,915.00
EFT41776	23/09/2020	LO-GO APPOINTMENTS	Various Business Units - Labour Hire	-1,389.66
EFT41777	23/09/2020	LOCKDOC	Various Sites - Key & Lock Repairs	-140.00
EFT41778	23/09/2020	LORM PTY LTD	Staff Training - Health And Safety Representative Course	-396.00
EFT41779	23/09/2020	M P ROGERS & ASSOCIATES PTY LTD	Ashfield Parade - Drainage Rectification Design	-7,956.67
EFT41780	23/09/2020	MACKIE PLUMBING AND GAS PTY LTD	Various Sites - Plumbing Repairs	-7,649.30
EFT41781	23/09/2020	MARIA DANIELS	Relax Instructor - Samba Drumming - Term 3	-1,200.00
EFT41782	23/09/2020	MARKETFORCE PTY LTD	Various Business Units - Advertising And Printing	-9,973.48
EFT41783	23/09/2020	MARTINS TRAILER PARTS	Various Fleet Vehicles - Parts	-142.02
EFT41784	23/09/2020	MAXIMUM INDEPENDENCE OCCUPATIONAL THERAPY	Seniors - Independent Living - Initial Assessment	-209.00
EFT41785	23/09/2020	MINT CIVIL PTY LTD T/A KALAMUNDA SWEEPING	Various Sites - Street Sweeping Services	-9,687.09
EFT41786	23/09/2020	MODERN TEACHING AIDS PTY LTD	Wind In The Willows - Wooden Play Cars	-69.26
EFT41787	23/09/2020	MORLEY MOWER CENTRE	Depot - Minor Plant Parts	-1,610.00
EFT41788	23/09/2020	MT LAWLEY MILK	Milk Supplies - 35, 46 & 48 Old Perth Road & Depot	-294.80
EFT41789	23/09/2020	DAVE LANFEAR CONSULTING PTY LTD	Business Case - Swan Districts Football Club: Football Facilities	-11,748.00
EFT41790	23/09/2020	N & N J HAEUSLER	Library & Volunteer - Daily/Weekly Newspaper Subscriptions	-80.08
EFT41791	23/09/2020	NAPA AUTO PARTS	Depot - Minor Fleet Vehicle Parts	-104.50

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Chq/EFT	Date	Name	Description	Amount
EFT41792	23/09/2020	NATURAL AREA HOLDINGS	Success Hill Reserve - Weed Control	-4,254.25
EFT41793	23/09/2020	NORTH LAKE ELECTRICAL PTY LTD	Various Sites - Electrical Repairs & Maintenance	-5,031.87
EFT41794	23/09/2020	OFFICEWORKS SUPERSTORES PTY LTD	Various Business Units - Office Stationery	-224.30
EFT41795	23/09/2020	OSBORNE MOTOR BODIES	Depot - Fleet Vehicle Repairs & Parts	-2,860.00
EFT41796	23/09/2020	PARAMOUNT ELECTRICAL SERVICES	Old Perth Road Fairy Lights Report	-731.30
EFT41797	23/09/2020	PERTH SAFETY PRODUCTS PTY LTD	Various Sites - Duck Crossing Signs	-1,036.20
EFT41798	23/09/2020	PLAYGROUND CENTRE AUSTRALIA PTY LTD	Park Playground - Flying Fox Seat Belt	-173.25
EFT41799	23/09/2020	PLE COMPUTERS	Various Business Units - Computer Supplies	-2,919.00
EFT41800	23/09/2020	QUALITY TRAFFIC MANAGEMENT PTY LTD	Various Road Closures And Traffic Management	-6,756.18
EFT41801	23/09/2020	QUICK CORPORATE AUSTRALIA PTY LTD	Various Business Units - Office Stationery	-170.73
EFT41802	23/09/2020	RELATIONSHIPS AUSTRALIA (WESTERN AUSTRALIA) INC	Employee Assistance Program - Counselling	-1,023.00
EFT41803	23/09/2020	REPCO	Depot - Minor Fleet Vehicle Parts	-207.10
EFT41804	23/09/2020	RESOURCE RECOVERY SOLUTIONS	Council Recycle Waste - Concrete, Bricks, Sand & Hotmix	-99.00
EFT41805	23/09/2020	RICOH AUSTRALIA PTY LTD	Various Business Units - Photocopier Lease And Charges	-217.06
EFT41806	23/09/2020	ROADS 2000	Various Sites - Road Repairs - Supply Asphalt	-232.31
EFT41807	23/09/2020	ROTARY CLUB OF SWAN VALLEY	Bassendean Markets - Marshalling Services	-1,400.00
EFT41808	23/09/2020	ROYAL WESTERN AUSTRALIAN HISTORICAL SOCIETY (INC)	Library Local History - Annual Subscription 2020/2021	-95.00
EFT41809	23/09/2020	RSEA PTY LTD	Depot - Staff Uniforms & Safety Equipment	-213.70
EFT41810	23/09/2020	SAFE T CARD AUSTRALIA PTY LTD	Ranger Services - Monitoring Fees For Safe T Card Devices	-287.10
EFT41811	23/09/2020	SEEK LIMITED	Various Business Units - Employment Advertising	-596.20
EFT41812	23/09/2020	SIFTING SANDS	Various Sites - Reserves - Sand Clean	-667.04
EFT41813	23/09/2020	SIGNING HANDS	Children Services - Sing And Sign Educational Incursions	-600.00
EFT41814	23/09/2020	SINGTEL OPTUS PTY LTD	Seniors - Support Workers - Mobile Phone Charges - July 2020	-959.91
EFT41815	23/09/2020	STARLET NAPERY	Depot - Uniforms & Safety Gear	-564.00
EFT41816	23/09/2020	SUEZ RECYCLING & RECOVERY PTY LTD	Green Waste Bulk Verge Collection 2020	-21,752.15
EFT41817	23/09/2020	SYNERGY	Various Sites Synergy Account - Electricity Supply Charges	-29,926.86
EFT41818	24/09/2020	ALPHA CONVEYANCING	Rates Refund	-1,366.33
EFT41819	24/09/2020	BASSENDEAN MEN'S SHED INC	Markets - Traffic Management Services	-500.00
EFT41820	24/09/2020	BASSENDEAN PHYSIOTHERAPY PTY LTD	Seniors - Client - Physiotherapy Session	-140.00
EFT41821	24/09/2020	DAILY LIVING PRODUCTS	Seniors - Client Independent Living Supplies	-25.00

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Chq/EFT	Date	Name	Description	Amount
EFT41822	24/09/2020	EMPRISE PTY LTD	Seniors - Client Independent Living Supplies	-347.00
EFT41823	24/09/2020	HOME CHEF	Seniors - Clients - Meals On Wheels	-795.97
EFT41824	24/09/2020	LIFE CARE HOME CARE	Seniors - Client - Physiotherapy Session	-1,149.50
EFT41825	24/09/2020	LIFE READY MOBILE PTY LTD	Seniors - Client - Physiotherapy Session	-1,190.00
EFT41826	24/09/2020	OFFICEWORKS SUPERSTORES PTY LTD	Various Business Units - Office Stationery	-510.23
EFT41827	24/09/2020	RICOH AUSTRALIA PTY LTD	Various Business Units - Photocopier Lease And Charges	-1,396.97
EFT41828	24/09/2020	SHOFER PTY LTD	Seniors - Transport For Clients - August 2020	-2,015.35
EFT41829	24/09/2020	SUPERCHARGE BATTERIES	Depot - Minor Consumables Tools	-476.78
EFT41830	24/09/2020	SUPREME PLANTS	Various Street Garden Sites - New Plants	-528.00
EFT41831	24/09/2020	SUSSEX INDUSTRIES	Depot - Minor Consumables Tools	-677.60
EFT41832	24/09/2020	T & C COURIER & TRANSPORT SERVICES	Courier Services - Document Delivery - August 2020	-64.56
EFT41833	24/09/2020	T-QUIP	Depot - Fleet Vehicle - Parts	-2,243.00
EFT41834	24/09/2020	TECHNOLOGY ONE LTD	Website Updates - Map Builder	-4,312.00
EFT41835	24/09/2020	THE GARDEN GURUS	Fogo - One Story Feature	-8,745.00
EFT41836	24/09/2020	THRIFTY CAR RENTAL	Fogo - Vehicle Hire Bins Distribution	-2,875.48
EFT41837	24/09/2020	TIMBECON PTY LTD	Depot - Minor Plant Parts	-195.81
EFT41838	24/09/2020	TOTAL EDEN PTY LTD	Various Sites - Reticulation Supplies	-1,732.58
EFT41839	24/09/2020	TOTALLY WORKWEAR MIDLAND	Depot - Uniforms & Safety Gear	-353.14
EFT41840	24/09/2020	TRUGRADE MEDICAL SUPPLIES	Seniors - Client - Medical Supplies	-1,687.60
EFT41841	24/09/2020	UNIFORMS @ WORK AUSTRALIA PTY LTD	Fogo - Polo Shirts	-280.28
EFT41842	24/09/2020	UNITED PETROEUM PTY LTD	Depot - Fuel Supplies	-9,794.22
EFT41843	24/09/2020	VERMEER EQUIPMENT OF WA & NT	Depot - Fleet Vehicle - Parts	-559.90
EFT41844	24/09/2020	WA HINO SALES & SERVICE	Depot - Fleet Vehicle Parts	-148.35
EFT41845	24/09/2020	WATER2WATER PTY LTD	Water Dispenser Rental Maintenance Agreement	-99.00
EFT41846	24/09/2020	WATTS WESTERN RUBBER	Various Fleet Vehicle - Tyre Repairs & Replacements	-939.00
EFT41847	24/09/2020	WEST TIP WASTE CONTROL PTY LTD	Depot - General Waste Skip Bin - August 2020	-957.00
EFT41848	24/09/2020	WESTBOOKS	Library - Book Purchases	-1,642.40
EFT41849	24/09/2020	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	Staff Training - Local Government Training	-578.00
EFT41850	24/09/2020	WOODLANDS DISTRIBUTORS & AGENCIES PTY LTD	Ranger Services - Compostable Dog Poo Bags	-1,329.90
EFT41851	24/09/2020	ZIPFORM PTY LTD	Rates Instalments & Final Notices 2020/2021	-15,989.50

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30th September 2020

Chq/EFT	Date	Name	Description	Amount
DD18655.1	01/09/2020	ONHOLD MAGIC	Messages On Hold - September 2020	-138.80
DD18645.1	01/09/2020	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Superannuation Contributions	-46,667.37
DD18645.2	01/09/2020	MANIC SUPERANNUATION SUPER FUND	Superannuation Contributions	-727.32
DD18645.3	01/09/2020	VIC SUPER	Superannuation Contributions	-230.17
DD18645.4	01/09/2020	MILC SUPER FUND	Superannuation Contributions	-409.91
DD18645.5	01/09/2020	COLONIAL FIRST STATE	Superannuation Contributions	-183.30
DD18645.6	01/09/2020	AMP FLEXIBLE SUPER - SUPER	Superannuation Contributions	-230.17
DD18645.7	01/09/2020	ANZ SMART CHOICE SUPER	Superannuation Contributions	-586.02
DD18645.8	01/09/2020	AMP SUPERLEADER	Superannuation Contributions	-495.27
DD18645.9	01/09/2020	NGS SUPER	Superannuation Contributions	-304.31
DD18645.10	01/09/2020	MILC SUPER FUND	Superannuation Contributions	-211.85
DD18645.11	01/09/2020	SUN SUPER	Superannuation Contributions	-217.81
DD18645.12	01/09/2020	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	Superannuation Contributions	-56.34
DD18645.13	01/09/2020	AUSTRALIAN ETHICAL SUPER	Superannuation Contributions	-393.97
DD18645.14	01/09/2020	CBUS INDUSTRY SUPERFUND	Superannuation Contributions	-160.54
DD18645.15	01/09/2020	BT SUPER FOR LIFE	Superannuation Contributions	-279.92
DD18645.16	01/09/2020	Q SUPER	Superannuation Contributions	-361.14
DD18645.17	01/09/2020	MILC WRAP SUPER	Superannuation Contributions	-109.22
DD18645.18	01/09/2020	LGIA SUPER	Superannuation Contributions	-401.84
DD18645.19	01/09/2020	PLUMMER SUPERANNUATION FUND	Superannuation Contributions	-1,468.18
DD18645.20	01/09/2020	TWU SUPERANNUATION	Superannuation Contributions	-282.94
DD18645.21	01/09/2020	B & L SUPER FUND	Superannuation Contributions	-192.49
DD18645.22	01/09/2020	AUSTRALIAN/WESTSCHEME SUPER	Superannuation Contributions	-5,574.50
DD18645.23	01/09/2020	HOST PLUS	Superannuation Contributions	-1,504.35
DD18645.24	01/09/2020	REST SUPERANNUATION	Superannuation Contributions	-1,604.39
DD18645.25	01/09/2020	HESTA SUPER FUND	Superannuation Contributions	-2,056.64
DD18722.1	03/09/2020	COMMONWEALTH CREDIT CARDS	Credit Cards - August 2020	-16,609.04
DD18657.1	07/09/2020	SHERIFFS OFFICE	Ranger Services - Fines To Be Lodged	-77.00
DD18659.1	07/09/2020	SHERIFFS OFFICE	Ranger Services - Fines To Be Lodged	-77.00
DD18681.1	15/09/2020	SG FLEET AUSTRALIA PTY LTD	Fleet Vehicles Leases - September 2020	-14,859.35

1st September 2020
to
30th September 2020

Chq/EFT	Date	Name	Description	Amount
DD18668.1	15/09/2020	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Superannuation Contributions	-46,986.73
DD18668.2	15/09/2020	MANIC SUPERANNUATION SUPER FUND	Superannuation Contributions	-727.32
DD18668.3	15/09/2020	VIC SUPER	Superannuation Contributions	-230.17
DD18668.4	15/09/2020	MLC SUPER FUND	Superannuation Contributions	-732.83
DD18668.5	15/09/2020	COLONIAL FIRST STATE	Superannuation Contributions	-53.50
DD18668.6	15/09/2020	AMP FLEXIBLE SUPER - SUPER	Superannuation Contributions	-230.17
DD18668.7	15/09/2020	ANZ SMART CHOICE SUPER	Superannuation Contributions	-575.60
DD18668.8	15/09/2020	AMP SUPERLEADER	Superannuation Contributions	-523.28
DD18668.9	15/09/2020	NGS SUPER	Superannuation Contributions	-304.31
DD18668.10	15/09/2020	MLC SUPER FUND	Superannuation Contributions	-209.27
DD18668.11	15/09/2020	SUN SUPER	Superannuation Contributions	-66.01
DD18668.12	15/09/2020	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	Superannuation Contributions	-54.94
DD18668.13	15/09/2020	AUSTRALIAN ETHICAL SUPER	Superannuation Contributions	-395.39
DD18668.14	15/09/2020	CBUS INDUSTRY SUPERFUND	Superannuation Contributions	-160.54
DD18668.15	15/09/2020	BT SUPER FOR LIFE	Superannuation Contributions	-279.92
DD18668.16	15/09/2020	Q SUPER	Superannuation Contributions	-353.95
DD18668.17	15/09/2020	MLC WRAP SUPER	Superannuation Contributions	-53.43
DD18668.18	15/09/2020	LGIA SUPER	Superannuation Contributions	-439.04
DD18668.19	15/09/2020	PLUMMER SUPERANNUATION FUND	Superannuation Contributions	-1,023.02
DD18668.20	15/09/2020	TWU SUPERANNUATION	Superannuation Contributions	-292.74
DD18668.21	15/09/2020	B & L SUPER FUND	Superannuation Contributions	-198.10
DD18668.22	15/09/2020	AUSTRALIAN/WESTSCHEME SUPER	Superannuation Contributions	-5,858.80
DD18668.23	15/09/2020	HOST PLUS	Superannuation Contributions	-1,674.54
DD18668.24	15/09/2020	REST SUPERANNUATION	Superannuation Contributions	-1,659.48
DD18668.25	15/09/2020	HESTA SUPER FUND	Superannuation Contributions	-2,212.08
DD18716.1	29/09/2020	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Superannuation Contributions	-45,122.14
DD18716.2	29/09/2020	MANIC SUPERANNUATION SUPER FUND	Superannuation Contributions	-727.32
DD18716.3	29/09/2020	VIC SUPER	Superannuation Contributions	-230.17
DD18716.4	29/09/2020	MLC SUPER FUND	Superannuation Contributions	-353.33
DD18716.5	29/09/2020	COLONIAL FIRST STATE	Superannuation Contributions	-54.44

