ORDINARY COUNCIL MEETING

27 June 2023

Attachment Booklet – June 2023

Contents

CC01 CC01-0623 Accounts for Payment May 2023

CC02 CC02-06/23 Financial Statements for the Period Ended 31 May 2023 **CC03 CC03**-06/23

2021/2022 Annual Report

CC04 CEO02-06/23 Attachment 1: Council Policy CP20 Purchasing June 2023

CC05 CEO02-06/23 Attachment 2: Local Government (Function & General) Regulations 1996 as at 20 May 2023

CC06 CEO03-06/23 Attachment 1: RFT Triaxle Side Tipping Trailers with Bogie **CC07**

CEO03-06/23 Attachment 2: RFT Consensus Evaluation Matrix

CC08 CEO04-06/23 Register of Delegations

CC09 ID01-06/23 Delegated Authority Report, Development , May 2023 **CC10**

ID02-06/23 Attachment 1: Application for Development Approval **CC11**

ID02-06/23 Attachment 2: Restrictive Covenant

ATTACHMENT: CC01

Monthly Financial Statements for the Period Ended 31 May 2023

Attachment 1

Accounts for Payment – May 2023

Shire of Irwin

List of Accounts paid May 2023 for presentation to the Council Meeting 27 June 2023

MUNICIPAL/(TRUST) PAYMENTS

EFT/CHQ #	DATE		DESCRIPTION	PAYMENTS
EFT30337	08/05/2023	AUSTRALIAN CORK & TIMBER FLOORING CO PTY LTD	REMAINING BALANCE - RESEALING OF STADIUM FLOORS AT REC CENTRE	-5,423.00
EFT30338	08/05/2023	IRWIN RURAL SUPPLIES & STOCKFEEDS	CHEMICALS FOR WEEDING SPRAYING	-2,500.00
EFT30339	08/05/2023	INTEGRITY COACH LINES (AUST) PTY LTD	BUS TICKET SALES	-113.91
EFT30340	08/05/2023	NAJA BUSINESS CONSULTING SERVICES	PROPERTY EVALUATION & OPTIMISATION MATRIX	-8,976.00
EFT30341	11/05/2023	LENIP P/L TRADING AS ASPHALT IN A BAG	ASPHALT	-3,575.00
EFT30342	11/05/2023	ALTUS TRAFFIC PTY LTD	TRAFFIC MANAGEMENT FOR WORKS ON ALLANOOKA SPRINGS ROAD AND GOLF COURSE ROAD	-9,119.54
EFT30343	11/05/2023	AMPAC DEBT RECOVERY (WA) PTY LTD	RATES DEBT RECOVERY FEES	-88.00
EFT30344	11/05/2023	AMY CHADBOURNE	COMMUNICATIONS AND MEDIA CONSULTANCY SERVICES	-6,390.00
EFT30345	11/05/2023	ATOM	WORKSHOP SUPPLIES	-241.33
EFT30346	11/05/2023	AUSTRALIA POST	POSTAGE & FREIGHT CHARGES	-334.09
EFT30347	11/05/2023	AVON WASTE	SUPPLY EMERGENCY FRONT LIFT TRUCK	-8,558.76
EFT30348	11/05/2023	FLOW CONSULTING ENGINEERS PTY LTD	PROVIDE CERTIFIED PILE FOOTINGS FOR SOLAR LIGHTS ON BLENHEIM ROAD	-4,675.00
EFT30349	11/05/2023	CONSTRUCTION TRAINING FUND	CONSTRUCTION TRAINING FUND RECONCILIATION	-8,491.70
EFT30350	11/05/2023	BLACKWOODS	WORKSHOP SUPPLIES & PROTECTIVE EQUIPMENT	-366.50
EFT30351	11/05/2023	TARTS & CO	CHRISTMAS FUNCTION	-360.00
EFT30352	11/05/2023	BRAND MECHANICAL SERVICES	SERVICE GROUNDMASTER MOWER AND REPAIRS TO ZERO TURN MOWER	-793.90
EFT30353	11/05/2023	BOB WADDELL & ASSOCIATES	FINANCIAL ASSISTANCE WITH THE 2023/24 ANNUAL BUDGET	-3,836.25
EFT30354	11/05/2023	CARL JAMES SCUDDER	BUILDING MAINTENANCE WORKS AT SHIRE FACILITIES AND ABLUTIONS	-3,600.00
EFT30355	11/05/2023	CRAMER AND NEILL REFRIGERATION	INVESTIGATE ISSUES WITH AIRCON IN CHAMBERS	-296.98
EFT30356	11/05/2023	CIVIC WORKFORCE MANAGEMENT	HR CONSULTANT	-568.75
EFT30357	11/05/2023	DC TWO PTY LTD	MONTHLY VOIP CHARGES AND BACKUP SERVICES	-3,795.73
EFT30358	11/05/2023	DONGARA FREIGHT	FREIGHT CHARGES	-133.10
EFT30359	11/05/2023	DELTA CLEANING SERVICES	CONTRACT CLEANING SERVICES	-18,030.23
EFT30360	11/05/2023	DELL AUSTRALIA PTY LTD	IT EQUIPMENT AND CONSUMABLES	-3,696.00
EFT30361	11/05/2023	DONGARA HOLIDAY HOMES	INTERIM ACCOMMODATION	-4,375.00
EFT30362	11/05/2023	DONGARA BOBCAT & CONTRACTING SERVICES	CONSTRUCT PADS WATER TANKS AT CASUARINAS, SPRINGFIELD & MOUNT ADAMS AND GRAVEL AND SAND FOR BLENHEIM ROAD WORKS	-12,694.00
EFT30363	11/05/2023	DONGARA BODY BUILDERS	MONTHLY SERVICE OF HEAVY PLANT & TRAILERS AND REPAIRS TO MOWER TRAILER	-1,721.50
EFT30364	11/05/2023	DONGARA BUILDING & TRADE SUPPLIES	PARKS, GARDENS, BUILDING AND ROAD MAINTENANCE SUPPLIES	-2,570.25
EFT30365	11/05/2023	DONGARA DRILLING & ELECTRICAL	ELECTRICAL REPAIRS AT SHIRE FACILITIES, ABLUTIONS AND INFRASTRUCTURE INCLUDING ANNUAL INSPECTION FOR ELECTRICAL - RCDS & SMOKE ALARMS TO SHIRE INFRASTRUCTURE	-5,280.19
EFT30366	11/05/2023	DONGARA MIDWEST CRANES SERVICES	HIRE OF CRANE TO LIFT SHORING EQUIPMENT OUT OF GRAVE AT CEMETERY	-198.00
EFT30367	11/05/2023	DONGARA TREE SERVICES	REMOVAL OF VEGETATION FROM SUMPS	-1,650.00
EFT30368	11/05/2023	DONGARA LOCAL RAG	VISITOR CENTRE STOCK	-24.00
EFT30369	11/05/2023	RIVERBEND FOODWORKS DONGARA	MONTHLY CONSUMABLES	-135.28
EFT30370	11/05/2023	EASY AUTO CARE	SUPPLY DIAGNOSTICS AND REPAIRS TO DETERMINE ENGINE FAULT ON FORD RANGER	-1,722.05
EFT30371	11/05/2023	EJ DIESEL	REPAIRS TO HOLDEN COLORADO, BOMAG ROLLER AND ISUZU TRUCK	-1,622.85
EFT30372	11/05/2023	EMILY LOUISE GEE - PLATINUM DANCE COMPANY	ACROBATICS WORKSHOP	-474.54
EFT30373	11/05/2023	FIRST HEALTH SERVICES	MEDICAL PRACTISE MANAGEMENT SUPPORT - MEDICAL CENTRE	-13,154.16
EFT30374	11/05/2023	DONGARA TOWN BUSHFIRE BRIGADE	DONATION - GREEN WASTE BURN AT TRANSFER STATION	-1,000.00
EFT30375	11/05/2023	FIVESTAR BUSINESS SOLUTIONS & INNOVATION	PRINTER CHARGES - ADMIN, REC CENTRE AND LIBRARY	-849.25
EFT30376	11/05/2023	GERALDTON MOWER & REPAIR	SUPPLY BRUSH CUTTERS EDGER AND BLADES	-5,143.80
EFT30377	11/05/2023	CITY OF GREATER GERALDTON	BUILDING CERTIFICATION SERVICES	-2,271.25
EFT30378	11/05/2023	GERALDTON PARTY HIRE	HIRE OF MARQUEES FOR YOUTH WEEK EVENT AT SKATE PARK	-1,320.00
EFT30379	11/05/2023	REFUEL AUSTRALIA	BULK DIESEL FUEL PURCHASE	-34,786.45
EFT30380	11/05/2023	GRA PARTNERS PTY LTD	GOVERNMENT ENGAGEMENT SUPPORT	-3,300.00
EFT30381	11/05/2023	GUARDIAN PRINT & GRAPHICS	ENVELOPES	-1,475.00
EFT30382	11/05/2023	HILLE THOMPSON & DELFOS	SURVEYOR FOR BLENHEIM ROAD PROJECT	-3,201.00
EFT30383	11/05/2023	HOBBS LOGISTICS PTY LTD	HIRE OF LOADER AND SEMI TRAILER TO TRANSPORT WASTE TO MERU	-3,300.00
EFT30384	11/05/2023	HOCKEY'S PEST SERVICE	REMOVE BEE HIVE BACK OF CHARITIES BUILDING	-132.00
EFT30385	11/05/2023	HUCKLEBERRY TANK AND WATER SERVICE	SUPPLY AND CONSTRUCT WATER TANKS AT ALLANOOKA, MOUNT ADAMS AND SPRINGFIELD	-65,586.00
EFT30386	11/05/2023	IRWIN BUSH FIRE BRIGADE	DONATION - GREEN WASTE BURN AT TRANSFER STATION	-1,000.00
EFT30387	11/05/2023	RENTOKIL INITIAL PTY LTD	SANITARY BINS WITH MONTHLY SERVICING FOR MEDICAL CENTRE	-468.38
EFT30388	11/05/2023	INSTANT RACKING & STEEL SHELVING	SHELVING FOR STORES AT DEPOT	-2,148.00
EFT30389	11/05/2023	IRWIN SHIRE - RATES	PAYROLL DEDUCTIONS	-1,890.00
EFT30390	11/05/2023	INFINITY SKATE WA	SKATE SKILLS CLINICS AT YOUTH WEEK EVENT	-900.00
EFT30391	11/05/2023	IT VISION AUSTRALIA PTY LTD	ALTUS CONTENT ONLINE TRAINING	-2,800.60
EFT30392	11/05/2023	IVEY CONTRACTING	FORMATION EARTHWORKS FOR BLENHEIM ROAD AND INSTALLATION OF GUIDE POSTS ON WYE FARM ROAD	-7,139.00
EFT30393	11/05/2023	KLEENHEAT GAS	GAS CYLINDER BOTTLE YEARLY RENTAL CHARGES	-654.50
EFT30394	11/05/2023	KICK SOLUTIONS	CAMPING ENVELOPES	-3,252.00
EFT30395	11/05/2023	KIRKLAND ELECTRICAL SERVICES	INSTALL AIR CONDITIONER AT TRANSFER STATION AND REPAIRS TO BBQS ON FORESHORE	-6,952.00
EFT30396	11/05/2023	BRYAN HENDRICK KLEINSMAN	GRAVEL CONSTRUCTION AND COMPACTION FOR KERBING ON GOLF COURSE ROAD, CONSTRUCTION OF KAILIS DRIVE ENTRY STATEMENT PADS, SITE CLEARING OF VEGETATION AND SITE WORKS ON BLENHEIM ROAD	-18,084.00
EFT30397	11/05/2023	LG BEST PRACTICES	PAYROLL DEDUCTIONS	-7,128.00
EFT30398	11/05/2023	LOCK, STOCK & FARRELL	KEYS & PADLOCKS	-955.50
EFT30399	11/05/2023	NODE 1 PTY LTD	NBN FIBRE CONNECTION FEES	-505.95

Shire of Irwin

List of Accounts paid May 2023 for presentation to the Council Meeting 27 June 2023

MUNICIPAL/(TRUST) PAYMENTS

EFT/CHQ #	DATE		DESCRIPTION	PAYMENTS
EFT30400	11/05/2023	LOGIC IT	NEW AIR FIBERS AND MERAKI SWITCH	-6,592.00
EFT30401	11/05/2023	SHIRE OF IRWIN - LOTTO FUND	PAYROLL DEDUCTIONS	-179.38
EFT30402	11/05/2023	MARSDEN'S BECKENHAM TRANSPORT PTY LTD	FREIGHT CHARGES	-433.13
EFT30403	11/05/2023	MARSH PTY LTD	SAFETY CRITICAL EMERGENCY EDUCATION TRAINING	-3,608.00
EFT30404	11/05/2023	MARKS WATERTRUCK	FILL UP NEW WATER TANKS AND WATER TRUCK HIRE FOR MOUNT ADAMS ROAD WORKS	-6,105.00
EFT30405	11/05/2023	MCLEODS BARRISTERS & SOLICITORS	LEGAL FEES	-2,014.80
EFT30406	11/05/2023	MEX MAINTENANCE SOFTWARE	TOOLS REGISTER MODULE	-1,760.00
EFT30407	11/05/2023	MIDWEST SOLAR AND WATER	PLUMBING REPAIRS AT THE VILLAGE, SHIRE FACILITIES, & ABLUTIONS	-2,206.65
EFT30408	11/05/2023	LGIS WA	MOTOR VEHICLE EXCESS	-300.00
EFT30409	11/05/2023	N-COM PTY LTD	RELOCATION OF TV ANTENNAE FURTHER UP THE TOWER TO IMPROVE TV RECEPTION	-11,470.99
EFT30410	11/05/2023	OFFICE NATIONAL	STATIONARY CONSUMABLES	-191.25
EFT30411	11/05/2023	PIXIES SCREEN PRINTS	PROTECTIVE CLOTHING	-3,431.00
EFT30412	11/05/2023	PERTH OBSERVATORY VOLUNTEER GROUP INC	ASTRONOMY NIGHT	-1,000.00
EFT30413	11/05/2023	RAMSAY CONSTRUCTIONS PTY LTD	EHO CONSULTANCY SERVICES	-1,127.50
EFT30414	11/05/2023	MP ROGERS & ASSOCIATES PTY LTD	PROGRESS PAYMENT - DETAILED DESIGN FOR BOAT RAMP UPGRADE	-4,643.09
EFT30415	11/05/2023	RYLAN PTY LTD ATF THE MOORCROFT FAMILY TRUST	INSTALL KERBING ON BLENHEIM ROAD AND GOLF COURSE ROAD	-48,790.50
EFT30416	11/05/2023	SUNDAY BEST EVENTS	DJ AT YOUTH WEEK EVENT	-1,000.00
EFT30417	11/05/2023	SCAVENGER SUPPLIES PTY LTD	BUSHFIRE BRIGADE ACCESSORIES	-537.20
EFT30418	11/05/2023	SUN CITY RAINBOW CLEANING	RENTAL VACATE CLEAN	-1,122.00
EFT30419	11/05/2023	SEASIDE SIGNS	INSTALL FIRE STICKERS ON CANOPY ON CESM VEHICLE	-44.00
EFT30420	11/05/2023	SEBASTIAN GUNDLING	PHOTOGRAPHY SERVICE AT YOUTH WEEK EVENT	-350.00
EFT30421	11/05/2023	SHORELINE OUTDOOR WORLD	FIT NEW MANUAL LEVER CORD IN UNIT 9 GARAGE AT HENRY ROAD	-181.50
EFT30422	11/05/2023	SIMPLY STONE	CONSTRUCT TRANSFER STATION RETAINING WALL	-41,470.00
EFT30423	11/05/2023	SUBTERRANEAN SERVICE LOCATIONS WA	SERVICE SHIFT & PIT REPAIR/ REPLACEMENT ON BLENHEIM ROAD	-962.50
EFT30424	11/05/2023	DONGARA IGA	MONTHLY CONSUMABLES	-459.32
EFT30425	11/05/2023	DONGARA COMMUNITY RESOURCE CENTRE	SUNDRY DONATION	-1,090.08
EFT30426	11/05/2023	TOTAL UNIFORMS	CORPORATE UNIFORM	-197.50
EFT30427	11/05/2023	TOTAL TOILETS	PORTABLE TOILET HIRE FOR YOUTH WEEK EVENT	-1,393.15
EFT30428	11/05/2023	CLEANAWAY CO PTY LTD	RESIDENTIAL, COMMERCIAL AND STREET 240LT AND FRONT LIFT COLLECTION	-23,073.97
EFT30429	11/05/2023	T-QUIP	PARTS FOR TORO MOWER	-408.05
EFT30430	11/05/2023	TUNBRIDGE CONSTRUCTION & MAINTENANCE	PROGRESS PAYMENT - BOWLING CLUB ACCESSIBLE ABLUTIONS	-15,000.00
EFT30431	11/05/2023	TYREPOWER LIMITED	SUPPLY & FIT TYRES ON FORD RANGER, HOLDEN COLORADO'S AND PRADO	-2,887.40
EFT30432	11/05/2023	VIRTUAL GRAFFITI AUSTRALIA PTY LTD	FORTIGATE LICENSE RENEWAL	-11,588.00
EFT30433	11/05/2023	PUBLIC TRANSPORT AUTHORITY OF WA	BUS TICKET SALES	-1,172.68
EFT30434	11/05/2023	WA NATURALLY PUBLICATIONS	VISITOR CENTRE STOCK	-112.15
EFT30435	11/05/2023	WELL DONE INTERNATIONAL	MONTHLY CALL CENTRE CHARGES	-1,007.93
EFT30436	11/05/2023	SYNERGY	VARIOUS ELECTRICITY CHARGES	-37,247.45
EFT30437	11/05/2023	WESTRAC EQUIPMENT	PARTS FOR GRADER AND REPAIRS TO DOZER	-4,700.61
EFT30438	11/05/2023	ON HOLD ON LINE	MESSAGE ON HOLD MONTHLY FEE	-231.00
EFT30439	11/05/2023	WINC AUSTRALIA PTY LTD	PRINTER CHARGES - DEPOT	-277.76
EFT30440	17/05/2023	AUSTRALIAN TAXATION OFFICE - BAS	BAS RECONCILIATION INCLUDING PRIOR MONTH CORRECTION	-70,477.00
EFT30441	23/05/2023	ADVANS EXHIBITION SERVICES	EXHIBITIONS BOOTHS FOR COMMUNITY ENGAGEMENT SESSION	-4,895.54
EFT30442	23/05/2023	ALTUS TRAFFIC PTY LTD	TRAFFIC MANAGEMENT FOR WORKS ON ALLANOOKA SPRINGS ROAD	-11,983.97
EFT30443	23/05/2023	AMPAC DEBT RECOVERY (WA) PTY LTD	RATES DEBT RECOVERY FEES	-1,253.16
EFT30444	23/05/2023	ATOM	PROTECTIVE EQUIPMENT	-209.54
EFT30445	23/05/2023	BABA MARDA ROAD SERVICES	TRAFFIC MANAGEMENT FOR DUVAL/GALLAGHER WAY, CASUARINA ROAD, FLETCHER STREET, CARNARVON STREET WORKS	-7,614.70
EFT30446	23/05/2023	BLACKWOODS	WORKSHOP SUPPLIES	-511.35
EFT30447	23/05/2023	BL'S BOBCAT AND MECHANICAL SERVICES	REPAIRS TO TOYOTA LANDCRUISER IRWIN BFB VEHICLE	-533.61
EFT30448	23/05/2023	BOB WADDELL & ASSOCIATES	FINANCIAL ASSISTANCE WITH THE 2023/24 ANNUAL BUDGET	-1,113.75
EFT30449	23/05/2023	CENTRAL REGIONAL TAFE	HEALTH & SAFETY REP REFRESHER TRAINING	-330.00
EFT30450	23/05/2023	CARL JAMES SCUDDER	BUILDING MAINTENANCE WORKS AT SHIRE FACILITIES AND ABLUTIONS	-1,049.80
EFT30451	23/05/2023	TOLL	FREIGHT CHARGES	-360.07
EFT30452	23/05/2023	DATA#3 LIMITED	MICROSOFT 365 LICENSES	-5,575.17
EFT30453	23/05/2023	DELTA CLEANING SERVICES	EXTERNAL CLEAN OF ADMIN BUILDING	-178.75
EFT30454	23/05/2023	LANDGATE - WESTERN AUSTRALIAN LAND	MINING TENEMENT VALUATION ROLL	-779.50
EFT30455	23/05/2023	DONGARA BOBCAT & CONTRACTING SERVICES	GRAVEL AND SAND FOR BLENHEIM ROAD AND KAILIS DRIVE ENTRY STATEMENT SITE WORKS	-10,450.00
EFT30456	23/05/2023	DONGARA BODY BUILDERS	FABRICATE 3 X RAG BOLTS AND CAGES, REPAIR BOLLARD AT TANK ON HAMMERSLEY ROAD AND SUPPLY AND FIT NEW STEEL CABLE ON SIDE TIPPER	-4,246.00
EFT30457	23/05/2023	DONGARA DRILLING & ELECTRICAL	ELECTRICAL REPAIRS AT SHIRE FACILITIES, ABLUTIONS AND INFRASTRUCTURE	-1,538.69
EFT30458	23/05/2023	TYREPOWER DONGARA	REPLACEMENT BATTERY FOR BOMAG ROLLER, HOLDEN COLORADO'S AND HOLDEN TRAILBLAZER	-1,412.40
EFT30459	23/05/2023	DONGARA SPORT AND TACKLE	STEP FOR TRANSFER STATION	-80.00
EFT30460	23/05/2023	EASY AUTO CARE	SERVICE OF HOLDEN TRAILBLAZER	-462.55
EFT30461	23/05/2023	FIVESTAR BUSINESS SOLUTIONS & INNOVATION	PRINTER CHARGES - ADMIN, REC CENTRE AND LIBRARY	-797.13
EFT30462	23/05/2023	CITY OF GREATER GERALDTON	MERU WASTE DISPOSAL	-13,982.40
EFT30463	23/05/2023	REFUEL AUSTRALIA	FUEL CARD PURCHASES AND BULK DIESEL FUEL PURCHASE	-12,053.19
EFT30464	23/05/2023	GLASS CO WA	REPAIR FRONT DOOR AT UNIT 37 THE VILLAGE	-115.50
EFT30465	23/05/2023	GERALDTON LIMESTONE RETAINING WALLS	TRANSPORT OF DRAINAGE PIPES AND HEADWALL FOR MOUNT ADAMS ROAD AND SITE WORKS AT BLENHEIM ROAD AND POINT LEANDER DRIVE	-5,104.00
EFT30466	23/05/2023	GRILLEX	REPLACEMENT KEYS FOR THE BBQ CABINET AT HENRY ROAD	-44.00

Shire of Irwin

List of Accounts paid May 2023 for presentation to the Council Meeting 27 June 2023

MUNICIPAL/(TRUST) PAYMENTS

EFT/CHQ #	DATE	DESCRIPTION	PAYMENTS
EFT30467	23/05/2023	GLOBAL SPILL & SAFETY	SIGNAGE FOR MOUNT ADAMS ROAD WORKS	-2,477.16
EFT30468	23/05/2023	HILLE THOMPSON & DELFOS	SURVEYOR FOR BLENHEIM ROAD PROJECT	-2,607.00
EFT30469	23/05/2023	HOCKEY'S PEST SERVICE	RODENT ISSUE AT THE VILLAGE	-132.00
EFT30470	23/05/2023	IRWIN SHIRE - RATES	PAYROLL DEDUCTIONS	-945.00
EFT30471	23/05/2023	KLEENHEAT GAS	REFILL GAS CYLINDER AT REC CENTRE	-1,344.01
EFT30472	23/05/2023	LOCALISE PTY LTD	MINOR REVIEW OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN	-16,543.66
EFT30473	23/05/2023	NODE 1 PTY LTD	NBN FIBRE CONNECTION FEES	-505.95
EFT30474	23/05/2023	SHIRE OF IRWIN - LOTTO FUND	PAYROLL DEDUCTIONS	-90.00
EFT30475	23/05/2023	MARSDEN'S BECKENHAM TRANSPORT PTY LTD	FREIGHT CHARGES	-825.00
EFT30476	23/05/2023	MARKS WATERTRUCK	WATER TRUCK HIRE FOR WORKS ON MOUNT ADAMS ROAD, ELLERY ROAD AND TRANSFER STATION	-10,972.50
EFT30477	23/05/2023	MITCHELL & BROWN	REPLACEMENT FRIDGE FOR MEDICAL CENTRE	-545.00
EFT30478	23/05/2023	MIDWEST SOLAR AND WATER	PLUMBING REPAIRS AT DEPOT, BOAT RAMP ABLUTIONS AND UNIT 22 THE VILLAGE	-368.40
EFT30479	23/05/2023	NESTLE AUSTRALIA LIMITED TRADING AS NESPRESSO	COFFEE PODS	-374.00
EFT30480	23/05/2023	NOEL RAYMOND HAYWARD	REFUND	-123.25
EFT30481	23/05/2023	OFFICE OF THE AUDITOR GENERAL	AUDIT FEES FOR YEAR ENDED 30 JUNE 2022	-58,740.00
EFT30482	23/05/2023	OFFICE NATIONAL	STATIONARY CONSUMABLES	-157.42
EFT30483	23/05/2023	MICHAEL FRANCIS KENNEDY PEARSE	REFUND	-123.25
EFT30484	23/05/2023	PENAGRI FARMS PTY LTD	22,000M3 OF UNPROCESSED GRAVEL FOR MT ADAMS RE-SHEETING.	-59,400.00
EFT30485	23/05/2023	PLAY CHECK	PLAYGROUND CONSULTATION FOR TWO SESSIONS ON THE 11TH OF MAY	-3,410.00
EFT30486	23/05/2023	POSITION PARTNERS PTY LTD	MEASURING WHEELS	-638.00
EFT30487	23/05/2023	RIP-IT SECURITY SHREDDING	SHREDDING BIN QUARTERLY DELIVERY AND DISPOSAL	-128.00
EFT30488	23/05/2023	RHONDA PATRICE CORRIE	REFUND	-945.81
EFT30489	23/05/2023	SASHA OUT	REFUND	-665.53
EFT30490	23/05/2023	SEASIDE SIGNS	SUPPLY SIGNS FOR CDS SHED AND FOR SEPTAGE PONDS	-94.60
EFT30491	23/05/2023	SHIRE OF IRWIN	RETAINED RENTAL AND KERB/FOOTPATH BOND	-1,960.00
EFT30492	23/05/2023	SUNSET TAKEAWAY DINER	APPETIZER CATERING FOR COMMUNITY CONSULTATION X2 SESSIONS	-2,250.00
EFT30493	23/05/2023	OVO'S CEILINGS - SWEET ORANGE PRODUCTIONS	CHRISTMAS FUNCTION	-1,413.50
EFT30494	23/05/2023	TYREPOWER LIMITED	TRUCK RIMS AND TYRES FOR WATER TANKER TRAILER	-2,622.22
EFT30495	23/05/2023	WA FLAGS & BANNERS	FLAG RESTOCK	-515.90
EFT30496	23/05/2023	WA PLANNING & LOGISTICS PTY LTD	CONTRACT PLANNING SERVICES	-41,079.50
EFT30497	23/05/2023	WESTRAC EQUIPMENT	SERVICE AND PARTS FOR GRADER AND ROLLER	-5,833.48
EFT30498	23/05/2023	WESTLINE CONTRACTING	SUPPLY & INSTALLATION OF LINE MARKING & DELINEATORS ON BLENHEIM ROAD	-6,393.20
EFT30499	23/05/2023	ZANETA LIEM	REFUND	-700.00
EFT30500	31/05/2023	AUSTRALIAN TAXATION OFFICE - FRINGE BENEFITS	FRINGE BENEFIT TAX RETURN - 2022/23	-10,064.33
32152	23/05/2023	WATER CORPORATION	VARIOUS WATER CHARGES MARCH TO MAY 2023	-76,002.66
DD22217.1	01/05/2023	TELSTRA AUSTRALIA	VARIOUS MOBILE & DATA CHARGES	-3,009.96
DD22219.1	02/05/2023	TELSTRA AUSTRALIA	SATELLITE PHONE CHARGES	-252.08
DD22221.1	02/05/2023	TELSTRA AUSTRALIA	FAIL OVER DATA CHARGES - MEDICAL CENTRE	-85.00
DD22230.1	11/05/2023	TELSTRA AUSTRALIA	TELSTRA INTEGRATED MESSAGING	-99.67
DD22232.1	24/05/2023	TELSTRA AUSTRALIA	FREE WIFI DATA CHARGES	-80.00
DD22241.1	30/05/2023	TELSTRA AUSTRALIA	VARIOUS MOBILE & DATA CHARGES	-3,017.87
DD22225.1	04/05/2023	WA TREASURY CORPORATION	LOAN 99 - MEDICAL CENTRE	-44,623.21
DD22227.1	08/05/2023	WA TREASURY CORPORATION	LOAN 93 - RECREATION CENTRE	-20,727.35
SOL 05/23	16/05/2023	SHINE TECH SOLAR	SOLAR REPAYMENT MAY 2023	-1,947.66
CR 030523	03/05/2023	NAB BUSINESS VISA	NAB BUSINESS VISA TRANSACTIONS INCLUDING IT SUBSCRIPTION AND EQUIPMENT, ACCOMMODATION FOR CONSULTANT AND OFFICER, DOCUMENTS FROM LANDGATE, EQUIPMENT FOR POUND AND BUSHFIRE BRIGADES, RECREATIONAL JETTY RENEWAL FEE, SKIP BIN HIRE, PRIZES FOR YOUTH WEEK EVENT, ACCOMMODATION , FUEL, AND REC CENTRE EXPENSES	-16,061.46
DD22245.1	16/05/2023	N-ABLE PTY LTD	N-ABLE MONTHLY IT CHARGES	-782.40
DD22243.1	03/05/2023	AUSTRALIAN PHONE COMPANY PTY LTD	VOIP PHONE CHARGES - ADMIN	-856.68
DD22223.1	03/05/2023	AUSTRALIAN PHONE COMPANY PTY LTD	VOIP PHONE CHARGES - MEDICAL CENTRE	-225.23
DD22203.1	12/05/2023	ASGARD SUPERANNUATION	SUPERANNUATION	-1,215.26
DD22203.2	12/05/2023	THE M & L OLSEN SUPERANNUATION FUND	SUPERANNUATION	-162.24
DD22203.3	12/05/2023	MLC SUPER FUND	SUPERANNUATION	-283.24
DD22203.4	12/05/2023	AMP CORPORATE SUPER - SIGNATURE SUPER	SUPERANNUATION	-172.80
DD22203.5	12/05/2023	AUSTRALIAN SUPER	SUPERANNUATION	-3,091.01
DD22203.6	12/05/2023	AWARE SUPER PTY LTD	SUPERANNUATION	-16,058.08
DD22203.7	12/05/2023	CBUS SUPER	SUPERANNUATION	-303.47
DD22203.8	12/05/2023	EQUIPSUPER SUPERANNUATION FUND	SUPERANNUATION	-171.38
DD22203.9	12/05/2023	HESTA SUPER	SUPERANNUATION	-399.91
DD22203.10	12/05/2023	HOSTPLUS	SUPERANNUATION	-1,132.68
DD22203.11	12/05/2023	MERCER	SUPERANNUATION	-579.87
DD22233.1	26/05/2023	ASGARD SUPERANNUATION	SUPERANNUATION	-1,215.26
DD22233.2	26/05/2023	MERCER	SUPERANNUATION	-643.97
DD22233.3	26/05/2023	THE M & L OLSEN SUPERANNUATION FUND	SUPERANNUATION	-97.81
DD22233.4	26/05/2023	MLC SUPER FUND	SUPERANNUATION	-283.24
DD22233.5	26/05/2023	AMP CORPORATE SUPER - SIGNATURE SUPER	SUPERANNUATION	-171.10
DD22233.6	26/05/2023	AUSTRALIAN SUPER	SUPERANNUATION	-4,306.75
DD22233.7	26/05/2023	AWARE SUPER PTY LTD	SUPERANNUATION	-16,657.98

Shire of Irwin

List of Accounts paid May 2023 for presentation to the Council Meeting 27 June 2023

MUNICIPAL/(TRUST) PAYMENTS

EFT/CHQ #	DATE	DESCRIPTION	PAYMENTS
DD22233.8	26/05/2023 CBUS SUPER	SUPERANNUATION	-459.09
DD22233.9	26/05/2023 EQUIPSUPER SUPERANNUATION FUND	SUPERANNUATION	-171.10
DD22233.10	26/05/2023 HESTA SUPER	SUPERANNUATION	-383.46
DD22233.11	26/05/2023 HOSTPLUS	SUPERANNUATION	-920.62
			-1,164,986.80

Sundry Creditors as at 31/05/2023 **265,277.36**

The Payments included in the above list of Accounts Paid, have been authorised by the Chief Executive Officer under delegation from Council.

16/6/23
DATE

Shane Ivers
Chief Executive Officer

Shire of Irwin

Corporate Credit Card Expenditure - Payment Reference CR 030523

S.Ivers Credit Card Expenses		
Gday Parks - Seaspray	Accommodation for Consultant	$ 122.08
SSL.COM	SSL Monitoring - IT	$ 68.22
Seek	Advertising	$ 357.50
Links Modular	Program - Rec Centre	$ 229.00
Spotify	Rec Centre Gym Music	$ 11.99
JAMF Software	Subscription - IT	$ 232.30
Booking.com	Accommodation for Consultant	$ 532.40
Booking.com	Accommodation for Consultant	$ 266.20
Attained	IT - Virtual Machine Fees	$ 209.00
City of Perth	Parking	$ 10.60
CPP Convention Centre	Parking	$ 24.23
CPP Convention Centre	Parking	$ 13.12
TryBooking	Budget Breakfast Tickets	$ 80.00
CodeTwo	Email Signature for Office 365 Subscription	$ 105.12
NAB	Card Fee	$ 9.00
		$ 2,270.76
M.Teale Credit Card Expenses		
Dragonfly Trading Pty Ltd	Esky for CESM Vehicle	$ 95.00
Carnamah Roadhouse	Fuel for CESM Vehicle and meal for Bushfire Incident	$ 152.85
Geraldton Ag Service	Equipment for Bushfire Brigades	$ 431.29
Geraldton Ag Service	Equipment for Bushfire Brigades	$ 256.73
Geraldton Ag Service	Credit for returned equipment	-$ 224.38
NAB	Card Fee	$ 9.00
		$ 720.49
P.Bracegirdle Credit Card Expenses		
The Sebel Mandurah	Accommodation for CESM Officer	$ 286.77
Pixie Prints	Staff Name Badges	$ 30.00
BeKirviSurf	Skate Competition Prizes	$ 150.00
Pixie Prints	Medals for Skate Competition	$ 108.00
Apple	iCloud Storage Fee	$ 1.49
Repco Geraldton	Refund for Returned Equipment for Rangers Vehicle	-$ 38.95
City Farmers	Bedding for Pound	$ 165.96
WA Carpet Supermarket	Carpet Samples for Irwin District Charity Ball	$ 200.00
NAB	Card Fee	$ 9.00
		$ 912.27
E.Roper Credit Card Expenses		
NAB	Card Fee	$ 9.00
		$ 9.00
P.Machaka Credit Card Expenses		
Auvik Networks	Network Management	$ 90.13
JB Hi-Fi	IT Consumables/Equipment	$ 3,904.99
IS Decisions	Access Management	$ 928.06
JB Hi-Fi	IT Consumables/Equipment	$ 425.99
Aus Electronics Direct	IT Consumables/Equipment	$ 361.21
Landgate	Caveat- Rates Recovery	$ 28.20
GlobalE/Jabra	IT Consumables/Equipment	$ 1,598.00
Auvik Networks	Network Management	$ 526.57
Simply Headsets	IT Consumables/Equipment	$ 444.00
Landgate	Certificate of Title - Rates Recovery	$ 28.20
Simply Headsets	IT Consumables/Equipment	$ 446.00
WA Library Supplies	Gas Lifts for Admin Chairs	$ 140.00
Microsoft	Licence	$ 45.65
Dongara & Geraldton Skip Bins	Skip Bin Hire including Collection and disposal	$ 1,566.00
Mainroads WA	Oversize Permit	$ 50.00
JB Hi-Fi	IT Consumables/Equipment	$ 795.99
Department of Transport	Recreational Jetty Licence Fee	$ 760.95
NAB	Card Fee	$ 9.00
		$ 12,148.94
TOTAL PAYMENT TO CORPORATE CREDIT CARD ACCOUNT		$ 16,061.46

ATTACHMENT: CC02

Financial Statements for the period ending 31 May 2023

Attachment 2

May Monthly Financial Report

SHIRE OF IRWIN

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 31 May 2023

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Key Terms and Descriptions - Nature or Type Descriptions		2
Statement of Financial Activity by Nature or Type		3
Note 1	Adjusted Net Current Assets	4
Note 3	Receivables	5
Note 5	Payables	6
Note 8	Capital Acquisitions	7
Note 15	Explanation of Material Variances	10

SHIRE OF IRWIN

KEY TERMS AND DESCRIPTIONS

FOR THE PERIOD ENDED 31 MAY 2023

NATURE OR TYPE DESCRIPTIONS

REVENUE

RATES
All rates levied under the Local Government Act 1995. Includes general, differential, specific area rates, minimum rates, interim rates, back rates, ex-gratia rates, less discounts offered. Exclude administration fees, interest on instalments, interest on arrears and service charges.

OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS
Refer to all amounts received as grants, subsidies and contributions that are not non-operating grants.

NON-OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS
Amounts received specifically for the acquisition, construction of new or the upgrading of non-current assets paid to a local government, irrespective of whether these amounts are received as capital grants, subsidies, contributions or donations.

PROFIT ON ASSET DISPOSAL
Profit on the disposal of assets including gains on the disposal of long term investments. Losses are disclosed under the expenditure classifications.

FEES AND CHARGEES
Revenues (other than service charges) from the use of facilities and charges made for local government services, sewerage rates, rentals, hire charges, fee for service, photocopying charges, licences, sale of goods or information, fines, penalties and administration fees. Local governments may wish to disclose more detail such as rubbish collection fees, rental of property, fines and penalties, other fees and charges.

SERVICE CHARGES
Service charges imposed under Division 6 of Part 6 of the Local Government Act 1995. Regulation 54 of the Local Government (Financial Management) Regulations 1996 identifies these as television and radio broadcasting, underground electricity and neighbourhood surveillance services. Exclude rubbish removal charges. Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

INTEREST EARNINGS
Interest and other items of a similar nature received from bank and investment accounts, interest on rate instalments, interest on rate arrears and interest on debtors.

OTHER REVENUE / INCOME
Other revenue, which can not be classified under the above headings, includes dividends, discounts, rebates etc.

EXPENSES

EMPLOYEE COSTS
All costs associate with the employment of person such as salaries, wages, allowances, benefits such as vehicle and housing, superannuation, employment expenses, removal expenses, relocation expenses, worker's compensation insurance, training costs, conferences, safety expenses, medical examinations, fringe benefit tax, etc.

MATERIALS AND CONTRACTS
All expenditures on materials, supplies and contracts not classified under other headings. These include supply of goods and materials, legal expenses, consultancy, maintenance agreements, communication expenses, advertising expenses, membership, periodicals, publications, hire expenses, rental, leases, postage and freight etc. Local governments may wish to disclose more detail such as contract services, consultancy, information technology, rental or lease expenditures.

UTILITIES (GAS, ELECTRICITY, WATER, ETC.)
Expenditures made to the respective agencies for the provision of power, gas or water. Exclude expenditures incurred for the reinstatement of roadwork on behalf of these agencies.

INSURANCE
All insurance other than worker's compensation and health benefit insurance included as a cost of employment.

LOSS ON ASSET DISPOSAL
Loss on the disposal of fixed assets.

DEPRECIATION ON NON-CURRENT ASSETS
Depreciation expense raised on all classes of assets.

INTEREST EXPENSES
Interest and other costs of finance paid, including costs of finance for loan debentures, overdraft accommodation and refinancing expenses.

OTHER EXPENDITURE
Statutory fees, taxes, provision for bad debts, member's fees or State taxes. Donations and subsidies made to community groups.

SHIRE OF IRWIN
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 MAY 2023

BY NATURE OR TYPE

	Note	Adopted Annual Budget	Revised Annual Budget (d)	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)	Var. ▲▼	Significant Var. S
		$	$	$	$	$	%		
Opening Funding Surplus (Deficit)	1	2,256,461	2,130,801	2,130,801	**2,130,801**	0	0%		
Revenue from operating activities									
Rates	6	5,949,556	5,979,224	5,976,199	**5,985,947**	9,748	0%	▲	
Operating Grants, Subsidies and Contributions	12	822,450	774,626	582,566	**600,921**	18,355	3%	▲	
Fees and Charges		2,202,999	2,284,296	2,164,588	**2,297,061**	132,473	6%	▲	
Service Charges		0	0	0	**0**	0			
Interest Earnings		54,872	165,872	152,490	**195,298**	42,808	28%	▲	S
Other Revenue		276,000	310,824	243,842	**345,275**	101,433	42%	▲	S
Profit on Disposal of Assets	7	119,916	87,916	0	**118,538**	118,538	100%	▲	S
Gain FV Valuation of Assets		0	0	0	**0**	0			
		9,425,793	**9,602,757**	**9,119,685**	**9,543,039**				
Expenditure from operating activities									
Employee Costs		(3,164,662)	(3,500,525)	(3,225,041)	**(3,431,795)**	(206,754)	(6%)	▼	
Materials and Contracts		(3,909,830)	(3,782,642)	(3,417,421)	**(3,720,303)**	(302,882)	(9%)	▼	
Utility Charges		(477,400)	(406,100)	(370,863)	**(456,734)**	(85,871)	(23%)	▼	S
Depreciation on Non-Current Assets		(4,366,569)	(4,366,569)	(4,000,997)	**(4,176,245)**	(175,248)	(4%)	▼	
Interest Expenses		(263,044)	(263,044)	(251,623)	**(216,092)**	35,531	14%	▲	S
Insurance Expenses		(237,367)	(237,367)	(237,166)	**(240,138)**	(2,972)	(1%)	▼	
Other Expenditure		(200,916)	(187,916)	(149,650)	**(153,265)**	(3,615)	(2%)	▼	
Loss on Disposal of Assets	7	0	0	0	**0**	0			
Loss FV Valuation of Assets		0	0	0	**0**	0			
		(12,619,787)	**(12,744,163)**	**(11,652,761)**	**(12,394,573)**				
Operating activities excluded from budget									
Add back Depreciation		4,366,569	4,366,569	4,000,997	**4,176,245**	175,248	4%	▲	
Adjust (Profit)/Loss on Asset Disposal	7	(119,916)	(87,916)	0	**(118,538)**	(118,538)	**(100%)**	▼	S
Movement in Leave Reserve (Added Back)		790	(56,051)	3,608	**(53,622)**	(57,230)	(1586%)	▼	S
Movement in Deferred Pensioner Rates/ESL		0	0	0	**0**	0			
Movement in Employee Benefit Provisions		0	0	0	**0**	0			
Rounding Adjustments		0	0	0	**0**	0			
Movement Due to Changes in Accounting Standards		0	0	0	**0**	0			
Loss on Asset Revaluation		0	0	0	**0**	0			
Adjustment in Fixed Assets		0	0	0	**0**	0			
Amount attributable to operating activities		**1,053,448**	**1,081,196**	**1,471,529**	**1,152,552**				
Investing activities									
Non-Operating Grants, Subsidies and Contributions	13	5,391,447	5,611,617	1,065,209	**746,352**	(318,857)	(30%)	▼	S
Proceeds from Disposal of Assets	7	312,000	280,000	0	**299,955**	299,955	**100%**	▲	S
Land Held for Resale	8	0	0	0	**0**	0			
Land and Buildings	8	(412,874)	(424,778)	(349,420)	**(362,769)**	(13,349)	(4%)	▼	
Plant and Equipment	8	(1,683,616)	(1,606,906)	(1,030,905)	**(950,446)**	80,459	8%	▲	
Furniture and Equipment	8	(24,000)	(56,106)	(56,101)	**(54,825)**	1,276	2%	▲	
Infrastructure Assets - Roads	8	(1,475,692)	(1,671,869)	(1,556,706)	**(870,318)**	686,388	44%	▲	S
Infrastructure Assets - Drainage	8	0	0	0	**0**	0			
Infrastructure Assets - Footpaths	8	0	0	0	**0**	0			
Infrastructure Assets - Public Facilities	8	0	0	0	**0**	0			
Infrastructure Assets - Other	8	(4,855,966)	(4,760,948)	(312,562)	**(265,864)**	46,698	15%	▲	S
Amount attributable to investing activities		**(2,748,701)**	**(2,628,990)**	**(2,240,485)**	**(1,457,915)**				
Financing Activities									
Proceeds from New Debentures		0	0	0	**0**	0			
Repayment of Debentures	9	(559,935)	(559,935)	(549,393)	**(466,772)**	82,621	15%	▲	S
Repayment of Lease Financing	9	(17,436)	(17,436)	(15,961)	**(19,259)**	(3,298)	(21%)	▼	S
Advances to Community Groups		0	0	0	**0**	0			
Proceeds from Advances		0	0	0	**0**	0			
Self-Supporting Loan Principal	9	37,931	37,931	37,931	**37,930**	(1)	(0%)	▼	
Transfer to Restricted Cash - Other		(40,000)	(40,000)	0	**0**	0			
Transfer from Restricted Cash - Other		195,813	195,813	0	**0**	0			
Transfer from Reserves	10	0	60,000	0	**60,000**	60,000	**100%**	▲	S
Transfer to Reserves	10	(176,868)	(251,868)	0	**(90,378)**	(90,378)	100%	▲	S
Amount attributable to financing activities		**(560,495)**	**(575,495)**	**(527,423)**	**(478,479)**				
Closing Funding Surplus (Deficit)	1	**713**	**7,513**	**834,422**	**1,346,960**				

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.
Refer to Note 15 for an explanation of the reasons for the variance.
The material variance adopted by Council for the 2022/23 year is $10,000 and 10%.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

OPERATING ACTIVITIES
NOTE 1
ADJUSTED NET CURRENT ASSETS

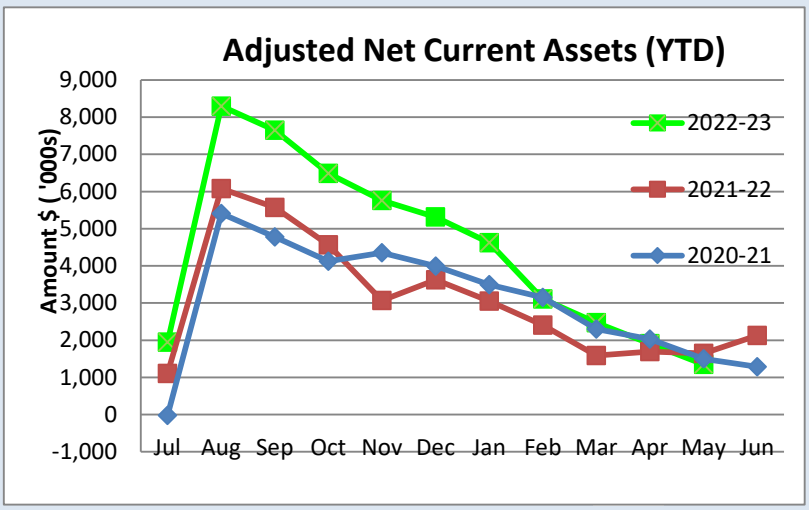
Adjusted Net Current Assets	Note	Last Years Closing 30/06/2022	This Time Last Year 31/05/2022	Year to Date Actual 31/05/2023
		$	$	$
Current Assets				
Cash Unrestricted	2	3,041,395	1,767,010	1,960,765
Cash Restricted - Reserves	2	1,392,831	1,486,263	1,423,209
Cash Restricted - General	2	373,935	362,875	373,935
Cash Restricted - Bonds & Deposits	2	202,689	212,410	239,494
Receivables - Rates	3	332,156	389,296	405,480
Receivables - Other	3	537,545	587,394	444,585
Inventories	4	21,521	28,018	21,521
		5,902,072	4,833,266	4,868,989
Less: Current Liabilities				
Payables	5	(905,385)	(308,098)	(552,710)
Contract Liabilities	11	(499,946)	(857,881)	(520,505)
Financial Liabilities	5	(31,331)	(31,331)	(31,331)
Bonds & Deposits	14	(202,689)	(212,410)	(239,494)
Loan and Lease Liability	9	(577,841)	(32,111)	(91,810)
Provisions	11	(547,240)	(415,874)	(547,240)
		(2,764,433)	(1,857,705)	(1,983,091)
Less: Cash Reserves	10	(1,392,831)	(1,486,263)	(1,423,209)
Add Back: Component of Leave Liability not Required to be funded		220,017	124,226	166,396
Add Back: Loan and Lease Liability		577,841	32,111	91,810
Less : Loan Receivable - clubs/institutions		(37,930)	0	0
Less : Restricted Cash General	15	(373,935)	0	(373,935)
Net Current Funding Position		**2,130,801**	**1,645,635**	**1,346,960**

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting polices relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD Surplus(Deficit)

$1.35 M

Last Year YTD Surplus(Deficit)

$1.65 M

OPERATING ACTIVITIES
NOTE 3
RECEIVABLES

Receivables - Rates & Rubbish	30 June 2022	31 May 23
	$	$
Opening Arrears Previous Years	444,976	365,548
Levied this year	6,445,431	6,835,402
Less Collections to date	(6,524,859)	(6,762,077)
Equals Current Outstanding	365,548	438,872
Net Rates Collectable	**365,548**	**438,872**
% Collected	94.69%	93.91%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$
Receivables - General	90,383	406	494	248,038	339,321
Percentage	27%	0%	0%	73%	
Balance per Trial Balance					
Sundry Debtors					339,321
Receivables - Other					105,264
Total Receivables General Outstanding					**444,585**

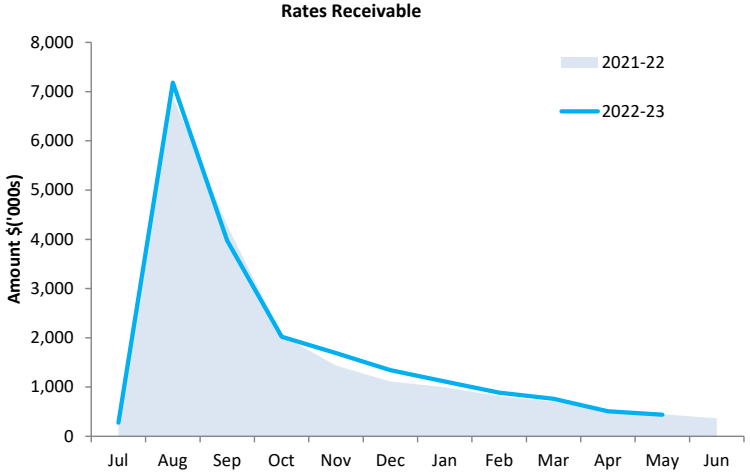
Amounts shown above include GST (where applicable)

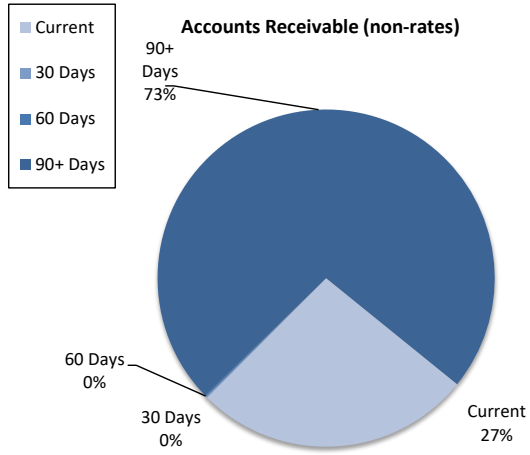
KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.





Collected	Rates Due
94%	$438,872

Debtors Due
$444,585

Over 30 Days
73%

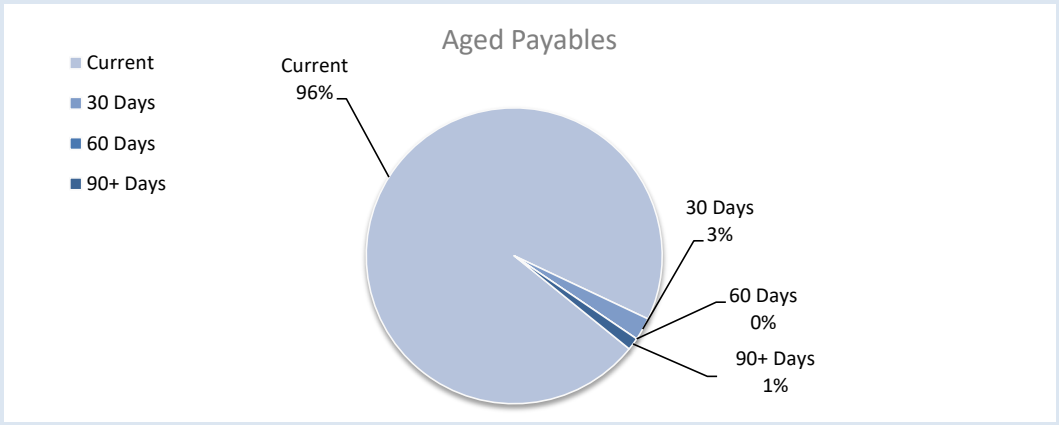
Over 90 Days
73%

OPERATING ACTIVITIES
NOTE 5
Payables

Payables - General	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$
Payables (Sundry Creditors) - General	255,161	6,552	0	3,565	265,277
Percentage	96.2%	2.5%	0%	1.3%	
Balance per Trial Balance					
Sundry creditors - General					265,277
Other creditors					188,573
ATO liabilities					61,848
Financial liabilities (Developer Contributions)					31,331
Total Payables General Outstanding					**584,041**
Amounts shown above include GST (where applicable)					

KEY INFORMATION

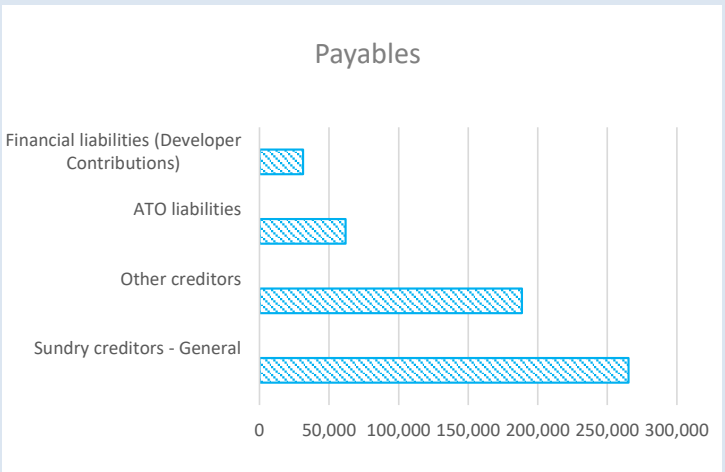
Trade and other payables represent liabilities for goods and services provided to the Shire that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

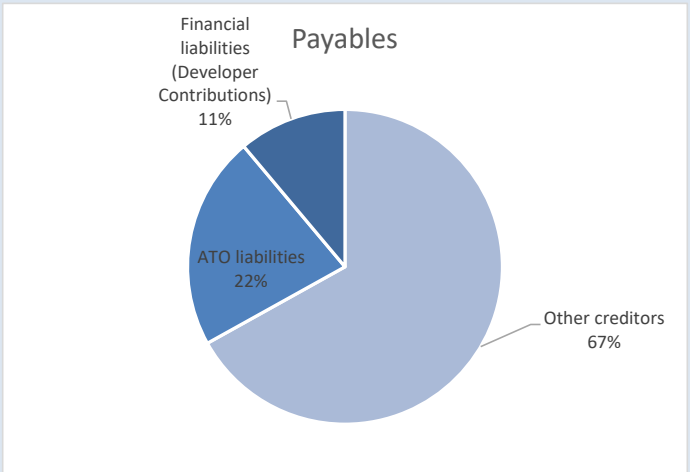


Creditors Due
$584,041

Over 30 Days
4%

Over 90 Days
1.3%





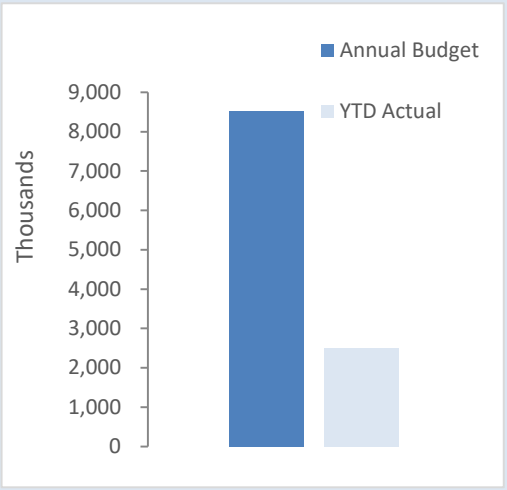
INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital Acquisitions	Adopted Annual Budget	YTD Budget	Amended Annual Budget	YTD Actual Total	YTD Budget Variance
	$	$	$	$	$
Land Held for Resale	0	0	0	**0**	0
Land and Buildings	412,874	349,420	424,778	**362,769**	13,349
Plant and Equipment	1,683,616	1,030,905	1,606,906	**950,446**	(80,459)
Furniture and Equipment	24,000	56,101	56,106	**54,825**	(1,276)
Infrastructure Assets - Roads	1,475,692	1,556,706	1,671,869	**870,318**	(686,388)
Infrastructure Assets - Drainage	0	0	0	**0**	0
Infrastructure Assets - Footpaths	0	0	0	**0**	0
Infrastructure Assets - Public Facilities	0	0	0	**0**	0
Infrastructure Assets - Other	4,855,966	312,562	4,760,948	**265,864**	(46,698)
Capital Expenditure Totals	8,452,148	3,305,694	8,520,607	**2,504,222**	(801,472)
Capital acquisitions funded by:					
	$	$	$	$	$
Capital Grants and Contributions	5,391,447	1,065,209	5,611,617	**746,352**	(318,857)
Borrowings	0	0	0	**0**	0
Other (Disposals & C/Fwd)	312,000	0	280,000	**299,955**	299,955
Council contribution - Cash Backed Reserves					
Various Reserves		0	0	**0**	0
Council contribution - operations		**2,240,485**	**2,628,990**	**1,457,915**	(782,570)
Capital Funding Total		**3,305,694**	**8,520,607**	**2,504,222**	**(801,472)**

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	$8.52 M	$2.5 M	29%

Capital Grant	Annual Budget	YTD Actual	% Received
	$5.61 M	$.75 M	13%

INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital Expenditure Total
Level of Completion Indicators
0%
20%
40%
60%
80%
100%
Over 100%

Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

Level of completion indicator, please see table at the top of this note for further detail.

% of Completion	Assets	Account Number	Balance Sheet Category	Job Number	Adopted Annual Budget	Amended Annual Budget	YTD Budget	Total YTD	Variance (Under)/Over
					$	$	$	$	$
	Buildings								
	Housing								
1.18	AGED APPROPRIATE HOUSING - STAGE 2	2574	1311	CJ18	(63,674)	(63,674)	(63,674)	(75,303)	(11,629)
0.68	BUILDING - THE VILLAGE - RENEWAL	2584	1311	CJ02	(31,000)	(31,000)	(28,402)	(20,954)	7,448
	Total - Housing				**(94,674)**	**(94,674)**	**(92,076)**	**(96,257)**	**(4,181)**
	Community Amenities								
0.52	AIR-CONDITIONING - TRANSFER STATION	1944	1311	CJ104	(5,000)	(5,000)	(3,300)	(2,600)	700
0.95	TRANSFER STATION RAMP RENEWAL	1944	1311	CJ115	(40,000)	(45,000)	(29,700)	(42,614)	(12,914)
	Total - Community Amenities				**(45,000)**	**(50,000)**	**(33,000)**	**(45,214)**	**(12,214)**
	Recreation And Culture								
0.21	BOWLING CLUB ACCESSIBLE ABLUTIONS RENOVATIONS	2834	1311	CJ107	(65,000)	(65,000)	(42,900)	(13,636)	29,264
0.91	IRWIN REC CENTRE ROOF UPGRADE - PARTIALLY GRANT FUNDE	2834	1311	CJ121	(99,000)	(99,000)	(65,340)	(90,000)	(24,660)
1.31	RUSS COTTAGE RETICULATION	3344	1311	CJ114	(5,000)	(5,000)	(5,000)	(6,557)	(1,557)
1.00	DENISON HOUSE - CAPITAL RENEWAL WORKS	3344	1311	C910	(104,200)	(111,104)	(111,104)	(111,104)	0
	Total - Recreation And Culture				**(273,200)**	**(280,104)**	**(224,344)**	**(221,297)**	**3,047**
0.85	**Total - Buildings**				**(412,874)**	**(424,778)**	**(349,420)**	**(362,769)**	**(13,349)**
	Plant & Equipment								
	Fire Prevention								
1.00	BORE - IRWIN FIRE STATION	0784	1312	F014	(9,300)	(14,025)	(14,025)	(14,025)	(0)
0.98	CESM VEHICLE CANOPY (CAPITAL)	0784	1312	V863	(10,000)	(10,000)	(10,000)	(9,803)	197
	Total - Fire Prevention				**(19,300)**	**(24,025)**	**(24,025)**	**(23,828)**	**197**
	Other Law, Order & Public Safety								
0.00	COMMUNITY RANGER VEHICLE - REG 502IR	0884	1312	V502	(40,000)	(40,000)	(40,000)	0	40,000
	Total - Other Law, Order & Public Safety				**(40,000)**	**(40,000)**	**(40,000)**	**0**	**40,000**
	Recreation & Culture								
0.00	TORO Z MASTER MOWER	2844	1312	V868	(36,000)	(36,000)	0	0	0
	Total - Recreation & Culture				**(36,000)**	**(36,000)**	**0**	**0**	**0**
	Transport								
0.00	PRIME-MOVER & TWO TIPPERS	3534	1312	V850	(540,000)	(540,000)	0	0	0
0.00	SPRAY RIG	3534	1312	V857	(28,316)	(29,919)	(29,919)	(29,919)	(0)
0.00	TRAFFIC ROAD PODS FOR METROCOUNT	3534	1312	V864	(10,000)	(10,000)	(10,000)	(9,748)	252
0.00	NEW RURAL ROADS SUPERVISOR VEHICLE	3534	1312	V883	0	(40,000)	(40,000)	0	40,000
0.00	NEW DEPOT POOL VEHICLE	3534	1312	V874	(40,000)	(54,531)	(54,531)	(54,532)	(1)
1.00	NEW GRADER	3534	1312	V876	(420,000)	(436,297)	(436,297)	(436,285)	12
1.00	POSI-TRACK LOADER	3534	1312	V859	0	(23,875)	(23,875)	(23,875)	0
1.00	NEW WHEEL LOADER	3584	1312	V879	(530,000)	(372,258)	(372,258)	(372,258)	(0)
	Total - Transport				**(1,568,316)**	**(1,506,880)**	**(966,880)**	**(926,618)**	**40,262**
	Other Property & Services								
1.00	GENERATOR - TELSTRA TOWER	0554	1312	V880	(20,000)	0	0	0	0
	Total - Other Property & Services				**(20,000)**	**0**	**0**	**0**	**0**
0.59	**Total - Plant & Equipment**				**(1,683,616)**	**(1,606,906)**	**(1,030,905)**	**(950,446)**	**80,459**
	Furniture & Equipment								
	Other Property & Services								
0.97	OFFICE / CHAMBERS FURNITURE & EQUIPMENT	0264	1314	CJ96	(24,000)	(42,804)	(42,800)	(41,523)	1,277
1.00	REC CENTRE FLOOR CLEANER	2824	1314	CJ129	0	(13,302)	(13,301)	(13,302)	(1)
	Total - Other Property & Services				**(24,000)**	**(56,106)**	**(56,101)**	**(54,825)**	**1,276**
0.98	**Total - Furniture & Equipment**				**(24,000)**	**(56,106)**	**(56,101)**	**(54,825)**	**1,276**
	Roads								
	Housing								
1.00	THE VILLAGE - FOOTPATHS, HANDRAILS, KERBS	2586	1317	CJ45	(13,000)	0	0	0	0
	Total - Housing				**(13,000)**	**0**	**0**	**0**	**0**
	Transport								
0.08	RURAL ROAD SHOULDER RECONSTRUCTION	6614	1317	CJ110	(165,009)	(165,009)	(108,904)	(13,546)	95,358
0.51	RURAL ROAD RESHEETING	6614	1317	CJ97	(86,288)	(87,995)	(87,988)	(44,753)	43,235
0.70	R2R - WYE FARM ROAD (SLK 0.00 - 5.78)	6644	1317	CJ109	(228,504)	(364,734)	(350,123)	(255,395)	94,728
1.00	R2R - FANE ROAD	6644	1317	CJ75	0	(1,518)	(1,449)	(1,518)	(69)
1.00	R2R - PIGGERY LANE	6644	1317	CJ76	0	(4,396)	(4,202)	(4,396)	(194)
1.00	R2R - BELAURA PLACE	6644	1317	CJ77	(16,261)	(10,120)	(9,697)	(10,120)	(423)
1.00	R2R - PIGGERY LANE: SLK 9.09 TO 10.69	6664	1317	CJ125	(52,206)	(56,206)	(53,955)	(56,404)	(2,449)
0.21	RRG GRANT - ALLANOOKA SPRINGS RD 2021/22 - SLK 15.91 - 33	6674	1317	CJ98	(157,001)	(157,001)	(150,694)	(33,077)	117,617
0.57	RRG GRANT - MOUNT ADAMS ROAD (SLK 12.0 - 22.6)	6674	1317	CJ108	(471,423)	(471,423)	(452,549)	(270,120)	182,429
1.00	RRG GRANT - BOOKARA EAST RD 2021/22 - SLK 1.65 - 6.65	6674	1317	CJ100	0	(52,467)	(50,348)	(52,467)	(2,119)
0.43	BLENHEIM ROAD	6694	1317	CJ24	(286,000)	(301,000)	(288,960)	(128,523)	160,437
	Total - Transport				**(1,462,692)**	**(1,671,869)**	**(1,558,869)**	**(870,318)**	**688,551**
0.52	**Total - Roads**				**(1,475,692)**	**(1,671,869)**	**(1,558,869)**	**(870,318)**	**688,551**

INVESTING ACTIVITIES
NOTE 8
CAPITAL ACQUISITIONS

Capital Expenditure Total
Level of Completion Indicators
0%
20%
40%
60%
80%
100%
Over 100%

Percentage YTD Actual to Annual Budget
Expenditure over budget highlighted in red.

% of Completion	Assets	Account Number	Balance Sheet Category	Job Number	Adopted Annual Budget	Amended Annual Budget	YTD Budget	Total YTD	Variance (Under)/Over
	Level of completion indicator, please see table at the top of this note for further detail.								
					$	$	$	$	$
	Infrastructure - Other								
	Law, Order & Public Safety								
0.45	WATER TANK, PUMP & BORE @ ALANOOKA	9733	1318	CJ126	(51,495)	(66,502)	(66,502)	(29,916)	36,586
0.57	WATER TANK, PUMP & BORE @ MT ADAMS	9733	1318	CJ127	(51,495)	(41,372)	(41,372)	(23,600)	17,772
0.49	WATER TANK, PUMP & BORE @ SPRINGFIELD	9733	1318	CJ128	(51,410)	(50,658)	(50,658)	(24,900)	25,758
	Total - Law, Order & Public Safety				**(154,400)**	**(158,532)**	**(158,532)**	**(78,415)**	**80,117**
	Housing								
0.00	TWO HENRY ROAD - LANDSCAPING	2585	1318	CJ113	(15,000)	(15,000)	(9,900)	0	9,900
	Total - Housing				**(15,000)**	**(15,000)**	**(9,900)**	**0**	**9,900**
	Community Amenities								
1.00	TRANSFER STATION SITE REGENERATION	1964	1318	CJ117	(11,000)	0	0	0	0
0.95	TRANSFER STATION CONCRETE BUND FOR OIL TANKS	1964	1318	CJ118	(30,000)	(5,000)	(5,000)	(4,750)	250
	Total - Community Amenities				**(41,000)**	**(5,000)**	**(5,000)**	**(4,750)**	**250**
	Recreation And Culture								
0.00	SURF BEACH STABILISATION	8054	1318	CJ87	(171,414)	(171,414)	0	0	0
0.08	BOAT RAMP DESIGN	8054	1318	CJ120	(126,402)	(126,402)	(83,424)	(10,361)	73,063
1.06	GOLF CLUB ENTRY STATEMENT	2864	1318	CJ123	(18,000)	(28,000)	(18,480)	(29,808)	(11,328)
0.75	DRIVE-IN FENCE REPLACEMENT	2864	1318	CJ102	(10,000)	(15,000)	(9,900)	(11,241)	(1,341)
1.03	TREE PLANTING	2864	1318	CJ49	(20,000)	(20,000)	(20,000)	(20,536)	(536)
	Total - Recreation And Culture				**(345,816)**	**(360,816)**	**(131,804)**	**(71,946)**	**59,858**
	Transport								
0.89	DRAINAGE, KERBING & FOOTPATH RENEWAL	6794	1318	CJ94	(106,750)	(50,000)	0	(44,339)	(44,339)
0.53	DEPOT WASHDOWN BAY	6794	1318	CJ95	(100,000)	(70,000)	0	(37,133)	(37,133)
0.67	SIGNAGE RENEWAL - TOWN & RURAL	6794	1318	CJ111	(8,000)	(8,000)	(7,326)	(5,340)	1,986
0.56	TECHNICAL STUDIES - INFRASTRUCTURE RENEWAL	6794	1318	CJ112	(5,000)	(13,600)	0	(7,600)	(7,600)
0.00	MILO CROSSING UPGRADE	6794	1318	CJ124	(4,000,000)	(4,000,000)	0	0	0
	Total - Transport				**(4,219,750)**	**(4,141,600)**	**(7,326)**	**(94,412)**	**(87,086)**
	Economic Services								
0.20	KAILIS DRIVE ENTRY STATEMENT	3914	1318	CJ36	(80,000)	(80,000)	0	(16,341)	(16,341)
	Total - Economic Services				**(80,000)**	**(80,000)**	**0**	**(16,341)**	**(16,341)**
0.06	**Total - Infrastructure - Other**				**(4,855,966)**	**(4,760,948)**	**(312,562)**	**(265,864)**	**46,698**
0.29	**Grand Total**				**(8,452,148)**	**(8,520,607)**	**(3,307,857)**	**(2,504,222)**	**803,635**

NOTE 15
EXPLANATION OF SIGNIFICANT VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2022/23 year is $10,000 and 10%.

	Var. $	Var. %	Var. ▲▼	Significant Var. S	Timing/ Permanent	Explanation of Variance
Reporting Nature or Type	**Var. $**	**Var. %**	**Var. pq**	**Significant Var. S**	**Timing/ Permanent**	**Explanation of Variance**
Revenue from operating activities						
Interest Earnings	42,808	28%	▲	S	Permanent	Interest Earnings are higher than budget as a result of interest rate increases throughout the financial year.
Other Revenue	101,433	42%	▲	S	Permanent	Other revenue recognised is higher than excpected, resulting in a postive variance of $101k, or 42%.
Profit on Disposal of Assets	118,538	100%	▲	S	Timing	This is a timing variance; actuals will align to budget by the end of the financial year.
Expenditure from operating activities						
Utility Charges	(85,871)	(23%)	▼	S	Timing	Prior to adoption of the 2022/23 Budget Review, utility charges were tracking under budget due to vandalism of the Shire's reticulation system. Since then, the reticulation system has been fixed. Howver, vandalisim has persisted, this time resulting in over usage of water.
Interest Expenses	35,531	14%	▲	S	Timing	This is a timing difference and actual expenses should align to budget by the end of the financial year.
Investing Activities						
Non-operating Grants, Subsidies and Contributions	(318,857)	(30%)	▼	S	Timing	Road grants received will be recognised as income, in line with progress of construction works.
Proceeds from Disposal of Assets	299,955	100%	▲	S	Timing	Timing of disposals
Infrastructure Assets - Roads	686,388	44%	▲	S	Timing	Timing of construction works
Infrastructure Assets - Other	46,698	15%	▲	S	Timing	Timing of construction works
Financing Actvities						
Repayment of Debentures	82,621	15%	▲	S	Timing	Timing of Loan repayments
Transfer from Reserves	60,000		▲	S	Timing	This is a timing difference.
Transfer to Reserves	(90,378)	(100%)	▼	S	Timing	This is a timing difference.

ATTACHMENT: CC03

2021/2022 Annual Report

Attachment 3

SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

ANNUAL REPORT
2021/22











CONTENTS

1 Shire President's Report
3 Chief Executive Officer's Report
5 Councillors
6 Statutory Reporting
8 Plan for the Future
10 Disability Access & Inclusion Plan
13 **Financial Report 2021/22**
14 Statement by Chief Executive Officer
15 Statement of Comprehensive Income by Nature or Type
16 Statement of Financial Position
17 Statement of Changes in Equity
18 Statement of Cash Flows
19 Rate Setting Statement
20 Index of Notes to the Financial Report
69 Independent Auditor's Report

Document Control

Document Number	Responsible Officer	Date Adopted
Rev01	Jane Morgan	

The Shire of Irwin respectfully acknowledges the Southern Yamatji Peoples who are the Traditional Owners and First People of these lands. The Nhanhagardi, Wilunyu, Amangu. The Shire of Irwin would like to pay respect to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Southern Yamatji Peoples.

Shire President's Report



I am pleased to present the 2021/22 Shire of Irwin Annual Report. This was a very productive year for the Shire of Irwin, as we progressed and competed projects that were high on the list of community priorities.
The early part of the year saw Shire staff from across the organisation working hard to complete the Moreton Terrace upgrades. This project was a huge undertaking, however because of issues with drainage, the need to protect our heritage listed Moreton Bay Figs and Council's desire to give back to the local business community by enhancing the local infrastructure, it needed to be done.
I applaud the Shire of Irwin CEO Shane Ivers and his team who worked tirelessly to make this project happen. Firstly, by putting together two funding packages, under the Drought Communities and Regional Road Group funding programmes to supply the project and secondly for all their hard work in seeing the project through to fruition.

I would also like to thank the community for their understanding and patience as we completed the upgrades. It was not easy, with all the necessary road closures and disruptions but I believe the outcome made it well worth it.
October was a big month with local government elections taking place. We had five nominees to fill four Council vacancies. I thank all nominees for the commitment they showed to our community and congratulate Isabelle Scott, Barry Wyse, Elyce Tunbridge and Mark Leonard on their successful campaigns.

During this time we also farewelled Councillor Ian West who retired after dedicating 12 years of service to the Shire. I personally would like to thank him for his commitment and dedication and wish him all the best.
Council and Shire staff work hard to leverage revenue from sources other than rates to minimise rate payments and in December 2021 it was announced that the Shire of Irwin would receive a $250,000 Bushfire Mitigation Activity Fund Grant. This funding allowed us to undertake 24 fire mitigation treatments across the Shire, reducing bushfire risk across the region.

Further to this the Irwin Bushfire Brigade's capacity to fight fires received a significant boost with the addition a 4x4 500L firefighting vehicle to their fleet. Funded by the Emergency Services Levy, through the Department of Fire and Emergency Services WA Local Government Grants Scheme, the Irwin Light Tanker has upgrades to its comprehensive crew protection system.
In December we held our inaugural Magic on Moreton event. The evening was a celebration of the completion of our Moreton Terrace upgrades and a thank you to the community. It was so wonderful to see so many people come out and celebrate, and was such a success that we decided to run the event annually.

Early in 2022 it was announced that the Shire of Irwin had been successful in its application for funding under the Recreational Boating Facilities Scheme (RBFS).
The RBFS grant can be used for the planning, construction or upgrade of boat launching ramps, jetties, moorings and new channels that are directly related to a public boating facility. We were lucky enough to receive $137, 435 that went towards the design of the Port Denison boat launch facility upgrade.
A key priority in the Shire's Corporate Business Plan is to ensure that our community has access to suitable and adequate support services and I am proud to say that in June of 2022 we completed Stage two of the Two Henry Road project.

Two Henry Road is an independent living community, designed to meet the needs of seniors and support aging in place. The project forms part of the WACHS $26 million Residential and Dementia Investment Strategy to support older people, to remain independent and within their communities.
The facility features dementia friendly design and is located opposite the Dongara Health Service, Accident and Emergency Department and visiting allied health rooms.

Stage two, which was the result of a collaboration between the Shire of Irwin and the WA Country Health Service, saw a further six independent living units completed allowing more people to age in place and stay living in their community. A fantastic outcome.

I would like to take this opportunity to thank my fellow Councillors, Shire of Irwin CEO Shane Ivers and all Shire staff for continuing to work so hard for our community in 2021/22. I would also like to thank the community for their ongoing support.

Mike Smith
Shire President



Chief Executive Officer's Report



With thanks to the Shire Councillors, staff and community support, the year proved very successful even with the lingering COVID-19 pandemic.
The biennial Council election took place which saw the departure of Cr Ian West, re-election of Cr Barry Wyse, Cr Isabelle Scott and Cr Mark Leonard plus one new elected member Elyce Tunbridge. Cr Mike Smith was again elected as Shire President. Congratulations to the elected Councillors and many thanks to Cr Ian West for his significant contribution.
I would like to acknowledge the Shire President, Mike Smith and all the Councillors for their strategic oversight guiding the Shire into a strong position during unprecedented challenges. I also sincerely thank all staff for their hard work and dedication to the Shire and our community during another very challenging year. Councillors had a strong focus on the strategic direction of the Shire, which saw the adoption of the following plans;

- Strategic Community Plan
- Long Term Financial Plan
- Coastal Management Plan
- Port Denison Foreshore Masterplan Concept Design
- Irwin River Walking Trail Amenity Upgrades Masterplan
- Extended Entry Statement Masterplan

The strategic direction was also backed by strong delivery with the completion of the Moreton Terrace renewal and upgrade project, which culminated in an official opening ceremony facilitated by Shane Love MLA and Shire President Mike Smith. The ceremony was followed by the very successful Magic on Moreton street event. It was also very satisfying to finally complete the last 6 units of the Henry Road Independent Living Units project with the official opening ceremony late June 2022. The year included our regular maintenance programs together with a significant rural road resheeting program.

The year also had regular events back on track such including Australia Day, Denison Foreshore Sprint and Midwest Show & Shine, Seniors Week Trivia Day and a morning tea to thank our Library volunteers. The Denison Foreshore Sprint and Midwest Show & Shine officially had just under 6,000 persons in attendance making it one of the larger events in the Midwest.

The Shire is also highly appreciative of the support the Medical Centre together with the management support team and its associated services provide to our community.
The Shire continued to witness unprecedented tourism growth, surging development and is looking forwards to a very bright future .

Shane Ivers
Chief Executive Officer


Tyrepower
DMW
SHIRE OF IRWIN
PANNARAI

Shire of Irwin Councillors



Cr Michael (Mike) Smith
Shire President
Elected 2017



Cr Isabelle Scott
Deputy Shire President
Elected 2017



Cr Andrew Gillam
Councillor
Elected 2019



Cr Mark Leonard
Councillor
Elected 2017



Cr Hayley Palmer
Councillor
Elected 2019



Cr Barry Wyse
Councillor
Elected 2019



Cr Grant Eva
Councillor
Elected 2019



Cr ELyce Tunbridge
Councillor
Elected 2021

Statutory Reporting

Councillor attendance at meetings

The table below shows Councillor attendance at Ordinary Council Meetings, Special Council Meetings and Committee Meetings of Council.

COUNCILLOR	ORDINARY MEETING	SPECIAL MEETING	COMMITTEE MEETING
Cr Michael Smith	10	0	4
Cr Isabelle Scott	11	0	3
Cr Barry Wyse	12	0	0
Cr Andrew Gillam	10	0	1
Cr Mark Leonard	10	0	3
Cr Hayley Palmer	12	0	5
Cr Grant Eva	11	0	4
Cr Elyce Tunbridge	12	0	0

No remuneration or allowance was paid by the Council to members of a standards panel under Schedule 5.1 and Clause 9 during the financial year.

Register of complaints

According with s5.120 of the Local Government Act 1995, the Shire does not have a designated Complaints Officer and the Chief Executive Officer fulfils this role in terms of subsection (2). The Shire reports no complaints that have resulted in a finding under section 5.110(2)(a) that a minor breach has occurred, for the period ending 30 June 2022.

Remuneration

Remuneration Regulation 19B of the Local Government (Administration) Regulations 1986, requires the Annual Report of a local government to detail the number of employees of the local government entitled to an annual salary of $130,00 or more as at 30 June 2022 being one (1) employee; and the number of employees that fall within each band of $10,000 over $130,000

As at the 30 June 2022 was 1. Remuneration and allowances as payment to elected members totalled $88,816.00 as at 30 June 2022.

Remuneration paid or provided to the CEO during the financial year is $198,456 calculated in accordance with Part 2: Total Reward Package of the Local Government Chief Executive Officers and Elected Members Determination No. 1 of 2022 under the Western Australia Salaries and Allowances Act 1975.

Freedom of Information

The Shire complies with the Freedom of Information Act 1992 which has as its intention another avenue to assist improving Local Government accountability to the public.

Recordkeeping

In accordance with legislative requirements, the Shire maintains its recordkeeping through the use of a corporate system. In addition, the Shire's Recordkeeping Policy outlines the process for management and disposal of records in accordance with the *State Records Act 2000*.



Plan for the Future

With reference to Planning for the future in Division 3 of the Local Government (Administration) Regulations 1996, the Shire is required to develop and maintain the following documents:

Strategic Community Plan (10 year plan & reviewed every 4 years) Corporate Business Plan (4 year plan & review annually), which;
i. sets out, consistently with any relevant priorities set out in the strategic community plan the Shire's priorities for dealing with the objectives and aspirations of the community.
ii. governs internal business planning by expressing priorities by reference to operations that are within the capacity of the Shire's resources.
iii. integrates matters relating to resources including asset management, workforce planning and long-term financial planning.

Strategic Community Plan

The Strategic Community Plan was adopted October 2021. The plan comprised of community drop-in sessions and survey. The drop-in sessions identified what the Shire of Irwin residents appreciate most about living in this community, with beaches, community, safety and lifestyle being the most popular topics. The initial feedback included a focus on business expansion, increased tourism, enhanced facilities, activities and services, coastal protection and accessibility of natural areas.

Corporate Business Plan

As the next step to completething Shire's integrated planning suite, the Long Term Financial Plan 2022-2037 was completed and adopted by Council April 2022.








SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND
Thank you
Dongara Concrete
Jocks Bobcat & Contract
Keboda Stone
Hutchy's Bricklaying
Patten ceilings
Octane Plumbing
Dongara Drilling & Elect
Dongara Painting
Onshore Cabinets
Dongara Trusses & Fram
Mitre 10 Dongara
Port Denison Landscapi
Simply Stone
Marsden Transport
Deal Freight
Reece Plumbing
Norfolk Cleaners
Glass Co
Choices Flooring
Shoreline Outdoor World
Heritage Metal Fencing
Infinity Tiling
Dongara Bobcat & Contr
Midwest Solar & Water
Midwest Farm

Disability Access and Inclusion Plan

The Western Australian Disability Services Act 1993 requires all State and Local Government Authorities develop a Disability Access and Inclusion Plan (DAIP). DAIPs assist in the planning and implementation of improvements, outlining the Shires progressive approach to removing barriers and working towards a more accessible and inclusive community. The Shire is currently reviewing its existing plan and is engaging with members of the local community with disabilities and members of their families, as to issues that they experience within the community.

The Shire of Irwin is committed to enabling accessibility across its broad range of facilities and services and in providing equal access to opportunities, information, facilities and services for people with disabilities, their carers and families via Council's ongoing modifications to existing Public Buildings and Services within its control, to cater for the needs of people with a disability, and others with accessibility needs;

• Ensuring all future Public Buildings, Facilities and Services, constructed or presented within the Shire are universally designed, to cater for the needs of people with disability; and
• Through the identification and support of services, events and programs for building capacity, social inclusion and wellbeing.

The DAIP is monitored on an ongoing basis by staff, and progress reports are submitted to the Department of Communities to inform of any advancement made towards inclusive outcomes. In delivering actions aligned with the DAIP the following projects were completed during the reporting period.

Moreton Terrace Revitalisation

The Moreton Terrace Revitalisation Project was completed in November 2021 and involved the upgrade of approximately 500 metres of the town's main street. In addition to formalising and beautifying the town centre, the Shire was able to address any building and road accessibility shortfalls, incorporating rectification as part of the renewal project. The completed project has delivered aligned, widened and renewed footpaths with ramp access points and designated pedestrian crossovers allowing easier, safer access and thoroughfare for all pedestrians including the mobility impaired and parents with prams. Upgrade to business entrances, re-alignment of kerbing, the paths leading to the businesses and their allocated carparking spaces along the main street have been reviewed and renewed where required, supporting compliance with pram/wheelchair accessibility requirements.

Independent Living Units Stage 2 – Henry Road

The Shire worked in partnership with WACHS to deliver an additional six units to complement the successful delivery of stage one with construction completed and officially opened in June 2022. The age and dementia friendly design of these units and the facilities and advancements contained within have been awarded Liveable Housing Australia's highest level of platinum certification for the design standard. The Independent Living Units' estate is also situated within close proximity to essential health services.

Denison House Disability Audit

Denison House - consisting of the main house and an adjoining chapel, is a significant heritage listed building occupied by numerous local community groups and listed as a place of interest on the local heritage trails. Audits of the disability access compliance identified failure in the pathways and ramps for gopher and wheelchair users. Removal of the uneven timber walkways and replacement with a concrete hard-stand slab to the correct dimensions required for accessibility and fall compliance has been undertaken. A new connecting entry deck into the chapel entrance and replacement of the double doors with one wide door enables a smooth transition and the space required for mobility impaired patrons.

The Village Audit

The Village complex consists of 39 self-contained aged/pension units. Audits of the disability access compliance identified failures in the pathways and ramps necessitating improvements to pathways where they terminated at inter-traffic zones within the complex, to enhance accessibility. Nine pram/wheelchair accessible ramps were installed to eliminate the multi-level stepping required, resulting in better access to the units and a seamless transition for tenants navigating through the village estate.

Improvements to War Memorial Park

The Dongara War Memorial Park was identified as an area of concern during the SOI Walkability Audit due to a lack of pathways, including lack of a paved route linking to the ablution block previously surrounded by a grassed area. The Dongara War Memorial Park expansion project included enhancements to improve overall access to the park reserve, and installed new wide pathways and ramps integrated to align to the new entry point off Point Leander Drive, with the new pedestrian crossovers. The pathways have further connected the Town's main street to the park and now provides a continued link to additional and disabled parking spaces as well as to the ablution block.






Thank you
Dongara Co
Jocks Bobc
acting
Keboda Sto
Hutchy's Bric
Patten ceilin
Oct
Do
Do
Ou
D
Ma
Dea
Ree
Nor
Gla
Choi
Thou
Fe
cat &
ar & Wa
ursery
Turf Farm
NOR
B
CUSTON
HOM
TIMBER
ATIONS
ONS
AL CARPE
& DRAFT
OUSING AWAR
Leif Molgaa
0417 922 7
www.nordic
s Reg : 10067/1248


OLD WORLDS
NEW WORLDS
OTHER WORLDS

SHIRE OF IRWIN

FINANCIAL REPORT

FOR THE YEAR ENDED 30 JUNE 2022

Certification of Financial Report	2
Statement of Comprehensive Income by Nature or Type	3
Statement of Financial Position	4
Statement of Changes in Equity	5
Statement of Cash Flows	6
Rate Setting Statement	7
Index of Notes to the Financial Report	8
Independent Auditor's Report	57

The Shire of Irwin conducts the operations of a local government with the following community vision:

A safe place to live, an exciting place to visit, and a progressive place to work.

Principal place of business:
11-13 Waldeck Street
DONGARA WA 6525

SHIRE OF IRWIN
FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2022

Local Government Act 1995
Local Government (Financial Management) Regulations 1996

STATEMENT BY CHIEF EXECUTIVE OFFICER

The attached financial report of the Shire of Irwin for the financial year ended 30 June 2022 is based on proper accounts and records to present fairly the financial position of the Shire of Irwin at 30 June 2022 and the results of the operations for the financial year then ended in accordance with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards.

Signed on the 3rd day of MAY 2023

Chief Executive Officer

Shane Ivers
Name of Chief Executive Officer

MF 3/5/2023

SHIRE OF IRWIN
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
FOR THE YEAR ENDED 30 JUNE 2022

	NOTE	2022 Actual	2022 Budget	2021 Actual
		$	$	$
Revenue				
Rates	26(a),2(a)	5,679,064	5,645,606	5,384,429
Operating grants, subsidies and contributions	2(a)	1,529,910	791,224	847,884
Fees and charges	25(c),2(a)	2,246,458	2,063,150	1,990,825
Interest earnings	2	62,225	45,478	57,598
Other revenue	2(a)	226,127	191,000	235,319
		9,743,784	8,736,458	8,516,055
Expenses				
Employee costs		(3,018,767)	(2,947,371)	(2,956,052)
Materials and contracts		(3,630,134)	(2,953,769)	(3,183,806)
Utility charges		(485,453)	(356,800)	(516,330)
Depreciation	10(a)	(4,289,602)	(4,373,611)	(4,485,327)
Finance costs	2(b)	(244,696)	(228,839)	(222,308)
Insurance		(230,089)	(210,188)	(191,782)
Other expenditure	2(b)	(235,192)	(206,417)	(211,475)
		(12,133,933)	(11,276,995)	(11,767,080)
		(2,390,149)	(2,540,537)	(3,251,025)
Capital grants, subsidies and contributions	2	2,961,125	3,396,931	2,959,085
Profit on asset disposals	10(d)	101,878	100,000	12,524
Loss on asset disposals	10(d)	(82,435)	0	(189,002)
Fair value adjustments to financial assets at fair value through profit or loss		4,937	0	0
		2,985,505	3,496,931	2,782,607
Net result for the period	25(b)	**595,356**	**956,394**	**(468,418)**
Other comprehensive income for the period				
Items that will not be reclassified subsequently to profit or loss				
Changes in asset revaluation surplus	16	16,744,544	0	0
Total other comprehensive income for the period		**16,744,544**	**0**	**0**
Total comprehensive income for the period		**17,339,900**	**956,394**	**(468,418)**

This statement is to be read in conjunction with the accompanying notes.

MF 3/5/2023

OAG AUDITED

SHIRE OF IRWIN
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2022

	NOTE	2022	2021 Restated *	1 July 2020 Restated *
		$	$	$
CURRENT ASSETS				
Cash and cash equivalents	3	5,010,850	5,014,331	3,505,502
Trade and other receivables	5	997,790	682,145	555,596
Other financial assets	4(a)	37,930	41,513	8,097
Inventories	6	21,521	28,018	18,521
Other assets	7	4,891	303,091	15,302
TOTAL CURRENT ASSETS		6,072,982	6,069,098	4,103,018
NON-CURRENT ASSETS				
Trade and other receivables	5	33,392	57,588	69,322
Other financial assets	4(b)	346,461	379,454	65,957
Property, plant and equipment Infrastructure	8	41,527,346	38,856,826	40,538,784
Right-of-use assets	9	67,573,407	53,096,281	52,876,708
TOTAL NON-CURRENT ASSETS	11(a)	82,513	86,484	90,455
TOTAL ASSETS		109,563,119	92,476,633	93,641,226
CURRENT LIABILITIES		115,636,101	98,545,731	97,744,244
Trade and other payables				
Other liabilities	12	1,310,318	1,609,703	1,141,360
Lease liabilities	13	499,946	1,356,233	1,277,058
Borrowings	11(b)	17,489	20,474	19,930
Employee related provisions	14	560,352	427,905	341,683
TOTAL CURRENT LIABILITIES	15	547,240	415,874	416,446
NON-CURRENT LIABILITIES		2,935,345	3,830,189	3,196,477
Lease liabilities				
Borrowings	11(b)	0	17,489	37,963
Employee related provisions	14	5,461,856	4,732,208	4,105,104
TOTAL NON-CURRENT LIABILITIES	15	40,246	107,091	77,528
TOTAL LIABILITIES		5,502,102	4,856,788	4,220,595
NET ASSETS		8,437,447	8,686,977	7,417,072
		107,198,654	89,858,754	90,327,172
EQUITY				
Retained surplus				
Reserve accounts		42,165,339	41,482,269	42,138,469
Revaluation surplus	29	1,392,831	1,480,545	1,292,763
TOTAL EQUITY	16	63,640,484	46,895,940	46,895,940
		107,198,654	89,858,754	90,327,172

This statement is to be read in conjunction with the accompanying notes.

* Refer to Note 30 'Correction of Error'

OAG AUDITED

MF 3/5/2023

SHIRE OF IRWIN
STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2022

	NOTE	RETAINED SURPLUS	RESERVE ACCOUNTS	REVALUATION SURPLUS	TOTAL EQUITY
		$	$	$	$
Balance as at 30 June 2020		**42,138,469**	**1,292,763**	**50,661,707**	**94,092,939**
Correction of error		0	0	(3,765,767)	(3,765,767)
Balance as at 1 July 2020 (Restated *)		**42,138,469**	**1,292,763**	**46,895,940**	**90,327,172**
Comprehensive income for the period					
Net result for the period		(468,418)	0	0	(468,418)
Total comprehensive income for the period		(468,418)	0	0	(468,418)
Transfers from reserves	29	228,135	(228,135)	0	0
Transfers to reserves	29	(415,917)	415,917	0	0
Balance as at 30 June 2021		**41,482,269**	**1,480,545**	**46,895,940**	**89,858,754**
Comprehensive income for the period					
Net result for the period		595,356	0	0	595,356
Other comprehensive income for the period	16	0	0	16,744,544	16,744,544
Total comprehensive income for the period		595,356	0	16,744,544	17,339,900
Transfers from reserves	29	384,656	(384,656)	0	0
Transfers to reserves	29	(296,942)	296,942	0	0
Balance as at 30 June 2022		**42,165,339**	**1,392,831**	**63,640,484**	**107,198,654**

This statement is to be read in conjunction with the accompanying notes.

* Refer to Note 30 'Correction of Error'

SHIRE OF IRWIN
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2022

	NOTE	2022 Actual $	2022 Budget $	2021 Actual $
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts				
Rates		5,747,120	5,770,606	5,413,148
Operating grants, subsidies and contributions		1,329,605	(541,942)	827,282
Fees and charges		2,247,199	2,063,150	1,990,825
Interest received		62,225	45,478	57,598
Goods and services tax received		712,378	(487,577)	(613,474)
Other revenue		226,127	191,000	235,318
		10,324,654	7,040,715	7,910,697
Payments				
Employee costs		(2,922,068)	(2,947,371)	(2,925,813)
Materials and contracts		(3,744,263)	(3,097,435)	(3,016,660)
Utility charges		(485,453)	(356,800)	(516,330)
Finance costs		(228,938)	(228,839)	(219,644)
Insurance paid		(230,089)	(210,188)	(191,782)
Goods and services tax paid		(615,824)	487,577	487,577
Other expenditure		(234,954)	(206,417)	(211,475)
		(8,461,589)	(6,559,473)	(6,594,127)
Net cash provided by (used in) operating activities	17(b)	1,863,065	481,242	1,316,570
CASH FLOWS FROM INVESTING ACTIVITIES				
Payments for financial assets at amortised cost - self supporting loans		0	0	(355,010)
Payments for purchase of property, plant & equipment	8(a)	(2,341,399)	(2,732,281)	(703,634)
Payments for construction of infrastructure	9(a)	(2,537,529)	(5,196,615)	(2,946,776)
Non-operating grants, subsidies and contributions Proceeds from financial assets at amortised cost - self supporting loans		1,989,836	3,396,931	3,041,225
		41,513	41,513	8,098
Proceeds from sale of property, plant & equipment	10(d)	139,412	1,631,184	454,961
Net cash provided by (used in) investing activities		(2,708,167)	(2,859,268)	(501,136)
CASH FLOWS FROM FINANCING ACTIVITIES Repayment of borrowings	28(a)	(427,905)	(427,903)	(341,684)
Payments for principal portion of lease liabilities Proceeds from new borrowings	28(d) 28(a)	(20,474) 1,290,000	(20,474) 674,000	(19,931) 1,055,010
Net cash provided by (used in) financing activities		841,621	225,623	693,395
Net increase (decrease) in cash held		(3,481)	(2,152,403)	1,508,829
Cash at beginning of year		5,014,331	5,014,331	3,505,502
Cash and cash equivalents at the end of the year	17(a)	5,010,850	2,861,928	5,014,331

This statement is to be read in conjunction with the accompanying notes.

MF 3/5/2023

SHIRE OF IRWIN
RATE SETTING STATEMENT
FOR THE YEAR ENDED 30 JUNE 2022

	NOTE	2022 Actual	2022 Budget	2021 Actual
		$	$	$
NET CURRENT ASSETS - At start of financial year - surplus/(deficit)	27(b)	926,103	808,457	(272,395)
OPERATING ACTIVITIES				
Revenue from operating activities (excluding general rate)				
Rates (excluding general rate)	26(b)	3,401	3,000	3,07
Operating grants, subsidies and contributions		1,529,910	791,224	847,884
Fees and charges		2,246,458	2,063,150	1,990,825
Interest earnings		62,225	45,478	57,59
Other revenue		226,127	191,000	285,319
Profit on asset disposals	10(d)	101,878	100,000	12,52
Fair value adjustments to financial assets at fair value through profit or loss				4
		4,937	0	0
Expenditure from operating activities		4,174,936	3,193,852	3,147,226
Employee costs				
Materials and contracts		(3,018,767)	(2,947,371)	(2,956,051)
Utility charges		(3,630,134)	(2,953,769)	(3,183,806)
Depreciation		(485,453)	(356,800)	(516,330)
Finance costs		(4,289,602)	(4,373,611)	(4,485,327)
Insurance		(244,696)	(228,839)	(222,308)
Other expenditure		(230,089)	(210,188)	(191,782)
Loss on asset disposals		(235,192)	(206,417)	(211,475)
	10(d)	(82,435)	0	(189,003)
		(12,216,368)	(11,276,995)	(11,956,081)
Non-cash amounts excluded from operating activities	27(a)	4,389,068	4,464,029	4,703,664
Amount attributable to operating activities		(3,652,364)	(3,619,114)	(4,105,191)
INVESTING ACTIVITIES				
Non-operating grants, subsidies and contributions		2,961,125	3,396,931	2,959,085
Proceeds from disposal of assets	10(d)	139,412	1,631,184	454,961
Proceeds from financial assets at amortised cost - self supporting loans	28(a)	41,513	41,513	8,09
Payments for financial assets at amortised cost - self supporting loans		0	0	(355,010)
Purchase of property, plant and equipment Purchase	8(a)	(2,341,399)	(2,732,281)	(703,635)
and construction of infrastructure **Amount**	9(a)	(2,537,529)	(5,196,615)	(2,946,776)
attributable to investing activities		(1,736,878)	(2,859,268)	(583,277)
FINANCING ACTIVITIES				
Repayment of borrowings	28(a)	(427,905)	(427,903)	(341,684)
Proceeds from borrowings	28(a)	1,290,000	674,000	1,055,010
Payments for principal portion of lease liabilities	28(d)	(20,474)	(20,474)	(19,931)
Transfers to reserves (restricted assets) Transfers	29	(296,942)	(295,000)	(415,917)
from reserves (restricted assets) Transfers to	29	384,656	290,345	228,135
restricted cash (other)		(11,060)	(150,000)	0
Transfers from restricted cash (other)		0	160,081	0
Amount attributable to financing activities		918,275	231,049	505,613
Surplus/(deficit) before imposition of general rates Total		(3,544,864)	(5,438,876)	(4,455,250)
amount raised from general rates	26(a)	5,675,663	5,642,606	5,381,353
Surplus/(deficit) after imposition of general rates	27(b)	**2,130,799**	**203,730**	**926,103**

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF IRWIN
FOR THE YEAR ENDED 30 JUNE 2022
INDEX OF NOTES TO THE FINANCIAL REPORT

Note 1	Basis of Preparation	9
Note 2	Revenue and Expenses	10
Note 3	Cash and Cash Equivalents	12
Note 4	Other Financial Assets	12
Note 5	Trade and Other Receivables	13
Note 6	Inventories	14
Note 7	Other Assets	15
Note 8	Property, Plant and Equipment	16
Note 9	Infrastructure	18
Note 10	Fixed Assets	20
Note 11	Leases	23
Note 12	Trade and Other Payables	25
Note 13	Other Liabilities	26
Note 14	Borrowings	27
Note 15	Employee Related Provisions	28
Note 16	Revaluation Surplus	29
Note 17	Notes to the Statement of Cash Flows	30
Note 18	Contingent Liabilities	31
Note 19	Capital Commitments	31
Note 20	Related Party Transactions	32
Note 21	Joint Arrangements	35
Note 22	Financial Risk Management	40
Note 23	Events Occurring After the End of the Reporting Period	44
Note 24	Other Significant Accounting Policies	45
Note 25	Function and Activity	46

Information required by legislation

Note 26	Rating Information	49
Note 27	Rate Setting Statement Information	52
Note 28	Borrowing and Lease Liabilities	53
Note 29	Reserve accounts	55
Note 30	Correction of error	56

1. BASIS OF PREPARATION

The financial report comprises general purpose financial statements which have been prepared in accordance with the Local Government Act 1995 and accompanying regulations.

Local Government Act 1995 requirements
Section 6.4(2) of the Local Government Act 1995 read with the Local Government Act 1995 and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The local government reporting entity
All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 29 of the financial report.

Judgements and estimates
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, and infrastructure.
- estimation uncertainties made in relation to lease accounting

2. REVENUE AND EXPENSES

(a) Revenue

Contracts with customers

Recognition of revenue is dependant on the source of revenue and the associated terms and conditions associated with each source of revenue and recognised as follows:

Revenue Category	Nature of goods and services	When obligations typically satisfied	Payment terms	Returns/Refunds/ Warranties	Timing of revenue recognition
Rates	General Rates	Over time	Payment dates adopted by Council during the year Payment dates	None	When rates notice is issued
Specified area rates	Rates charge for specific defined purpose	Over time	adopted by Council during the year Payment dates adopted by Council	Refund in event monies are unspent	When rates notice is issued
Service charges	Charge for specific service	Over time	during the year Fixed terms transfer of funds based on agreed	Refund in event monies are unspent	When rates notice is issued
Grant contracts with customers	Community events, minor facilities, research, design, planning evaluation and services	Over time	milestones and reporting	Contract obligation if project not complete	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants, subsidies or contributions for the construction of non-financial assets	Construction or acquisition of recognisable non-financial assets to be controlled by the local government	Over time	Fixed terms transfer of funds based on agreed milestones and reporting	Contract obligation if project not complete	Output method based on project milestones and/or completion date matched to performance obligations as inputs are shared
Grants with no contractual commitments	General appropriations and contributions with no specific contractual commitments	No obligations	Not applicable	Not applicable	When assets are controlled
Licences/ Registrations/ Approvals	Building, planning, development and animal management, having the same nature as a licence regardless of naming.	Single point in time	Full payment prior to issue	None	On payment and issue of the licence, registration or approval
Waste management collections	Kerbside collection service	Over time	Payment on an annual basis in advance	None	Output method based on regular weekly and fortnightly period as proportionate to collection service
Waste management entry fees	Waste treatment, recycling and disposal service at disposal sites	Single point in time	Payment in advance at gate or on normal trading terms if credit provided Monthly in arrears	None	On entry to facility
Airport landing charges	Permission to use facilities and runway Cemetery services, library fees, reinstatements and private works	Single point in time	Payment in full in advance	None	On landing/departure event
Fees and charges for other goods and services	Aviation fuel, kiosk and visitor centre stock	Single point in time	In full in advance, on 15 day credit	None	Output method based on provision of service or completion of works
Sale of stock		Single point in time		Refund for faulty goods	Output method based on goods

Consideration from contracts with customers is included in the transaction price.

(a) Revenue (Continued)

Revenue Recognition

Revenue recognised during the year under each basis of recognition by nature or types of goods or services is provided in the table below: For the year ended 30 June 2022

Nature or type	Contracts with customers	Capital grant/contributions	Statutory Requirements	Other	Total
	$	$	$	$	$
Rates	0	0	5,675,663	3,401	5,679,064
Operating grants, subsidies and contributions Fees	277,424	0	0	1,252,486	1,529,910
and charges	2,173,070	0	73,388	0	2,246,458
Interest earnings	0	0	43,759	18,466	62,225
Other revenue	84,683	0	0	141,444	226,127
Non-operating grants, subsidies and contributions		2,961,125	0	0	2,961,125
Total	2,535,177	2,961,125	5,792,810 For	1,415,797	12,704,909

the year ended 30 June 2021

Nature or type	Contracts with customers	Capital grant/contributions	Statutory Requirements	Other	Total
	$	$	$	$	$
Rates	0	0	5,381,353	3,076	5,384,429
Operating grants, subsidies and contributions Fees	188,735	0	0	659,149	847,884
and charges	1,899,106	0	91,719	0	1,990,825
Interest earnings	0	0	49,901	7,697	57,598
Other revenue	53,540	0	0	181,779	235,319
Non-operating grants, subsidies and contributions	0	2,959,085	0	0	2,959,085
Total	2,141,381	2,959,085	5,522,973	851,701	11,475,140

	Note	2022 Actual	2022 Budget	2021 Actual
		$	$	$
Interest earnings				
Financial assets at amortised cost - self supporting loans		9,625	7,478	0
Interest on reserve funds		6,943	5,000	5,916
Rates instalment and penalty interest (refer Note 26(d)) Other		43,759	30,000	49,901
interest earnings		1,898	3,000	1,781
		62,225	45,478	57,598

(b) Expenses

Auditors remuneration				
- Audit of the Annual Financial Report		51,000	110,000	51,000
- Other services		10,600	0	2,400
		61,600	110,000	53,400
Finance costs				
Borrowings	28(a)	243,923	228,066	220,991
Lease liabilities	28(d)	773	773	1,317
		244,696	228,839	222,308
Other expenditure				
Impairment losses on rates receivables		503	0	0
Impairment losses on receivables from contracts with customers		238	0	0
Sundry expenses		234,451	206,417	211,475
		235,192	206,417	211,475

3. CASH AND CASH EQUIVALENTS

	Note	2022	2021
		$	$
Cash at bank and on hand		5,010,850	5,014,331
Total cash and cash equivalents	17(a)	5,010,850	5,014,331
Held as			
- Unrestricted cash and cash equivalents		1,001,449	904,087
- Restricted cash and cash equivalents	17(a)	4,009,401	4,110,244
		5,010,850	5,014,331

SIGNIFICANT ACCOUNTING POLICIES

Cash and cash equivalents
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of financial position.

Restricted financial assets
Restricted financial asset balances are not available for general use by the local government due to externally imposed restrictions. Restrictions are specified in an agreement, contract or legislation. This applies to reserves, unspent grants, subsidies and contributions and unspent loans that have not been fully expended in the manner specified by the contributor, legislation or loan agreement and for which no liability has been recognised.

Details of restrictions on financial assets can be found at Note 17.

4. OTHER FINANCIAL ASSETS

		2022	2021
		$	$
(a) Current assets			
Financial assets at amortised cost		37,930	41,513
		37,930	41,513
Other financial assets at amortised cost Self supporting loans receivable	27(b)	37,930	41,513
		37,930	41,513
Held as			
- Unrestricted other financial assets at amortised cost		37,930	41,513
		37,930	41,513
(b) Non-current assets			
Financial assets at amortised cost		288,108	326,038
Financial assets at fair value through profit and loss		58,353	53,416
		346,461	379,454
Financial assets at amortised cost Self supporting loans receivable		288,108	326,038
		288,108	326,038
Financial assets at fair value through profit and loss Units in Local Government House Trust		58,353	53,416
		58,353	53,416

SIGNIFICANT ACCOUNTING POLICIES

Other financial assets at amortised cost
The Shire classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Fair values of financial assets at amortised cost are not materially different to their carrying amounts, since the interest receivable on those assets is either close to current market rates or the assets are of a short term nature. Non-current financial assets at amortised cost fair values are based on discounted cash flows using a current market rates. They are classified as level 2 fair values in the fair value hierachy (see Note 24 (i)) due to the observable market rates.

Interest received is presented under cashflows from operating activities in the Statement of Cash Flows where it is earned from financial assets that are held for cash management purposes.

Financial assets at fair value through profit and loss The Shire classifies the following financial assets at fair value through profit and loss:
- debt investments which do not qualify for measurement at either amortised cost or fair value through other comprehensive income.
- equity investments which the Shire has not elected to recognise fair value gains and losses through other comprehensive income.

Impairment and risk
Information regarding impairment and exposure to risk can be found at Note 22.

MF 3/5/2023

5. TRADE AND OTHER RECEIVABLES

	Note	2022	2021
		$	$
Current			
Rates receivable		473,886	376,015
Trade and other receivables		407,532	137,336
GST receivable		72,574	169,128
Receivables for employee related provisions	15	44,873	0
Allowance for credit losses of trade and other receivables	22(b)	(572)	(334)
Allowance for credit losses of rates receivables	22(b)	(503)	0
		997,790	682,145
Non-current			
Pensioner's rates and ESL deferred		33,392	57,588
		33,392	57,588

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for grants, contributions, reimbursements, and goods sold and services performed in the ordinary course of business.

Trade and other receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value.

Impairment and risk exposure

Information about the impairment of trade receivables and their exposure to credit risk and interest rate risk can be found in Note 22.

Classification and subsequent measurement Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

6. INVENTORIES

	Note	2022	2021
Current		$	$
Fuel and materials		21,521	28,018
		21,521	28,018

The following movements in inventories occurred during the year:

Balance at beginning of year		28,018	18,521
Inventories expensed during the year		(151,884)	(25,815)
Additions to inventory		145,387	35,312
Balance at end of year		21,521	28,018

SIGNIFICANT ACCOUNTING POLICIES

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

7. OTHER ASSETS

	2022	2021
	$	$
Other assets - current		
Accrued income Contract	4,208	303,091
assets	683	0
	4,891	303,091

SIGNIFICANT ACCOUNTING POLICIES

Other current assets

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

8. PROPERTY, PLANT AND EQUIPMENT

(a) Movements in Balances

Movement in the balances of each class of property, plant and equipment between the beginning and the end of the current financial year.

	Note	Land	Buildings - non-specialised	Buildings - specialised	Total land and buildings	Furniture and equipment	Plant and equipment	Land & building work in progress	Total property, plant and equipment
		$	$	$	$	$	$	$	$
Balance at 30 June 2020		5,421,300	3,324,738	32,752,927	41,498,965	354,328	2,451,258	0	44,304,551
Correction of error	30	0	0	(3,765,767)	(3,765,767)	0	0	0	(3,765,767)
Balance as at 1 July 2020 (Restated *)		5,421,300	3,324,738	28,987,160	37,733,198	354,328	2,451,258	0	40,538,784
Additions		0	0	59,640	59,640	46,107	31,075	566,812	703,634
Disposals		(160,000)	(435,966)	0	(595,966)	0	(35,472)	0	(631,438)
Depreciation	10(a)	0	(223,641)	(991,498)	(1,215,139)	(66,336)	(472,679)	0	(1,754,154)
Balance at 30 June 2021		5,261,300	2,665,131	28,055,302	35,981,733	334,099	1,974,182	566,812	38,856,826
Comprises:									
Gross balance amount at 30 June 2021		5,261,300	3,515,179	31,467,901	40,244,380	737,133	3,631,921	566,812	45,180,246
Accumulated depreciation at 30 June 2021		0	(850,048)	(3,412,599)	(4,262,647)	(403,034)	(1,657,739)	0	(6,323,420)
Balance at 30 June 2021		5,261,300	2,665,131	28,055,302	35,981,733	334,099	1,974,182	566,812	38,856,826
Additions		0	0	1,629,332	1,629,332	30,996	681,071	0	2,341,399
Disposals		0	0	(74,701)	(74,701)	0	(38,896)	0	(113,597)
Revaluation increments / (decrements) transferred to revaluation surplus	16	263,104	67,459	2,974,331	3,304,894	0	0	0	3,304,894
Depreciation	10(a)	0	(220,364)	(781,156)	(1,001,520)	(67,533)	(442,935)	0	(1,511,988)
Transfers		0	(2,142,226)	1,308,131	(834,095)	0	50,719	(566,812)	(1,350,188)
Balance at 30 June 2022		5,524,404	370,000	33,111,239	39,005,643	297,562	2,224,141	0	41,527,346
Comprises:									
Gross balance amount at 30 June 2022		5,524,404	370,000	33,111,239	39,005,643	735,759	4,230,700	0	43,972,102
Accumulated depreciation at 30 June 2022		0	0	0	0	(438,197)	(2,006,559)	0	(2,444,756)
Balance at 30 June 2022		5,524,404	370,000	33,111,239	39,005,643	297,562	2,224,141	0	41,527,346

* Refer to Note 30 'Correction of Error'

MF 3/5/2023

8. PROPERTY, PLANT AND EQUIPMENT (Continued)

(b) Carrying Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
(i) Fair Value					
Land and buildings					
Land	2	Market approach using recent observable market data for similar items	Independent Valuation	June 2022	Price per square metre
Buildings - non-specialised	2	Improvements to land valued using cost approach using depreciated replacement costs	Independent Valuation	June 2022	Improvements to buildings using construction costs and current condition (Level 2), residual values and remaining useful life assessments (Level 3) inputs.
Buildings - specialised	3	Improvements to land valued using cost approach using depreciated replacement costs	Independent Valuation	June 2022	Improvements to buildings using construction costs and current condition (Level 2), residual values and remaining useful life assessments (Level 3) inputs.

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used by the local government to determine the fair value of property, plant and equipment using either level 2 or level 3 inputs.

(ii) Cost				
Furniture and equipment	Cost	Cost		Purchase cost
Plant and equipment	Cost	Cost		Purchase cost

9. INFRASTRUCTURE

(a) Movements in Balances

Movement in the balances of each class of infrastructure between the beginning and the end of the current financial year.

	Note	Infrastructure - roads	infrastructure roads - work in progress	Infrastructure other	Infrastructure - work in progress	Total Infrastructure
		$	$	$	$	$
Balance at 1 July 2020		48,635,683	0	4,241,025	0	52,876,708
Additions		642,934	1,530,500	708,561	64,781	2,946,776
Depreciation	10(a)	(2,501,744)	0	(225,459)	0	(2,727,203)
Balance at 30 June 2021		46,776,873	1,530,500	4,724,127	64,781	53,096,281
Comprises:						
Gross balance at 30 June 2021 Accumulated depreciation at 30 June 2021 **Balance at 30 June 2021**		68,252,334 (21,475,461) 46,776,873	1,530,500 0 1,530,500	5,354,564 (630,437) 4,724,127	64,781 0 64,781	75,202,179 (22,105,898) 53,096,281
Additions		2,360,902	0	168,802	7,825	2,537,529
(Disposals)		0	0	(6,372)	0	(6,372)
Revaluation increments / (decrements) transferred to revaluation surplus	16	10,222,284	0	3,217,366	0	13,439,650
Depreciation	10(a)	(2,525,532)	0	(248,111)	0	(2,773,643)
Transfers		1,646,584	(1,530,500)	1,228,659	(64,781)	1,279,962
Balance at 30 June 2022		58,481,111	0	9,084,471	7,825	67,573,407
Comprises:						
Gross balance at 30 June 2022 Accumulated depreciation at 30 June 2022		72,081,720 (13,600,609)	0 0	11,956,909 (2,872,438)	7,825 0	84,046,454 (16,473,047)
Balance at 30 June 2022		58,481,111	0	9,084,471	7,825	67,573,407

9. INFRASTRUCTURE (Continued)

(b) Carrying Value Measurements

Asset Class	Fair Value Hierarchy	Valuation Technique	Basis of Valuation	Date of Last Valuation	Inputs Used
(i) Fair Value					
Infrastructure - roads	3	Cost approach using depreciated replacement cost (Gross revaluation method)	Management Valuation	June 2022	Construction costs and current condition (Level 2) residual values and remaining useful life assessments (Level 3) inputs.
Infrastructure other	3	Cost approach using depreciated replacement cost (Gross revaluation method)	Independent valuation	June 2022	Construction costs and current condition (Level 2) residual values and remaining useful life assessments (Level 3) inputs.

Level 3 inputs are based on assumptions with regards to future values and patterns of consumption utilising current information. If the basis of these assumptions were varied, they have the potential to result in a significantly higher or lower fair value measurement.

During the period there were no changes in the valuation techniques used to determine the fair value of infrastructure using level 3 inputs.

10. FIXED ASSETS

(a) Depreciation

	Note	2022 Actual	2022 Budget	2021 Actual
		$	$	$
Buildings - non-specialised	8(a)	220,364	218,071	223,641
Buildings - specialised	8(a)	781,156	966,803	991,498
Furniture and equipment	8(a)	67,533	64,684	66,336
Plant and equipment	8(a)	442,935	460,906	472,679
Infrastructure - roads	9(a)	2,525,532	2,439,433	2,501,744
Infrastructure other	9(a)	248,111	219,843	225,459
Right-of-use assets - buildings	11(a)	3,971	3,871	3,970
		4,289,602	4,373,611	4,485,327

Depreciation rates

Typical estimated useful lives for the different asset classes for the current and prior years are included in the table below:

Asset Class	Useful life
Land	Not depreciated
Buildings - non-specialised	20 - 50 years
Buildings - specialised	15 - 50 years
Furniture and equipment	3 - 10 years
Plant and equipment	2 - 25 years
Infrastructure - Roads	12 - 50 years
Infrastructure - Other	10 - 75 years

(b) Temporarily Idle or retired from use assets

	2022	2021
	$	$
The carrying value of assets held by the Shire which are temporarily idle or retired from active use and not classified as held for sale are shown in the table below.		
Furniture and equipment	11,912	0
	11,912	0

(c) Fully Depreciated Assets in Use

	2022	2021
	$	$
The gross carrying value of assets held by the Shire which are currently in use yet fully depreciated are shown in the table below.		
Buildings - non-specialised	38,698	0
Buildings - specialised	4,222	0
Furniture and equipment	188,971	0
Plant and equipment	146,192	0
	378,083	0

10. FIXED ASSETS (Continued)

(d) Disposals of assets

	2022 Actual Net Book Value	2022 Actual Sale Proceeds	2022 Actual Profit	2022 Actual Loss	2022 Budget Net Book Value	2022 Budget Sale Proceeds	2022 Budget Profit	2022 Budget Loss	2021 Actual Net Book Value	2021 Actual Sale Proceeds	2021 Actual Profit	2021 Actual Loss
	$	$	$	$	$	$	$	$	$	$	$	$
Land - freehold land	0	0	0	0	1,531,184	1,531,184	0	0	160,000	160,000	0	0
Buildings - non-specialised	0	0	0	0	0	0	0	0	435,966	250,000	0	(185,966)
Buildings - specialised	74,701	0	0	(74,701)	0	0	0	0	0	0	0	0
Plant and equipment	38,896	139,412	101,878	(1,362)	0	100,000	100,000	0	35,474	44,961	12,524	(3,036)
Infrastructure other	6,372	0	0	(6,372)	0	0	0	0	0	0	0	0
	119,969	139,412	101,878	(82,435)	1,531,184	1,631,184	100,000	0	631,440	454,961	12,524	(189,002)

The following assets were disposed of during the year.

Plant and Equipment	2022 Actual Net Book Value	2022 Actual Sale Proceeds	2022 Actual Profit	2022 Actual Loss
	$	$	$	$
Law, order, public safety				
Landcruiser light tanker	10,500	45,455	34,955	0
Transport				
Fuso Canter tip truck	13,960	24,270	10,310	0
John Deere tractor	14,436	13,074	0	(1,362)
Other property and services				
Toyota Prado	0	56,613	56,613	0
	38,896	139,412	101,878	(1,362)
Buildings - specilaised				
Recreation and culture				
Recreation centre changerooms	74,701	0	0	(74,701)
	74,701	0	0	(74,701)
Infrastructure - Other				
Recreation and culture				
Campground stone fire pit	6,372	0	0	(6,372)
	6,372	0	0	(6,372)
	119,969	139,412	101,878	(82,435)

10. FIXED ASSETS (Continued)

SIGNIFICANT ACCOUNTING POLICIES

Fixed assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognised at fair value. Assets held at cost are depreciated and assessed for indicators of impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

Assets for which the fair value as at the date of acquisition is under $5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5).* These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets that are land, buildings, infrastructure and investment properties acquired between scheduled revaluation dates of the asset class in accordance with the mandatory measurement framework, are recognised at cost and disclosed as being at fair value as management believes cost approximates fair value. They are subject to subsequent revaluation at the next revaluation date in accordance with the mandatory measurement framework.

Revaluation

The fair value of land, buildings, infrastructure and investment properties is determined at least every five years in accordance with the regulatory framework. This includes buildings and infrastructure items which were pre-existing improvements (i.e. vested improvements) on vested land acquired by the Shire.

At the end of each period the carrying amount for each asset class is reviewed and where appropriate the fair value is updated to reflect current market conditions. This process is considered to be in accordance with *Local Government (Financial Management) Regulation 17A (2)* which requires land, buildings, infrastructure, investment properties and vested improvements to be shown at fair value.

Revaluation (continued)

For property, plant and equipment and infrastructure, increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same class of asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss. Subsequent increases are then recognised in profit or loss to the extent they reverse a net revaluation decrease previously recognised in profit or loss for the same class of asset.

Depreciation

The depreciable amount of all property, plant and equipment and infrastructure, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

Depreciation on revaluation

When an item of property, plant and equipment and infrastructure is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

(i) The gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset. For example, the gross carrying amount may be restated by reference to observable market data or it may be restated proportionately to the change in the carrying amount. The accumulated depreciation at the date of the revaluation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset after taking into account accumulated impairment losses; or

(ii) Eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset.

Amortisation

All intangible assets with a finite useful life, are amortised on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use.

The residual value of intangible assets is considered to be zero and the useful life and amortisation method are reviewed at the end of each financial year.

Amortisation is included within depreciation in the Statement of Comprehensive Income and in Note 10(a).

MF 3/5/2023

11. LEASES

(a) Right-of-Use Assets

Movement in the balance of each class of right-of-use asset between the beginning and the end of the current financial year.	Note	Right-of-use assets - buildings	Right-of-use assets Total
		$	$
Balance at 1 July 2020		90,454	90,454
Depreciation		(3,970)	(3,970)
Balance at 30 June 2021		86,484	86,484
Depreciation	10(a)	(3,971)	(3,971)
Balance at 30 June 2022		82,513	82,513

The following amounts were recognised in the statement of comprehensive income during the period in respect of leases where the entity is the lessee:		2022 Actual	2021 Actual
		$	$
Depreciation on right-of-use assets	10(a)	(3,971)	(3,970)
Interest expense on lease liabilities	28(d)	(773)	(1,317)
Total amount recognised in the statement of comprehensive income		(4,744)	(5,287)
Total cash outflow from leases		(21,247)	(21,247)

(b) Lease Liabilities

Current		17,489	20,474
Non-current		0	17,489
	28(d)	17,489	37,963

The Shire has 1 lease relating to solar panels on buildings. The term of the lease is 5 years ending in April 2023. The Shire has not revalued the right of use assets relating to the solar panels on the buildings as the difference between the fair value and carrying amout is immaterial.

Secured liabilities and assets pledged as security
Lease liabilities are effectively secured, as the rights to the leased assets recognised in the financial statements revert to the lessor in the event of default.

SIGNIFICANT ACCOUNTING POLICIES

Leases
At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

At the commencement date, a right-of-use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts that are classified as short-term leases (i.e. a lease with a term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

Details of individual lease liabilities required by regulations are provided at Note 28(d).

Right-of-use assets - valuation measurement
Right-of-use assets are measured at cost. This means that all right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost (i.e. not included in the Statement of Financial Position). The exception is vested improvements on concessionary land leases such as roads, buildings or other infrastructure which are reported at fair value.

Refer to Note 10 under revaluation for details on the significant accounting policies applying to vested improvements.

Right-of-use assets - depreciation
Right-of-use assets are depreciated over the lease term or useful life of the underlying asset, whichever is the shorter. Where a lease transfers ownership of the underlying asset, or the cost of the right-of-use asset reflects that the Shire anticipates to exercise a purchase option, the specific asset is amortised over the useful life of the underlying asset.

MF 3/5/2023

11. LEASES (Continued)

(c) Lessor - Property, Plant and Equipment Subject to Lease

The table below represents a maturity analysis of the undiscounted lease payments to be received after the reporting date.

	2022 Actual $	2021 Actual $
Less than 1 year	203,583	204,873
1 to 2 years	23,301	203,583
2 to 3 years	13,203	23,301
3 to 4 years	12,051	13,203
4 to 5 years	12,051	12,051
> 5 years	24,152	36,203
	288,341	493,214

The Shire leases land and buidlings to local businesses and community groups with rentals payable monthly. These leases are classified as operating leases as they do not transfer substantially all of the risks and rewards incidental to the ownership of the assets. These land and buildings are not considered investment property as they are leased for use in the supply of services to the community. The aged persons housing are considered a joint operation and are not considered investement property as the primary purpose is provision of community housing.

Lease payments for some contracts include CPI increases, but there are no other variable lease payments that depend on an index or rate. Although the Shire is exposed to changes in the residual value at the end of the current leases, the Shire typically enters into new operating leases and therefore will not immediately realise any reduction in residual value at the end of these leases. Expectations about the future residual values are reflected in the fair value of the properties.

SIGNIFICANT ACCOUNTING POLICIES

The Shire as Lessor

Upon entering into each contract as a lessor, the Shire assesses if the lease is a finance or operating lease.

The contract is classified as a finance lease when the terms of the lease transfer substantially all the risks and rewards of ownership to the lessee. All other leases not within this definition are classified as operating leases. Rental income received from operating leases is recognised on a straight-line basis over the term of the specific lease.

Initial direct costs incurred in entering into an operating lease (eg legal cost, cost to setup) are included in the carrying amount of the leased asset and recognised as an expense on a straight-line basis over the lease term.

When a contract is determined to include lease and non-lease components, the Shire applies AASB 15 to allocate the consideration under the contract to each component.

12. TRADE AND OTHER PAYABLES

	2022 $	2021 $
Current		
Sundry creditors	766,439	1,139,630
Prepaid rates	141,731	0
Accrued payroll liabilities	58,519	56,892
ATO liabilities	71,379	40,828
Bonds and deposits held	202,689	210,591
Accrued interest	37,012	21,254
Financial liabilities	31,331	140,508
Accrued expenditure	1,218	0
	1,310,318	1,609,703

SIGNIFICANT ACCOUNTING POLICIES

Financial liabilities

Financial liabilities are initially recognised at fair value when the Shire becomes a party to the contractual provisions of the instrument.

Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

Trade and other payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services.
The amounts are unsecured, are recognised as a current liability and are usually paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

Prepaid rates

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire recognises revenue for the prepaid rates that have not been refunded.

13. OTHER LIABILITIES

	2022 $	2021 $
Current		
Contract liabilities	197,409	82,407
Capital grant/contributions liabilities	302,537	1,273,826
	499,946	1,356,233
Reconciliation of changes in contract liabilities		
Opening balance	82,407	85,372
Additions	197,409	82,407
Revenue from contracts with customers included as a contract liability at the start of the period	(82,407)	(85,372)
	197,409	82,407
The Shire expects to satisfy the performance obligations from contracts with customers unsatisfied at the end of the reporting period to be satisfied within the next 12 months.		
Reconciliation of changes in capital grant/contribution liabilities		
Opening balance	1,273,826	1,191,686
Additions	302,537	1,273,826
Revenue from capital grant/contributions held as a liability at the start of the period	(1,273,826)	(1,191,686)
	302,537	1,273,826
Expected satisfaction of capital grant/contribution liabilities		
Less than 1 year	302,537	1,273,826
	302,537	1,273,826

Performance obligations in relation to capital grant/contribution liabilities are satisfied as project milestones are met or completion of construction or acquisition of the asset.

SIGNIFICANT ACCOUNTING POLICIES

Contract liabilities

Contract liabilities represent the Shire's obligation to transfer goods or services to a customer for which the Shire has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

Capital grant/contribution liabilities

Capital grant/contribution liabilities represent the Shire's obligations to construct recognisable non-financial assets to identified specifications to be controlled the Shire which are yet to be satisfied. Capital grant/contribution liabilities are recognised as revenue when the obligations in the contract are satisfied.

Non-current capital grant/contribution liabilities fair values are based on discounted cash flows of expected cashflows to satisfy the obligations using a current borrowing rate. They are classified as level 3 fair values in the fair value hierachy (see Note 24(i)) due to the unobservable inputs, including own credit risk.

14. BORROWINGS

	Note	2022 Current	2022 Non-current	2022 Total	2021 Current	2021 Non-current	2021 Total
Secured		$	$	$	$	$	$
Debentures		560,352	5,461,856	6,022,208	427,905	4,732,208	5,160,113
Total secured borrowings	28(a)	560,352	5,461,856	6,022,208	427,905	4,732,208	5,160,113

Secured liabilities and assets pledged as security

Debentures, bank overdrafts and bank loans are secured by a floating charge over the assets of the Shire of Irwin.
Other loans relate to transferred receivables. Refer to Note 5.

The Shire of Irwin has complied with the financial covenants of its borrowing facilities during the 2022 and 2021 years.

SIGNIFICANT ACCOUNTING POLICIES

Borrowing costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Fair values of borrowings are not materiallly different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Borrowings fair values are based on discounted cash flows using a current borrowing rate. They are classified as level 3 fair values in the fair value hierachy (see Note 24(i)) due to the unobservable inputs, including own credit risk.

Risk

Information regarding exposure to risk can be found at Note 22.
Details of individual borrowings required by regulations are provided at Note 28(a).

15. EMPLOYEE RELATED PROVISIONS

Employee Related Provisions

	2022	2021
Current provisions	$	$
Employee benefit provisions		
Annual Leave	251,527	211,393
Long Service Leave	295,713	204,481
	547,240	415,874
Non-current provisions		
Long Service Leave	40,246	107,091
	40,246	107,091
	587,486	522,965

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave and associated on costs for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

Annual leave liabilities are classified as current, as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	Note	2022	2021
Amounts are expected to be settled on the following basis:		$	$
Less than 12 months after the reporting date		420,812	415,874
More than 12 months from reporting date		166,674	72,046
Expected reimbursements from other WA local governments		0	35,045
		587,486	522,965
Expected reimbursements of employee related provisions from other WA local governments included within other receivables	5	(44,873)	0

SIGNIFICANT ACCOUNTING POLICIES

Employee benefits

The Shire's obligations for employees' annual leave, long service leave and other employee leave entitlements are recognised as employee related provisions in the Statement of Financial Position.

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position.

Other long-term employee benefits

Long-term employee benefits provisions are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

16. REVALUATION SURPLUS

	2022 Opening Balance	2022 Revaluation Increment	2022 Revaluation (Decrement)	Total Movement on Revaluation	2022 Closing Balance	2021 Opening Balance	2021 Revaluation Increment	2021 Revaluation (Decrement)	Total Movement on Revaluation	2021 Closing Balance
	$	$	$	$	$	$	$	$	$	$
Revaluation surplus - Furniture and equipment	380,764	0	0	0	380,764	380,764	0	0	0	380,764
Revaluation surplus - Plant and equipment	699,454	0	0	0	699,454	699,454	0	0	0	699,454
Revaluation surplus - Land & building	18,446,575	3,304,894	0	3,304,894	21,751,469	18,446,575	0	0	0	18,446,575
Revaluation surplus - Infrastructure - roads	25,917,653	10,222,284	0	10,222,284	36,139,937	25,917,653	0	0	0	25,917,653
Revaluation surplus - Infrastructure other	1,451,494	3,217,366	0	3,217,366	4,668,860	1,451,494	0	0	0	1,451,494
	46,895,940	16,744,544	0	16,744,544	63,640,484	46,895,940	0	0	0	46,895,940

Movements on revaluation of property, plant and equipment (including infrastructure) are not able to be reliably attributed to a program as the assets were revalued by class as provided for by AASB 116 Aus 40.1.

17. NOTES TO THE STATEMENT OF CASH FLOWS

(a) Reconciliation of Cash

For the purposes of the Statement of Cash Flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Cash at the end of the reporting period is reconciled to the related items in the Statement of Financial Position as follows:

	Note	2022 Actual $	2022 Budget $	2021 Actual $
Cash and cash equivalents	3	5,010,850	2,861,928	5,014,331
Restrictions				
The following classes of financial assets have restrictions imposed by regulations or other externally imposed requirements which limit or direct the purpose for which the resources may be used:				
- Cash and cash equivalents	3	4,009,401	1,485,200	4,110,244
		4,009,401	1,485,200	4,110,244
The restricted financial assets are a result of the following specific purposes to which the assets may be used:				
Restricted reserve accounts	29	1,392,831	1,485,200	1,480,545
Contract liabilities	13	197,409	0	82,407
Capital grant/contributions liabilities	13	302,537	0	1,273,826
Bonds and deposits held	12	202,689	0	210,591
Village units surplus		373,935	0	362,875
Unspent loans	28(c)	1,540,000	0	700,000
Total restricted financial assets		4,009,401	1,485,200	4,110,244

(b) Reconciliation of Net Result to Net Cash Provided By Operating Activities

Net result		595,356	956,394	(468,418)
Non-cash items:				
Adjustments to fair value of financial assets at fair value through profit and loss		(4,937)	0	0
Adjustments for assets expensed		70,226	0	0
Depreciation/amortisation		4,289,602	4,373,611	4,485,327
(Profit)/loss on sale of asset		(19,443)	(100,000)	176,478
Changes in assets and liabilities:				
(Increase)/decrease in trade and other receivables		(291,449)	125,205	(114,815)
(Increase)/decrease in other assets		298,200	303,091	(287,789)
(Increase)/decrease in inventories		6,497	2,050	(9,497)
Increase/(decrease) in trade and other payables		(299,385)	(448,807)	468,343
Increase/(decrease) in employee related provisions		64,521	0	28,991
Increase/(decrease) in other liabilities		(856,287)	(1,333,371)	79,175
Non-operating grants, subsidies and contributions		(1,989,836)	(3,396,931)	(3,041,225)
Net cash provided by/(used in) operating activities		1,863,065	481,242	1,316,570

(c) Undrawn Borrowing Facilities

Credit Standby Arrangements

Credit card limit		20,000		15,000
Credit card balance at balance date		(4,680)		(4,855)
Total amount of credit unused		15,320		10,145
Loan facilities				
Loan facilities - current		560,352		427,905
Loan facilities - non-current		5,461,856		4,732,208
Total facilities in use at balance date		6,022,208		5,160,113
Unused loan facilities at balance date		1,540,000		700,000

MF 3/5/2023

18. CONTINGENT LIABILITIES

The Shire is not aware of any reportable contingent assets or liabilities as at the reporting date.

19. CAPITAL COMMITMENTS

	2022	2021
	$	$
Contracted for:		
- capital expenditure projects	161,846	2,802,134
- plant & equipment purchases	28,317	138,291
	190,163	2,940,425
Payable:		
- not later than one year	190,163	2,940,425

The capital expenditure projects outstanding at the end of the current reporting period represents construction works on Denison house, construction works on aged housing and the purchase of a spray rig.

The capital expenditure projects outstanding at the end of the prior reporting period represents construction works on aged housing, construction works on Moreton Terrace, the purchase of a truck and purchase of a mower.

20. RELATED PARTY TRANSACTIONS

(a) Elected Member Remuneration

	Note	2022 Actual	2022 Budget	2021 Actual
		$	$	$
Cr Michael Smith				
President's annual allowance		20,000	20,000	10,000
Meeting attendance fees		10,000	10,000	10,000
Annual allowance for ICT expenses		225	275	90
Travel and accommodation expenses		492	250	0
		30,717	30,525	20,090
Cr Barry Wyse				
Deputy President's annual allowance		0	5,000	2,500
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		218	275	90
Travel and accommodation expenses		0	250	0
		7,906	13,213	10,202
Cr Grant Eva				
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		221	275	90
Travel and accommodation expenses		0	250	0
		7,909	8,213	7,702
Cr Andrew Gillam				
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		220	275	90
Travel and accommodation expenses		0	250	0
		7,908	8,213	7,702
Cr Mark Leonard				
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		223	275	90
Travel and accommodation expenses		0	250	0
		7,911	8,213	7,702
Cr Hayley Palmer				
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		454	275	89
Travel and accommodation expenses		899	250	0
		9,041	8,213	7,701
Cr Isabelle Scott				
Deputy President's annual allowance		5,000	0	0
Meeting attendance fees		7,688	7,688	7,612
Annual allowance for ICT expenses		222	275	89
Travel and accommodation expenses		1,704	250	0
		14,614	8,213	7,701
Cr Ian West				
Meeting attendance fees		1,922	7,688	7,612
Annual allowance for ICT expenses		84	275	89
Travel and accommodation expenses		0	250	0
		2,006	8,213	7,701
Cr elyse Turnbridge				
Meeting attendance fees		5,766	0	0
Annual allowance for ICT expenses		145	0	0
Travel and accommodation expenses		504	0	0
		6,415	0	0
		94,427	93,016	76,501

Fees, expenses and allowances to be paid or reimbursed to elected council members.		2022 Actual	2022 Budget	2021 Actual
		$	$	$
President's annual allowance		20,000	20,000	10,000
Deputy President's annual allowance		5,000	5,000	2,500
Meeting attendance fees		63,816	63,816	63,284
Annual allowance for ICT expenses		2,012	2,200	717
Travel and accommodation expenses		3,599	2,000	0
	20(b)	94,427	93,016	76,501

20. RELATED PARTY TRANSACTIONS

(b) Key Management Personnel (KMP) Compensation

The total of compensation paid to KMP of the Shire during the year are as follows:		2022 Actual $	2021 Actual $
Short-term employee benefits		658,915	630,996
Post-employment benefits		110,414	94,419
Employee - other long-term benefits		14,830	36,821
Council member costs	20(a)	94,427	76,501
		878,586	838,737

Short-term employee benefits
These amounts include all salary and fringe benefits awarded to KMP except for details in respect to fees and benefits paid to council members which may be separately found in the table above.

Post-employment benefits
These amounts are the current-year's cost of the Shire's superannuation contributions made during the year.

Other long-term benefits
These amounts represent annual leave and long service leave entitlements accruing during the year.

Council member costs
These amounts represent payments of member fees, expenses, allowances and reimbursements during the year.

20. RELATED PARTY TRANSACTIONS

(c) Transactions with related parties

Transactions between related parties and the Shire are on normal commercial terms and conditions, no more favourable than those available to other parties, unless otherwise stated.

No outstanding balances or provisions for doubtful debts or guarantees exist in relation to related parties at year end.

In addition to KMP compensation above the following transactions occurred with related parties:	2022 Actual	2021 Actual
	$	$
Sale of goods and services	1,090	1,160
Purchase of goods and services	73,851	99,327
Amounts outstanding from related parties:		
Trade and other receivables	435	0
Amounts payable to related parties:		
Trade and other payables	2,672	14,985

(d) Related Parties

The Shire's main related parties are as follows:

i. Key management personnel

Any person(s) having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any council member, are considered key management personnel.

ii. Other Related Parties

An associate person of KMP was employed by the Shire under normal employment terms and conditions.

Any entity that is controlled by or over which KMP, or close family members of KMP, have authority and responsibility for planning, directing and controlling the activity of the entity, directly or indirectly, are considered related parties in relation to the Shire.

iii. Entities subject to significant influence by the Shire

An entity that has the power to participate in the financial and operating policy decisions of an entity, but does not have control over those policies, is an entity which holds significant influence.
Significant influence may be gained by share ownership, statute or agreement.

21. JOINT ARRANGEMENTS

Share of joint operations

Stage 1 - Letter of Agreement Dated 20/06/1987
The Shire has participated in a joint arrangement with Homeswest for the construction the following:

- Four 1 bedroom seniors housing units (5 - 8) at Lot 915 225 Ocean Drive, Port Denison

The housing units have been constructed on Council vested land with the Shire having a 100% share in the assets of this joint arrangement. All revenue and expenses of the joint arrangement are recognised in the relevant financial statements of Council. The Shire is required to provide for the long term maintenance needs of the properties.

Statement of Financial Position	2022 Actual	2021 Actual
	$	$
Buildings - specialised	265,059	465,120
Less - accumulated depreciation	0	(61,961)
Total assets	265,059	403,159
Statement of Comprehensive Income		
Revenue	27,070	23,569
Expenses	(38,984)	(37,671)
Profit/(loss) for the period	(11,914)	(14,102)
Other comprehensive income	(138,100)	0
Total comprehensive income for the period	(150,014)	(14,102)

21. JOINT ARRANGEMENTS

Share of joint operations (Continued)

Stage 2 - JV Agreement Dated 24/06/1993
The Shire has participated in a joint arrangement with Homeswest for the construction the following:

- Six 1 bedroom seniors housing units (9 - 14) at Lot 915 225 Ocean Drive, Port Denison

The housing units have been constructed on Council vested land with the Shire having a 18.03% share in the assets of this joint arrangement. All revenue and expenses of the joint arrangement are recognised in the relevant financial statements of Council. The Shire is required to provide for the long term maintenance needs of the properties.

Statement of Financial Position	2022 Actual	2021 Actual
	$	$
Buildings - specialised	193,896	115,666
Less - accumulated depreciation	0	(32,779)
Total assets	193,896	82,887
Statement of Comprehensive Income		
Revenue	44,090	42,499
Expenses	(42,021)	(43,791)
Profit/(loss) for the period	2,069	(1,292)
Other comprehensive income	93,578	0
Total comprehensive income for the period	95,647	(1,292)

21. JOINT ARRANGEMENTS

Share of joint operations (Continued)

Stage 3 - JV Agreement Dated 26/06/1996
The Shire has participated in a joint arrangement with Homeswest for the construction the following:

- Four 1 bedroom seniors housing units (15 - 18) at Lot 915 225 Ocean Drive, Port Denison
- Six 2 bedroom seniors housing units (19 - 24) at Lot 915 225 Ocean Drive, Port Denison

The housing units have been constructed on Council vested land with the Shire having a 19.18% share in the assets of this joint arrangement. All revenue and expenses of the joint arrangement are recognised in the relevant financial statements of Council. The Shire is required to provide for the long term maintenance needs of the properties.

Statement of Financial Position	2022 Actual	2021 Actual
	$	$
Buildings - specialised	154,539	289,962
Less - accumulated depreciation	0	(68,111)
Total assets	154,539	221,851
Statement of Comprehensive Income		
Revenue	77,558	75,074
Expenses	(67,033)	(67,616)
Profit/(loss) for the period	10,525	7,458
Other comprehensive income	(102,255)	0
Total comprehensive income for the period	(91,730)	7,458

21. JOINT ARRANGEMENTS

Share of joint operations (Continued)

Stage 4 - JV Agreement Dated 14/06/2002
The Shire has participated in a joint arrangement with Homeswest for the construction the following:

- Five 1 bedroom seniors housing units (25 - 28 and 30) at Lot 915 225 Ocean Drive, Port Denison
- One 2 bedroom seniors housing unit (29) at Lot 915 225 Ocean Drive, Port Denison

The housing units have been constructed on Council vested land with the Shire having a 12.23% share in the assets of this joint arrangement. All revenue and expenses of the joint arrangement are recognised in the relevant financial statements of Council. The Shire is required to provide for the long term maintenance needs of the properties.

Statement of Financial Position	2022 Actual $	2021 Actual $
Buildings - specialised	98,906	122,143
Less - accumulated depreciation	0	(34,128)
Total assets	98,906	88,015
Statement of Comprehensive Income		
Revenue	44,606	44,210
Expenses	(38,868)	(35,732)
Profit/(loss) for the period	5,738	8,478
Other comprehensive income	(11,023)	0
Total comprehensive income for the period	(5,285)	8,478

21. JOINT ARRANGEMENTS

Share of joint operations (Continued)

Stage 5 - JV Agreement Dated 21/12/2003
The Shire has participated in a joint arrangement with Homeswest for the construction the following:

- Five 1 bedroom seniors housing units (31 - 35) at Lot 915 225 Ocean Drive, Port Denison
- Four 2 bedroom seniors housing units (36 - 39) at Lot 915 225 Ocean Drive, Port Denison

The housing units have been constructed on Council vested land with the Shire having a 14.38% share in the assets of this joint arrangement. All revenue and expenses of the joint arrangement are recognised in the relevant financial statements of Council. The Shire is required to provide for the long term maintenance needs of the properties.

Statement of Financial Position	2022 Actual	2021 Actual
	$	$
Buildings - specialised	162,656	246,876
Less - accumulated depreciation	0	(60,641)
Total assets	162,656	186,235
Statement of Comprehensive Income		
Revenue	67,097	66,192
Expenses	(61,228)	(56,850)
Profit/(loss) for the period	5,869	9,342
Other comprehensive income	(60,326)	0
Total comprehensive income for the period	(54,457)	9,342

SIGNIFICANT ACCOUNTING POLICIES

Joint operations
A joint operation is a joint arrangement where the Shire has joint control with another party to the joint arrangement. All parties to joint arrangementhave rights to the assets, and obligations for the liabilities relating to the arrangement.

Assets, liabilities, revenues and expenses relating to the Shire's interest in the joint operation are accounted for in accordance with the relevant Australian Accounting Standard.

22. FINANCIAL RISK MANAGEMENT

This note explains the Shire's exposure to financial risks and how these risks could affect the Shire's future financial performance.

Risk	Exposure arising from	Measurement	Management
Market risk - interest rates	Long term borrowings at variable rates	Sensitivity analysis	Utilise fixed interest rate borrowings
Credit risk	Cash and cash equivalents, trade receivables, financial assets and debt investments	Aging analysis Credit analysis	Diversification of bank deposits, credit limits. Investment policy
Liquidity risk	Borrowings and other liabilities	Rolling cash flow forecasts	Availability of committed credit lines and borrowing facilities

The Shire does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by the finance area under policies approved by the Council. The finance area identifies, evaluates and manages financial risks in close co-operation with the operating divisions. Council have approved the overall risk management policy and provide policies on specific areas such as investment policy.

(a) Interest rate risk

Cash and cash equivalents

The Shire's main interest rate risk arises from cash and cash equivalents with variable interest rates, which exposes the Shire to cash flow interest rate risk. Short term overdraft facilities also have variable interest rates however these are repaid within 12 months, reducing the risk level to minimal.

Excess cash and cash equivalents are invested in fixed interest rate term deposits which do not expose the Shire to cash flow interest rate risk. Cash and cash equivalents required for working capital are held in variable interest rate accounts and non-interest bearing accounts. Carrying amounts of cash and cash equivalents at the 30 June and the weighted average interest rate across all cash and cash equivalents, term deposits, and Treasury bonds held disclosed as financial assets at amortised cost are reflected in the table below.

	Weighted Average Interest Rate	Carrying Amounts	Fixed Interest Rate	Variable Interest Rate	Non Interest Bearing
	%	$	$	$	$
2022					
Cash and cash equivalents	0.75%	5,010,850	0	5,008,750	2,100
2021					
Cash and cash equivalents	0.10%	5,014,331	0	5,011,881	2,450

Sensitivity

Profit or loss is sensitive to higher/lower interest income from cash and cash equivalents as a result of changes in interest rates.

	2022	2021
	$	$
Impact of a 1% movement in interest rates on profit and loss and equity*	50,088	50,119

* Holding all other variables constant

Borrowings

Borrowings are subject to interest rate risk - the risk that movements in interest rates could adversely affect funding costs. The Shire manages this risk by borrowing long term and fixing the interest rate to the situation considered the most advantageous at the time of negotiation. The Shire does not consider there to be any interest rate risk in relation to borrowings. Details of interest rates applicable to each borrowing may be found at Note 28(a).

22. FINANCIAL RISK MANAGEMENT (Continued)

(b) Credit risk

Trade and Other Receivables

The Shire's major receivables comprise rates annual charges and user fees and charges. The major risk associated with these receivables is credit risk – the risk that the debts may not be repaid. The Shire manages this risk by monitoring outstanding debt and employing debt recovery policies. It also encourages ratepayers to pay rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of the Shire to recover these debts as a secured charge over the land, that is, the land can be sold to recover the debt. The Shire is able to charge interest on overdue rates and annual charges at higher than market rates, which further encourages payment.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

The Shire applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

The expected loss rates are based on the payment profiles of rates and fees and charges over a period of 36 months before 1 July 2021 or 1 July 2022 respectively and the corresponding historical losses experienced within this period. Historical credit loss rates are adjusted to reflect current and forward-looking information on macroeconomic factors such as the ability of ratepayers and residents to settle the receivables. Housing prices and unemployment rates have been identified as the most relevant factor in repayment rates, and accordingly adjustments are made to the expected credit loss rate based on these factors.

The loss allowance as at 30 June 2022 and 30 June 2021 for rates receivable was determined as follows:

	Less than 1 year past due	More than 1 year past due	More than 2 years past due	More than 3 years past due	Total	Note
30 June 2022						
Rates receivable						
Expected credit loss	0.00%	0.61%	0.00%	0.00%		
Gross carrying amount	10,523	83,008	99,660	172,356	365,547	
Loss allowance	0	503	0	0	503	5,12
30 June 2021						
Rates receivable						
Expected credit loss	0.00%	0.00%	0.00%	0.00%		
Gross carrying amount	3,709	157,404	109,433	174,429	444,975	
Loss allowance	0	0	0	0	0	5,12

The loss allowance as at 30 June 2022 and 30 June 2021 was determined as follows for trade receivables.

	Less than 1 year past due	More than 30 days past due	More than 60 days past due	More than 90 days past due	Total	
30 June 2022						
Trade and other receivables						
Expected credit loss	0.00%	0.00%	0.00%	0.70%		
Gross carrying amount	320,220	5,191	436	81,685	407,532	
Loss allowance	0	0	0	572	572	5
30 June 2021						
Trade and other receivables						
Expected credit loss	0.01%	0.00%	1.07%	0.84%		
Gross carrying amount	84,689	17,145	2,217	33,285	137,336	
Loss allowance	8	0	24	281	313	5

22. FINANCIAL RISK MANAGEMENT (Continued)

(b) Credit risk

The loss allowances for trade receivables and contract assets as at 30 June reconcile to the opening loss allowances as follows:

	Rates receivable		Trade and other receivables	
	2022 Actual	2021 Actual	2022 Actual	2021 Actual
	$	$	$	$
Opening loss allowance as at 1 July	0	0	334	313
Increase in loss allowance recognised in profit or loss during the year	503	0	238	21
Closing loss allowance at 30 June	503	0	572	334

Trade receivables and contract assets are written off where there is no reasonable expectation of recovery. Indicators that there is no reasonable expectation of recovery include, amongst others, the failure of a debtor to engage in a repayment plan with the Shire, and a failure to make contractual payments for a period of greater than 120 days past due.

Impairment losses on trade receivables and contract assets are presented as net impairment losses within operating profit. Subsequent recoveries of amounts previously written off are credited against the same line item.

22. FINANCIAL RISK MANAGEMENT (Continued)

(c) Liquidity risk

Payables and borrowings

Payables and borrowings are both subject to liquidity risk – that is the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due. The Shire manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer. Payment terms can be extended and overdraft facilities drawn upon if required and disclosed in Note 17(c).

The contractual undiscounted cash flows of the Shire's payables and borrowings are set out in the liquidity table below. Balances due within 12 months equal their carrying balances, as the impact of discounting is not significant.

	Due within 1 year	Due between 1 & 5 years	Due after 5 years	Total contractual cash flows	Carrying values
2022	$	$	$	$	$
Trade and other payables	1,310,318	0	0	1,310,318	1,310,318
Borrowings	790,925	3,005,660	3,627,465	7,424,050	6,022,208
Lease liabilities	17,706	0	0	17,706	17,489
	2,118,949	3,005,660	3,627,465	8,752,074	7,350,015
2021					
Trade and other payables	1,609,703	0	0	1,609,703	1,609,703
Borrowings	623,166	2,298,092	3,633,657	6,554,915	5,160,113
Lease liabilities	21,247	17,706	0	38,953	37,963
	2,254,116	2,315,798	3,633,657	8,203,571	6,807,779

23. EVENTS OCCURRING AFTER THE END OF THE REPORTING PERIOD

The Shire does not have any subsequent events after balance sheet date.

24. OTHER SIGNIFICANT ACCOUNTING POLICIES

a) Goods and services tax (GST)
Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

b) Current and non-current classification
The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire's intentions to release for sale.

c) Rounding off figures
All figures shown in this annual financial report, other than a rate in the dollar, are rounded to the nearest dollar. Amounts are presented in Australian Dollars.

d) Comparative figures
Where required, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

When the Shire applies an accounting policy retrospectively, makes a retrospective restatement or reclassifies items in its financial statements that has a material effect on the statement of financial position, an additional (third) Statement of Financial Position as at the beginning of the preceding period in addition to the minimum comparative financial statements is presented.

e) Budget comparative figures
Unless otherwise stated, the budget comparative figures shown in this annual financial report relate to the original budget estimate for the relevant item of disclosure.

f) Superannuation
The Shire contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

g) Fair value of assets and liabilities
Fair value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset or liability. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability) or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

h) Interest earnings
Interest income is calculated by applying the effective interest rate to the gross carrying amount of a financial asset measured at amortised cost except for financial assets that subsequently become credit-impaired. For credit-impaired financial assets the effective interest rate is applied to the net carrying amount of the financial asset (after deduction of the loss allowance).

i) Fair value hierarchy
AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3
Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques
The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

Market approach
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

Income approach
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach
Valuation techniques that reflect the current replacement cost of the service capacity of an asse

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability are considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

j) Impairment of assets
In accordance with Australian Accounting Standards the Shire's cash generating non-specialised assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another Standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other Standard.

For non-cash generating specialised assets that are measured under the revaluation model, such as roads, drains, public buildings and the like, no annual assessment of impairment is required. Rather AASB 116.31 applies and revaluations need only be made with sufficient regularity to ensure the carrying value does not differ materially from that which would be determined using fair value at the end of the reporting period.

k) Initial application of accounting standards
During the current year, no new or revised Australian Accounting Standards and Interpretations were compiled, became mandatory and were applicable to its operations.

New accounting standards for application in future years
The following new accounting standards will have application to local government in future years
- *AASB 2020-1 Amendments to Australian Accounting* Standards - Classification of *Liabilities as Current or Non-current*
- *AASB 2020-3 Amendments to Australian Accounting Standards - Annual Improvements 2018-2020 and Other Amendments*
- *AASB 2021-2 Amendments to Australian Accounting Standards - Disclosure of Accounting Policies or Definition of Accounting Estimates*
- *AASB 2021-7 Amendments to Australian Accounting Standards – Effective Date of Amendments to AASB 10 and AASB 128 and Editorial Corrections*

It is not expected these standards will have an impact on the financial report.

MF 3/5/2023

25. FUNCTION AND ACTIVITY

(a) Service objectives and descriptions

Shire operations as disclosed in this financial report encompass the following service orientated functions and activities.

Objective	Description
Governance	
To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern a specific council services.
General purpose funding	
To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
Law, order, public safety	
To provide services to help ensure a safer and environmentally conscious community.	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.
Health	
To provide an operational framework for environmental and community health.	Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal compliance.
Education and welfare	
To provide services to the elderly, children and youth.	Maintenance of playgroup centre and senior citizen centre. Provision of youth services.
Housing	
To provide and maintain elderly residents housing.	Provision and maintenance of elderly residents housing.
Community amenities	
To provide services required by the community.	Rubbish collection services, operation of rubbish transfer site, litter control, protection of the environment and administration of town planning schemes, cemetery and public conveniences.
Recreation and culture	
To establish and effectively manage infrastructure and resource which will help the social wellbeing of the community.	Maintenance of public halls, heritage buildings, civic centres, beaches, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, television and radio rebroadcasting and other cultural facilities.
Transport	
To provide safe, effective and efficient transport services to the community.	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
Economic services	
To help promote the Shire and its economic wellbeing.	Tourism and area promotion. Provision of rural services including weed control, vermin control and standpipes. Building control.
Other property and services	
To monitor and control Shire's overheads operating accounts.	Private works operation, plant repair and operation costs and engineering operation costs.

25. FUNCTION AND ACTIVITY (Continued)

(b) Income and expenses

	2022 Actual	2022 Budget	2021 Actual
	$	$	$
Income excluding grants, subsidies and contributions			
Governance	1,738	0	0
General purpose funding	5,770,594	5,697,606	5,470,370
Law, order, public safety	48,135	51,000	18,643
Health	88,478	85,700	91,744
Education and welfare	5,510	3,000	5,131
Housing	429,036	426,600	360,959
Community amenities	1,173,911	1,074,600	1,092,274
Recreation and culture	383,147	337,478	295,401
Transport	16,732	23,000	5,358
Economic services	290,176	245,250	259,643
Other property and services	113,232	101,000	81,172
	8,320,689	8,045,234	7,680,695
Grants, subsidies and contributions			
General purpose funding	1,044,345	393,627	546,559
Law, order, public safety	472,118	166,020	150,857
Housing	1,063,634	1,040,774	518,865
Community amenities	9,091	0	18,600
Recreation and culture	58,674	0	250,000
Transport	1,700,854	2,587,734	2,292,088
Other property and services	142,319	0	30,000
	4,491,035	4,188,155	3,806,969
Total Income	12,811,724	12,233,389	11,487,664
Expenses			
Governance	(676,271)	(743,696)	(544,800)
General purpose funding	(742,967)	(761,300)	(621,664)
Law, order, public safety	(693,034)	(546,387)	(510,173)
Health	(542,595)	(474,816)	(490,795)
Education and welfare	(71,913)	(64,931)	(67,832)
Housing	(432,849)	(752,781)	(830,379)
Community amenities	(1,614,486)	(1,303,231)	(1,434,950)
Recreation and culture	(2,945,470)	(2,996,912)	(2,757,383)
Transport	(3,835,290)	(3,099,919)	(3,802,912)
Economic services	(465,498)	(463,022)	(433,670)
Other property and services	(195,995)	(70,000)	(461,524)
Total expenses	(12,216,368)	(11,276,995)	(11,956,082)
Net result for the period	595,356	956,394	(468,418)

25. FUNCTION AND ACTIVITY (Continued)

(c) Fees and Charges

	2022 Actual	2022 Budget	2021 Actual
	$	$	$
General purpose funding	29,994	14,000	24,294
Law, order, public safety	11,724	12,000	12,406
Health	5,483	5,700	6,110
Education and welfare	45	0	45
Housing	429,035	426,600	360,960
Community amenities	1,173,911	1,074,600	1,092,274
Recreation and culture	329,127	322,000	273,988
Transport	6,421	3,000	4,741
Economic services	244,656	197,250	210,919
Other property and services	16,062	8,000	5,088
	2,246,458	2,063,150	1,990,825

(d) Total Assets

	2022	2021
	$	$
Governance	2,729	4,996
General purpose funding	506,775	1,220,045
Law, order, public safety	681,227	510,725
Health	1,520,879	1,297,567
Education and welfare	686,467	597,594
Housing	8,621,521	7,094,737
Community amenities	513,402	578,160
Recreation and culture	26,699,484	23,655,049
Transport	68,180,020	51,282,232
Economic services	2,006,871	1,533,439
Other property and services	3,704,974	8,553,795
Unallocated	2,511,752	2,217,392
	115,636,101	98,545,731

26. RATING INFORMATION

(a) General Rates

RATE TYPE Rate Description	Basis of valuation	Rate in $	Number of Properties	2021/22 Actual Rateable Value *	2021/22 Actual Rate Revenue	2021/22 Actual Interim Rates	2021/22 Actual Back Rates	2021/22 Actual Total Revenue	2021/22 Budget Rate Revenue	2021/22 Budget Interim Rate	2021/22 Budget Back Rate	2021/22 Budget Total Revenue	2020/21 Actual Total Revenue
				$	$	$	$	$	$	$	$	$	$
Residential	Gross rental valuation	0.116239	1,357	17,289,532	2,009,718	3,716	(2,057)	2,011,377	2,014,718	0	0	2,014,718	1,921,192
Commercial	Gross rental valuation	0.116239	121	3,983,300	463,015	345	0	463,360	463,015	0	0	463,015	442,012
Undeveloped	Gross rental valuation	0.116239	21	320,826	37,292	(2,345)	0	34,947	37,292	0	0	37,292	34,859
Residential - R50 Developed	Gross rental valuation	0.116239	76	1,305,602	151,762	577	0	152,339	151,762	0	0	151,762	144,506
Residential - R50 Undeveloped	Gross rental valuation	0.116239	11	155,850	18,116	0	0	18,116	18,116	0	0	18,116	18,566
Policy Area A	Unimproved valuation	0.014756	5	3,261,000	48,119	0	0	48,119	48,119	0	0	48,119	44,850
Policy Area B	Unimproved valuation	0.014756	12	3,936,500	58,087	0	0	58,087	58,087	0	0	58,087	62,119
Policy Area C	Unimproved valuation	0.014756	120	79,422,200	1,171,954	5,866	68	1,177,888	1,167,188	0	0	1,167,188	1,064,353
Policy Area D	Unimproved valuation	0.014756	103	13,373,100	197,333	0	0	197,333	196,920	0	0	196,920	201,552
Policy Area E	Unimproved valuation	0.014756	40	9,600,750	141,669	0	0	141,669	141,669	0	0	141,669	140,763
Policy Area F	Unimproved valuation	0.014756	24	4,886,050	72,099	0	0	72,099	72,099	0	0	72,099	73,936
Policy Area G	Unimproved valuation	0.014756	27	3,576,000	52,767	0	0	52,767	52,767	0	0	52,767	52,582
Mining	Unimproved valuation	0.197408	27	1,488,539	293,850	25,563	95	319,508	293,850	0	0	293,850	282,545
Mining Developed	Unimproved valuation	0.197408	9	887,524	175,204	0	0	175,204	175,204	0	0	175,204	168,524
Sub-Total			1,953	143,486,773	4,890,985	33,722	(1,894)	4,922,813	4,890,806	0	0	4,890,806	4,652,359
Minimum payment		**Minimum $**											
Residential	Gross rental valuation	1,050	89	678,576	93,450	0	0	93,450	93,450	0	0	93,450	100,058
Commercial	Gross rental valuation	1,050	65	295,668	68,250	0	0	68,250	68,250	0	0	68,250	66,365
Undeveloped	Gross rental valuation	1,050	450	1,283,937	472,500	0	0	472,500	472,500	0	0	472,500	466,597
Residential - R50 Developed	Gross rental valuation	1,050	7	58,656	7,350	0	0	7,350	7,350	0	0	7,350	7,147
Residential - R50 Undeveloped	Gross rental valuation	1,050	14	73,830	14,700	0	0	14,700	14,700	0	0	14,700	14,294
Policy Area A	Unimproved valuation	1,050	4	200,000	4,200	0	0	4,200	4,200	0	0	4,200	4,084
Policy Area B	Unimproved valuation	1,050	3	134,500	3,150	0	0	3,150	3,150	0	0	3,150	2,042
Policy Area C	Unimproved valuation	1,050	38	2,003,125	39,900	0	0	39,900	38,850	0	0	38,850	27,567
Policy Area D	Unimproved valuation	1,050	17	975,500	17,850	0	0	17,850	17,850	0	0	17,850	11,231
Policy Area E	Unimproved valuation	1,050	0	0	0	0	0	0	0	0	0	0	0
Policy Area F	Unimproved valuation	1,050	11	598,500	11,550	0	0	11,550	11,550	0	0	11,550	11,231
Policy Area G	Unimproved valuation	1,050	1	65,000	1,050	0	0	1,050	1,050	0	0	1,050	0
Mining	Unimproved valuation	1,050	18	39,975	18,900	0	0	18,900	18,900	0	0	18,900	18,378
Mining Developed	Unimproved valuation	1,050	0	0	0	0	0	0	0	0	0	0	0
Sub-Total			717	6,407,267	752,850	0	0	752,850	751,800	0	0	751,800	728,994
			2,670	149,894,040	5,643,835	33,722	(1,894)	5,675,663	5,642,606	0	0	5,642,606	5,381,353
Total amount raised from general rates								5,675,663				5,642,606	5,381,353

* Rateable value is based on the value of properties at the time the rate is raised.

(b) Rates (excluding general rates)

Ex-gratia Rates													
Dampier to Bunbury Natural Gas Pipeline Corridor based on annual rate equivalent					3,401	0	0	3,401	3,000	0	0	3,000	3,076
Sub-Total			0	0	3,401	0	0	3,401	3,000	0	0	3,000	3,076
Total amount raised from rates (excluding general rates)								3,401				3,000	3,076

(c) Total Rates

Total Rates								**5,679,064**				5,645,606	5,384,429

The entire balance of rates revenue has been recognised at a point in time in accordance with AASB 1058 *Income for not-for-profit entities* .

MF 3/5/2023

26. RATING INFORMATION (Continued)

(c) Discounts, Incentives, Concessions, & Write-offs

Waivers or Concessions

Rate or Fee and Charge to which the Waiver or Concession is Granted	Type	Waiver/ Concession	Discount %	Discount $	2022 Actual $	2022 Budget $	2021 Actual $
General - Hall Hire	Fee and charge	Waiver	0.00%	Various	0	5,000	318
					0	5,000	318

Rate or Fee and Charge to which the Waiver or Concession is Granted	Circumstances in which the Waiver or Concession is Granted and to whom it was available	Objects of the Waiver or Concession	Reasons for the Waiver or Concession
General - Hall Hire	Provision of a local meeting place for the Shire's not for profit community groups - by application.	This support is provided for the overall benefit of the local community	To support the local community

26. RATING INFORMATION (Continued)

(d) Interest Charges & Instalments

Instalment Options	Date Due	Instalment Plan Admin Charge	Instalment Plan Interest Rate	Unpaid Rates Interest Rate
		$	%	%
Option One				
Single full payment	4/10/2021	0	0.0%	7.0%
Option Two				
First instalment	4/10/2021	0	5.5%	7.0%
Second instalment	6/12/2021	5	5.5%	7.0%
Option Three				
First instalment	4/10/2021	0	5.5%	7.0%
Second instalment	6/12/2021	5	5.5%	7.0%
Third instalment	7/02/2022	5	5.5%	7.0%
Fourth instalment	11/04/2022	5	5.5%	7.0%

	2022 Actual	2022 Budget	2021 Actual
	$	$	$
Interest on unpaid rates	33,341	20,000	39,142
Interest on instalment plan	10,198	10,000	10,759
Charges on instalment plan	5,200	5,000	6,015
Interest of deferred rates	220	0	0
	48,959	35,000	55,916

27. RATE SETTING STATEMENT INFORMATION

	Note	2021/22 (30 June 2022 Carried Forward)	2021/22 Budget (30 June 2022 Carried Forward)	2020/21 (30 June 2021 Carried Forward
		$	$	$
(a) Non-cash amounts excluded from operating activities				
The following non-cash revenue or expenditure has been excluded from amounts attributable to operating activities within the Rate Setting Statement in accordance with *Financial Management Regulation 32.*				
Adjustments to operating activities				
Less: Profit on asset disposals	10(d)	(101,878)	(100,000)	(12,524)
Less: Fair value adjustments to financial assets at fair value through profit and loss		(4,937)	0	0
Add: Loss on disposal of assets	10(d)	82,435	0	189,002
Add: Depreciation	10(a)	4,289,602	4,373,611	4,485,327
Non-cash movements in non-current assets and liabilities:				
Pensioner deferred rates		24,196		11,734
Employee benefit provisions (non-current)		(66,845)	0	29,563
Leave reserve		96,269	190,418	562
Assets expensed		70,226	0	0
Non-cash amounts excluded from operating activities		4,389,068	4,464,029	4,703,664
(b) Surplus/(deficit) after imposition of general rates				
The following current assets and liabilities have been excluded from the net current assets used in the Rate Setting Statement in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.				
Adjustments to net current assets				
Less: Reserve accounts	29	(1,392,831)	(1,485,200)	(1,480,545)
Less: Financial assets at amortised cost - self supporting loans	4(a)	(37,930)	(41,513)	(41,513)
Less: Current assets not expected to be received at end of year				
- Restricted cash - other		(373,935)	(493,302)	(362,875)
Add: Current liabilities not expected to be cleared at end of year				
- Current portion of borrowings	14	560,352	2	427,905
- Current portion of lease liabilities	11(b)	17,489	20,474	20,474
- Employee benefit provisions held in reserves		220,017	314,166	123,748
Total adjustments to net current assets		(1,006,838)	(1,685,373)	(1,312,806)
Net current assets used in the Rate Setting Statement				
Total current assets		6,072,982	3,486,349	6,069,098
Less: Total current liabilities		(2,935,345)	(1,597,246)	(3,830,189)
Less: Total adjustments to net current assets		(1,006,838)	(1,685,373)	(1,312,806)
Net current assets used in the Rate Setting Statement		2,130,799	203,730	926,103

28. BORROWING AND LEASE LIABILITIES

(a) Borrowings

		Actual							Budget			
Purpose	Note	Principal at 1 July 2020	New Loans During 2020-21	Principal Repayments During 2020-21	Principal at 30 June 2021	New Loans During 2021-22	Principal Repayments During 2021-22	Principal at 30 June 2022	Principal at 1 July 2021	New Loans During 2021-22	Principal Repayments During 2021-22	Principal at 30 June 2022
		$	$	$	$	$	$	$		$	$	$
Medical Centre		1,450,000	0	(58,961)	1,391,039	0	(60,211)	1,330,828	1,391,039	0	(60,211)	1,330,828
SIHI Aged Housing		0	700,000	0	700,000	0	(40,351)	659,649	700,000	0	(40,351)	659,649
Recreation Centre		2,105,156	0	(109,992)	1,995,164	0	(117,650)	1,877,514	1,995,164	0	(117,650)	1,877,514
Tennis Courts Resurfacing		79,897	0	(39,478)	40,419	0	(40,419)	0	40,418	0	(40,418)	0
Plant		791,096	0	(125,155)	665,941	0	(127,761)	538,180	665,941	0	(127,760)	538,181
Plant		0	0	0	0	1,290,000	0	1,290,000	0	674,000	0	674,000
Total		4,426,149	700,000	(333,586)	4,792,563	1,290,000	(386,392)	5,696,171	4,792,562	674,000	(386,390)	5,080,172
Self Supporting Loans												
Golf Club SSL		20,638	0	(8,098)	12,540	0	(8,307)	4,233	12,541	0	(8,307)	4,234
Bowling Club SSL		0	355,010	0	355,010	0	(33,206)	321,804	355,010	0	(33,206)	321,804
Total Self Supporting Loans		20,638	355,010	(8,098)	367,550	0	(41,513)	326,037	367,551	0	(41,513)	326,038
Total Borrowings	14	4,446,787	1,055,010	(341,684)	5,160,113	1,290,000	(427,905)	6,022,208	5,160,113	674,000	(427,903)	5,406,210

* WA Treasury Corporation

Self supporting loans are financed by payments from third parties. These are shown in Note 4 as other financial assets at amortised cost.
All other loan repayments were financed by general purpose revenue.

Borrowing Interest Repayments

Purpose	Note	Function and activity	Loan Number	Institution	Interest Rate	Actual for year ending 30 June 2022	Budget for year ending 30 June 2022	Actual for year ending 30 June 2021
						$	$	$
Medical Centre		Health	99	WATC*	2.11%	(43,092)	(38,601)	(40,072)
SIHI Aged Housing		Housing	100	WATC*	2.03%	(20,958)	(18,799)	(2,994)
Recreation Centre		Recreation and culture	93	WATC*	6.80%	(150,672)	(144,590)	(153,471)
Tennis Courts Resurfacing		Recreation and culture	96	WATC*	2.37%	(966)	(925)	(2,119)
Plant		Transport	98	WATC*	2.07%	(18,670)	(17,349)	(20,189)
Plant		Transport	103	WATC*	4.0097%	(763)	0	0
Total						(235,121)	(220,264)	(218,845)
Self Supporting Loans Interest Repayments								
Golf Club SSL		Recreation and culture	97	WATC*	2.57%	(275)	(324)	(523)
Bowling Club SSL		Recreation and culture	102	WATC*	1.47%	(8,527)	(7,478)	(1,623)
Total Self Supporting Loans Interest Repayments						(8,802)	(7,802)	(2,146)
Total Interest Repayments	2(b)					(243,923)	(228,066)	(220,991)

28. BORROWING AND LEASE LIABILITIES (Continued)

(b) New Borrowings - 2021/22

Particulars/Purpose	Institution	Loan Type	Term Years	Interest Rate	Amount Borrowed 2022 Actual	Amount Borrowed 2022 Budget	Amount (Used) 2022 Actual	Amount (Used) 2022 Budget	Total Interest & Charges	Actual Balance Unspent
				%	$	$	$	$	$	$
Plant	WATC*	Debenture	7	4.0097%	1,290,000	674,000	0	(674,000)	202,301	1,290,000
					1,290,000	674,000	0	(674,000)	202,301	1,290,000

* WA Treasury Corporation

(c) Unspent Borrowings

Particulars	Institution	Date Borrowed	Unspent Balance 1 July 2021	Borrowed During Year	Expended During Year	Unspent Balance 30 June 2022
			$	$	$	$
SIHI Aged Housing	WATC*	15/04/2021	700,000	0	(450,000)	250,000
Plant	WATC*	24/06/2022	0	1,290,000	0	1,290,000
			700,000	1,290,000	(450,000)	1,540,000

* WA Treasury Corporation

(d) Lease Liabilities

Purpose	Note	Actual Principal at 1 July 2020	Actual New Leases During 2020-21	Actual Principal Repayments During 2020-21	Actual Principal at 30 June 2021	Actual New Leases During 2021-22	Actual Principal Repayments During 2021-22	Actual Principal at 30 June 2022	Budget Principal at 1 July 2021	Budget New Leases During 2021-22	Budget Principal Repayments During 2021-22	Budget Principal at 30 June 2022
		$	$	$	$	$	$	$	$	$	$	$
Solar Panels		39,333	0	(13,541)	25,792	0	(13,910)	11,882	25,796	0	(13,910)	11,886
Solar Panels		18,560	0	(6,389)	12,171	0	(6,564)	5,607	12,171	0	(6,564)	5,607
Total Lease Liabilities	11(b)	57,893	0	(19,930)	37,963	0	(20,474)	17,489	37,967	0	(20,474)	17,493

Lease Interest Repayments

Purpose	Note	Function and activity	Lease Number	Institution	Interest Rate	Actual for year ending 30 June 2022	Budget for year ending 30 June 2022	Actual for year ending 30 June 2021	Lease Term
						$	$	$	
Solar Panels		Recreation and culture	1	Macquire	2.70%	(525)	(525)	(895)	60 months
Solar Panels		Other property and services	1	Macquire	2.70%	(248)	(248)	(422)	60 months
Total Interest Repayments	2(b)					(773)	(773)	(1,317)	

29. RESERVE ACCOUNTS

	2022 Actual Opening Balance	2022 Actual Transfer to	2022 Actual Transfer (from)	2022 Actual Closing Balance	2022 Budget Opening Balance	2022 Budget Transfer to	2022 Budget Transfer (from)	2022 Budget Closing Balance	2021 Actual Opening Balance	2021 Actual Transfer to	2021 Actual Transfer (from)	2021 Actual Closing Balance
	$	$	$	$	$	$	$	$	$	$	$	$
Restricted by council												
(a) Leave Reserve	123,748	190,580	(94,311)	220,017	123,748	190,418	0	314,166	123,184	564	0	123,748
(b) Port Denison Foreshore Development Reserve	241,058	1,130	0	242,188	241,058	815	0	241,873	239,960	1,098	0	241,058
(c) Recreation Centre Equipment Reserve	52,422	246	(50,000)	2,668	52,422	177	(50,000)	2,599	52,183	239	0	52,422
(d) Sanitation Reserve	1,257	6	0	1,263	1,257	4	0	1,261	21,160	97	(20,000)	1,257
(e) Coastal Management Reserve	31,169	146	0	31,315	31,169	105	0	31,274	138,669	635	(108,135)	31,169
(f) Asset Management Reserve	997,076	104,676	(240,345)	861,407	997,076	103,367	(240,345)	860,098	584,402	412,674	0	997,076
(g) Plant Replacement Reserve	9,234	43	0	9,277	9,234	31	0	9,265	108,736	498	(100,000)	9,234
(h) Tourism and Area Promotion Reserve	24,581	115	0	24,696	24,581	83	0	24,664	24,469	112	0	24,581
	1,480,545	296,942	(384,656)	1,392,831	1,480,545	295,000	(290,345)	1,485,200	1,292,763	415,917	(228,135)	1,480,545
	1,480,545	296,942	(384,656)	1,392,831	1,480,545	295,000	(290,345)	1,485,200	1,292,763	415,917	(228,135)	1,480,545

All reserves are supported by cash and cash equivalents and are restricted within equity as Reserves - cash backed.

In accordance with Council resolutions or adopted budget in relation to each reserve account, the purpose for which the reserves are set aside and their anticipated date of use are as follows:

Name of Reserve	Anticipated date of use	Purpose of the reserve
(a) Leave Reserve	Ongoing	- To fund leave requirements.
(b) Port Denison Foreshore Development Reserve	Ongoing	- To be used to fund the development works of the foreshore in Port Denison.
(c) Recreation Centre Equipment Reserve	Ongoing	- To be used to fund future equipment replacement.
(d) Sanitation Reserve	Ongoing	- To be used to develop facilities at the transfer station and future relocation.
(e) Coastal Management Reserve	Ongoing	- To be used to fund planning, research and project works in the management of coastline and adjacent areas within the Shire of Irwin.
(f) Asset Management Reserve	Ongoing	- To be used for the construction, major maintenance and retire debt associated with Council owned assets.
(g) Plant Replacement Reserve	Ongoing	- To be used for the purchase of plant and equipment as per plant replacement program.
(h) Tourism and Area Promotion Reserve	Ongoing	- To be used to fund future requirements of tourism promotions.

30. CORRECTION OF ERROR

The following adjustment has been made to comparative amounts in the 30 June 2022 Financial Report to bring to account financial activity that were incorrectly stated in 2020/21. Details of this activity is below:-

In 2016/17 the Shire revalued it's Land and Buildings at fair value as at 30 June 2017. The Shire's percentage ownership in joint venture housing with Homeswest was not taken into account, instead the full fair value valuation was taken up in its accounts in error. This error has now been identifed and the necessary adjustments have been affected.

To correct this error the Gross Replacement Cost of $4,094,185 and Accumulated Depreciation of $328,418 relating to these assets have been adjusted. This net reduction in valuation of $3,765,767 has been adjusted against the Revaluation Surplus for Land and Buildings.

Statement of Financial Position (Extract)	30 June 2021 $	Increase/ (Decrease) $	30 June 2021 (Restated) $	01 July 2020 $	Increase/ (Decrease) $	01 July 2020 (Restated) $
Property, plant and equipment	42,622,593	(3,765,767)	38,856,826	44,304,551	(3,765,767)	40,538,784
Net assets	93,624,521	(3,765,767)	89,858,754	94,092,939	(3,765,767)	90,327,172
Revaluation surplus - Land & building	22,212,342	(3,765,767)	18,446,575	22,212,342	(3,765,767)	18,446,575
Total equity	93,624,521	(3,765,767)	89,858,754	94,092,939	(3,765,767)	90,327,172

Auditor General

INDEPENDENT AUDITOR'S REPORT
2022
Shire of Irwin

To the Councillors of the Shire of Irwin

Opinion

I have audited the financial report of the Shire of Irwin (Shire) which comprises:

- the Statement of Financial Position at 30 June 2022, the Statement of Comprehensive Income by Nature or Type, Statement of Changes in Equity, and Statement of Cash Flows and Rate Setting Statement for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial report:

- is based on proper accounts and records
- presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2022 and its financial position at the end of that period
- is in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

Basis for opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial report section below.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of Matter – Restatement of Comparative Balances

I draw attention to Note 30 of the financial report which states that the amounts reported in the previously issued 30 June 2021 financial report have been restated and disclosed as comparatives in this financial report. My opinion is not modified in respect of this matter.

Other information

The Chief Executive Officer (CEO) is responsible for preparing and the Council for overseeing, the other information. The other information is the information in the entity's annual report for the year ended 30 June 2022, but not the financial report and my auditor's report.

My opinion on the financial report does not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

with the financial report or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to the CEO and Council and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Responsibilities of the Chief Executive Officer and Council for the financial report

The Chief Executive Officer of the Shire is responsible for:

- preparation and fair presentation of the financial report in accordance with the requirements of the Act, the Regulations and Australian Accounting Standards
- managing internal control as required by the CEO to ensure the financial report is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the CEO is responsible for:

- assessing the Shire's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the State Government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

Auditor's responsibilities for the audit of the financial report

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial report. The objectives of my audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial report is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

My independence and quality control relating to the report on the financial report

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Matters relating to the electronic publication of the audited financial report

This auditor's report relates to the financial report of the Shire of Irwin for the year ended 30 June 2022 included in the annual report on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the financial report. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to contact the Shire to confirm the information contained in the website version.

Tim Sanya
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
5 May 2023

Auditor General

INDEPENDENT AUDITOR'S REPORT
2022
Shire of Irwin

To the Councillors of the Shire of Irwin

Opinion

I have audited the financial report of the Shire of Irwin (Shire) which comprises:

- the Statement of Financial Position at 30 June 2022, the Statement of Comprehensive Income by Nature or Type, Statement of Changes in Equity, and Statement of Cash Flows and Rate Setting Statement for the year then ended
- Notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion, the financial report:

- is based on proper accounts and records
- presents fairly, in all material respects, the results of the operations of the Shire for the year ended 30 June 2022 and its financial position at the end of that period
- is in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

Basis for opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial report section below.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of Matter – Restatement of Comparative Balances

I draw attention to Note 30 of the financial report which states that the amounts reported in the previously issued 30 June 2021 financial report have been restated and disclosed as comparatives in this financial report. My opinion is not modified in respect of this matter.

Other information

The Chief Executive Officer (CEO) is responsible for preparing and the Council for overseeing, the other information. The other information is the information in the entity's annual report for the year ended 30 June 2022, but not the financial report and my auditor's report.

My opinion on the financial report does not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent

7th Floor Albert Facey House 469 Wellington Street Perth MAIL TO: Perth BC PO Box 8489 Perth WA 6849 TEL: 08 6557 7500

with the financial report or my knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I did not receive the other information prior to the date of this auditor's report. When I do receive it, I will read it and if I conclude that there is a material misstatement in this information, I am required to communicate the matter to the CEO and Council and request them to correct the misstated information. If the misstated information is not corrected, I may need to retract this auditor's report and re-issue an amended report.

Responsibilities of the Chief Executive Officer and Council for the financial report

The Chief Executive Officer of the Shire is responsible for:

- preparation and fair presentation of the financial report in accordance with the requirements of the Act, the Regulations and Australian Accounting Standards
- managing internal control as required by the CEO to ensure the financial report is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the CEO is responsible for:

- assessing the Shire's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- using the going concern basis of accounting unless the State Government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

Auditor's responsibilities for the audit of the financial report

As required by the *Auditor General Act 2006*, my responsibility is to express an opinion on the financial report. The objectives of my audit are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations or the override of internal control.

A further description of my responsibilities for the audit of the financial report is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

My independence and quality control relating to the report on the financial report

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Matters relating to the electronic publication of the audited financial report

This auditor's report relates to the financial report of the Shire of Irwin for the year ended 30 June 2022 included in the annual report on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the financial report. It does not provide an opinion on any other information which may have been hyperlinked to/from the annual report. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to contact the Shire to confirm the information contained in the website version.

Tim Sanya
Senior Director Financial Audit
Delegate of the Auditor General for Western Australia
Perth, Western Australia
5 May 2023

ATTACHMENT: CC04
Attachment 1of 2: Council Policy CP20
Purchasing June 2023

Attachment 5

Policy Number	Policy Title
CP20	**Purchasing**

1. PURCHASING

The Shire of Irwin (the Shire) is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire's strategic and operational objectives.

1.1 Objective

The Shire's purchasing activities will:

(a) Achieve best value for money that considers sustainable benefits, such as environmental, social and local economic factors.

(b) Foster economic development by maximising participation of local businesses in the delivery of goods and services.

(c) Use consistent, efficient and accountable purchasing processes and decision-making, including competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements.

(d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently.

(e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest.

(f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire's Policies and procedures.

(g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Irwin.

(h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire's Risk Management framework.

(i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire's Record Keeping Plan.

(j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

1.2 Ethics & Integrity

The Shire's Code of Conduct applies when undertaking purchasing activities and decision making, requiring Council Members and employees to always observe the highest standards of ethics and integrity and act in an honest and professional manner.

1.3 Value for Money

The Shire will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

Value for money assessment will consider:

(a) All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal.

(b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.

(c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history.

(d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable.

(e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance.

(f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire Policy including Local Economic Benefit.

(g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

1.4 Purchasing Thresholds

1.4.1 Defining the purchasing value

The Shire will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

(a) The appropriate purchasing threshold and practice is applied in all purchasing activities.

(b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements can be provided by a single supplier.

A ***category of supply*** can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

1. Strategic Purchasing Value Assessments

The Shire will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire will have continuing need, and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future

purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

2. Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

(a) Exclusive of Goods and Services Tax (GST).

(b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.

(c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.

(d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

1.4.2 Table of Purchasing Thresholds

1 Supplier Order of Priority

The Shire will consider and apply, where applicable, the following Supplier Order of Priority:

Priority 1:	**Existing Prequalified Supplier Panel or other Contract/ Agreements** Current contracts, including the Shire's Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire's supply requirements can be met through an existing contract.
Priority 2:	**Local Suppliers** Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire will ensure that wherever possible quotations are obtained from local suppliers a) permanently located within the Shire's boundaries as a first priority, and b) those permanently located within the Midwest region as the second priority.
Priority 3:	**Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)** Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold. However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include: Local supplier availability (that are not within the PSA); or, Social procurement – preference to use Aboriginal business or Disability Enterprise.

	If no relevant WALGA PSA is available, then a relevant State Government CUA may be used. **Tender Exempt - WA State or Federal Government Contract Arrangement** Use a relevant State or Federal Government Contract regardless of whether or not the Purchasing Value will exceed the tender threshold. However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.
Priority 4:	**Other Tender Exempt arrangement** *[F&G Reg. 11(2)]* Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire will investigate and seek quotations from tender exempt suppliers and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.
Priority 5:	**Other Suppliers** Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.

2 Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the Shire's purchasing activities.

Purchase Value (ex GST)	Purchasing Practice
Up to $5,000	Obtain at least one (1) verbal or written quotation from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). Corporate credit card may be used as per MP01 Corporate Credit Card.
$5,001 - $50,000	Seek at least two (2) written quotations from a suitable supplier in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1). If purchasing from a WALGA PSA, State or Federal Contract or other tender exempt arrangement, a minimum of one (1) written quotation is to be obtained. The purchasing decision is to be based upon assessment of the supplier's response to: • a brief outline of the specified requirement for the goods; services or works required; and • Value for Money criteria, not necessarily the lowest price. May include a RFQ and detailed specification as required.
$50,001 - $250,000	Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).

	The purchasing decision is to be based upon assessment of the supplier's response to: • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that will assess all best and sustainable value considerations. The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire's Record Keeping Plan.
Over $250,000	Conduct a **Public Tender** undertaken in accordance with the Local Government Act 1995 or other public procurement process such as Expressions of Interests or Request for Proposal; or **Tender Exempt** arrangements (i.e. WALGA PSA, State or Federal Government Contract or other tender exemption under *F&G Reg.11(2)*). The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to: • a detailed written specification for the goods, services or works required; and • pre-determined selection criteria that assess all best and sustainable value considerations. The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire's Record Keeping Plan.

A similar process must be followed for other public procurement processes such as Expressions of Interests or Request for Proposal

The purchasing decision is to be evidenced using the Purchasing Quotation Form retained in accordance with the Shire's Record Keeping Plan.

1.5 Procurement Practices

All procurement practices shall comply with relevant legislation, regulations and requirements. The following principals, standards and behaviours must be observed and enforced through all stages of the procurement process to ensure the fair and equitable treatment of all parties.

1.5.1 Emergency Purchases

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

(a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets, OR

(b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and Functions and General Regulation 11(2)(a), OR

(c) A State of Emergency declared under the Emergency Management Act 2005 and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

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

Emergency purchases *(Within Budget)*	Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds. If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable. However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply. OR Compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice. The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire's Record Keeping Plan.
Emergency Purchases *(No budget allocation available)*	Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the *Local Government Act 1995,* the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred. The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting. The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply
LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the *Local Government Act 1995* and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-based service and is not defined as a purchasing activity subject to this Policy. Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.

1.5.2 Inviting Tenders though no need to do so

The Shire may determine to invite Public Tenders, despite the estimated Purchase Value being less than the $250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance, value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire's tendering procedures *[F&G Reg.13]*.

1.5.3 Expressions of Interest

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

(a) Unable to sufficiently scope or specify the requirement.

(b) There is significant variability for how the requirement may be met.

(c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered.

(d) Subject to a creative element; or

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

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

1.5.4 Unique nature of Supply (Sole Supplier)

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

(a) purchasing value is estimated to be over $5,000; and

(b) purchasing requirement has been documented in a detailed specification; and

(c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement: and

(d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

(e) CEO approval is required.

1.5.5 Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender.

This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

1.5.6 Contract Renewals, Extensions and Renewals

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

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

(a) The variation is necessary for the goods or services to be supplied and does not change the scope of the contract; or

(b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

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

1.5.7 Minor variations prior to award of Contract

If after the Request has been issued either by public tender, invited quotations or other procurement process, and a successful Respondent has been chosen but before the Shire and the supplier have entered into a contract, a minor variation may be made by the Shire.

A minor variation will not alter the nature of the goods and/or services or works procured, nor will it materially alter the specification or structure provided for by the initial procurement process. It will also ensure that the changed value would be within 10 per cent tolerance of the original value.

It should not be of a nature that changes methodology or approach to a project which may open up the possibility that different suppliers may have responded if they had been aware of the new approach.

If a contract has already been entered into with a supplier, the contract may be varied (subject to approval by the CEO), if necessary, in order for the goods or services to be supplied, and provided the variation/s do not change the scope of the original contract or increase the contract value beyond 10 per cent of the original value.

A contract may also be varied if it is a renewal or extension of the term of the contract as described in the Regulations.

1.5.8 Contracts/Agreements

Contracts include Service Agreements, Standing Offer Agreements and Purchase Orders.

The Shire is to ensure that any goods, services or works required that are within the scope of an existing contract are to be purchased under that contract.

Service Agreement

Service Agreements relate to entering into an ongoing agreement with a supplier to deliver goods or services required by Council on a continual basis throughout the financial year.

Before entering into a Service Agreement (including purchase orders) market testing is required and value for money is to be determined using the purchasing thresholds. A service agreement may be approved with regards to the following:

- The Market needs to be retested every two (2) years to ensure probity.
- If a conflict of interest exists refer to Management Policy – MP04 Purchasing.

Standing Offer Agreement

Standing Offer Agreements relate to entering into an ongoing agreement with a supplier(s) who agrees to provide specified goods and/or services at an agreed price or discount and fixed for a set period of time. For example, this could include commodities/ services that are off the shelf and which are readily available from multiple suppliers and frequently purchased.

Service Agreements and Standing Offers are a commitment by suppliers to provide agreed products or services at the fixed price on receipt of a Shire Purchase Order. Standing offers do not commit the Shire to any minimum volume.

A Service Agreement and Standing Offer once accepted by the Shire is deemed to have met the quotation process.

1.5.9 Probity Experts

Probity experts ensure a transparent and fair procurement process and to achieve best Value for Money. An independent person may be appointed to act as a probity expert. The decision to appoint a probity expert will be at the complete discretion of the Chief Executive Officer.

1.5.10 Notification of Outcome

Each tenderer or respondent to a public procurement process shall be notified. Each unsuccessful respondent shall be offered a debrief on their response to the procurement process.

1.5.11 Contract Management

All Shire Contracts will be managed during their lifecycle by the responsible officer in accordance with good contract management practices.

1.5.12 Waiver of Quotation

Where obtaining quotes are impractical due to significant financial or other adverse impact to the Shire, the CEO or their delegate, at their discretion, may waive the requirements to obtain quotes. The request to waive the quotation requirement as well as the justification for approval (or other) must be in writing. The request for quotation waiver as well as the CEO's (or their delegate's) decision must be saved in accordance with the Shire's Records Management Policy.

1.5.13 Petty Cash

Petty Cash transactions under $100 are to be authorised by Manager's in accordance with Shire's procedures.

1.5.14 Purchasing Cards

a) The CEO must have procedures for the authorisation and payment of accounts to ensure there is effective security and appropriate authorisations in place for the use of purchasing cards.

b) The CEO will authorise the issue of purchase cards to other officers following applicable procedures.

1.5.15 Purchase Order Exemptions

Supply of goods or services must not commence until a purchase order has been issued, unless exempt from this requirement. A purchase order is unnecessary in the case of the following:

a) Insurances;

b) Payments made through payroll;

c) Utilities (service and/or consumption charges/fees only);

d) Goods or services purchased through a purchasing card;

e) Fees and payments that are statutory, this includes bank fees;

f) Other statutory damages, infringements and penalties;

g) Loan repayments;

h) Freight, postal charges and fuel cards;

i) Goods purchased from petty cash;

j) Purchasing card payment requests;

k) State or Federal Government agencies such as Landgate, Office of State Revenue, Western Australia Planning Commission, Environmental Protection Authority, Department of Commerce, Department Fire and Emergency Services

2. SUSTAINABLE PROCUREMENT

The Shire supports and encourages sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection, and local economic benefits).

As much as practicable the Shire will consider when procuring goods and services:

a) that are economical to own and operate;

b) reduce waste and are energy efficient;

c) cause the least damage to the environment;

d) have been created or obtained using legally compliant practices (Corporate Social Responsibility);

e) provide local businesses with commercial opportunity;

f) improve employment opportunities for local people; and g. that encourage social advancement and benefits relating to special needs.

2.1 Local Economic Benefit

The Shire promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within the Shire first, and secondly, those permanently located within the Midwest region.

The Shire has adopted a Regional Price Preference, Policy- CP01 Localised Purchasing Policy, which will be applied when undertaking all purchasing activities over $1,000.

2.2 Socially Sustainable Procurement

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

Engaging Aboriginal Businesses & Australian Disability Enterprises

Functions and General Regulation 11(2)(h) provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) and 11(2)(i) an Australian Disability Enterprise, where the consideration under contract is $250,000 or less, or worth $250,000 or less, and the Shire is satisfied that the offer truly represents value for money.

The rationale for making the purchasing decision must be recorded in accordance with the Shire's

Record Keeping Plan.

2.3 Environmentally Sustainable Procurement

The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire's strategic and operational objectives.

(a) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and

(b) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

3. PANELS OF PRE-QUALIFIED SUPPLIERS

3.1 Objectives

The Shire will consider creating a Panel of Pre-qualified Suppliers ("Panel") when a range of similar goods and services are required to be purchased on a continuing and regular basis.

Part of the consideration of establishing a panel includes:

(a) there are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money';

(b) the Panel will streamline and will improve procurement processes; and

(c) the Shire has the capability to establish a Panel and manage the risks and achieve the benefits expected of the proposed Panel through a Contract Management Plan.

3.2 Establishing and Managing a Panel

If the Shire decides that a Panel is to be created, it will establish the panel in accordance with the Regulations.

Panels will be established for one supply requirement, or a number of similar supply requirements under defined categories. This will be undertaken through an invitation procurement process advertised via a state-wide notice.

Panels may be established for a maximum of three (3) years. The length of time of a Local Panel is decided with the approval of the CEO/ Executive Director.

Evaluation criteria will be determined and communicated in the application process by which applications will be assessed and accepted.

In each invitation to apply to become a pre-qualified supplier, the Shire will state the expected number of suppliers it intends to put on the panel.

If a Panel member leaves the Panel, the Shire will consider replacing that organisation with the next ranked supplier that meets/exceeds the requirements in the value for money assessment – subject to that supplier agreeing. The Shire will disclose this approach in the detailed information when establishing the Panel.

A Panel contract arrangement needs to be managed to ensure that the performance of the Panel Contract and the Panel members under the contract are monitored and managed. This will ensure that risks are managed and expected benefits are achieved. A Contract Management Plan should be established that outlines the requirements for the Panel Contract and how it will be managed.

3.3 Distributing work amongst Panel members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel will prescribe one of the following as to whether the Shire intends to:

(a) obtain quotations from each pre-qualified supplier on the Panel with respect to all discreet purchases; or

(b) purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or

(c) develop a ranking system for selection to the Panel, with work awarded in accordance with the Regulations.

In considering the distribution of work among Panel members, the detailed information will also prescribe whether:

(a) each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded based on value for money in every instance; or

(b) work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under *Functions and General Regulation 24AD(5)(f)* when establishing the Panel.

i. The Shire will invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken.

ii. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract.

iii. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in clause 1.4.2(2) of this Policy.

iv. When a ranking system is established, the Panel will not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

3.4 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every Panel member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

3.5 Communications with Panel members

The Shire will ensure clear, consistent and regular communication with Panel Members.
Each quotation process, including the invitation to quote, communications with Panel members, quotations received, evaluation of quotes and notification of award communications must all be captured in accordance with the Shire's Record Keeping Plan. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the

Shire and Panel members.

4. RECORD KEEPING

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

In addition, the Shire must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferal of records to the Shire relevant to the performance of the contract.

5. PURCHASING POLICY NON- COMPLIANCE

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

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

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

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

Date of Adoption:		**Adoption Ref:**	
Date of Review:		**Review Frequency:**	biennial
Responsible Directorate:	Chief Executive Officer		
Legislation:	s.3.57 of the Local Government Act 1995 Part 4 of the Local Government (Functions and General) Regulations 1996		
Related Policies and/or Procedures:	Delegations CEO01 Tenders for Goods and Services Delegation CEO03 Payments from Municipal or Trust Funds CP01 Localised Purchasing (Regional Price Preference) MP01 Corporate Credit Card MP02 Purchase Order Authorisation MP04 Purchasing Record Keeping Plan Code of Conduct Purchasing Procedure Manual		

ATTACHMENT: CC05
Attachment 2 of 2: Local Government (Function & General) Regulations 1996 as at 20 May 2023

Attachment 5

Western Australia

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

As at 20 May 2023 Version 03-m0-00
Published on www.legislation.wa.gov.au

Western Australia

Local Government (Functions and General) Regulations 1996

Contents

Part 1 — Preliminary

1. Citation 1
2. Commencement 1

Part 1A — Local laws

2A. Matters about which local laws are not to be made (Act s. 3.5) 2
3. Prescribed manner of giving notice of purpose and effect of proposed local law (Act s. 3.12(2)) 2

Part 2 — Thoroughfares

4. Persons prescribed to be notified of road closure (Act s. 3.50) 3
5. Persons prescribed to be notified of certain proposals (Act s. 3.51(1) *person having an interest*) 3
6. Transitional provisions about road closures 4

Part 3 — Commercial enterprises by local governments (s. 3.59)

7. Term used: major regional centre 5
8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59) 5
8. Exempt land transactions prescribed (Act s. 3.59) 6

9. Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59) 7
10. Business plans for major trading undertaking and major land transaction, content of 9

Part 4 — Provision of goods and services

Division 1 — Purchasing policies
11A. Purchasing policies for local governments 10

Division 2 — Tenders for providing goods or services (s. 3.57)
11. When tenders have to be publicly invited 11
12. Anti-avoidance provision for r. 11(1) 16
13. Requirements when local government invites tenders though not required to do so 16
14. Publicly inviting tenders, requirements for 16
15. Minimum time to be allowed for submitting tenders 18
16. Receiving and opening tenders, procedure for 18
17. Tenders register 19
18. Rejecting and accepting tenders 20
19. Tenderers to be notified of outcome 21
20. Variation of requirements before entry into contract 21
21A. Varying a contract for the supply of goods or services 22
21. Limiting who can tender, procedure for 22
22. Minimum time to be allowed for submitting expressions of interest 23
23. Rejecting and accepting expressions of interest to be acceptable tenderer 23
24. People who submitted expression of interest to be notified of outcome 24

Division 3 — Panels of pre-qualified suppliers
24AA. Terms used 24
24AB. Local government may establish panels of pre-qualified suppliers 25
24AC. Requirements before establishing panels of pre-qualified suppliers 25

24AD. Requirements when inviting persons to apply to join panel of pre-qualified suppliers 26
24AE. Minimum time to be allowed for submitting application to join panel of pre-qualified suppliers 28
24AF. Procedure for receiving and opening applications 28
24AG. Information about panels of pre-qualified suppliers to be included in tenders register 28
24AH. Rejecting and accepting applications to join panel of pre-qualified suppliers 29
24AI. Applicants to be notified of outcome 29
24AJ. Contracts with pre-qualified suppliers 30

Part 4A — Regional price preference

24A. Application of this Part 31
24B. Terms used 31
24C. Regional price preference may be given 32
24D. Discounts permitted for regional price preferences 32
24E. Regional price preference policies for local governments 33
24F. Adoption and notice of regional price preference policy 34
24G. Adopted regional price preference policy, effect of 35

Part 5 — Owner onus and infringement notices

25. Notice to put onus on vehicle owner, form of (Act s. 9.13) 36
26. Infringement notice, form of (Act s. 9.16) 36
27. Withdrawal of infringement notice, form of (Act s. 9.20) 36

Part 6 — Miscellaneous

29. Contraventions that may lead to impounding of goods (Act s. 3.37) 37
29A. Abandoned vehicle wrecks, value etc. prescribed for (Act s. 3.40A(5)(c)) 38
29B. Prescribed non-perishable goods (Act s. 3.47(2b)(ca)) 38
30. Dispositions of property excluded from Act s. 3.58 38
31. Anti-avoidance provision for Act s. 3.58 41

32. Local government permitted to form bodies corporate (Act s. 3.60) 41
32A. Excluded authorisations (Act s. 9.2) 41
33. Objections to decisions, form of etc. prescribed (Act s. 9.5) 42
34. Common seal, unauthorised use of 43
35. Certain persons protected from liability for wrongdoing (Act s. 9.56(1)(c)) 43
35A. Delegable functions of Minister (Act s. 9.66) 43
35B. Delegable functions of Departmental CEO (Act s. 9.67) 43
36. Warrant to enter, form of (Act s. 3.33(1) and 8.8(1)) 44

Part 7 — Other transitional provisions

38. Adopting former model by-laws as local laws (Act s. 3.8(2) and (3)) 45

Schedule 1 — Forms

Notes

Compilation table 52
Uncommenced provisions table 54
Other notes 54

Defined terms

Local Government (Functions and General) Regulations 1996

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Local Government (Functions and General) Regulations 1996*.

2. Commencement

These regulations come into operation on 1 July 1996.

Part 1A — Local laws

[Heading inserted: Gazette 11 Sep 1998 p. 4927.]

2A. Matters about which local laws are not to be made (Act s. 3.5)

Local laws are not to be made —

(a) requiring the payment of fees or charges for the parking of vehicles on any land under the care, control or management of a local government in any part of the district of Cottesloe west of Broome Street; or

(b) enabling such a requirement to be imposed.

[Regulation 2A inserted: Gazette 11 Sep 1998 p. 4927.]

3. Prescribed manner of giving notice of purpose and effect of proposed local law (Act s. 3.12(2))

For the purpose of section 3.12 of the Act, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that —

(a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and

(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

[Regulation 3 inserted: Gazette 31 Mar 2005 p. 1057; amended: Gazette 27 Sep 2011 p. 3846.]

Part 2 — Thoroughfares

4. Persons prescribed to be notified of road closure (Act s. 3.50)

(1) The persons prescribed for the purposes of section 3.50 of the Act are —

(a) any person providing a service by means of pipes, cables, or anything else under, on, or above the land used for the thoroughfare whose access for purposes connected with the provision of that service would be impeded by the proposed closure; and

(b) the person having principal responsibility in the locality for ambulance services; and

(c) the person having principal responsibility in the locality for fire services; and

(d) the occupier of land that will lose its access.

(2) The land that is prescribed for the purposes of section 3.50 of the Act is land that will lose its access.

(3) In this regulation —

land that will lose its access means land that abuts the thoroughfare at any point to which access would be precluded as a result of the closure.

5. Persons prescribed to be notified of certain proposals (Act s. 3.51(1) *person having an interest*)

The persons prescribed for the purposes of section 3.51 of the Act are —

(a) if the land to which that section applies is occupied, the occupier; and

(b) in relation to fixing or altering the level of, or the alignment of, a public thoroughfare, any person providing a service by means of pipes, cables, or

anything else under, on, or above the land used for the thoroughfare.

6. Transitional provisions about road closures

(1) If, when the Act comes into operation, a thoroughfare —

(a) has been obstructed by a local government under the former section 331B; or

(b) has been temporarily closed under the former section 334 on the application of a local government,

the local government is to be regarded as having ordered under section 3.50 that the thoroughfare be closed, either wholly or partially, as required to continue the obstruction or closure in effect as if the Act had not come into operation.

(2) Subregulation (1) does not apply so as to continue the obstruction or closure beyond the time when it would have continued if the Act had not come into operation, nor so as to continue it beyond 30 June 2002.

(3) The local government may, by local public notice, order that the closure be revoked or that it be varied in such a way as to be less restrictive.

(4) In this regulation —

former section means a section of the *Local Government Act 1960* as in force before the day on which the *Local Government Act 1995* comes into operation [1].

Part 3 — Commercial enterprises by local governments (s. 3.59)

7. Term used: major regional centre

(1) In this Part —

major regional centre means a local government the district of which —

(a) is not in the metropolitan area; and

(b) has more than 20 000 inhabitants.

(2) Section 2.4(6) of the Act applies to determine the number of inhabitants of a district for the purposes of the definition of ***major regional centre***.

[Regulation 7 inserted: Gazette 27 Sep 2011 p. 3843-4.]

8A. Amount prescribed for major land transactions; exempt land transactions prescribed (Act s. 3.59)

(1) The amount prescribed for the purposes of the definition of ***major land transaction*** in section 3.59(1) of the Act is —

(a) if the land transaction is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —

(i) $10 000 000; or

(ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year;

or

(b) if the land transaction is entered into by any other local government, the amount that is the lesser of —

(i) $2 000 000; or

(ii) 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

(2) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if —

(a) the total value of —

(i) the consideration under the transaction; and

(ii) anything done by the local government for achieving the purpose of the transaction,

is more, or is worth more, than the amount prescribed under subregulation (1); and

(b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which the total value exceeds the amount prescribed under subregulation (1) is not significant taking into account —

(i) the total value of the transaction; or

(ii) variations throughout the State in the value of land.

[Regulation 8A inserted: Gazette 27 Sep 2011 p. 3844.]

8. Exempt land transactions prescribed (Act s. 3.59)

(1) A land transaction is an exempt land transaction for the purposes of section 3.59 of the Act if the local government enters into it —

(a) without intending to produce profit to itself; and

(b) without intending that another person will be sold, or given joint or exclusive use of, all or any of the land involved in the transaction.

(2) For the purposes of subregulation (1)(b) a person is given joint use of land if the land is to be jointly used for a common

purpose by the local government and that person (whether or not other persons are also given joint use of the land).

(3) A transaction under which a local government disposes of a leasehold interest in land is an exempt land transaction for the purposes of section 3.59 of the Act if —

(a) all or any of the consideration to be received by the local government under the transaction is by way of an increase in the value of the land due to improvements that are to be made without cost to the local government; and

(b) although the total value referred to in the definition of ***major land transaction*** in that section is more, or is worth more, than the amount prescribed for the purposes of that definition, it would not be if the consideration were reduced by the amount of the increase in value mentioned in paragraph (a).

[Regulation 8 amended: Gazette 29 Aug 1997 p. 4867-8.]

9. Amount prescribed for major trading undertakings; exempt trading undertakings prescribed (Act s. 3.59)

(1) The amount prescribed for the purposes of the definition of ***major trading undertaking*** in section 3.59(1) of the Act is —

(a) if the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —

(i) $5 000 000; or

(ii) 10% of the lowest operating expenditure described in subregulation (2);

or

(b) if the trading undertaking is entered into by any other local government, the amount that is the lesser of —

(i) $2 000 000; or

(ii) 10% of the lowest operating expenditure described in subregulation (2).

(2) The lowest operating expenditure referred to in subregulation (1) is the lowest of —

(a) the operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and

(b) the operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and

(c) the operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year.

(3) A trading undertaking is an exempt trading undertaking for the purposes of section 3.59 of the Act if —

(a) the undertaking —

(i) in the last completed financial year, involved; or

(ii) in the current financial year or the financial year after the current financial year, is likely to involve,

expenditure by the local government of more than the amount prescribed under subregulation (1); and

(b) the Minister has, in writing, declared the transaction to be an exempt transaction because the Minister is satisfied that the amount by which expenditure is, or is likely to be, more that the amount prescribed under subregulation (1) is not significant taking into account —

(i) the total value of the undertaking; or

(ii) variations throughout the State in the value of land.

[Regulation 9 amended: Gazette 31 Mar 2005 p. 1054; 27 Sep 2011 p. 3845.]

10. Business plans for major trading undertaking and major land transaction, content of

(1) If a local government is required to prepare a business plan because of a major trading undertaking or major land transaction that it is to carry on or enter into jointly with another person —

(a) the business plan is to include details of the whole undertaking or transaction, even though the local government is not the only joint venturer; and

(b) the business plan is to include details of —

(i) the identity of each joint venturer other than the local government; and

(ii) the ownership of, and any other interests in, property that is involved in, or acquired in the course of, the joint venture; and

(iii) any benefit to which a joint venturer other than the local government may become entitled under or as a result of the joint venture; and

(iv) anything to which the local government may become liable under or as a result of the joint venture.

(2) In subregulation (1) —

joint venture means the major trading undertaking or major land transaction that is to be jointly carried on or entered into;

joint venturer means the local government or another person with whom the local government is to carry on or enter into the joint venture.

Part 4 — Provision of goods and services

[Heading inserted: Gazette 2 Feb 2007 p. 244.]

Division 1 — Purchasing policies

[Heading inserted: Gazette 2 Feb 2007 p. 244.]

11A. Purchasing policies for local governments

(1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, $250 000 or less or worth $250 000 or less.

(2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).

(3) A purchasing policy must make provision in respect of —

(a) the form of quotations acceptable; and

(ba) the minimum number of oral quotations and written quotations that must be obtained; and

(b) the recording and retention of written information, or documents, in respect of —

(i) all quotations received; and

(ii) all purchases made.

[(4) deleted]

[Regulation 11A inserted: Gazette 2 Feb 2007 p. 245; amended: Gazette 18 Sep 2015 p. 3804; SL 2020/55 r. 4.]

Division 2 — Tenders for providing goods or services (s. 3.57)

[Heading inserted: Gazette 2 Feb 2007 p. 245.]

11. When tenders have to be publicly invited

(1A) In this regulation —

COVID-19 declaration has the meaning given in the *Emergency Management Act 2005* section 77C(1);

state of emergency declaration has the meaning given in the *Emergency Management Act 2005* section 3.

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than $250 000 unless subregulation (2) states otherwise.

(2) Tenders do not have to be publicly invited according to the requirements of this Division if —

(a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or

(aa) the supply of the goods or services is associated with a state of emergency or a COVID-19 declaration; or

(b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or

[(ba) deleted]

(c) within the last 6 months —

(i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or

(ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;

or

(d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or

(e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or

(ea) the goods or services are to be supplied —

(i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and

(ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;

or

(f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or

(g) the goods to be supplied under the contract are —

(i) petrol or oil; or

(ii) any other liquid, or any gas, used for internal combustion engines;

or

(h) the following apply —

(i) the goods or services are to be supplied by —

(I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or

(II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362;

and

(ii) the consideration under the contract is $250 000 or less, or worth $250 000 or less; and

(iii) the local government is satisfied that the contract represents value for money;

or

(i) the goods or services are to be supplied by an Australian Disability Enterprise; or

(ia) the contract is formed by the novation of a contract to which subregulation (1) applies; or

(j) the contract is a renewal or extension of the term of a contract (the ***original contract***) where —

(i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and

(ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and

(iii) the original contract contains an option to renew or extend its term; and

(iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;

or

(ja) the contract is a renewal or extension of the term of a contract (the ***original contract***) where —

(i) the original contract is to expire within 3 months; and

(ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and

(iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration or a COVID-19 declaration applying to the district, or part of the district, of the local government;

or

(jb) the contract is a renewal or extension of the term of a contract (the ***original contract***) for the supply of dental or medical services by a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession or medical profession; or

(k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.

(3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if —

(a) the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and

(b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.

(4) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a COVID-19 declaration if —

(a) the contract for the supply is entered into while there is in force a COVID-19 declaration applying to the district, or part of the district, of the local government; and

(b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the occurrence of COVID-19, or from the impact or consequences of the occurrence of COVID-19, in the area to which the COVID-19 declaration relates.

(5) For the purposes of subregulation (2)(jb), it is immaterial that the supplier also supplies services under the original contract that are not dental or medical services.

(6) Subregulation (2)(jb) does not apply in relation to the renewal or extension of the term of a contract by —

(a) the local government of a district in the metropolitan area; or

(b) the City of Mandurah.

[Regulation 11 amended: Gazette 29 Apr 1997 p. 2145; 26 Jun 1998 p. 3447; 25 Feb 2000 p. 970-1; 29 Jun 2001 p. 3130; 31 Mar 2005 p. 1054-5; 2 Feb 2007 p. 245-6; 18 Sep 2015 p. 3804-6; SL 2020/35 r. 8; SL 2020/55 r. 5; SL 2022/177 r. 14; SL 2023/47 r. 4.]

12. Anti-avoidance provision for r. 11(1)

(1) This regulation applies if a local government intends to enter into 2 or more contracts (the ***contracts***) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.

(2) If this regulation applies, tenders are to be publicly invited according to the requirements of this Division before the local government enters into any of the contracts regardless of the consideration.

[Regulation 12 inserted: Gazette 18 Sep 2015 p. 3806.]

13. Requirements when local government invites tenders though not required to do so

If a local government, although not required by this Division to invite tenders before entering into a contract for another person to supply goods or services, decides to invite tenders, the tenders are to be publicly invited according to the requirements of this Division.

[Regulation 13 amended: Gazette 2 Feb 2007 p. 245-6.]

14. Publicly inviting tenders, requirements for

(1) When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.

(2) If the CEO has, under regulation 23(4), prepared a list of acceptable tenderers, instead of giving Statewide public notice the CEO is required to give notice of the invitation to each acceptable tenderer listed.

(2a) If a local government —

(a) is required to invite a tender; or

(b) not being required to invite a tender, decides to invite a tender,

the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

(3) The notice, whether under subregulation (1) or (2), is required to include —

(a) a brief description of the goods or services required; and

(b) particulars identifying a person from whom more detailed information as to tendering may be obtained; and

(c) information as to where and how tenders may be submitted; and

(d) the date and time after which tenders cannot be submitted.

(4) In subregulation (3)(b) a reference to detailed information includes a reference to —

(a) such information as the local government decides should be disclosed to those interested in submitting a tender; and

(b) detailed specifications of the goods or services required; and

(c) the criteria for deciding which tender should be accepted; and

(d) whether the local government has decided to submit a tender.

[(e) deleted]

(5) After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person

who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

[Regulation 14 amended: Gazette 29 Jun 2001 p. 3130; 18 Sep 2015 p. 3806.]

15. Minimum time to be allowed for submitting tenders

(1) If a notice under regulation 14(1) is given, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is —

(a) published on the local government's official website; and

(b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

(2) If a notice under regulation 14(2) is given to a person listed as an acceptable tenderer, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is given.

[Regulation 15 inserted: Gazette 18 Sep 2015 p. 3806-7; amended: SL 2020/213 r. 35.]

16. Receiving and opening tenders, procedure for

(1) The CEO is responsible for keeping any tender submitted including a tender submitted by facsimile or other electronic means in safe custody, and for ensuring that it remains confidential.

(2) Tenders are not to be opened, examined, or assessed until the time after which further tenders cannot be submitted.

(3) When tenders are opened —

(a) there must be present —

(i) at least 2 employees of the local government; or

(ii) one employee of the local government and at least one person authorised by the CEO to open tenders;

and

(b) members of the public are entitled to be present; and

(c) details of the tenders (other than the consideration sought in the tender) are to be immediately recorded in a register to be known as the tenders register.

[Regulation 16 amended: Gazette 29 Jun 2001 p. 3131; 31 Mar 2005 p. 1055; 18 Sep 2015 p. 3807.]

17. Tenders register

(1) The CEO is responsible for keeping the tenders register and making it available for public inspection.

(1A) The CEO must publish the tenders register on the local government's official website.

(2) The tenders register is to include, for each invitation to tender —

(a) a brief description of the goods or services required; and

[(b) deleted]

(c) particulars of —

(i) any notice by which expressions of interests from prospective tenderers was sought; and

(ii) any person who submitted an expression of interest; and

(iii) any list of acceptable tenderers that was prepared under regulation 23(4);

and

(d) a copy of the notice of the invitation to tender; and

(e) the name of each tenderer whose tender has been opened; and

(f) the name of any successful tenderer.

(3) The tenders register is to include for each invitation to tender the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.

[Regulation 17 amended: Gazette 29 Jun 2001 p. 3131; 18 Sep 2015 p. 3807; SL 2020/213 r. 36.]

18. Rejecting and accepting tenders

(1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.

(2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.

(3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.

(4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

(4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.

(5) The local government may decline to accept any tender.

(6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and

the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

(7) If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

[Regulation 18 amended: Gazette 29 Jun 2001 p. 3131-2; 18 Sep 2015 p. 3807.]

19. Tenderers to be notified of outcome

The CEO is to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.

[Regulation 19 amended: Gazette 29 Jun 2001 p. 3132.]

20. Variation of requirements before entry into contract

(1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

(2) If —

(a) the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or

(b) the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement,

that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, whose tender the local government considered it would be the next most advantageous to it to accept.

(3) In subregulation (1) —

minor variation means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

21A. Varying a contract for the supply of goods or services

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless —

(a) the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or

(b) the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j), (ja) or (jb).

[Regulation 21A inserted: Gazette 18 Sep 2015 p. 3807; amended: SL 2023/47 r. 5.]

21. Limiting who can tender, procedure for

(1) If a local government decides to make a preliminary selection from amongst prospective tenderers, it may seek expressions of interest with respect to the supply of the goods or services.

[(2) deleted]

(3) If a local government decides to seek expressions of interest before inviting tenders, Statewide public notice that expressions of interest are sought is to be given.

(4) The notice is required to include —

(a) a brief description of the goods or services required; and

(b) particulars identifying a person from whom more detailed information may be obtained; and

(c) information as to where and how expressions of interest may be submitted; and

(d) the date and time after which expressions of interest cannot be submitted.

[Regulation 21 amended: Gazette 18 Sep 2015 p. 3808.]

22. Minimum time to be allowed for submitting expressions of interest

The time specified in the notice as the time after which expressions of interest cannot be submitted has to be at least 14 days after the notice is —

(a) published on the local government's official website; and

(b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

[Regulation 22 amended: SL 2020/213 r. 37

23. Rejecting and accepting expressions of interest to be acceptable tenderer

(1) An expression of interest is required to be rejected unless it is submitted at a place, and within the time, specified in the notice.

(2) An expression of interest that is submitted at a place, and within the time, specified in the notice but that fails to comply with any other requirement specified in the notice may be rejected without considering its merits.

(3) Expressions of interest that have not been rejected under subregulation (1) or (2) are to be considered by the local

government and it is to decide which, if any, of those expressions of interest are from persons who it thinks would be capable of satisfactorily supplying the goods or services.

(4) The CEO is to list each of those persons as an acceptable tenderer.

[Regulation 23 amended: Gazette 29 Jun 2001 p. 3132.]

24. People who submitted expression of interest to be notified of outcome

The CEO is to give each person who submitted an expression of interest notice in writing —

(a) containing particulars of the persons the CEO has listed under regulation 23(4) as acceptable tenderers; or

(b) advising that the local government has decided not to invite tenders because no expression of interest that it considered was from a person who it thinks would be capable of satisfactorily supplying the goods or services; or

(c) informing the person of any other outcome if neither paragraph (a) nor (b) is appropriate.

[Regulation 24 amended: Gazette 29 Jun 2001 p. 3133.]

Division 3 — Panels of pre-qualified suppliers

[Heading inserted: Gazette 18 Sep 2015 p. 3808.]

24AA. Terms used

In this Division —

panel of pre-qualified suppliers means a panel of pre-qualified suppliers of goods or services established in accordance with this Division;

pre-qualified supplier, of particular goods or services, means a person who is part of a panel of pre-qualified suppliers for the supply of those goods or services.

[Regulation 24AA inserted: Gazette 18 Sep 2015 p. 3808.]

24AB. Local government may establish panels of pre-qualified suppliers

A local government may establish a panel of pre-qualified suppliers to supply particular goods or services to the local government in accordance with this Division.

[Regulation 24AB inserted: Gazette 18 Sep 2015 p. 3808.]

24AC. Requirements before establishing panels of pre-qualified suppliers

(1) A local government must not establish a panel of pre-qualified suppliers unless —

(a) it has a written policy that makes provision in respect of the matters set out in subregulation (2); and

(b) the local government is satisfied that there is, or will be, a continuing need for the particular goods or services to be supplied by pre-qualified suppliers.

(2) The matters referred to in subregulation (1)(a) are —

(a) how the local government will procure goods or services from pre-qualified suppliers, including any process for obtaining quotations from them; and

(b) how the local government will ensure that each pre-qualified supplier on a panel of pre-qualified suppliers will be invited to quote for the supply of the goods or services that the pre-qualified suppliers will be expected to supply; and

(c) how the local government will ensure clear, consistent and regular communication between the local government and pre-qualified suppliers; and

(d) any factors that the local government will take into account when distributing work among pre-qualified suppliers; and

(e) the recording and retention of written information, or documents, in respect of —

(i) all quotations received from pre-qualified suppliers; and

(ii) all purchases made from pre-qualified suppliers.

[Regulation 24AC inserted: Gazette 18 Sep 2015 p. 3808-9.]

24AD. Requirements when inviting persons to apply to join panel of pre-qualified suppliers

(1) If a local government decides to establish a panel of pre-qualified suppliers of particular goods or services, persons are to be publicly invited to apply to join the panel.

(2) Statewide public notice of the invitation to apply to join a panel of pre-qualified suppliers is to be given.

(3) The local government must, before applications to join a panel of pre-qualified suppliers for particular goods or services are publicly invited, determine in writing the criteria for deciding which applications should be accepted.

(4) A notice under subregulation (2) is to include —

(a) a brief description of the goods or services that persons on the panel of pre-qualified suppliers will be expected to supply; and

(b) particulars identifying a person from whom more detailed information about the proposed panel of pre-qualified suppliers of particular goods or services may be obtained; and

(c) information as to where and how applications to join the panel of pre-qualified suppliers may be submitted; and

(d) the date and time after which applications to join the panel of pre-qualified suppliers cannot be submitted.

(5) In subregulation (4)(b) a reference to detailed information about a proposed panel of pre-qualified suppliers of particular goods or services includes a reference to —

(a) the local government's written policy referred to in regulation 24AC(1)(a); and

(b) such information as the local government decides should be disclosed to those interested in applying to join the panel; and

(c) detailed specifications of the goods or services that pre-qualified suppliers on the panel will be expected to supply; and

(d) the criteria for deciding which applications to join the panel should be accepted; and

(e) an explanation of how the panel will operate; and

(f) whether or not the local government intends to purchase the goods or services exclusively from pre-qualified suppliers on the panel; and

(g) a statement to the effect that there is no guarantee that the local government will purchase goods or services from pre-qualified suppliers on the panel; and

(h) the period for which the panel will be established; and

(i) the number of pre-qualified suppliers the local government intends to put on the panel.

(6) After a notice has been given under subregulation (2), a local government may vary the information referred to in subregulations (4) and (5) by taking reasonable steps to give each person who has sought detailed information about the proposed panel or each person who has submitted an application, as the case may be, notice of the variation.

[Regulation 24AD inserted: Gazette 18 Sep 2015 p. 3809-10.]

24AE. Minimum time to be allowed for submitting application to join panel of pre-qualified suppliers

If notice under regulation 24AD(2) is given, the date and time referred to in regulation 24AD(4)(d) has to be at least 14 days after the notice is —

(a) published on the local government's official website; and

(b) published in at least 3 of the ways prescribed in the *Local Government (Administration) Regulations 1996* regulation 3A(2).

[Regulation 24AE inserted: Gazette 18 Sep 2015 p. 3810; amended: SL 2020/213 r. 38.]

24AF. Procedure for receiving and opening applications

Regulation 16 applies to the receiving and opening of applications to join a panel of pre-qualified suppliers as if a reference in that regulation to a tender were a reference to an application to join a panel of pre-qualified suppliers.

[Regulation 24AF inserted: Gazette 18 Sep 2015 p. 3810.]

24AG. Information about panels of pre-qualified suppliers to be included in tenders register

(1) The tenders register kept under these regulations must include, for each invitation to apply to join a panel of pre-qualified suppliers —

(a) a brief description of the goods or services persons on the panel will be expected to supply; and

(b) a copy of the notice of the invitation to apply to join the panel; and

(c) the name of each applicant whose application has been opened; and

(d) the name of any successful applicant.

(2) The tenders register is to include for each invitation to apply to join a panel of pre-qualified suppliers the pricing schedule, or a summary of the amount of the consideration sought, in the applications accepted by the local government.

[Regulation 24AG inserted: Gazette 18 Sep 2015 p. 3811.]

24AH. Rejecting and accepting applications to join panel of pre-qualified suppliers

(1) An application to join a panel of pre-qualified suppliers (an ***application***) is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for applications to join the panel.

(2) An application that is submitted at a place, and within the time, specified in the invitation but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the application.

(3) Applications that have not been rejected under subregulation (1) or (2) are to be assessed by the local government by means of a written evaluation of the extent to which each application satisfies the criteria for deciding which applications to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

(4) To assist the local government in deciding whether an application would be advantageous to it to accept, the person who submitted the application may be requested to clarify the information provided in it.

(5) The local government may decline to accept any application.

[Regulation 24AH inserted: Gazette 18 Sep 2015 p. 3811.]

24AI. Applicants to be notified of outcome

After the local government has decided under regulation 24AH which applications (if any) it will accept, the CEO is to give

each person who submitted an application notice in writing advising —

(a) that the person's application was accepted and that the person is, for the period specified in the notice, to be part of a panel of pre-qualified suppliers of the particular goods or services; or

(b) that the person's application was not accepted.

[Regulation 24AI inserted: Gazette 18 Sep 2015 p. 3812.]

24AJ. Contracts with pre-qualified suppliers

(1) The local government may enter into a contract, or contracts, for the supply of goods or services with a pre-qualified supplier who is part of a panel of pre-qualified suppliers for the supply of those particular goods or services.

(2) A contract referred to in subregulation (1) must not —

(a) be for a term exceeding 12 months; or

(b) contain an option to renew or extend its term.

[Regulation 24AJ inserted: Gazette 18 Sep 2015 p. 3812.]

Part 4A — Regional price preference

[Heading inserted: Gazette 25 Feb 2000 p. 971.]

24A. Application of this Part

The provisions of Part 4 may be varied in accordance with this Part, if the local government is located outside the metropolitan area and intends to give a regional price preference in accordance with this Part.

[Regulation 24A inserted: Gazette 25 Feb 2000 p. 971.]

24B. Terms used

(1) In this Part —

regional price preference, in relation to a tender submitted by a regional tenderer, involves assessing the tender as if the proposed tender price were discounted in accordance with regulation 24D;

regional tenderer means a supplier of goods or services who satisfies the criteria in subregulation (2).

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

(a) that supplier has been operating a business continuously out of premises in the appropriate region for at least 6 months before the time after which further tenders cannot be submitted; or

(b) some or all of the goods or services are to be supplied from regional sources.

[Regulation 24B inserted: Gazette 25 Feb 2000 p. 971.]

24C. Regional price preference may be given

A local government located outside the metropolitan area may give a regional price preference to a regional tenderer in accordance with this Part.

[Regulation 24C inserted: Gazette 25 Feb 2000 p. 971.]

24D. Discounts permitted for regional price preferences

(1) A preference may be given to a regional tenderer by assessing the tender from that regional tenderer as if the price bids were reduced by —

(a) up to 10% — where the contract is for goods or services, up to a maximum price reduction of $50 000; or

(b) up to 5% — where the contract is for construction (building) services, up to a maximum price reduction of $50 000; or

(c) up to 10% — where the contract is for goods or services (including construction (building) services), up to a maximum price reduction of $500 000, if the local government is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the local government.

(2) Although goods or services that form a part of a tender submitted by a tenderer (who is a regional tenderer by virtue of regulation 24B(2)(b)) may be —

(a) wholly supplied from regional sources; or

(b) partly supplied from regional sources, and partly supplied from non-regional sources,

only those goods or services identified in the tender as being from regional sources may be included in the discounted calculations that form a part of the assessments of a tender when a regional price preference policy is in operation.

(3) Despite subregulation (1), price is only one of the factors to be assessed when the local government is to decide which of the tenders it thinks would be most advantageous to that local government to accept under regulation 18(4).

[Regulation 24D inserted: Gazette 25 Feb 2000 p. 972.]

24E. Regional price preference policies for local governments

(1) Where a local government intends to give a regional price preference in relation to a process, the local government is to —

(a) prepare a proposed regional price preference policy (if no policy has yet been adopted for that kind of contract); and

(b) give Statewide public notice of the intention to have a regional price preference policy and include in that notice —

(i) the region to which the policy is to relate; and

(ii) details of where a complete copy of the proposed policy may be obtained; and

(iii) a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions;

and

(c) make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice; and

(d) publish the proposed regional price preference policy on the local government's official website.

(2) A regional price preference policy may be expressed to be —

(a) for different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;

(b) for different goods or services within a single contract or various contracts;

(c) for different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders (subject to the limits imposed by regulation 24D),

or for any combination of those factors.

(3) A region specified under this Part —

(a) must be (or include) the entire district of the local government; and

(b) cannot include a part of the metropolitan area.

(4) A policy cannot be adopted by a local government until the local government has considered all submissions that are received in relation to the proposed policy and, if that consideration results in significant changes to the proposed policy, then the local government must again give Statewide public notice of the altered proposed regional price preference policy.

[Regulation 24E inserted: Gazette 25 Feb 2000 p. 972-3; amended: Gazette 31 Mar 2005 p. 1055; SL 2020/213 r. 39.]

24F. Adoption and notice of regional price preference policy

(1) A policy cannot be adopted by a local government until at least 4 weeks after the publication of the Statewide notice of the proposed policy.

(2) An adopted policy must state —

(a) the region or regions within which each aspect of it is to be applied; and

(b) the types and nature of businesses that may be considered for each type of preference; and

(c) whether the policy applies to —

(i) different regions in respect of different parts of the contract, or the various contracts, comprising the basis of the tender;

(ii) different goods or services within a single contract or various contracts;

(iii) different price preferences in respect of the different goods or services, or the different regions, that are the subject of a tender or tenders,

or to any combination of those factors.

(3) An adopted policy cannot be applied until the local government gives Statewide notice that it has adopted that policy.

(4) The local government is to ensure that a copy of an adopted regional price preference policy is —

(a) included with any specifications for tenders to which the policy applies; and

(b) published on the local government's official website.

[Regulation 24F inserted: Gazette 25 Feb 2000 p. 973-4; amended: Gazette 31 Mar 2005 p. 1055; SL 2020/213 r. 40.]

24G. Adopted regional price preference policy, effect of

A local government that has adopted a regional price preference policy in relation to a certain type of contract may choose not to apply that policy to a particular tender in the future for a contract of that type but, unless it does so, the policy is to apply to all like tenders.

[Regulation 24G inserted: Gazette 25 Feb 2000 p. 974.]

[Part 4B (r. 24H-24I) deleted: Gazette 27 Sep 2011 p. 3846.]

Part 5 — Owner onus and infringement notices

25. Notice to put onus on vehicle owner, form of (Act s. 9.13)

The form of a notice that may be given under section 9.13 of the Act to the owner of a vehicle that is involved in an offence against a regulation is the form set out in Form 1 in Schedule 1.

26. Infringement notice, form of (Act s. 9.16)

(1) The form of an infringement notice that may be given under section 9.16 of the Act for a prescribed offence against a regulation is the form set out in Form 2 in Schedule 1.

(2) Subregulation (1) applies whether the offence is made a prescribed offence by regulations or by a local law.

27. Withdrawal of infringement notice, form of (Act s. 9.20)

(1) The form of the notice that may be given under section 9.20 of the Act to withdraw an infringement notice for a prescribed offence against a regulation is the form set out in Form 3 in Schedule 1.

(2) Subregulation (1) applies whether the offence is made a prescribed offence by regulations or by a local law.

*[**28.** Omitted under the Reprints Act 1984 s. 7(4)(g).]*

Part 6 — Miscellaneous

29. Contraventions that may lead to impounding of goods (Act s. 3.37)

(1) A contravention of a regulation or local law made under the Act can lead to the impounding of goods involved in the contravention if —

(a) it occurs in a public place; and

(b) either —

(i) the presence of the goods —

(I) presents a hazard to public safety; or

(II) obstructs the lawful use of any place;

or

(ii) where the regulation or local law prohibits or regulates the placement of the goods, the goods are located in a place contrary to that regulation or local law.

(1a) A contravention of a regulation or local law made under the Act can lead to the impounding of goods that are animals (if they are involved in the contravention) whether or not the contravention takes place in a private or a public place.

(2) In subregulation (1) or (1a) —

public place includes a place that is on private property that the public are allowed to use.

[Regulation 29 amended: Gazette 29 Apr 1997 p. 2145; 25 Feb 2000 p. 974.]

29A. Abandoned vehicle wrecks, value etc. prescribed for (Act s. 3.40A(5)(c))

For the purposes of the definition of ***abandoned vehicle wreck*** in section 3.40A(5)(c) of the Act —

(a) the prescribed value is $500; and

(b) the prescribed manner in which that value is to be calculated is that the value is to be based on the local private sale value of a vehicle of the same, or a similar, model, year and condition.

[Regulation 29A inserted: Gazette 31 Mar 2005 p. 1058; amended: Gazette 27 Sep 2011 p. 3846; 18 Sep 2015 p. 3812.]

29B. Prescribed non-perishable goods (Act s. 3.47(2b)(ca))

For the purposes of section 3.47(2b)(ca) of the Act, shopping trolleys are prescribed non-perishable goods.

[Regulation 29B inserted: Gazette 20 Nov 2009 p. 4660.]

30. Dispositions of property excluded from Act s. 3.58

(1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.

(2) A disposition of land is an exempt disposition if —

(a) the land is disposed of to an owner of adjoining land (in this paragraph called the ***transferee***) and —

(i) its market value is less than $5 000; and

(ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;

or

(b) the land is disposed of to a body, whether incorporated or not —

(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

or

(c) the land is disposed of to —

(i) the Crown in right of the State or the Commonwealth; or

(ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or

(iii) another local government or a regional local government;

or

(d) it is the leasing of land to an employee of the local government for use as the employee's residence; or

(e) it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or

(f) it is the leasing of land to a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the dental profession or medical profession to be used for carrying on the person's dental practice or medical practice; or

(g) it is the leasing of residential property to a person.

(2a) A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been —

(a) put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government; or

(b) the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable; or

(c) the subject of Statewide public notice under section 3.59(4) of the Act, and if the business plan referred to in that notice described the property concerned and gave details of the proposed disposition including —

(i) the names of all other parties concerned; and

(ii) the consideration to be received by the local government for the disposition; and

(iii) the market value of the disposition as ascertained by a valuation carried out not more than 12 months before the proposed disposition.

(2b) Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender —

(a) be made available for public inspection; and

(b) be published on the local government's official website.

(3) A disposition of property other than land is an exempt disposition if —

(a) its market value is less than $20 000; or

(b) the entire consideration received by the local government for the disposition is used to purchase other

property, and where the total consideration for the other property is not more, or worth more, than $75 000.

[Regulation 30 amended: Gazette 25 Feb 2000 p. 974-5; 28 Apr 2000 p. 2041; 31 Mar 2005 p. 1055-6; 27 Sep 2011 p. 3846; 18 Sep 2015 p. 3812; SL 2020/213 r. 41; SL 2023/47 r. 6.]

31. Anti-avoidance provision for Act s. 3.58

If a local government disposes of property by means of 2 or more dispositions in circumstances such that the desire to exclude the application of section 3.58 of the Act is a significant reason for not dealing with the matter in a single disposition, the dispositions are not exempt dispositions.

32. Local government permitted to form bodies corporate (Act s. 3.60)

(1) A local government may form or take part in forming an association that is to be incorporated under the *Associations Incorporation Act 2015* and may do things for the purpose of the incorporation of the association under that Act.

(2) A local government may form or take part in forming a body corporate established under —

(a) the *Strata Titles Act 1985* section 14(1); or

(b) the *Community Titles Act 2018* section 17(1).

[Regulation 32 amended: Gazette 4 Dec 1998 p. 6500; 30 Dec 2016 p. 5970; 31 Dec 2019 p. 4649; SL 2021/75 r. 4.]

32A. Excluded authorisations (Act s. 9.2)

(1) The following are excluded from being authorisations for the purposes of the definition of ***authorisation*** in section 9.2 of the Act —

(a) an authority to carry out private works on local government property;

(b) an authority allowing the use of local government land or premises, or the use of local government goods or equipment.

(2) Despite subregulation (1), an authority set out in paragraph (a) or (b) of that subregulation is to be regarded as an ***authorisation*** under section 9.2 of the Act if —

(a) a local law, or regulation that is to operate as if it were a local law, states that a decision in relation to that authority is one to which Division 9 of the Act applies and that a person specified in it is an affected person for the purposes of that Division; or

(b) a person has —

(i) by virtue of that authority, a reasonable expectation of the enjoyment (or the continued enjoyment) of a right or interest conferred by that authority; or

(ii) by virtue of the usual circumstances surrounding the grant of an authority of that type, a reasonable expectation of successfully applying for the right or interest conferred by that authority.

[Regulation 32A inserted: Gazette 25 Feb 2000 p. 975-6; amended: Gazette 27 Sep 2011 p. 3846-7.]

33. Objections to decisions, form of etc. prescribed (Act s. 9.5)

(1) The form in which an objection may be made under section 9.5 of the Act is the form set out in Form 4 in Schedule 1.

(2) The manner in which the objection may, within the time permitted by section 9.5 of the Act, be lodged with the local government is by giving a copy of it to the CEO.

34. Common seal, unauthorised use of

A person who affixes the common seal, or a replica of the common seal, of a local government to any document except as authorised by the local government commits an offence.

Penalty: a fine of $1 000.

[Regulation 34 inserted: Gazette 27 Sep 2011 p. 3846.]

35. Certain persons protected from liability for wrongdoing (Act s. 9.56(1)(c))

The functions in the performance of which a person appointed or engaged by a local government is a protected person under section 9.56(1)(c) of the Act are —

(a) any function expressly provided for in a written law that the person was appointed or engaged to perform; and

(b) any function that the person is authorised to perform on behalf of the local government.

35A. Delegable functions of Minister (Act s. 9.66)

The Minister's functions under the provisions of the Act that are listed in the Table to this regulation are delegable functions.

Table

s. 2.25(2)	s. 6.2(1)	s. 6.35(5)
s. 5.7(1) and (2)	s. 6.4(3)	s. 6.74
s. 5.69	s. 6.28(1)	s. 7.5
s. 5.69A	s. 6.33(3)	

[Regulation 35A inserted: Gazette 28 Jun 2002 p. 3082; amended: Gazette 27 Sep 2011 p. 3846.]

35B. Delegable functions of Departmental CEO (Act s. 9.67)

The Departmental CEO's functions under the provisions of the Act that are listed in the Table are delegable functions.

Table

s. 5.108(1)	s. 5.112(1), (2), (3) and (4)
s. 5.116(1), (2), (3) and (5)	s. 5.117(4) and (5)
s. 5.118(2)	s. 8.2(1)
s. 8.3(1), (2) and (4)	s. 8.4(4)
s. 8.13(4)	s. 8.14(1) and (2)
s. 8.36(1)	s. 8.41(2)
s. 8.43(2)	Sch. 9.3 cl. 51(3) and (7)

[Regulation 35B inserted: Gazette 8 Dec 2017 p. 5845.]

36. Warrant to enter, form of (Act s. 3.33(1) and 8.8(1))

The form in which a warrant may be granted under section 3.33(1) or 8.8(1) of the Act is the form set out in Form 6 in Schedule 1.

Part 7 — Other transitional provisions

*[**37.** Omitted under the Reprints Act 1984 s. 7(4)(e).]*

38. Adopting former model by-laws as local laws (Act s. 3.8(2) and (3))

(1) Unless a model local law dealing with the same subject matter has been published under section 3.9 of the Act, the text of a former draft model by-law may be adopted by a local law made under this Act.

(2) Section 3.8(2) and (3) of the Act apply to the adoption of the text of a former draft model by-law.

(3) In the text adopted, a description of, or reference to, a provision of the text is to be read as if it had been modified to accord with the adoption of the text by a local law.

(4) In this regulation —

former draft model by-law means a draft model by-law published under section 258 of the *Local Government Act 1960* as in force before 1 July 1996.

Schedule 1 — Forms

Form 1

[reg. 25]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date ...../...../.....

City/Town/Shire of.....

To: (1) .....

of: (2) .....

It is alleged that on ..... /..... /..... at (3) .....

at (4) ..... your vehicle (5) .....

was involved in the commission of the following offence —

.....

.....

.....

contrary to regulation ..... of the (6) .....

You are required under section 9.13 of the *Local Government Act 1995* to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless —

(a) within 28 days after being served with this notice —

(i) you inform the chief executive officer, or another authorised officer, of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or

(ii) you satisfy the chief executive officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;

or

(b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice.....

Signature .....

(1) Name of owner or "owner of (*vehicle identification*)"
(2) Address of owner (not required if owner not named)
(3) Time at which offence allegedly committed
(4) Place at which offence allegedly committed
(5) Vehicle identification
(6) Name of the regulations

Form 2

[reg. 26(1)]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

INFRINGEMENT NOTICE

Serial No .....
Date ...../...../.....

City/Town/Shire of.....

To: (1) .....
of: (2) .....

It is alleged that on ...../...../..... at (3) .....
at (4) .....
you committed the following offence —

.....
.....
.....

contrary to regulation ..... of the (5) .....

The modified penalty for the offence is $ .....

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty may be paid to an authorised person at (6) ..... within a period of 28 days after the giving of this notice.

Name and title of authorised person giving the notice.....

Signature .....

(1) Name of alleged offender ["owner of (*vehicle identification*)" suffices if notice given with a notice under section 9.13 of the Act]
(2) Address of alleged offender [not required if notice given with a notice under section 9.13 of the Act]
(3) Time at which offence allegedly committed
(4) Place at which offence allegedly committed
(5) Name of the regulations
(6) Place where modified penalty may be paid

Form 3

[reg. 27(1)]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No .....
Date ...../...../.....

City/Town/Shire of .....

To: (1) .....
of: (2) .....

Infringement Notice No. ..... dated ...../...../..... for the alleged offence of .....
.....
.....
has been withdrawn.

The modified penalty of $ .....

* has been paid and a refund is enclosed.
* has not been paid and should not be paid.

* Delete as appropriate

Name and title of authorised person giving this notice.....

Signature .....

(1) Name of alleged offender to whom infringement notice was given
(2) Address of alleged offender

Form 4

[reg. 33(1)]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

OBJECTION UNDER SECTION 9.5 OF THE ACT

To the (1) .....
I, (2) .....
of (3) .....
.....
hereby object to the (4) .....
.....
to (5) .....
.....
.....
.....

The grounds of my objection are as follows:

(6) .....
.....
.....
.....

In support of my objection I attach the following:

(7) .....
.....
.....
.....

Dated the ..... day of ..... 20.....

(8) .....
Person objecting

(1) name of local government
(2) full name of person objecting
(3) postal address of person objecting
(4) identify decision to which objection is made
(5) give details of decision
(6) give details of grounds of objection
(7) plans, specifications, letters, notices, or other documents (if appropriate)
(8) signature of person objecting

[Form 5 deleted: Gazette 30 Dec 2004 p. 7016.]

Form 6

[reg. 36]

Local Government Act 1995

Local Government (Functions and General) Regulations 1996

WARRANT TO ENTER

I, [(1)] .....

of [(2)] .....

in the State of Western Australia, Justice of the Peace, being satisfied that the entry is reasonably required but —

[(3)] (a) entry has been refused or is opposed or prevented;

[(3)] (b) entry cannot be obtained; or

[(3)] (c) notice cannot be given under section [(3)] 3.32 / 8.6(3)(b) of the Act without unreasonable difficulty or without unreasonably delaying entry,

hereby authorise [(4)] .....[(3)] by its employees, together with [(5)] .....
or any police officer to enter [(6)] .....
for the purpose of [(7)] .....
using such force as is necessary.

Signed .....
Justice of the Peace

Dated .....

(1) name of Justice of the Peace
(2) address of Justice of the Peace
(3) delete if not applicable
(4) name of local government or authorised person to whom warrant is issued
(5) name or description of any person authorised to assist in executing the warrant
(6) address or description of land, premises, or thing to be entered
(7) purpose for which entry may be made

Notes

This is a compilation of the *Local Government (Functions and General) Regulations 1996* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Citation	Published	Commencement
Local Government (Functions and General) Regulations 1996	24 Jun 1996 p. 2771-97	1 Jul 1996 (see r. 2)
Local Government (Functions and General) Amendment Regulations 1997	29 Apr 1997 p. 2144-5	29 Apr 1997
Local Government (Functions and General) Amendment Regulations (No. 2) 1997	29 Aug 1997 p. 4867-8	29 Aug 1997
Local Government (Functions and General) Amendment Regulations 1998	26 Jun 1998 p. 3447	26 Jun 1998
Local Government (Functions and General) Amendment Regulations (No. 2) 1998	11 Sep 1998 p. 4926-7	11 Sep 1998
Local Government (Functions and General) Amendment Regulations (No. 3) 1998	4 Dec 1998 p. 6500	4 Dec 1998
Local Government (Functions and General) Amendment Regulations 2000	25 Feb 2000 p. 970-6	25 Feb 2000
Local Government (Functions and General) Amendment Regulations (No. 2) 2000	28 Apr 2000 p. 2039-41	28 Apr 2000
Reprint of the *Local Government (Functions and General) Regulations 1996* as at 8 Sep 2000 (includes amendments listed above)		
Local Government (Functions and General) Amendment Regulations 2001 [2]	29 Jun 2001 p. 3129-33	29 Jun 2001

Citation	Published	Commencement
Local Government (Functions and General) Amendment Regulations 2002	28 Jun 2002 p. 3081-2	28 Jun 2002
Local Government (Functions and General) Amendment Regulations (No. 2) 2004	30 Dec 2004 p. 7016	1 Jan 2005 (see r. 2 and *Gazette* 31 Dec 2004 p. 7130)
Local Government (Functions and General) Amendment Regulations 2005	31 Mar 2005 p. 1054-6	1 Apr 2005 (see r. 2 and *Gazette* 31 Mar 2005 p. 1029)
Local Government (Functions and General) Amendment Regulations (No. 2) 2005	31 Mar 2005 p. 1057-8	7 May 2005 (see r. 2)
Reprint 2: The *Local Government (Functions and General) Regulations 1996* as at 20 Jan 2006 (includes amendments listed above)		
Local Government (Functions and General) Amendment Regulations 2007	2 Feb 2007 p. 244-6	30 Mar 2007 (see r. 2)
Local Government (Functions and General) Amendment Regulations 2009	20 Nov 2009 p. 4659-60	r. 1 and 2: 20 Nov 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 21 Nov 2009 (see r. 2(b) and *Gazette* 20 Nov 2009 p. 4649)
Local Government (Functions and General) Amendment Regulations 2011	27 Sep 2011 p. 3843-7	r. 1 and 2: 27 Sep 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 28 Sep 2011 (see r. 2(b))
Reprint 3: The *Local Government (Functions and General) Regulations 1996* as at 16 Mar 2012 (includes amendments listed above)		
Local Government (Functions and General) Amendment Regulations 2015 Pt. 2	18 Sep 2015 p. 3804-13	1 Oct 2015 (see r. 2(b))
Local Government Regulations Amendment (Associations Incorporation) Regulations 2016 Pt. 3	30 Dec 2016 p. 5969-70	31 Dec 2016 (see r. 2(b))
Local Government (Functions and General) Amendment Regulations 2017	8 Dec 2017 p. 5844-5	r. 1 and 2: 8 Dec 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Dec 2017 (see r. 2(b))

Citation	Published	Commencement
Local Government (Functions and General) Amendment Regulations 2019	31 Dec 2019 p. 4649	r. 1 and 2: 31 Dec 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 1 May 2020 (see r. 2(b) and SL 2020/39 cl. 2)
Local Government Regulations Amendment Regulations 2020 Pt. 3	SL 2020/35 9 Apr 2020	10 Apr 2020 (see r. 2(b))
Local Government (Functions and General) Amendment Regulations 2020	SL 2020/55 8 May 2020	r. 1 and 2: 8 May 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 9 May 2020 (see r. 2(b))
Local Government Regulations Amendment Regulations (No. 2) 2020 Pt. 8	SL 2020/213 6 Nov 2020	7 Nov 2020 (see r. 2(b) and SL 2020/212 cl. 2)
Local Government (Functions and General) Amendment Regulations 2021	SL 2021/75 18 Jun 2021	r. 1 and 2: 18 Jun 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jun 2021 (see r. 2(b) and SL 2021/69 cl. 2)
Local Government Regulations Amendment Regulations 2022 Pt. 4 (other than Div. 3)	SL 2022/177 2 Nov 2022	3 Nov 2022 (see r. 2(b) and SL 2022/175 cl. 2)
Local Government (Functions and General) Amendment Regulations 2023	SL 2023/47 19 May 2023	r. 1 and 2: 19 May 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 20 May 2023 (see r. 2(b))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA Legislation website.

Citation	Published	Commencement
Local Government Regulations Amendment Regulations 2022 Pt. 4 Div. 3	SL 2022/177 2 Nov 2022	3 Nov 2024 (see r. 2(c) and SL 2022/175 cl. 2)

Other notes

[1] The *Local Government Act 1995* came into operation on 1 July 1996.

[2] The *Local Government (Functions and General) Amendment Regulations 2001* r. 11 is a transitional provision that is of no further effect.

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
application	24AH(1)
contracts	12(1)
COVID-19 declaration	11(1A)
former draft model by-law	38(4)
former section	6(4)
joint venture	9(2)
joint venturer	9(2)
land that will lose its access	4(3)
major regional centre	7(1)
minor variation	20(3)
original contract	11(2)
panel of pre-qualified suppliers	24AA
pre-qualified supplier	24AA
public place	29(2)
regional price preference	24B(1)
regional tenderer	24B(1)
state of emergency declaration	11(1A)
transferee	30(2)

ATTACHMENT: CC06
Attachment 1 of 2: RFT Triaxle Side Tipping Trailers with Bogie
Attachment 6

Request for Tender

Request for Tender	**Triaxle Side Tipping Trailers with Bogie Dolly**
Deadline	Tuesday 30 May 2023 at 2:00 pm
Address for Delivery	Shire of Irwin -via email
RFT Number	02-2022/23

Table of Contents

1 Conditions of Tendering 3
1.1 Contract Requirements in Brief 3
1.2 Definitions 3
1.3 Tender Documents 3
1.4 How to Prepare Your Tender 4
1.5 Contact Persons 4
1.6 Requests for Clarification 4
1.7 Briefing / Site Inspection 4
1.8 Lodgement of Tenders and Delivery Method 4
1.9 Rejection of Responses 4
1.10 Late Tenders 5
1.11 Acceptance of Tenders 5
1.12 Disclosure of Contract Information 5
1.13 Tender Validity Period 5
1.14 Precedence of Documents 5
1.15 Alternative Tenders 5
1.16 Tenderers to Inform Themselves 5
1.17 Alterations 6
1.18 Risk Assessment 6
1.19 Evaluation Process 6
1.20 Selection Criteria 6
1.21 Compliance Criteria 7
1.22 Qualitative Criteria 7
1.23 Local Price Preference 7
1.24 Price Basis 7
1.25 Ownership of Tenders 7
1.26 Canvassing of Officials 8
1.27 Identity of the Tenderer 8
1.28 Costs of Tendering 8
1.29 Tender Opening 8
1.30 In House Tenders 8
2 Statement of Requirements 9
2.1 Detailed Specification 9
2.2 Regulatory Requirements 13
2.3 Vehicle Demonstration 14
2.4 Inspection & Delivery 14
2.5 Onsite Training 14
3. Special Conditions of Contract 15
3.1 Insurance 15
4. Respondents Offer 16
4.1 Offer Form 16
4.2 Compliance Criteria 17
4.3 Qualitive Criteria 18
4.4 Pricing Information 20
4.4.1 Price Basis 20

4.4.2 Local Price Preference 20
5. Schedules 21
5.1 Schedule 1- Price Schedule 21
5.2 Schedule 2 – Triaxle Side tipping trailer details 22
5.3 Schedule 3 – Bogie Dolly details 23
5.4 Schedule 4 – Demonstrated Experience 23
5.5 Schedule 5- Insurance Policy Details 24
5.6 Schedule 6 – Inspection, Training & Delivery Date 24

1 Conditions of Tendering

1.1 Contract Requirements in Brief

The Shire of Irwin is inviting tenders for the Supply and Delivery of two (2) Pocket Road Train Combination Triaxle Side Tipping Trailer with an option for a Bogie Dolly, to be used by the Rural Road Construction & Maintenance team within the Operations department.

1.2 Definitions

Below is a summary of some of the important defined terms used in this Request for Quotation document.

Attachments:	The documents you attach as part of your Quotation.
Contractor:	Means the person or persons, corporation or corporations who's Quotation is accepted by the Principal, including the executors or administrators, successors and assignments of such person or persons, corporation or corporations.
Deadline:	The deadline for lodgement of your Quotation as detailed on the front cover of this Request.
General Conditions of Contract:	Means the General Conditions of Contract for the provision of Services provided in Part 3.
Offer:	Your offer to supply the Requirements.
Principal:	Shire of Irwin.
Request or RFT or Request for Tender:	This document.
Requirement:	The Services requested by the Principal.
Selection Criteria:	The Criteria used by the Principal in evaluating your Tender.
Special Conditions:	The additional contractual terms, provided in Part 4.
Specification:	The Statement of Requirements that the Principal requests you to provide if selected.
Tender:	Completed Offer form, Response to the Selection Criteria and Attachments.
Tenderer:	Someone who has or intends to submit an Offer to the Principal.
Tender Open Period:	The time between advertising the Request and the Deadline.

1.3 Tender Documents

This Request is comprised of the following parts:

1- Conditions of Tendering (read and keep this part).
2- Statement of Requirement includes Specification (read and keep this part).
3- Special Conditions of Contract (read and keep this part).
4- Tenderer's Offer Form (complete and return this part).
5- Schedules (complete and return this part).

Separate Documents

a) Addenda and any other special correspondence issued to Tenderers by the Principal.
b) Any other policy or document referred but not attached to the Request.

1.4 How to Prepare Your Tender

a) Carefully read all parts of this document
b) Ensure you understand the Requirements
c) Complete and return the Offer Form (Part 5) and include all attachments
d) Make sure you have signed the Offer Form and responded to of the Selection Criteria; and
e) Lodge your Response before the Deadline.

1.5 Contact Persons

Respondents should not rely on any information provided by any person other than the person listed below:

Name:	*Janelle Keene*
Title:	*Procurement & Administration Officer*
Telephone:	*9927 0000*
Email:	*jkeene@irwin.wa.gov.au*

1.6 Requests for Clarification

Tenderers may submit a written request for clarification on any part of the RFT documents prior to lodgement of their Tender. Written clarifications must be made in writing via email to the Contact Person listed above.

No requests for information or clarification to the RFT Documents will be accepted later than five (5) days prior to the Deadline of this Request.

1.7 Briefing / Site Inspection

Attendance at a briefing/ site inspection is **not required.** Please contact the Contact Person listed above if you wish to arrange a briefing/site inspection.

1.8 Lodgement of Tenders and Delivery Method

The tender must be lodged by the Deadline. The Deadline for this request is **Tuesday 30 May 2023 at 2.00pm**.

The Tender is to be submitted via email to *tenders@irwin.wa.gov.au* by the Deadline.

All pages must be numbered consecutively, and the Tender must include an index. Any brochures or pamphlets must be attached to the submission.

1.9 Rejection of Responses

A response will be rejected without consideration of its merits if:

a) it is not submitted before the deadline; or
b) it is not submitted or emailed at the place specified in the Request; or
c) it may be rejected if it fails to comply with any other requirements of the request for quotation; or

d) the Respondent does not submit an offer form which has been completed and signed together with all the required attachments.

1.10 Late Tenders

Tenders received:

a) After the Deadline; or
b) In a place other than that stipulated in this Request;

will not be accepted for evaluation.

1.11 Acceptance of Tenders

Unless otherwise stated in this Request, Tenders may be for all or part of the requirements and may be accepted by the Principal either wholly or in part. The Principal is not bound to accept the lowest response and may reject any or all Tenders submitted.

1.12 Disclosure of Contract Information

Documents and other information relevant to the contract may be disclosed when required by law under the Freedom of Information Act 1992 or under a Court order.

All Tenderers will be given particulars of the successful Tenderer(s) be advised that no Tender was accepted.

1.13 Tender Validity Period

All Tenders will remain valid and open for acceptance for a minimum period of ninety (90) days from the deadline or forty-five (45) days from the Principal's resolution for determining the Tender, whichever is the later unless extended on mutual agreement between the Principal and the Tenderer in writing.

1.14 Precedence of Documents

In the event of there being any conflict or inconsistency between the Terms and Conditions herein and those in the General Conditions of Contract, the Terms and Conditions appearing in this Request will have precedence.

1.15 Alternative Tenders

All Alternative Tenders must be accompanied by a conforming Tender.
Tenders submitted as Alternative Tenders or made subject to conditions other than the General and Special Conditions of Contract must in all cases be clearly marked "Alternative Tender".

The Principal may in its absolute discretion reject any Alternative Tender.

Any printed "General Conditions of Contract" contained within a Tender will not be binding on the Principal in the event of a Contract being awarded unless the Tender is marked as an Alternative Tender.

1.16 Tenderers to Inform Themselves

Respondents are required to and will be deemed to have:

a) Examined carefully and to have acquired full knowledge of the contents of the Drawings, Specification, Schedules, Conditions of Quoting, the General Conditions of Contract, and the Special Conditions of Contract (if any) and any other information made available in writing by the Principal to the Respondent for the purpose of quoting.
b) Examined all information relevant to the risks, contingencies and other circumstances having an effect on their quote and which is obtainable by making reasonable inquiries.

c) Examined the site and its surroundings.
d) Independently verified any information provided by or on behalf of the Principal, and satisfy itself to the accuracy of their quote submission; and
e) Satisfied themselves as to the correctness and sufficiency of their quote for the work and that their quote rates and prices cover the cost of complying with all their obligations under the contract whether expressed or implied and of all matters and things necessary for the due and proper performance and completion of the contract.

1.17 Alterations

The Respondent must not alter or add to the request documents unless required by these General Conditions of responding.

The Principal will issue an addendum to all registered Respondents where matters of significance make it necessary to amend the issued Request for Quotation documents before the Deadline.

1.18 Risk Assessment

The Principal may have access to and give consideration to:

a) any risk assessment undertaken by any credit rating agency;
b) any financial analytical assessment undertaken by any agency; and
c) any information produced by the Bank, financial institution, or accountant of a Tenderer;

to assess that Tender and may consider such materials as tools in the Tender assessment process.

Tenderers may be required to undertake to provide to the Principal (or its nominated agent) upon request all such information as the Principal reasonably requires to satisfy itself that Tenderers are financially viable and have the financial capability to provide the Services for which they are submitting and meet their obligations under any proposed Contract. The Principal reserves the right to engage (at its own cost) an independent financial assessor as a nominated agent to conduct financial assessments under conditions of strict confidentiality. For this assessment to be completed, a representative from the nominated agent may contact you concerning the financial information that you are required to provide.

1.19 Evaluation Process

This is a Request for Tender.

Your Tender will be evaluated using information provided in your Tender.

The following evaluation methodology will be used in respect of this Request:

a) Tenders are checked for completeness and compliance. Tenders that do not contain all information requested (e.g. completed Offer form and Attachments) may be excluded from evaluation.
b) Tenders are assessed against the Selection Criteria. Contract costs are evaluated (e.g. tendered prices) and other relevant whole of life costs are considered.
c) The most suitable Tenderers may be short listed and may also be required to clarify their Tender, make a presentation, demonstrate the product/solution offered and/or open premises for inspection. Referees may also be contacted prior to the selection of the successful Tenderer.

A Contract may then be awarded to the Tenderer whose Tender is considered the most advantageous Tender to the Principal.

1.20 Selection Criteria

The Contract may be awarded to a sole Tenderer who best demonstrates the ability to provide quality products and/or services at a competitive price. The quoted prices will be assessed together with qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

The Principal has adopted a best value for money approach to this Request. This means that,

although price is considered, the Tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

A scoring system will be used as part of the assessment of the qualitative criteria. Unless otherwise stated, a Tender that provides all the information requested will be assessed as satisfactory. The extent to which a Tender demonstrates greater satisfaction of each of these criteria will result in a greater score. The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.

1.21 Compliance Criteria

These criteria are detailed within 4.2 of this document and will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of "No" against any criterion may eliminate the Quotation from consideration.

1.22 Qualitative Criteria

In determining the most advantageous Tender, the Evaluation Panel will score each Tenderer against the qualitative criteria as detailed within 4.3 of this document. Each criterion will be weighted to indicate the relative degree of importance that the Principal places on the technical aspects of the goods or services being purchased.

Note: It is essential that Tenderers address each qualitative criterion. Information that you provide addressing each qualitative criterion will be point scored by the Evaluation Panel. Failure to provide the specified information may result in elimination from the quotation evaluation process or a low score.

1.23 Local Price Preference

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire of Irwin in relation to all quotations/tenders invited by the Shire of Irwin for the supply of goods, services and construction (building) services.

The Local price preference enables suppliers to be evaluated as if the proposed quotation/tender bid price were reduced in accordance with permitted price preferences as specified below in this policy.

This policy will operate in conjunction with the purchasing considerations and procedures as outlined in the Council's 'Purchasing Policy' when evaluating and awarding quotation contracts.

In order for the policy to apply, the supplier is required to provide to the Shire sufficient evidence which demonstrates compliance with the above criteria.

1.24 Price Basis

All prices for goods/services offered under this Request are to be fixed for the term of the Contract. Tendered prices must include Goods and Services Tax (GST).

Any charge not stated in the Tender, as being additional will not be allowed as a charge for any transaction under any resultant Contract.

1.25 Ownership of Tenders

All documents, materials, articles and information submitted by the Tenderer as part of or in support of the Tender shall become upon submission the absolute property of the Principal and will not be returned to the Tenderer at the conclusion of the Tender process PROVIDED that the Tenderer shall be entitled to retain copyright and other intellectual property rights therein, unless otherwise provided by the Contract.

1.26 Canvassing of Officials

If the Tenderer, whether personally or by agent, canvasses any of the Principal's Councilors or Officers with a view to influencing the acceptance of any Tender, then regardless of such canvassing having any influence on the acceptance of such Tender, the Principal may at its discretion omit the Tenderer from consideration.

1.27 Identity of the Tenderer

The identity of the Tenderer and Contractor is fundamental to the Principal. The Tenderer shall be the person(s) and corporation(s) named and execution appears on the Offer Form of this Request. Upon acceptance of the Tender, the Tenderer will become the Contractor.

1.28 Costs of Tendering

The Principal will not be liable for payment to the Tenderer for any costs, losses or expenses incurred by the Tenderer in preparing their Offer.

1.29 Tender Opening

Tenders will be opened in the Principal's offices, following the advertised Deadline. All Tenderers and members of the public may attend or be represented at the opening of Tenders.

The names of the persons who submitted the Tender by the due Deadline will be read out at the Tender Opening. No discussions will be entered into between Tenderers and the Principal's Officers present or otherwise, concerning the Tenders submitted.

The Tender Opening will be held on or as soon as practicable after the Deadline at The Shire Administration Office.

1.30 In House Tenders

The Principal does not intend to submit an In House Tender.

2 Statement of Requirements

2.1 Detailed Specification

The Shire of Irwin is seeking quotations for the supply and delivery of two (2) 27.5 Pocket Road Train Combination Triaxle Side Tipping Trailer with Bogie Dolly to be used for the transportation of gravel, sand, blue metal for the construction or maintenance of rural and urban roads within the Shire of Irwin's Road network.

We request a Detailed Brochure to be included with your submission.

The scope is broken into two separable portions and the Principal reserves the right to execute in part or in full the portions in the contract:

1. Supply and delivery of two (2) Pocket Road Rain Train Combination Triaxle Side Tipping Trailer
2. Supply and delivery of one (1) Bogie Dolly

Background Information	• The Main Roads Pocket Road Train 27.5m category 3A combination system is best suited to the roads within the Shire of Irwin rural road infrastructure (or network). • The Prime Mover will be coupled to two (2) triaxle side loading tipper trailers and bogie dolly all to fall within the 27.5 metre length configuration and 79 tonnes
Triaxle Side Tipping Trailer	
Chassis	• Estimated overall length of side-tipping triaxle trailers is 10,200 mm each • Estimated height of trailers is 3,100 mm from road surface to the top arch of load body • Estimated side wall height of trailer is 1,100 mm • Estimated carrying capacity of each trailer is 22 cubic metres • Must be fabricated from high tensile steel with one-piece web top and bottom flange, and three pivot bolsters, mounted to chassis for body tipping • All chassis framework material to be minimum 700Mpa high tensile steel with one-piece web top and bottom flange • Three pivot bolsters mounted to chassis (top tip) • Tow point for emergency towing at the rear of the chassis, including electrics and hydraulic couplings to rear with rubber protection flap • Tow coupling ring/ feeder type 303 AUS, 50mm coupling 320Kn
Body	• Smooth line type body design is required • Estimated internal inside measurement of 8,400mm • Trailer is to tip roadside to discharge load, i.e. tip and discharge towards Driver's right when at steeping wheel • Minimum 5.0mm Hardox side walls • Minimum 5.0mm Hardox floor with channel main beams • Minimum 5.0mm Hardox side opening door • Coamings to be Hardox pressed • Load deflectors to each end of body • Door deflectors to incorporate door cylinder mounts to each end of door

	• Door pivots made from heavy all bar with bushes for hinging of door and body, including suitably positioned grease nipples for easy lubricating • All other grease nipples to be fitted in a central block at a suitable location on the trailer, to enable operator to easily access and lubricate nipples at ground level • Landing legs must be tow "Easy Lift" type with wind-down legs, including heavy duty bracing using high tensile bolts • Dual tyre carrier to be installed to hold spare tyres, 11R22.5 and 295-80R22.5, securely on each trailer • All rubber guards to be fitted over triaxle group with spring tension, and to include mudflaps front and rear over all wheels • Protect flap to be installed between landing legs • One large piece complete wall-to-floor design to eliminate hang up binding or build up, with all welds in body run in line with loading discharge to prevent unnecessary wear and damage • All welds to be carried out in the optimum position, vertical welds to be up hand, no weld grind back causing thinning of weld runs permitted, no heavy grind marks that will show when painted, no undercut or rolling welds • Body and chassis to be fully welded • All body pressing to be as per general fabrication tolerances • All steel welding to comply the Australian Standard AS/NZS1554 Part 1 and any subsequent amendments thereto • The design and construction of the body shall be such that no permanent distortion of the structure, including the floor and wall panels, occurs under maximum load operations, (should such distortion occur then it shall be the responsibility of the successful supplier to rectify the structure at their own cost within a period of no more than two weeks from notification of such distortion.)
Paint work	• Painting of the body is not to commence until the Shire of Irwin representative has inspected the finished product and is satisfied that all requirements have been met • Paint must not be applied until outside surfaces have been abrasive blasted to a minimum of Class 1 • All surfaces are to be primed first and then top coated with a two-pack product compatible with the primer
Suspension	• Trailer suspension to be heavy duty cast hanger spring type, with at least nine but not more than ten heavy duty leaf spring packs for maximum stability, or equivalent type of spring arrangement • Fully cast suspension with tapered polyurethane bushes
Axles	• Preferably K-Hitch heavy duty axles with suitable drum and parallel bearings, automatic slack adjusters, including disc type rims and 10-studded hubs to 325 PCD specification to European Standard • Mechanical hub meter to be installed to the center axle passenger side to measure distance in kilometers on both trailers
Wheels & Tyres	• Tyres, including all spare tyres, to be heavy duty type 11R22.5 tubeless, all round, rated for maximum GVM required

	• Wheel and rim assemblies to be interchangeable • Rims to be steel disc type 10-stud • One spare tyre and rim to be supplied for each trailer and dolly • Full wheel alignment certification document is required for each trailer on delivery • All wheels to be fitted with wheel nut indicators
Hydraulics	• Hydraulics to be powered from prime mover, with all air operated diverter valves to be located on the trailers • All trailer controls to operate correctly and match what is already in the Shire's new Prime Mover fleet e.g. electric-air-hydraulic fittings • Trailer Door to open first, and automatically when load body tips • Trailers need to be hydraulically connected to ensure each trailer can tip independently of the other if required • Trailer hydraulic valves to have an incorporated manual lever override fitted in case of truck hydraulic control failure • All hydraulic fittings are to be quick-release front and rear with quick-release 6mm airlines for hydraulic valve operation • 3-in-1 type inbuilt hydraulic pressure relief and sequence valving required • Hydraulic pipes to be spaced and staggered to allow easy spanner access to fittings • Inline hydraulics oil filter, complete with cast housing and sight glass, to be fitted with a 25 micron filtration system • Stainless steel hydraulic pipes to be fitted to outside of chassis, spaced and/or staggered to allow easy spanner access to fittings • Power divider to be cross-gear driven to guarantee even oil flow to front and rear of main body lift cylinders ensuring even tipping • Two single stage, estimated 14 tonne, double acting hydraulic cylinders, externally mounted to each end for each trailer • Remote grease lines to be fitted to top and bottom cylinder pivots • Two 30 tonne double acting, single stage cylinders fitted to each end of the body • Two 16 tonne double acting single stage 3" x 36 cylinders fitted to each end of the body • All cylinders to be fully chromed, skived and roller burnished • Hydraulic lines to have front entry into trailer, not up through the dolly, lines are able to be run on non-tip side • Trailers cycle tipping time based on 120 litres per minute • Trailer doors with body down within 12-20 seconds • Total travel cycle time to average 30 seconds • Tipping angle to be a minimum of 47 degrees
Electrical	• All body/vehicle perimeter lighting (including indicators and operating lights) to be fitted in accordance with the current Road Traffic Act ADR regulations • Rear lighting to be fitted with mesh guards • All lights are required to be LED type • Centre sealed electrical junction box to be installed

Braking System	• Braking system to be ADR approved Electric Braking System • Yard release braking system to be installed on trailers • Brake lines and hoses are to not to be exposed, and must be shrouded and properly secured, and not subjected to abrasion risks • Brakes to be air operated “S” cam, fitted with automatic brake adjusters • Electric braking system to be installed on both sides of loading tipper trailers • Bayonet male and female couplings • Air brakes specified to current ADR 38/05 in Pocket Road Train specification • Suzi hoses with couplings to be supplied to operate braking system throughout combination of trailers and dolly • ABS & EBS systems to comply
Skid Plate & Kingpin	• Height set at 1,300 mm with 12mm skid plate, including key block ballrace configuration, and grease nipples for lubricating turntables effectively in central easily accessible position • K-Hitch removable type 90mm kingpin B Double Road Train rated • Bolt n blocks for ballrace Turntable- not welded
Load cover	• Retractable side-to-side roll tarp and set up to enable safe use from ground level is required • Tarp load covers installed on trailers must be either black or blue in colour • **OPTIONAL** Suppliers to provide details on electric dual arm retractable tarp system with remote or in-cab switch
Manuals	• All workshop, spare parts, service and operator manuals printed and/ or pdf to be provided for the trailers and all associated equipment
Bogie Dolly	
Body & Chassis	• Bogie Dolly to be fabricated with high tensile steel (e.g. Strenx 700mpa) • Chassis to be tapered front and rear of frame for under-chassis clearance • All welds are to be carried out in the optimum position, vertical welds to be up hand, no weld grind back causing thinning of weld runs permitted, no heavy grind marks that will show when painted, no undercut or rolling welds • Body and chassis to be fully welded with no stitch welds • All steel welding to comply with the Australian Standard AS/NZS1554 Part 1 and any subsequent amendments thereto • All body pressings to be as per general fabrication tolerances • Load deflector to each end of body
Paint work	• Painting of the body is not to commence until the Shire of Irwin representative has inspected the finished product and is satisfied that all requirements have been met • Paint must not be applied until outside surfaces have been abrasive blasted to a minimum of Class 1 • All surfaces to be primed first and then top-coated with a two-pack product compatible with the primer
Draw Bar	• Dolly draw bar construction and length to be in accordance with

	specifications required by manufacturer • Draw bar to be pivoting type, fabricated to current Australian Design Regulations, including all hydraulic hoses and couplings • **IMPORTANT**- Drawbar length to be determined subject to axle spacing requirements to meet overall length regulations •
Axle	• Dolly axles to preferably be K-Hitch type, heavy duty axles with suitable brake drums and parallel bearings, automatic slack adjusters, enclosed cams and grease hubs, including disc type rims, and 10 studded hubs to 325PCD specification to European Standard
Electrics	• All electrics to meet ADR standards by using either Hella multi-volt LED lights, 3 in 1 heavy duty type, with 8-28 volt to minimise power consumption • All electrical wiring loom and connections to be sealed using normal "O-ring" sealed plugs • Electric braking system to operate from front trailer through dolly to rear trailer, always enabling efficient braking • Braking system to be fully air operated in accordance with ADR 38/05 in Pocket Road Train specification, with yard release and EBS cable
Wheels & Tyres	• All 8 tyres on Dolly axles to be 11R22.5 standard 10-stud rims, alike to trailers • Mudguards fitted to front and rear of suspension to be rubber and spring tensioned over each wheel group • Mudguards to have steel quarter guards at both front and rear of each for attachment of mudflaps to guard • All wheels to be fitted with wheel nut indicators

The detailed specification is based on the current configuration that best suits the Shire of Irwin's road network, requirements of use and Prime Mover's configuration. **All Equivalent alternatives will be considered.**

2.2 Regulatory Requirements

Compliance	• 2022/23 compliance plate • Must comply with all relevant Australian Design Rules and Road Traffic Act regulations
Safety	• All equipment required by law to be fitted, and all items offered to comply with minimum safety requirements for road usage • Warning signs and safety devices to be supplied and installed as required by regulations, including all Statutory signs, including "Road Train" rear signage • Standard issue of all necessary tools and accessories
Warranties	• Suppliers to include details of Manufacturer's warranty on tipping triaxle trailers and Bogie Dolly, accessories and associated equipment as a standard warranty • Repairs and replacements to be carried out with original parts from the Manufacturer where possible • Suppliers to include details of adequate spares holding to support

	operation of untis • Suplier to include details of available service facilities. All service and warranty work is to be undertaken at the Shire of Irwin Depot. There shall be no travel charge for warranty work. • **OPTIONAL** Suppliers are to provide details of additional charge for extended warranty on major components.

2.3 Vehicle Demonstration

A demonstration of the equipment build capability or similar previously built product may be requested by the Shire of Irwin.

2.4 Inspection & Delivery

Unit to be made available for the shire of Irwin Representatives for 2 inspections;

1. Prior to painting
2. Prior to delivery

A Shire of Irwin prime mover and driver will be sent to the Supplier's premises to couple- up and fully test that the trailers, dolly and associated equipment are functioning correctly. The Shire of Irwin driver will the deliver the trailer and dolly to the Shire of Irwin Depot ready for induction by the Supplier.

Trailer and dolly to be registered with IR number plates in accordance with Department of Transport Requirement section 19B and licenced to our common expiry date of 1/07/202X (current year or next year, depending on delivery time).

The delivery address is the **Shire of Irwin Depot, 30 Bailey Street Dongara WA 6525.**

2.5 Onsite Training

A competent person will be required to spend at least a day with operators and technical staff from the Shire of Irwin, providing onsite training of all components and features of the vehicle.

OPTIONAL Training Videos supplied for use for ongoing training and support issues.

A service call will be required after the first six months.

3. Special Conditions of Contract

3.1 Insurance

The Contractor must take out and keep current at its own expense insurance policies as follows:

a. public liability insurance until the Contract Expiry Date and then for a further period of six months to the minimum amount of $20,000,000; and

b. workers' compensation insurance until the Contract Expiry Date covering liability for loss, damage, claim and all direct or associated costs and expenses arising at common law or under workers' compensation insurance in respect of persons employed by the Contractor; and

c. product liability insurance in an amount not less than the minimum amount of $20,000,000 set in respect of any one occurrence and for an unlimited number of claims; and

d. any other insurances as may be reasonably expected to be held by a contractor with expertise and experience in manufacturing and distributing goods similar to the that required in this request.

4. Respondents Offer

4.1 Offer Form

The Chief Executive Officer
Shire of Irwin
11-13 Waldeck Street
Dongara WA 6525

I/We (Registered Entity Name):			
Of (Registered Street Address):			
ABN:		**ACN (if applicable):**	
Phone No:		**Fax No:**	
Email:			

In response to Request for Quotation (RFQ)

RFT 02 of 2022/23 – Side tipping trailers and Dolly

I/We agree that I am/We are bound by and will comply with this Request and its associated schedules, attachments, all in accordance with the Conditions of Quotation contained in this Request signed and completed.

The quoted price is valid up to ninety (90) calendar days from the date of the RFQ closing or forty-five (45) days from the Council's resolution for determining the RFQ, whichever is the later unless extended on mutual agreement between the Principal and the Respondent in writing.

I/We agree that there will be no cost payable by the Principal towards the preparation or submission of this Quotation irrespective of its outcome.

The quoted consideration is as provided under the schedule of rates of prices in the prescribed format and submitted with this RFQ.

Name of authorised signatory:			
Position:			
Email:			
Phone:		**Postal address:**	
Signature of authorised signatory of Respondent:			
Dated:			

4.2 Compliance Criteria

Please select with a "Yes" or "No" whether you comply with the following compliance criteria:

a) Respondents are to provide acknowledgment that your organisation has submitted in accordance with the Conditions of this RFQ.	Yes / No
b) Respondents are to provide any licenses required for supplying the vehicle.	Yes / No
c) Respondents are to supply evidence of their insurance coverage in *Schedule 5* including, insurer, expiry date, value and type of insurance Including: • Public Liability Insurance $20,000,000 • Product Liability Insurance $20,000,000 • Professional Indemnity Insurance • Vehicle, Plant & Machinery Insurance • Workers Compensation Insurance	Yes / No
d) Compliance with the Specification contained in the Request.	Yes / No
e) Completed Offer Form.	Yes / No
f) Completed Pricing Schedules submitted in the format required by the Principal.	Yes / No

4.3 Qualitive Criteria

Before responding to the following qualitative criteria, Respondents must note the following:

1. All information relevant to your answers to each criterion are to be contained within your Tender Submission.
2. Respondents are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience.
3. Respondents are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
4. Respondents are to address each issue outlined within a qualitative criterion.

Qualitative criteria	Weighting
1. Unit Specification *Complete Schedule 2 & 3* *Provide details of drawings, photos, brochures and other relevant information in a separate attachment labeled **"Unit Specification"*** **Details on Ergonomic & Safety Features** *Provide details on ergonomic and safety features, including compliance with Australian standards in a separate attachment labeled **"Ergonomic & Safety Features"*** **Parts Availability & After Sales** *Provide details of parts availability and after sales services in a separate attachment labeled "**Parts Availability & After Sales"*** **Details on Manufacturer Warranty** *Provide details of the manufacturer's warranty, including exclusions in a separate attachment labeled **"Manufacturer Warranty."***	**40%**
2. Delivery Timeframe *Provide details on estimated vehicle inspection, training and delivery dates.*	**10%**
3. Price *Complete Schedule 2*	**50%**

Risk Assessment	Yes or No
Respondents must address the following information in an attachment and label it "Risk Assessment":	
1. If companies are involved, attach their current ASIC company extracts search including latest annual return.	Yes / No
2. Are you acting as an agent for another party? If Yes, attach details (including name and address) of your Principal.	Yes / No
3. Are you acting as a trustee of a trust? If Yes, give the name of the trust and include a copy of the trust deed (and any related documents); and if there is no trust deed, provide the names and addresses of beneficiaries.	Yes / No
4. Do you intend to subcontract any of the Requirements? If Yes provide details of the subcontractor(s) including the name, address and the number of people employed; and the Requirements that will be subcontracted.	Yes / No
5. Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract? If Yes, please supply in an attachment details of any actual or potential conflict of interest and the way in which any conflict will be dealt with.	Yes / No
6. Are you presently able to pay all your debts in full as and when they fall due?	Yes / No
7. Are you currently engaged in litigation as a result of which you may be liable for $50,000 or more? If Yes please provide details.	Yes / No
Workplace Health & Safety	
Compliance with the following WHS management System Requirements: *If answered Yes, evidence may be requested at a later stage.*	
<u>Policy & Management</u>	
1. Is there a written company Health and Safety policy?	Yes / No
2. Is there a WHS Management System?	Yes / No
3. Is the WHS Management System audited or reviewed on a regular basis?	Yes / No
4. Is there a company WHS Organisation Chart?	Yes / No
<u>Safe Workplace Practices & Operating Procedures</u>	
1. Have you prepared safe operating procedures or specific safety instructions relevant to your operations?	Yes / No
2. Are safe operating procedures or specific safety instructions issued to Employees?	Yes / No
3. Does the company have any Permit to Work systems?	Yes / No
4. Do you provide safety induction programs and ongoing training to Employees?	Yes / No
5. Is a record maintained of all training and induction programs undertaken for employees/members in your company?	Yes / No
6. Are regular WHS Inspections conducted of the premises or work area?	Yes / No

7. Is there a procedure by which employee/ members can report hazards? Note: The Shire of Irwin is currently in the process of transitioning to WHS Monitor, as part of our compliance with the Workplace Health & Safety 2020 Act. As we progress Contractors may be required to use the program to prove their compliance and therefore we ask that you are familiar with the Act.	Yes / No

4.4 Pricing Information

Respondents must complete the Price Schedule. Before completing the Price Schedule, Respondents should ensure they have read this entire Request for Tender.

All prices for goods/services offered under this Request are to be fixed for the term of the Contract. Tendered prices must include Goods and Services Tax (GST).

Unless otherwise indicated prices tendered must include delivery and any associated costs, and all applicable levies, duties, taxes and charges. Any charge not stated in the Response, as being additional will not be allowed as a charge for any transaction under any resultant Contract.

4.4.1 Price Basis

Are you prepared to offer a fixed price? *If answered Yes, please complete Schedule 1 – Price Schedule.*	**Yes / No**

4.4.2 Local Price Preference

A price preference will apply to suppliers who are based in, operate from or source goods or services from within the Shire of Irwin in relation to all quotations/tenders invited by the Shire of Irwin for the supply of goods, services and construction (building) services.

Are you a local supplier from within the Shire of Irwin?	**Yes / No**

5. Schedules

5.1 Schedule 1- Price Schedule

Description	Rate (exc GST)	GST	Total Rate
Two (2) Triaxle Side tipping trailers	**$**	**$**	**$**
OPTION Electric dual arm retractable tarp	**$**	**$**	**$**
OPTION Extended Warranty	**$**	**$**	**$**
Licensing	**$**	**$**	**$**
Delivery	**$**	**$**	**$**
Bogie Dolly	**$**	**$**	**$**
OPTION Extended Warranty	**$**	**$**	**$**
Licensing	**$**	**$**	**$**
Delivery	**$**	**$**	**$**
		Total Price (inc GST)	**$**

5.2 Schedule 2 – Triaxle Side tipping trailer details

Item	Description
Trailer length	
Trailer height	
Trailer tare weight	
Trailer aggregate weight	
Carrying Capacity	
Axles	
Braking system	
Tyres- type / size & pattern	
Hydraulics	
Suspension	
Load Cover	
Paint Work	
Scheduled maintenance details and availability	
Parts and field service availability	
Warranty	

5.3 Schedule 3 – Bogie Dolly details

Item	Description
Drawbar length	
Turn table	
Suspension	
Hydraulics	
Braking system	
Axles	
Guards	
Paint work	
Scheduled maintenance details	
Warranty	

5.4 Schedule 4 – Demonstrated Experience

Please provide details of previous projects of a similar nature.

Project Description	Client	Value
	Name **Phone Number**	**$**
	Name **Phone Number**	**$**
	Name **Phone Number**	**$**

5.5 Schedule 5- Insurance Policy Details

Type	Policy Number	Value	Expiry Date	Copies Provided
		$		☐
		$		☐
		$		☐
		$		☐

5.6 Schedule 6 – Inspection, Training & Delivery Date

Estimated Inspection date:	
Estimated Delivery date:	
Estimated Training date:	

ATTACHMENT: CC07
Attachment 2of 2: RFT Consensus Evaluation Matrix

Attachment 7

RFT EVALUATION MATRIX

Title of RFT:	02-2022/23 Side Tipping Trailers with Bogie Dolly

SELECTION CRITERIA

			COMPLIANCE CRITERIA						QUALITATIVE CRITERIA							
			NON-WEIGHTED						A. Unit Specification		B. Delivery Timeframe		C. Price			
			Item A	Item B	Item C	Item D	Item E	Item F	40%		10%		50%			
	Tenderer	Quoted Lump sum price (inc. GST)	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Score 0-10	Weighted Score	Score 0-10	Weighted Score	Score 0-10	Weighted Score	TOTAL weighted score	RANKING
1	[redacted]	$ 329,978.00	[redacted]												90.0	1
2	[redacted]	$ 372,847.61	[redacted]												79.2	2

ATTACHMENT: CC08
Register of Delegations

Attachment 8

SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

Shire of Irwin Register of Delegated Authority

REVIEW

Reviewed by	Date approved	References
Council	25 May 2021	Council to CEO Delegations approved at OCM 25 May 2021. Altus Ref # INT21/16752ADD
Council	28 Jun 2022	Council to CEO Delegations endorsed at the 28 June 2022 Ordinary Council Meeting (Decision 090622). Altus Reference INT22/2EF3681A.

TABLE OF CONTENTS

INTRODUCTION 7
Introduction 7
Delegations and authorisations under other Legislation 8
DELEGATIONS 9
01 Local Government Act 1995 9
10 - Information to be available to the public 9
11 - Financial Management Systems and Procedures 11
12 - Audit - CEO review of systems and procedures 13
13 - Infringement Notices 14
100 - Tenders for Goods and Services 16
101 - Payments from the Municipal or Trust Funds 20
102 - Trust Fund 23
103 - Expression of Interest Goods and Services 25
104 - Application of Regional Price Preference Policy 27
105 - Appoint Authorised Persons 28
106 - Compensation for Damage Incurred when Performing Executive Functions 30
107 - Powers of Entry 32
108 - Declare Vehicle is Abandoned Vehicle Wreck 34
109 - Confiscate or Uncollected Goods 36
110 - Disposal of Sick or Injured Animals 38
111 - Close Thoroughfares to Vehicles 40
112 - Control Reserves and Certain Unvested Facilities 44
113 - Obstruction of Footpaths and Thoroughfares 46
114 - Gates Across Public Thoroughfares 49
115 - Public Thoroughfare – Dangerous Excavations 51
116 - Crossing – Construction, Repair and Removal 54
117 - Private Works on, over or under Public Places 56
118 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift 58
119 - Disposal of Property 60
120 - Defer, Grant Discounts, Waive or Write off Debts 62
121 - Power to Invest and Manage Investments 64
122 - Rate Record Amendment 66
123 - Agreement as to Payment of Rates and Service Charges 68
124 - Determine Due Date for Rates or Service Charges 70
125 - Recovery of Rates or Service Charges 71
126 - Recovery of Rates – Lessee to Pay Rent 72
127 - Rate Record - Objections 74
128 - Issuing Notices to Owner or Occupier of Land 76

129 - Actions on Land that is not Local Government Property 78
130 - Works Required for Supply of Gas or Water 80
131 - Complaints Officer 82
CEO1000 - Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000 84
CEO1001 - Bush Fire Brigades Local Law 86
CEO1002 - Cemeteries Local Law 2000 87
CEO1003 - Dogs Local Law 89
CEO1004 - Extractive Industries Local Law 2000 90
CEO1005 - Health Local Laws 2002 92
CEO1006 - Local Government Property Local Law 93
CEO1007 - Local Law Relating to Signs, Hoarding and Bill Posting 94
CEO1008 - Local Laws Relating to Fencing 95
CEO1009 - Meeting Procedures Local Law 2016 96
CEO1010 - Parking and Parking Facilities Local Law 2000 97
CEO1011 - Prevention and Abatement of Sand Drift Local Law 2004 98
02 Building Act 2011 99
200 - Grant a Building Permit 99
201 - Demolition Permits 101
202 - Occupancy Permits or Building Approval Certificates 103
203 - Authorised and Approved Persons/Officers 105
204 - Building Orders 107
205 - Inspection and Copies of Building Records 109
206 - Referrals and Issuing Certificates 111
207 - Private Pool Barrier – Alternative and Performance Solutions 113
208 - Smoke Alarms – Alternative Solutions 115
03 Bush Fires Act 1954 117
300 - Firebreaks 117
301 - Make Request to FES Commissioner – Control of Fire 119
302 - Prohibited Burning Times - Vary 120
303 - Restricted Burning Times - Vary 121
304 - Prohibited and/or Restricted Burning Times – Control Activities 122
305 - Control of Operations Likely to Create Bush Fire Danger 125
306 - Burning Garden Refuse / Open Air Fires 126
307 - Appoint Bush Fire Control Officer/s and Fire Weather Officer 128
308 - Control and Extinguishment of Bush Fires 129
309 - Recovery of Expenses Incurred through Contraventions of this Act 130
310 - Prosecution of Offences 131
311 - Withdrawal of Infringement Notices 132
04 Cat Act 2011 133
40 - Infringement Notices - Extensions and Withdrawals 133

400 - Cat Registrations 134
401 - Cat Control Notices 136
402 - Approval to Breed Cats 138
403 - Appoint Authorised Person 140
404 - Recovery of Costs – Destruction of Cats 142
405 - Applications to Keep Additional Cats 143
05 Dog Act 1976 145
500 - Refuse or Cancel Registration 145
501 - Kennel Establishments 147
502 - Appoint Authorised Persons 149
503 - Recovery of Moneys Due Under this Act 150
504 - Dispose of or Sell Dogs Liable to be Destroyed 151
505 - Declare a Dangerous Dog 152
506 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke 154
507 - Determine Recoverable Expenses for Dangerous Dog Declaration 156
06 Food Act 2008 157
600 - Food Business Registrations 157
601 - Appoint Authorised Officers and Designated Officers 158
602 - Determine Compensation 159
603 - Prohibition Orders 161
604 - Debt Recovery and Prosecutions 163
605 - Food Business List – Preparation, Maintenance and Public Access 164
07 Graffiti Vandalism Act 2016 165
700 - Give Notice Requiring Obliteration of Graffiti 165
701 - Notices – Deal with Objections and Suspension of Effect of Notices 167
702 - Obliterate Graffiti on Land not Local Government Property 168
703 - Powers of Entry 169
08 Public Health Act 2016 170
800 - Appoint Authorised Officer or Approved Officer (Asbestos Regs) 170
801 - Enforcement Agency Reports to the Chief Health Officer 171
802 - Designate Authorised Officers 172
803 - Determine Compensation for Seized Items 173
804 - Commence Proceedings 174
09 Planning and Development Act 2005 175
900 - Illegal Development 175
901 - Waiving or Refunding Planning Application Fee 177
902 - Grant a Certificate 178
903 - Subdivision Clearances 179
904 - Local Planning Scheme No.5 180
905 - Strata Title Applications - Certificates of Approval 186

AMENDMENTS 188

INTRODUCTION

Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government & Communities *Guideline No.17 – Delegations*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

"Nothing in this Division is to read as preventing –

(a) A local government from performing any of its functions by acting through a person other than the CEO"; or
(b) A CEO from performing any of his or her functions by acting through another person."

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

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

Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers. For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

Planning and Development Act 2005 and associated regulations
Dog Act 1976 and regulations;
Cat Act 2011 and regulations
Bush Fires Act 1954, regulations and local law created under that Act;
Litter Act 1979 and regulations
Local Government (Miscellaneous Provisions) 1960 as amended;
Caravan Parks and Camping Grounds Act 1995;
Control of Vehicles (Off-Road Areas) Act 1978 and regulations;
Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997
Building Act 2011

N.B. – This is not an exhaustive list.

DELEGATIONS

01 Local Government Act 1995

Local Government Act 1995

Delegation	**10 Information to be available to the public**
Category	CEO to Employees
Head of power	01 Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and dutiesto other employees
Express power or duty delegated	*Local Government Act 1995:* s.5.95 Limits on rights to inspect local government information *Local Government (Administration) Regulations 1996:* r.29B copies of certain information not to be provided (Act s.5.96)
Function	1 Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 2. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s5.95(1)(b)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Administration) Regulations 1996.*
Delegates	Manager Finance
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 Freedom of Information Act 1992 Office of the information commissioner WA (FOI)
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 Recordkeeping plan Council Policy CP24 Recordkeeping
Date adopted	8 March 2021
Adoption references	Approved by CEO see Altus ECM record INT21/6D3D1ABB

Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Finance. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil

Delegation	**11 Financial Management Systems and Procedures**
Category	CEO to Employees
Head of power	01 Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	*Local Government (Financial Management) Regulations1996:* r.5 CEO's Duties as to financial management
Function	1. Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: a. Collection of money owed to the Shire of Irwin; b. Safe custody and security of money collected or held by the Shire of Irwin; c. Maintenance and security of all financial records, including payroll, stock control and costing records; d. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; e. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; f. Making of payments in accordance with Delegated Authority EMP10 – Payment from the Municipal or Trust Funds; g. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. [FM r.5]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.*
Delegates	Manager Finance
Conditions	a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Local Government (Financial Management) Regulations1996 Local Government (Audit) Regulations 1996 Accounting Manual
Policy	CEO to Employee delegation EMP10 – Payment from the Municipal or Trust Funds Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	24 February 2023
Adoption references	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Finance.
Last reviewed	14 February 2023

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Finance. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil

Delegation	**12 Audit - CEO review of systems and procedures**
Category	CEO to Employees
Head of power	01 Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	*Local Government (Audit) Regulations 1996:* r.17 CEO to review certain systems and procedures
Function	1. Authority to conduct the review of the appropriateness and effectiveness of the Shire of Irwin's systems and procedures in relation to i. risk management; and ii. internal controls; and iii. legislative compliance [r.17(1)] in accordance with procedural requirements of r.17. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Audit) Regulations 1996.*
Delegates	Manager Finance
Conditions	a. audit results are to be presented to the Chief Executive Officer for review before submission to the audit committee. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Audit) Regulations 1996
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3)
Date adopted	24 February 2023
Adoption references	As per notes dated 14/2 and 23/2/2023 in amendments.
Last reviewed	14 February 2023

Delegation	**13 Infringement Notices**
Category	CEO to Employees
Head of power	01 Local Government Act 1995
Delegator	Chief Executive Officer
Express power to delegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Express power or duty delegated	*Local Government Act 1995:* s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice
Function	1. Authority to determine that the Shire is satisfied that within 28 days after the owner of a vehicle that was served a notice and the owner submits that the vehicle had been stolen or unlawfully taken, or was being unlawfully used, at the time the offense is alleged to have been committed. [s.9.13(6)(b)] 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid, by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20(1),(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Audit) Regulations 1996.*
Delegates	Manager Community Services
Conditions	a. A delegate or authorised person who participated in a decision to issue an infringement notice, is NOT to determine any matter related to that infringement notice under this Delegation. b. See specific delegations under the Building Act and the Parking and Parking Facilities Local Law for reference to delegations under s.9.13, s.9.19 and s.9.20 of the Local Government Act 1995. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Audit) Regulations 1996
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3)
Date adopted	8 March 2021

Adoption references	Approved by CEO see Altus ECM record INT21/6D3D1ABB
Last reviewed	14 February 2023

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Community Services. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil

Delegation	**100 Tenders for Goods and Services**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function	1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. 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 [F&G.r.11(2). r.11(2)(aa) the supply of the goods or services is associated with a state of emergency; r.11(2)(h) the following apply- (i) the goods or services are to be supplied by — (I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or (II) Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362; r.11(2)(ja) the contract is a renewal or extension of the term of a contract (the original contract) r.11(3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if — see [F&G r.11(3)] for further information 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)].

	9. Authority to accept a tender which does not exceed the value detailed as a condition on this Delegation and in accordance with s.5.43(b). and; Authority to accept and reject tenders in accordance with the requirements of the Functions and General Regulations [F&G r.18]. 10 Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender and negotiate minor variations with the successful tenderer before entering into a contract, in accordance with Council Conditions on this delegation. [F&G r.20(1) (3)]. 11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 12. Authority to decline to accept any tender [F&G r.18(5)]. 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 r.20(2)] 14. Authority to: i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or as per Council conditions on this delegation ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j)(ja). [F&G r.21A] and before the contract is to expire. 15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) (7)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.*
Delegates	Chief Executive Officer

Conditions	a. Sole supplier arrangements may only be approved where a record is retained that evidences: i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; and iv. Rationale for why the supply is unique and cannot be sourced through other suppliers; b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the: i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, ii. current supply contract expiry is imminent, iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. c. Tender exempt procurement is required to have the expense included in the adopted annual budget, unless exercising the requirement for emergency purchasing under the definition of Emergency or a declared State of Emergency. d. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is $250,000 or less and the expense is included in the adopted Annual Budget. e. A minor variation negotiation, in relation to an invitation to Tender, is subject to a maximum 20% variation and is not to exceed $500,000. f. The variation of a contract is subject to a maximum limit of a 15% increase of the contract value. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Policy	Council Policy - CP20 Purchasing Management Policy MP04 Purchasing
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
28 Feb 2023	Amended delegation	Adopted by Coumcil at OCM 28.02.2023	Minute reference: 100223

Delegation	**101 Payments from the Municipal or Trust Funds**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* *Local Government (Financial Management) Regulations 1996:* r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. Authority to make payments is subject to Council approved budget. b. or the payments have been authorised by a resolution of Council in advance, or authorised in advance by the Shire President in an emergency. c. A list of payments is presented to Council in accordance with Financial Management Regulations 13. d. All payments are signed by two delegated signatories, one being the CEO the other sub-delegated by the CEO. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Community Emergency Services Manager Human Resource Supervisor Manager Community Services Manager Finance Manager Operations

Subdelegate conditions	a. Authority to make payments is subject to Council approved budget. b. or the payments have been authorised by a resolution of Council in advance, or authorised in advance by the Shire President in an emergency. c. Delegates must comply with the Procedures approved by the CEO in accordance with Financial Management Regulation 5. d. Payments by cheque and EFT transactions must be approved jointly by two delegates. In the case of payroll authorisation, one of these delegates must be the CEO. e. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order, invoice and evidence of goods/service received, must be undertaken independent of the payment approval. f. Payments with Corporate Credit Card shall not exceed the credit limit of the card.
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Financial Management) Regulations1996
Policy	Council Policy – CP20 Purchasing
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	Correction to Amendment comment above - Manager Finance and Chief Operating Officer given delegation 14/02/2023 (not 2022).	Nil
22 Feb 2023	Amended delegation	Following subdelegates added, on instruction of CEO, as follows: - 20/08/2022: Human Resources Supervisor (refer amendment comment 20/8/22 in EMP101); - 23/08/2022: Community Emergency Services Manager (refer amendment comment 23/08/22 in EMP101); - 14/09/2022: Manager, Community Services (refer amendment comment 14/09/22 in EMP101); - 15/02/2022: Manager Finance and Chief Operating Officer (ALTUS folder: 3.00342; ref: INT23/14767209).	Nil
8 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	Nil

Delegation	**102 Trust Fund**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.6.9(4) Trust fund
Function	1. Authority to transfer money, where money has been held in the trust fund for 10 years it may be transferred to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Finance Manager Operations
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**103 Expression of Interest Goods and Services**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Government Act 1995: s.3.57 Tenders for providing goods or services *Local Government (Functions and General) Regulations 1996:* r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Function	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. Compliance with Delegation CEO100 - Tender for Goods and Services b. Expressions of Interest may only be called where there is an adopted budget for the proposed goods or services. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Policy	Council Policy - CP20 Purchasing
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	28 June 2022

Delegation	**104 Application of Regional Price Preference Policy**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Functions and General) Regulations 1996:* r.24G Adopted regional price preference policy, effect of
Function	1. Authority to decide when not to apply the regional price preference policy to a particular tender in the future for a contract of that type [F&G r.24G]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions and General) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Functions and General) Regulations 1996
Policy	Council Policy - CP01 Localised Purchasing (Regional Price Preference) Council Policy - CP20 Purchasing
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**105 Appoint Authorised Persons**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
Function	1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the Local Government (Miscellaneous Provisions) Act 1960 and Local Laws made under the Local Government Act. [s.3.24 and s.9.10]. 2. Authority to appoint authorised persons for the purposes of section 9.16 of the Local Government Act 1995, 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 person for the purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the Local Government Act 1995 as the enabling power [s.15 of the Graffiti Vandalism Act 2016]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. A Register of Authorised Persons is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be appointed as authorised persons. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995 Graffiti Vandalism Act 2016
Policy	Schedule of Authorised Persons Management Policy - MP02 Purchasing Order Authorisation

Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**106 Compensation for Damage Incurred when Performing Executive Functions**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.22(1) Compensation s.3.23 Arbitration
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. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Delegation is limited to settlements which do not exceed a material value of $5,000. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations
Subdelegate conditions	Delegation is limited to settlements which do not exceed a material value of $5,000. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**107 Powers of Entry**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function	1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [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, without notice if not practicable. Using such force as is reasonable [s.3.34(1) (3) (5)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Delegated authority under s.3.34(1) and (3) may only be used, where there is imminent or substantial risk to public safety or property. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services
Subdelegate conditions	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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995

Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**108 Declare Vehicle is Abandoned Vehicle Wreck**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.3.40A(4) Abandoned vehicle wreck may be taken
Function	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegation CEO109 Confiscated or Uncollected Goods or alternatively, referred for Council decision. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services
Subdelegate conditions	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegation CEO109 Confiscated or Uncollected Goods or alternatively, referred for Council decision. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Council Policy CP43 Disposal of Property Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**109 Confiscate or Uncollected Goods**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* 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
Function	1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A, or removed under s.3.40 or 3.40A to be collected until the costs of removing and/or 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 if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction. [s.3.48] *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Function and General) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. May be disposed of by any means considered to provide best value, provided the process is transparent and accountable. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services
Subdelegate conditions	May be disposed of by any means considered to provide best value, provided the process is transparent and accountable. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 Local Government (Functions and General) Regulations 1996
Policy	Council Policy CP43 Disposal of Property Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**110 Disposal of Sick or Injured Animals**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995:* s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function	1. Authority to determine when an impounded animal is ill or injured to an extent 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 if goods are removed and impounded under section 3.39 and the alleged offender is convicted, by action in a court of competent jurisdiction [s.3.48]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	As per the Local Government Act a. On the condition that the animal has been impounded for no less than 7 days and reasonable steps have been taken to notify the owner [s.3.47A(2)(3)]. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services
Subdelegate conditions	1. Authority to determine when an impounded animal is ill or injured to an extent that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. In accordance with the Local Government Act: On the condition that the animal has been impounded for no less than 7 days and reasonable steps have been taken to notify the owner [s.3.47A(2)(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Statutory framework	Local Government Act 1995

Policy	Council Policy CP43 Disposal of Property Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**111 Close Thoroughfares to Vehicles**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* 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
Function	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 [s.3.50(1a) (2) (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]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996.*
Delegates	Chief Executive Officer

Conditions	As per the Local Government Act a. Before doing anything to which section 3.51 applies, fixing or alter the level or alignment of a public thoroughfare or draining water from a public thoroughfare or other public place onto adjoining land, a person having an interest is to be notified in writing. If any land is likely to be adversely affected by doing of the thing, give local public notice. Allow reasonable time for submissions and consider any submissions made. [s3.51]. b. In determining to close a thoroughfare for a period exceeding 4 weeks [s.3.50(1a) (2) (4)] and before doing so, to: • give; public notice • give 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) (4)]. c. 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)]. d. Maintain access to adjoining land [s.3.52(3)] (relevant to the metropolitan area or a Townsite only). *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations Technical Services Supervisor

Subdelegate conditions	As per the Local Government Act: a. Before doing anything to which section 3.51 applies, fixing or alter the level or alignment of a public thoroughfare or draining water from a public thoroughfare or other public place onto adjoining land, a person having an interest is to be notified in writing. If any land is likely to be adversely affected by doing of the thing, give local public notice. Allow reasonable time for submissions and consider any submissions made. [s3.51]. b. In determining to close a thoroughfare for a period exceeding 4 weeks [s.3.50(1a) (2) (4)] and before doing so, to: • give; public notice • give 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) (4)]. c. 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)]. d. Maintain access to adjoining land [s.3.52(3)] (relevant to the metropolitan area or a Townsite only). *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**112 Control Reserves and Certain Unvested Facilities**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
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 for the purpose of controlling and managing land that is vested in or placed under the control and management of the Shire of Irwin, that it could do under s.5 of the Parks and Reserves Act 1895. [s.3.54(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**113 Obstruction of Footpaths and Thoroughfares**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Function	1. Authority to give, 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: [ULP r.5(2)] a. prevent damage to the footpath; or b. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 2. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) (4)]. 3. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. 4. Authority to require an owner or occupier of land to remove anything that has fallen from the land or from anything on the land and is obstructing a public thoroughfare [ULP r.7A]. 5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer

Conditions	a. Permission may only be granted where, the proponent has: 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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Development Manager Operations
Subdelegate conditions	Permission may only be granted where, the proponent has: 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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Policy	**Local Law** Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**114 Gates Across Public Thoroughfares**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Function	1. Authority to provide, or refuse to provide permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. Each approval provided must be recorded in the Shire of Irwin's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8). *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Development Manager Operations
Subdelegate conditions	Each approval provided must be recorded in the Shire of Irwin's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 9(8). *Actions under this Delegation are required to comply with any related local law and/or policies.*

Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Policy	**Local Law** Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**115 Public Thoroughfare – Dangerous Excavations**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function	1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11 (4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	Permission may only be granted where, the proponent has: 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. *Actions under this Delegation are required to comply with any related local law, policies and procedures.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees

Subdelegates	Manager Community Services Manager Development Manager Operations Technical Services Supervisor
Subdelegate conditions	Permission may only be granted where, the proponent has: a. 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. b. 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. c. Provided evidence of sufficient Public Liability Insurance. d. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. *Actions under this Delegation are required to comply with any related local law, policies and procedures.*
Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Policy	**Local Law** Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**116 Crossing – Construction, Repair and Removal**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function	1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12 (1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to, subject to regulation 14(2), give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to, if the person fails to comply with the notice, construct or repair the crossing as the notice required and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law, policies and procedures.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Development Manager Operations Technical Services Supervisor
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 – Section 5.46(3) Local Government (Uniform Local Provisions) Regulations 1996

Policy	Council Policy P20 Vehicle Crossover Policy Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations **Local Law** Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**117 Private Works on, over or under Public Places**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) Regulations 1996* r.17 Private works on, over, or under public places – Sch.9.1 cl.8
Function	1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including but not limited to those prescribed in r.17(5) [ULP r.17(5)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	Permission may only be granted where, the proponent has: 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. *Actions under this Delegation are required to comply with any related local law, policies and procedures.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996

Policy	**Local Law** Activities on Thoroughfares and Trading Places in Thoroughfares and Public Places Local Law
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	14 February 2023

Delegation	**118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government (Uniform Local Provisions) 1996* r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
Function	1. Authority to give notice to an owner and/or occupier of land if it is considered that clearing the owner and/or occupier's land might cause local government land having a common boundary, to be adversely affected by wind erosion or sand drift [ULP r.21(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) 1996.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations Technical Services Supervisor
Subdelegate conditions	a. Consult with the Manager Development prior to issuing a notice under this delegation. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Policy	**Local Law** Prevention and Abatement of Sand Drift Local Law 2004 Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**119 Disposal of Property**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.3.58(2) & (3) Disposing of Property *Local Government (Functions & General) Regulations 1996* r.30 Disposition of property excluded from Act s.3.58
Function	1. Authority to dispose of property: (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest 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 local public notice [s.3.58(3)]. 3. Authority to dispose of property excluded from Act s.3.58 [(F&G) r.30(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Functions & General) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph [s5.43(d)], that amount being a maximum value of $50,000 or less. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Local Government Act Local Government (Functions and General) Regulations 1995
Policy	Council Policy CP43 Disposal of Property
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020

Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil

Delegation	**120 Defer, Grant Discounts, Waive or Write off Debts**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.12 Power to defer, grant discounts, waive or write off debts
Function	1. Waive a debt which is owed to the Shire of Irwin. [s.6.12(1)(b)] 2. Waive or grant a concession in relation to money which is owed to the Shire of Irwin. [s.6.12 (1)(b)] 3. Write off any amount of money which is owed to the Shire of Irwin. [s.6.12(1)(c)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge. b. A debt may only be waived or concession be granted for charitable; or not for profit community groups. c. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Irwin. i. Limited to individual debts valued below $1,000 or cumulative debts of a debtor valued below $1,000. Write off of debts greater than these values must be referred for Council *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance

Subdelegate conditions	a. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge. b. A debt may only be waived or concession be granted for charitable; or not for profit community groups. c. A debt may only be written off where all necessary measures have been taken to locate/contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire of Irwin. i. Limited to individual debts valued below $1,000 or cumulative debts of a debtor valued below $1,000. Write off of debts greater than these values must be referred for Council. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	13 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**121 Power to Invest and Manage Investments**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995:* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.14 Power to invest *Local Government (Financial Management) Regulations 1996* r.19 Investments, control procedures for
Function	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, under the Trustees Act Part III. [s.6.14(1)] 2. Authority to establish and document internal control procedures to be followed by employees in the investment and management of investments. [FM r.19] *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy C15 Management of Investments. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17] *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance

Subdelegate conditions	a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy C15 Management of Investments. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once within every 3 financial years. [Audit r.17] *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
Policy	Council Policy C15 Management of Investments Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**122 Rate Record Amendment**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.39(2)(b) Rate record
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)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Delegates must comply with the requirements of s.6.40 of the Act. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	Delegates must comply with the requirements of s.6.40 of the Act. *Actions under this Delegation are required to comply with any related local law and/or policies*.
Statutory framework	Local Government Act 1995
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**123 Agreement as to Payment of Rates and Service Charges**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.49 Agreement as to payment of rates and service charges
Function	1. Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person [s.6.49]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	CP14 Debt Recovery Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**124 Determine Due Date for Rates or Service Charges**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.50 Rates or service charges due and payable
Function	1. Authority to determine the date on which rates or service charges become due and payable to the Shire of Irwin [s.6.50]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The annual budget process captures the due dates for rates and service charges, however this delegation allows for minor adjustments for administrative purposes. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**125 Recovery of Rates or Service Charges**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.56 Rates or service charges recoverable in court
Function	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)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery and CP41 Financial Hardship for a declared State of Emergency. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995
Policy	Council Policy CP14 Debt Recovery Council Policy CP41 Financial Hardship – for a declared State of Emergency
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**126 Recovery of Rates – Lessee to Pay Rent**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.60 Local Government may require lessee to pay rent
Function	1. Authority to give notice, if payment of a rate or service charge imposed in respect of any land is due and payable, notice may be given to the lessee of the land requiring the lessee to pay to the Shire of Irwin any rent as it falls due in satisfaction of the rate or service charge. [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)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery and CP41 Financial Hardship for a declared State of Emergency. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	a. Decisions under this delegation must comply with Council Policy CP14 Debt Recovery. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Policy	Council Policy CP14 Debt Recovery
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Finance as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**127 Rate Record - Objections**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.6.76 Grounds of objection
Function	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)(6)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Finance
Subdelegate conditions	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. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Council Policy CP14 Debt Recovery Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**128 Issuing Notices to Owner or Occupier of Land**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.3.25 Notices requiring certain things to be done by owner or occupier of land s.3.26 Additional powers when notices given
Function	1. Authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice [s.3.25(1)]. 2. Authority to do anything that it considers necessary to achieve, so far as is practicable, the purpose for which the notice was given, If the person who is given the notice (notice recipient) fails to comply with it [s.3.26(2)]. 3. Authority to recover the cost of anything it does under subsection (2) as a debt due from the person who failed to comply with the notice [s.3.26(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Local Government Act 1995
Policy	Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**129 Actions on Land that is not Local Government Property**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	*Local Government Act 1995* s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Local Government Act 1995* s.3.27 Particular things local Governments can do on land that is not local government property
Function	1. Authority to do any of the things prescribed in Schedule 3.2, in performing its general function, even though the land on which it is done is not local government property and the local government does not have consent to do it [s.3.27(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Local Government Act 1995:* s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Operations Parks & Gardens Supervisor Technical Services Supervisor
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	**130 Works Required for Supply of Gas or Water**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996: r.20(1) Works required for supply of gas or water — Sch. 9.1 cl. 11
Function	1. Where the Local Government is responsible for supplying water or gas, authority to carry out works that are necessary for the purpose of providing, maintaining or modifying the supply system [ULP r.20(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government (Uniform Local Provisions) Regulations 1996.*
Delegates	Chief Executive Officer
Conditions	a. Works may only be undertaken where there is an approved budget allocation. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Local Government Act 1995 Local Government (Uniform Local Provisions) Regulations 1996
Record keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 r.19 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation removed as advised by CEO on 21.02.2023 - i.e. NO sub-delegation at this time.	Nil

Delegation	**131 Complaints Officer**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Local Government
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	The Local Government (Model Code of Conduct) Regulations 2021 11(3) The local government must, in writing, authorise 1 or more persons to receive complaints and withdrawals of complaints.
Function	Authority to receive complaints and withdrawals of complaints alleging a breach of a requirement set out in the Model Code of Conduct.
Delegates	Chief Executive Officer
Conditions	The CEO may authorise, as Complaints Officers, one or more persons to receive complaints and withdrawals of complaints for the purposes of Division 3 of the Code of Conduct. Delegation is in accordance with section 5.42 of the Local Government Act 1995 [Council Decision 28/21(4)]. It is noted that the CEO, or another employee designated by the CEO, is the Complaints Officer for the purposes of s5.120 of the Local Government Act 1995, to deal with matters pursuant to Division 4 of the Code of Conduct. The CEO has not chosen to designate another employee for these purposes.
Express power to subdelegate	Local Government Act 1995 s.5.44 CEO may delegate some powers and duties to other employees
Statutory framework	Local Government Act 1995 Local Government (Model Code of Conduct) Regulations 2021
Date adopted	23 February 2021
Adoption references	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221

Delegation	**CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	*Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*
Function	Authority to administer the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Policy	P22 Stallholder Permits
Record keeping	Local Government Act 1995 – Section 5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Regulatory Services role no longer exists. Delegation changed to Manager Community Services.	Nil

Delegation	**CEO1001 Bush Fire Brigades Local Law**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power or duty delegated	Bush Fire Brigades Local Law
Function	Authority to administer the Bush Fire Brigades Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Bush Fire Brigades Local Law.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995
Policy	CP02 Bush Fire Management E21 Protective Clothing Volunteer Bush Fire Brigades
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Delegation	**CEO1002 Cemeteries Local Law 2000**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Cemeteries Local Law 2000
Function	Authority to administer the Cemeteries Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Cemeteries Local Law.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Corporate & Community role no longer exists. Delegation changed to Manager Community Services.	Nil

Delegation	**CEO1003 Dogs Local Law**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Dogs Local Law
Function	Authority to administer the Dogs Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Dogs Local Law.*
Delegates	Chief Executive Officer
Conditions	Actions under this Delegation are required to comply with any related local law and/or policies.
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Following subdelegates added on instruction of CEO, as follows: Manager Infrastructure and Development and Manager Regulatory Services roles no longer exist. Delegation changed to Manager Operations and Community Services.	Nil

Delegation	**CEO1004 Extractive Industries Local Law 2000**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Extractive Industries Local Law 2000
Function	Authority to administer the Extractive Industries Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Extractive Industries Local Law 2000.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Policy	LLP Extractive Industries
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Operations and Manager Community Services.	Nil

Delegation	**CEO1005 Health Local Laws 2002**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Health Local Laws 2002
Function	Authority to administer the Health Local Laws, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Health Local Laws 2002.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles, no longer exist. Delegations amended to Manager Development ang Manager Operations.	Nil

Delegation	**CEO1006 Local Government Property Local Law**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Government Property Local Law
Function	Authority to administer the Local Government Property Local Law, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Government Property Local Law.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Development Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Development and Manager Operations.	Nil

Delegation	**CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Law Relating to Signs, Hoarding and Bill Posting
Function	Authority to administer the Local Law Relating to Signs, Hoarding and Bill Posting, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Signs, Hoarding and Bill Posting.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Policy	LLP Advertising Signs
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil

Delegation	**CEO1008 Local Laws Relating to Fencing**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Local Law Relating to Fencing
Function	Authority to administer the Local Law Relating to Fencing, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Local Law Relating to Fencing.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil

Delegation	**CEO1009 Meeting Procedures Local Law 2016**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Meeting Procedures Local Law 2016
Function	Authority to administer the Meeting Procedures Local Law 2016, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Meeting Procedures Local Law 2016.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegate conditions	Not sub-delegated
Statutory framework	Local Government Act 1995
Policy	CP36 Council or Committee Meeting attendance by telephone, video conference or other electronic means
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Delegation	**CEO1010 Parking and Parking Facilities Local Law 2000**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Parking and Parking Facilities Local Law 2000
Function	Authority to administer the Parking and Parking Facilities Local Law 2000, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Parking and Parking Facilities Local Law 2000.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Community Services and Manager Operations.	Nil

Delegation	**CEO1011 Prevention and Abatement of Sand Drift Local Law 2004**
Category	Council to CEO
Head of power	01 Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express power or duty delegated	Prevention and Abatement of Sand Drift Local Law 2004
Function	Authority to administer the Prevention and Abatement of Sand Drift Local Law 2004, subject to Part 9, Division 1 of the Local Government Act 1995. *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Government Act 1995 and Prevention and Abatement of Sand Drift Local Law 2004.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Subdelegates	Manager Community Services Manager Operations
Statutory framework	Local Government Act 1995
Record keeping	Local Government Act 1995 s.5.46(3)
Date adopted	22 September 2020
Adoption references	050920
Last reviewed	28 June 2022

02 Building Act 2011

Building Act 2011

Delegation	**200 Grant a Building Permit**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* *s.127(1) & (3) Delegation: special permit authorities and local government*
Express power or duty delegated	*Building Act 2011:* s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit before the building work is complete [s.27(1) (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23 and 24]. 5. Authority to approve an application for a new responsible person for a building permit [r.26]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	**a. As per Building Regulation 2012** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.

Subdelegates	Manager Development
Subdelegate conditions	In accordance with Building Regulations 2012 r.5: Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011* s.130
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**201 Demolition Permits**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* 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 *Building Regulations 2012:* r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function	1. Authority to require an applicant to provide any documentation or information, within a specified time of not more than 21 days that it requires to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit, before demolition works are complete. [s.27(1) (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	**a. As per Building Regulation 2012** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.

Subdelegates	Manager Development
Subdelegate conditions	**In accordance with Building Regulations 2012 r.5:** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**202 Occupancy Permits or Building Approval Certificates**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* Division 3 — Making and dealing with applications for occupancy permits and building approval certificates s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration *Building Regulations 2012* r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function	1. Authority to require an applicant to provide any documentation or information required, within a specified time of not more than 21 days 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, while the occupancy permit or building approval certificate has effect. [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	**a. As per Building Regulation 2012** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications in accordance with r.5. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section
Subdelegates	Manager Development

Subdelegate conditions	**In accordance with Building Regulations 2012 r.5:** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011 Building Regulations 2012 Building Services (Registration Act) 2011 – Section 7 Home Building Contracts Act 1991–Part 3A, Division 2 – Part 7, Division 2 Building and Construction Industry Training Levy Act 1990 Heritage of Western Australia Act 1990
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**203 Authorised and Approved Persons/Officers**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.96(3)(6) Authorised persons s.99(3) Limitation on powers of authorised person *Building Regulations 2012:* r.70 Approved officers and authorised officers
Function	1. Authority to designate a local government 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 employee [s.99(3)]. 3. Authority to appoint a specified employee of the local government as an approved officer for the purposes of s.6(a) of the Criminal Procedure Act 2004 [70(1),(1A)]. 4. Authority to appoint to be an authorised officer for the purposes of the Criminal Procedure Act 2004 section 6(b), a person appointed under the Local Government Act 1995 section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act [70(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegate conditions	Not sub delegated
Statutory framework	Building Act 2011 Building Regulations 2012
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	28 June 2022

Delegation	**204 Building Orders**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.110(1) Building Orders s.111(1) Notice of proposed building order other than building order (emergency) s.117 Revocation of building order s.118(2) (3) Permit authority may give effect to building order if non-compliance s.133(1) Prosecutions
Function	1. Authority to make Building Orders in relation to: 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 [s.111(1)(c)]. 3. Authority to, by notice in writing revoke a building order at any time. [s.117(1)]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: 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 from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) in relation to the order. [s.118(3)]. 6. Authority to initiate a prosecution for an offense against this Act [s.133(1)] (see Council conditions) *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012. b. Authority to initiate a prosecution for an offense against this Act [s.133(1)] is limited to non-compliance with a building order made pursuant to section 110 of the Building Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*

Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	Manager Development
Subdelegate conditions	**In accordance with Building Regulations 2012 r.5:** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**205 Inspection and Copies of Building Records**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.131(2) Inspection, copies of building records
Function	1. Authority to, on application by an interested person and on payment of the prescribed fee, if any — (a) allow the interested person to inspect a building record; and (b) provide to the interested person a copy of a building record [s.131(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	Manager Development
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations Management Policy - Acting Through (to be developed)
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**206 Referrals and Issuing Certificates**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Act 2011:* s.145A Local Government functions
Function	1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance that is signed by a building surveyor who is employed by the local government whether or not - a. the building or incidental structure that is the subject of the application is, or is proposed to be, located in the local government's district; or b. the applicant is an owner or occupier of land in the local government's district [s.145A(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	Manager Development
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**207 Private Pool Barrier – Alternative and Performance Solutions**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Permit Authority (Local Government)
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.51 Approvals by permit authority
Function	1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)]. 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51 (3)]. 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Building Act 2011:* s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	Manager Development
Subdelegate conditions	**In accordance with Building Regulations 2012 r.5:** Decisions under this delegated authority should be either undertaken or informed by a person having the appropriate experience or qualifications. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations

Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**208 Smoke Alarms – Alternative Solutions**
Category	Council to CEO
Head of power	02 Building Act 2011
Delegator	Local Government
Express power to delegate	*Building Act 2011:* s.127(1) & (3) Delegation: special permit authorities and local government
Express power or duty delegated	*Building Regulations 2012:* r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function	1. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61]. In accordance with Division 3 – Smoke Alarms. *Actions under this Delegation are required to comply with procedural requirements detailed in the Building Act 2011 and Building Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Building Act 2011: s.127(6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section.
Subdelegates	Manager Development
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Building Act 2011
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	*Building Act 2011 s.130*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

03 Bush Fires Act 1954

Bush Fires Act 1954

Delegation	**300 Firebreaks**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.33 Local government may require occupier of land to plough or clear fire-breaks
Function	1. Authority to, subject to subsection s.33(2) give written notice to all owners or occupiers of land within the District, or shall give notice to all owners or occupiers of land in its district by publishing a notice in the Government Gazette and in a newspaper circulating in the area requiring within a time specified in the notice and to the satisfaction of the Shire of Irwin: a. clearing and maintaining 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 operation with any other person carry out a similar operation on adjoining or neighbouring land [s.33(1)]. 2. Authority to direct a Bush Fire Control Officer or any other officer of the local government 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)]. a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice in any court of competent jurisdiction as a debt due from the owner or occupier of land to the local government [s.33(5)]. 3. Authority to, at the request of the owner or occupier of land within Shire of Irwin district, carry out on the land, at the expense of the owner or occupier, any works for the removal or abatement of a fire danger, and the amount of the expense, if not paid on demand, may be recovered from the owner or occupier in a court of competent jurisdiction as a debt due from the owner or occupier to the local government. [s.33(6)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**301 Make Request to FES Commissioner – Control of Fire**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.13(4) Duties and powers of bush fire liaison officers
Function	1. Authority to request on behalf of the Shire of Irwin that the FES Commissioner authorise a Bush Fire Liaison Officer or another person to take control of all operations in relation to the fire. [s.13(4)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**302 Prohibited Burning Times - Vary**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government s. 17(10) A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8)
Express power or duty delegated	*Bush Fires Act 1954:* s.17(7) Prohibited burning times may be declared by Minister.
Function	1. Authority to, subject to subsection s.17(7B), in any year in which a local government considers that seasonal conditions warrant a variation of the prohibited burning times in its district, after consultation with an authorised CALM Act officer if forest land is situated in the district, vary the prohibited burning times in respect of that year in the district or a part of the district by — (a) shortening, extending, suspending or reimposing a period of prohibited burning times; or (b) imposing a further period of prohibited burning times. [s.17(7)] In accordance with the provisions of s.17(7B) (8). *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Bush Fire Control Officer Shire President
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**303 Restricted Burning Times - Vary**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	Bush Fires Act 1954: s.18(5) Restricted burning times may be declared by FES Commissioner Bush Fire Regulations 1954: r.15C Local government may prohibit burning on certain days
Function	1. Authority, subject to subsection s.18(5B), where seasonal conditions warrant it and after consultation with an authorised CALM Act officer if forest land is situated in its district, to - (a) vary the restricted burning times in respect of that year in the district or a part of the district by — (i) shortening, extending, suspending or reimposing a period of restricted burning times; or (ii) imposing a further period of restricted burning times; or (b) vary the prescribed conditions by modifying or suspending all or any of those conditions. [s.18(5)]. 2. Authority, by notice published in a newspaper circulating in its district, to prohibit the burning of the bush in that district on Sundays and specified public holidays during restricted burning times, and may, by subsequent notice so published, revoke that notice. [r.15C] *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**304 Prohibited and/or Restricted Burning Times – Control Activities**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	Bush Fires Act 1954: s.18(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) (3) (4) 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 Bush Fire Regulations 1954: r.15 Permit to burn form of and applying for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times

Function	1. Authority to, during restricted burning times, where a person starts a fire on land, if the fire escapes from the land or if the fire is in the opinion of a bush fire control officer or an officer of a bush fire brigade out of control on the land, the person shall be liable to pay to the local government on the request of and for recoup to its bush fire brigade, any expenses up to a maximum amount of $10,000 incurred by it in preventing the extension of or extinguishing the fire, and such expenses may be recovered in any court of competent jurisdiction [s.18(11)]. 2. 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 on the respective lands. The local government shall notify the occupier of the adjoining land of the date the burning is to take place and require him to provide by that date ploughed or cleared fire-breaks parallel to the common boundary and of a distance therefrom of not more than 60m and as specified by the local government [s.22(6) and (7)]. 3. Authority to prohibit the operation in its district of any tractor, or self-propelled harvester other than a tractor or self-propelled harvester that is equipped with a fire extinguisher, during a prohibited or restricted burning times, and to give permission for use of same during the prohibited or restricted burning time subject to compliance with requirements specified in a notice [s.27(2) (3) (4)]. 4. Authority to recover the cost of measures taken by the Bush Fire Liaison Officer or Bush Fire Control Officer or authorised CALM Act Officer, to extinguish a fire burning during prohibited and 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 recover expenses in any court of competent jurisdiction [s.28(5)]. 5. Authority to grant permits to burn during prohibited and restricted burning times that have previously been refused or granted with special conditions by a Bush Fire Control Officer [r.15]. 6. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during prohibited or restricted burning times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 7. Authority to determine, during a prohibited or restricted burning time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 8. Authority to issue directions, during a prohibited or restricted burning time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**305 Control of Operations Likely to Create Bush Fire Danger**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.27D Requirements for carriage and deposit of incendiary material *Bush Fires Regulations 1954:* r.39C Welding and cutting apparatus, use of in open air r.39CA Bee smoker devices, use of in restricted or prohibited burning times r.39D Explosives, use of r.39E Fireworks, use of
Function	1. 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), in accordance with provisions in s.27D (2) (3). Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer. 2. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. a person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. a person operating welding apparatus, or a power operated abrasive cutting disc [r.39C(3)]. c. a person using explosives [r.39D(2)]. d. a person using fireworks [r.39E(3) *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Council Policy - CP02 Fire Management
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**306 Burning Garden Refuse / Open Air Fires**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* 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 *Bush Fires Regulations 1954:* r.27(3) Permit, issue of
Function	1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to, by notice of published in the Gazette and a newspaper circulating in the its district, prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]: a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27 (3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District, specified by the Shire of Irwin in a notice in writing given by it to the duly authorised officer for the Shire of Irwin [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or in or about a lime kiln for the production of lime, in consultation with a bush fire control officer or authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open area 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 cancel or vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person and any person acting under his instructions from lighting a fire and to determine conditions on the notice [s.25A(5)(6)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*

Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**307 Appoint Bush Fire Control Officer/s and Fire Weather Officer**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.38 Local Government may appoint bush fire control officer
Function	1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954; and a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and 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 an appointed Bush Fire Control Officer or to an officer of a bush fire brigade registered by the Shire of Irwin to burn, subject to the provision of the Bush Fires Act 1954, on or at the margins of a road reserve under the care, control and management of the Shire of Irwin [s.38(5A)]. 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Policy	Bush Fire Brigades Local Law
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**308 Control and Extinguishment of Bush Fires**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.46 Bush fire control officer or forest officer may postpone lighting fire
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)]. a. Where it is proposed that the fire will be lit on land within 3km of the boundary of forest land, and an authorised CALM Act officer is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**309 Recovery of Expenses Incurred through Contraventions of this Act**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.58 General penalty and recovery of expenses incurred
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 Shire of Irwin or those on behalf of the Shire of Irwin to do, in accordance with the provisions of s.58 (3) (3A) (3B) (4). *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**310 Prosecution of Offences**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	*Bush Fires Act 1954:* s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
Function	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act in accordance with the provisions of s.59 (1) (2) (3) (4) (5). 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Bush Fire Control Officer Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**311 Withdrawal of Infringement Notices**
Category	Council to CEO
Head of power	03 Bush Fires Act 1954
Delegator	Local Government
Express power to delegate	*Bush Fires Act 1954:* s.48 Delegation by local government
Express power or duty delegated	Bush Fires Act 1954: s.59A(5) Alternative procedure – infringement notices
Function	1. Authority to withdraw an infringement notice for an offence against this Act, at any time within 60 days after the service of the notice, by the sending of a notice, in the prescribed form, signed by a prescribed officer, to the alleged offender at his last known place of residence or business, advising the alleged offender that the infringement notice has been withdrawn, and, in that event, the amount of any prescribed penalty that has been paid shall be refunded [s.59A (5)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Bush Fire Act 1954.*
Delegates	Chief Executive Officer
Conditions	a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	NIL – Sub-delegation is prohibited by s.48(3)
Statutory framework	Bush Fires Act 1954 - s.50
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

04 Cat Act 2011

Cat Act 2011

Delegation	**40 Infringement Notices - Extensions and Withdrawals**
Category	CEO to Employees
Head of power	04 Cat Act 2011
Delegator	Chief Executive Officer
Express power to delegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Express power or duty delegated	*Cat Act 2011:* s.64 Extension of time s.65 Withdrawal of notice
Function	1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and Cat Regulations 2012.*
Delegates	Manager Community Services
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Cat Act 2011 Cat Regulations 2012
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	8 March 2021
Adoption references	Approved by CEO see Altus ECM record INT21/6D3D1ABB
Last reviewed	14 February 2023

Delegation	**400 Cat Registrations**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags *Cat Regulations 2012* Schedule 3, cl.1(4) Fees Payable
Function	1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9 (1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the shire of Irwin's District [Regs. Sch. 3 cl.1(4)]. 6. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat. [Schedule 3 s.1(4)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and Cat Regulations 2012.*
Delegates	Chief Executive Officer
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. b. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the Local Government Act 1995. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government

Subdelegates	Manager Community Services
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Cat Act 2011 Cat Regulations 2012
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**401 Cat Control Notices**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	Cat Act 2011: s.26 Cat control notice may be given to cat owner
Function	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire of Irwin's District [s.26]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Manager Community Services
Subdelegate conditions	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Cat Act 2011 Cat Regulations 2012
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**402 Approval to Breed Cats**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Function	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, within a specified time of not more than 21 days, required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats if one or more of the things set out in s.37(2) applies in respect of the approved cat breeder [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. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Manager Development
Subdelegate conditions	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Cat Act 2011 Cat Regulations 2012

Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**403 Appoint Authorised Person**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s. 48 Authorised persons
Function	1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Manager Community Services
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Cat Act 2011 Cat Regulations 2012
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - not previously sub-delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**404 Recovery of Costs – Destruction of Cats**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat Act 2011:* s.49(3) Authorised person may cause cat to be destroyed
Function	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat from the owner in a court of competent jurisdiction. [s.49(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Cat Act 2011 Cat Regulations 2012
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**405 Applications to Keep Additional Cats**
Category	Council to CEO
Head of power	04 Cat Act 2011
Delegator	Local Government
Express power to delegate	*Cat Act 2011:* s.44 Delegation by local government
Express power or duty delegated	*Cat (Uniform Local Provisions) Regulations 2013:* r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function	1. Authority to require any document or additional information to be provided within a specified time of not more than 21 days to determine an application. [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application. [r.8 (4)] 3. Authority to grant or refuse approval for additional number of cats specified in an application or less than the amount specified in the application, to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats. [r.9] 4. Notices of decisions must include advice as to review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013. *Actions under this Delegation are required to comply with procedural requirements detailed in the Cat Act 2011 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	*Cat Act 2011:* s.45 Delegation by CEO of local government
Subdelegates	Manager Community Services
Subdelegate conditions	Notices of decisions must include advice as to review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013. *Actions under this Delegation are required to comply with any related local law and/or policies.*

Statutory framework	Cat Act 2011 Cat (Uniform Local Provision) Regulations 2013
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Cat Act 2011 s.47
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

05 Dog Act 1976

Dog Act 1976

Delegation	**500 Refuse or Cancel Registration**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.15(2) (4A) Registration periods and fees s.16(2) (3) Registration procedure s.17A(2) If no application for registration made
Function	1. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire of Irwin's District [s15(4A)]. 2. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 3. 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 as per the requirements the Dog Act 1976 because - [s.16(3) and s.17A(2)]. a. the applicant, owner or registered owner has been convicted or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; 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)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog following a decision to refuse or cancel a registration where the owner/applicant was given proper notice of the reason for the decision and has not applied to the State Administrative Tribunal for the decision to be reviewed within the time fixed. [s.17(4)]. 5. Authority to cause the dog to be seized, if an order for the seizure of the dog is made under subsection (4) or (5), and 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)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer

Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**501 Kennel Establishments**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.27 Licensing of approved kennel establishments
Function	1. Authority to grant a licence to keep an approved kennel establishment, upon an application received in the Shire's prescribed manner and form. If due notice of the proposed use of the land was required to be given to persons in the locality, the Shire shall have regard to any objections raised. [s.27(4)]. 2. Authority to cancel a licence for a kennel buy the service of a notice on the licensee specifying a period at the end of which the licence is cancelled, which shall be a period of not less than 3 months [s.27(6)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegates	Manager Development
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000 Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Dog Act 1976 s.10AA *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*

Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - previously not sub-delegated. Sub-delegated to Manager Development as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**502 Appoint Authorised Persons**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.11 Staff and Services
Function	1. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.3 s.11(1)(2)(3) and s.29(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA
Date adopted	28 July 2020
Adoption references	310720
Last reviewed	28 June 2022

Delegation	**503 Recovery of Moneys Due Under this Act**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(5) Power to seize dogs
Function	1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**504 Dispose of or Sell Dogs Liable to be Destroyed**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.29(11) Power to seize dogs
Function	1. Authority to dispose of or sell a dog which is liable to be destroyed pursuant to subsection (10) [s.29(11)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000 Council Policy CP43 Disposal of Property
Record keeping	Dog Act 1976 s.10AA
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**505 Declare a Dangerous Dog**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function	1. Authority to declare an individual dog to be a dangerous dog by notice in writing given in accordance with section 33F [s.33E(1)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council. b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil

Delegation	**506 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1)(2)(5) Local government may revoke declaration or proposal to destroy
Function	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)]. 5. Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. If the Chief Executive Officer declares a Dangerous Dog, objections are to be referred to Council. b. The Chief Executive Officer may further delegate to a person which is determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated

Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**507 Determine Recoverable Expenses for Dangerous Dog Declaration**
Category	Council to CEO
Head of power	05 Dog Act 1976
Delegator	Local Government
Express power to delegate	*Dog Act 1976:* s.10AA Delegation of local government powers and duties
Express power or duty delegated	*Dog Act 1976:* s.33M(1)(a) Local Government expenses to be recoverable
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 Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Dog Act 1976 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The Chief Executive Officer may further delegate to a person which are determined as being suitably capable of fulfilling the powers and duties contained in this Delegation. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Dog Act 1976:* s.10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Subdelegate conditions	Not sub-delegated
Statutory framework	Dog Act 1976
Policy	Dog Local Law 2000
Record keeping	Dog Act 1976 s.10AA *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

06 Food Act 2008

Food Act 2008

Delegation	**600 Food Business Registrations**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Food Act 2008:* s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
Function	1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, see ww2.health.wa.gov.au for up-to-date DoH CEO approved documents. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Subdelegate conditions	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**601 Appoint Authorised Officers and Designated Officers**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Function	1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [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)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.122(2) the Department of Health (DoH) CEO may issue guidelines that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer. See ww2.health.wa.gov.au for up-to-date DoH CEO approved guidelines. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**602 Determine Compensation**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Food Act 2008:* s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Function	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)(3)]. 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)(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time. b. Compensation under this delegation may only be determined upon documented losses up to a maximum of $1,000. Compensation requests above this value are to be reported to Council. c. The person who seized an item is not permitted to determine an objection, extend time, withdraw or revoke and/or compensation, as is applicable. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**603 Prohibition Orders**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Function	1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [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)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**604 Debt Recovery and Prosecutions**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Function	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs s.54(1) and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the Food Act 2008 within 12 months after the date of which the offense is alleged to have been committed, or within 6 months if proceedings are in respect of a food sample [s.125]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**605 Food Business List – Preparation, Maintenance and Public Access**
Category	Council to CEO
Head of power	06 Food Act 2008
Delegator	Local Government
Express power to delegate	*Food Act 2008:* s.118Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express power or duty delegated	*Food Act 2008:* r.51 Enforcement agency may make list of food businesses publicly available
Function	1. Authority to prepare and maintain a list of — (a) food businesses notified to the agency in respect of any premises under section 107; and (b) food businesses registered by the agency in respect of any premises under section 110 [s.115]. 2. Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Food Act 2008 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health (DoH) CEO Guidelines, as amended from time to time. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	NIL – Food Regulations 2009 do not provide for sub-delegation.
Statutory framework	Food Act 2008
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

07 Graffiti Vandalism Act 2016

Graffiti Vandalism Act 2016

Delegation	**700 Give Notice Requiring Obliteration of Graffiti**
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016* s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function	1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, if applicable with s.18(1), 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 reasonable costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
Subdelegates	Manager Community Services Manager Operations
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Statutory framework	Graffiti Vandalism Act 2016 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	28 July 2020
Adoption references	130720

Last reviewed	28 June 2022

Delegation	**701 Notices – Deal with Objections and Suspension of Effect of Notices**
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016* s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function	1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged against a notice or a decision or for a review of a decision, to: i. determine that there are urgent reasons why the effect of the notice or decision should not be suspended; or ii. suspension of the effect of the notice or decision is reasonably likely to endanger the safety of any person, cause damage to property or to create a serious public nuisance [s.24(1)(b)]; and ii. to give notice to the affected person in writing of its decision explaining its reasons under subsection s.24(1)(b) [s.24(3)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. The person who issued an infringement and/or notice is not permitted to determine an objection, extend time, withdraw or revoke an infringement and/or notice, as is applicable, for the same applicant and/or issue. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Graffiti Vandalism Act 2016 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**702 Obliterate Graffiti on Land not Local Government Property**
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016* s.25(1) Local government graffiti powers on land not local government property
Function	1. Authority to determine to obliterate graffiti that is visible from a public place and has been 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 to do it [s.25 (1)]. a. Subject to exercising Powers of Entry. *Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Graffiti Vandalism Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**703 Powers of Entry**
Category	Council to CEO
Head of power	07 Graffiti Vandalism Act 2016
Delegator	Local Government
Express power to delegate	*Graffiti Vandalism Act 2016:* s.16 Delegation by local government
Express power or duty delegated	*Graffiti Vandalism Act 2016* s.28 Notice of entry s.29 Entry under warrant
Function	1. Authority to give notice, not less than 24 hours before, 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]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Graffiti Vandalism Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	*Graffiti Vandalism Act 2016:* s.17 Delegation by CEO of local government
Subdelegate conditions	Not sub-delegated
Statutory framework	Graffiti Vandalism Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

08 Public Health Act 2016

Public Health Act 2016

Delegation	**800 Appoint Authorised Officer or Approved Officer (Asbestos Regs)**
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Local Government
Express power to delegate	*Health (Asbestos) Regulations 1992:* r.15D(7) Infringement Notices
Express power or duty delegated	*Health (Asbestos) Regulations 1992:* r.15D(5) Infringement Notices
Function	1. Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the Criminal Procedure Act 2004 Part 2. [r.15D(5)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Nil – the *Health (Asbestos) Regulations 1992* do not provide a power to sub-delegate.
Statutory framework	Health (Asbestos) Regulations 1992 Criminal Procedure Act 2004 – Part 2
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**801 Enforcement Agency Reports to the Chief Health Officer**
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016* s.22 Reports by and about enforcement agencies
Function	1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire of Irwin [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)]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	Public Health Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**802 Designate Authorised Officers**
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016* s.24(1) and (3) Designation of authorised officers
Function	1. Authority to designate a person or class of persons as authorised officers for the purposes of: a. The Public Health Act 2016 or other specified Act b. Specified provisions of the Public Health Act 2016 or other specified Act c. Provisions of the Public Health Act 2016 or another specified Act, other than the specified provisions of that Act. Including: a. an environmental health officer or environmental health officers as a class; OR b. a person who is not an environmental health officer or a class of persons who are not environmental health officers; OR c. a mixture of the two [s.24(1) and (3)]. Subject to each person so appointed being appropriately qualified and experienced s.25(1)(a) and has regard to any guidelines issued under s.29. *Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	Public Health Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**803 Determine Compensation for Seized Items**
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
Express power to delegate	*Public Health Act 2016:* s.21 Enforcement agency may delegate
Express power or duty delegated	*Public Health Act 2016* s.264 Compensation
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 in relation to the item and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264]. *Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	a. Compensation is limited to a maximum value of $100, with any proposal for compensation above this value to be referred for Council's determination. *Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	Public Health Act 2016 *Note – Decisions under this delegation may be referred for review by the State Administration Tribunal.*
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

Delegation	**804 Commence Proceedings**
Category	Council to CEO
Head of power	08 Public Health Act 2016
Delegator	Enforcement Agency (Local Government)
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
Function	1. Authority to commence proceedings for an offence under the Public Health Act 2016 [s.280] *Actions under this Delegation are required to comply with procedural requirements detailed in the Public Health Act 2016 and associated Regulations.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local laws and/or policies.*
Express power to subdelegate	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Statutory framework	Public Health Act 2016
Date adopted	28 July 2020
Adoption references	130720
Last reviewed	28 June 2022

09 Planning and Development Act 2005

Planning and Development Act 2005

Delegation	**900 Illegal Development**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
Express power or duty delegated	Planning and Development Act 2005: s.214(2), (3) and (5) Illegal development, responsible authority's powers as to s.215 Illegal development, responsible Authority's powers to remove
Function	1. Authority to 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. [s.214(2)] 2. Authority to give a written direction to the owner or any other person who undertook an unauthorised development: (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. [s.214(3)] 3. Authority to 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. [s.214(5)] 4. Authority to recover any expenses incurred by a responsible authority under subsection s.215 (1) may be recovered from the person to whom the direction was given as a debt due in a court of competent jurisdiction. [s.215] See Council conditions. Note - Authority to prosecute a person for an office under Division 2 Offences irrespective of whether or not a direction has been given under section 214. [s.224] Authority to give an infringement notice can be issued under section 234. *Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.*
Delegates	Chief Executive Officer Manager Development
Conditions	a. The authority to recover expenses is only exercisable by the Chief Executive Officer. *Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.

Statutory framework	Planning and Development Act 2005 Part 13
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil

Delegation	**901 Waiving or Refunding Planning Application Fee**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
Express power or duty delegated	Planning and Development Regulations 2009 r.52 Local Government may waive or refund fee
Function	1. Authority to waive or refund, in whole or in part, payment of a fee for a planning service. [r.52] *Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.*
Delegates	Chief Executive Officer Manager Development
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	Planning and Development Act 2005 Part 13
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil

Delegation	**902 Grant a Certificate**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
Express power or duty delegated	Liquor Control Act 1988: s.40 Certificate of planning authority as to whether use of premises complies with planning laws
Function	1. Authority to grant a certificate, with or without conditions, to support an application for a licence under the Liquor Control Act 1988. [s.40(1) & (4)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.*
Delegates	Chief Executive Officer Manager Development
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	Planning and Development Act 2005 Part 13
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Delegation	**903 Subdivision Clearances**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: s.16(3)(e) - Delegation by Commission
Express power or duty delegated	Planning and Development Act 2005: s.157(1) When approval of subdivision deemed to be approval under planning scheme
Function	1. Upon subdivision approval by the Commission, authority under the planning scheme to approve the carrying out of works necessary to enable the subdivision of the land that are — (a) shown on the plan of subdivision; or (b) required by the Commission to be carried out as a condition of approval of the plan of subdivision. *Actions under this Delegation are required to comply with procedural requirements detailed in the Planning and Development Act 2005, Planning and Development Regulations 2009 and Local Planning Scheme 05.*
Delegates	Chief Executive Officer Manager Development
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Delegation	**904 Local Planning Scheme No.5**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development (Local Planning Schemes) Regulations 2015 s.82 Delegations by local government s.84 Other matters relevant to delegations under this Division Local Government Act 1995: s.5.45 Other matters relevant to delegations under this Division s.5.46 Register of, and records relevant to, delegations to CEO and employees Local Planning Scheme 5 (The Scheme) 11.3 Delegation of functions

Express power or duty delegated	**PART 4 – ZONES AND THE USE OF THE LAND** 4.3 Zoning table **PART 5 – GENERAL DEVELOPMENT REQUIREMENTS** 5.3 Special application of residential design codes 5.5 Variations to site and development standards and requirements 5.7 Home businesses, home occupations and cottage industries 5.8 Car Parking Standards 5.9 Car Parking – Cash in Lieu or Staging 5.10 Secondhand Dwellings 5.11 Ancillary Dwellings 5.12 Waste Disposal 5.15 Development of land without constructed road frontage 5.16 Land liable to flooding and the Irwin River Floodplain 5.17 Development of lots with more than one street frontage 5.18 Outbuildings 5.21 Retaining Walls, fence or screen wall construction 5.22 Traffic Entrances 5.23 Flora preservation and planting 5.25 Residential Zone 5.26 Special Residential Zone 5.30 Rural Residential Zone and the Rural Smallholdings Zone 5.34 Structure Planning Areas **PART 6 SPECIAL CONTROL AREAS** 6.2 Water Supply Protection Area **PART 7 HERITAGE** 7.4 Heritage Assessment 7.5 Variations to Scheme provisions for a heritage place or heritage area **PART 8 – DEVELOPMENT OF LAND** 8.1 Requirement for approval to commence development 8.3 Amending or revoking a planning approval 8.4 Unauthorised existing developments **PART 9 – APPLICATION FOR PLANNING APPROVAL** 9.4 Advertising of applications **PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS** 10.1 Consultations with other authorities 10.6 Temporary planning approval **PART 11 ENFORCEMENT AND ADMINISTRATION** 11.1 Powers of the Local Government 11.2 Removal and repair of existing advertisements
Function	**PART 4 – ZONES AND THE USE OF LAND** 1 Change the use of land from one use to another. [cl.4.3.3 & 4.3.4] **PART 5 – GENERAL DEVELOPMENT REQUIREMENTS**

2 Approve a Grouped Dwelling development containing a maximum of two (2) dwelling units, subject to relevant provision of R20 and The Scheme. [cl.5.3.1]

3 Approve Ancillary Dwelling as per the provision of the development application process, Zoning Table and the Residential Design Codes. [cl.5.3.3 & 5.11]

4 Approve an application for planning approval that does not comply with a standard or requirement prescribed under The Scheme, unconditionally or subject to such conditions as the local government thinks fit. Except for development in respect of which the Residential Design Codes apply. [cl.5.5.1] In accordance with cl.5.5.2 & 5.5.3.

5 Issue an annual approval to conduct a home business, home occupation or industry-cottage. Re-issue or refuse to re-issue annual approvals. [cl.5.7.1 & 5.7.2].

6 Authority to determine parking standards not specified in The Scheme [cl5.8.1]

7 Authority to permit car parking to be provided in stages subject to the landowner setting aside an area of land sufficient to accommodate the total car parking requirement for the development and entering into a legal agreement to satisfactorily complete all the remaining parking when required to do so by the local government. [cl5.9.1]

8 Refuse a development application until the road has been constructed or access by means of a constructed road is provided. Or grant approval to the application subject to a condition requiring the applicant to pay a sum of money in or towards the cost of constructing the road or part thereof and any other condition it considers fit to impose. Or require other legal arrangements are made for permanent access. [cl.5.15]

9 Refuse an application for planning approval for any building or development located on land which is considered as being liable to flooding or inundation. [cl.5.16]

10 Decide which street frontage the street setback shall be applied and allow up to a 50% reduction in the street frontage setback to the other street, where development is proposed on a lot with frontage to more than one street or road, and the lot is in a zone or zones other than Residential. Except where development is subject to the Residential Design Codes. [cl.5.17]

11 Approve Outbuildings, through a development application, that are consistent with The Scheme. [cl.5.18]

12 Approve, through a development application, retaining walls or boundary fences in accordance with The Scheme. [cl.5.21.1 & 5.21.2]

13 Refuse to permit more than one vehicular entrance or exit to or from any lot. May require separate entrances and exits; or may require that entrances and exits be placed in positions nominated by it, if it considers such provision necessary to avoid or reduce traffic hazards. [cl.5.22.1]

14 Authority to as a condition of any approval for new development or change of use, require existing accesses to major roads to be closed where access from a secondary street is or can be made possible. [cl.5.22.2]

15 Authority to approve to vary the position of any required firebreak to avoid destruction of vegetation due to the physical features on the subject land. [cl.5.23.4]

16 May, by notice served upon individual landowners or developers of land, require the preservation of groups and/or corridors of indigenous flora and thereafter no landowner shall cut, remove or otherwise destroy any such flora unless the Shire rescinds the notice or orders. And may impose conditions on a planning approval or request conditions on a subdivision approval. [cl.5.23.5 & 5.23.6]

17 Approve the parking of a commercial vehicle on a lot in the Residential Zone in accordance with The Scheme. [cl.5.25.3]

18 At the time of subdivision, the local government may request the Western Australian Planning Commission to impose conditions related to the subdivision, in accordance with The Scheme.

19 Refuse planning approval for any outbuildings on any Rural Residential zoned lot which does not contain a residence unless forming Stage 1 of a planning application containing a residence, the local government may require a performance bond for the future construction of the residence [cl.5.30.12]

20 Notwithstanding clause 5.34.4.1 may recommend subdivision or approve the development of land within a Structure Planning Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the Structure Planning Area. [cl.5.34.4.2]

21 Notwithstanding the provisions of sub-clause 5.34.4.4, may approve the construction of the following structures outside of the building envelopes—
• Water tanks;
• Windmills;
• Stock watering and feed troughs; and
• Roofed structure open on all sides for the purposes of providing shelter to animals.
[cl.5.34.4.5]

PART 6 SPECIAL CONTROL AREAS
22 Authority to refuse a use or development where DWER advises that a use or development should be refused, nothwithstanding that a use or development may be classified as 'P' in the zoning table. [cl.6.2.5]

PART 7 HERITAGE
23 May require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List. [cl.7.4]

24 May vary any site or development requirement specified in The Scheme or the Residential Design Codes, where desirable to –
a) Facilitate the conservation of a heritage place entered in the Register of Places under the Heritage of Western Australia Act 1990 or listed in the Heritage List under Clause 7.1.1; or
b) Enhance or preserve heritage values in a heritage area designated under Clause 7.2.1.
In accordance with the procedures set out in Clause 5.5.2.

PART 8 – DEVELOPMENT OF LAND
25 Approve and or refuse, with or without conditions, subject to Clause 8.2, all development on land zoned and reserved under The Scheme and in accordance with Part 9 Application for Planning Approval [8.1] With regard to the following:
a) For the purpose of a use of land mentioned in the Zoning table of the LPS5 and designated 'P', 'D' or 'A'.
b) On a Local Reserve under the LPS05 for the purpose for which the land is reserved under. [cl.3.4]
c) On Land specified in Schedule No.2 Additional Uses of the LPS05 for the purpose specified with respect to that land in Schedule No.2.
d) On land specified in Schedule No.3 Restricted Uses for the purpose specified with respect to that land in Schedule No.3.
e) For the purpose of a use of land mentioned in Schedule No.4 Special Use Zones of LPS05 and designated 'P', 'D' or 'A'.
f) To the erection placement and display of advertisements and the use of land or buildings for that purpose in accordance with The Scheme.

	26 Revoke or amend, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval. [cl.8.3] 27 Grant planning approval, for an unauthorised development, if the development conforms to the provisions of The Scheme and in accordance with Part 9 Application for Planning Approval. [cl.8.4] **PART 9 APPLICATION FOR PLANNING APPROVAL** 28 May give notice or require the applicant to give notice of an application for planning approval in accordance with Part 9 and for the purpose of a use or commence or carry out development which involves a use which is- a) An 'A' use under Clause 4.3.2; or b) A use not listed in the Zoning Table [cl.9.4.1] **PART 10 PROCEDURE FOR DEALING WITH APPLICATIONS** 29 May consult with any other statutory, public, or planning authority it considers appropriate in considering any application for planning approval. [cl.10.1.1] 30 May impose conditions limiting the period of time for which a temporary planning approval is granted. [cl.10.6] **PART 11 ENFORCEMENT AND ADMINISTRATION** 31 May, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of The Scheme are being observed. [cl.11.1.2] 32 May by written notice (giving clear reasons) require the advertiser to remove, relocate, repair, adapt or otherwise modify the advertisement, where an existing advertisement at, or at any time after, the coming into force of The Scheme, is, in the opinion of the local government, in conflict with the amenity of the locality. [cl.11.2.1] 33 Where, in the opinion of the local government, an advertisement has deteriorated to a point where it is in conflict with the aims of The Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by written notice require the advertiser to – a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or b) remove the advertisement. [cl.11.2.2] *Actions under this Delegation are required to comply with procedural requirements detailed in the Local Planning Scheme 05, local planning policies and the standards and policies of the Western Australia Planning Commission.*
Delegates	Chief Executive Officer
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	Planning and Development (Local Planning Schemes) Regulations 2015 s.83 Local Government CEO may delegate powers s.84 Other matters relevant to delegations under this Division
Subdelegates	Manager Development
Subdelegate conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*

Statutory framework	Planning and Development Act 2005 Part 13 Planning and Development (Local Planning Schemes) Regulations 2015 Local Planning Scheme 05
Policy	Local Planning Policy – Advertising Signs Local Planning Policy – Developer Contributions for Upgrades to Roads and Footpaths Local Planning Policy – Extractive Industries LPP01 Local Planning Policy – Shipping Containers Local Planning Policy – Water Sensitive Urban Design Local Planning Policy – Wind Turbines Code of Conduct – Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Record keeping	Local Government Act s.5.46
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	**905 Strata Title Applications - Certificates of Approval**
Category	Council to CEO
Head of power	09 Planning and Development Act 2005
Delegator	Council
Express power to delegate	Planning and Development Act 2005: Section 16(3)(e) - Delegation by Commission
Express power or duty delegated	Strata Titles Act 1985: s.23 Requirement for local government approval
Function	1 Authority to provide written subdivision approval in accordance with s.15 if the parcel is situated in the Shire of Irwin district, if the subdivision involves — (a) 2 or more lots being consolidated into 1 lot; or (b) 1 or more lots being converted into common property; or (c) the removal, from the parcel, of land comprised of common property. [s.23(1)] 2 If the subdivision is approved, it is subject to any planning (scheme by-laws) condition attached to the local government approval. [s.23(2)] *Actions under this Delegation are required to comply with procedural requirements detailed in the Strata Titles Act 1985 and associated legislation.*
Delegates	Chief Executive Officer Manager Development
Conditions	*Actions under this Delegation are required to comply with any related local law and/or policies.*
Express power to subdelegate	s.16(6) Delegation by Commission – A delegate must not further delegate any function.
Statutory framework	Planning and Development Act 2005 Part 13 Strata Titles Act 1985 SOI Local Planning Scheme No.5
Policy	Code of Conduct - Employees Council Policy CP24 Recordkeeping Management Policy MP10 Exercising of Delegations
Date adopted	22 September 2020
Adoption references	060920
Last reviewed	28 June 2022

Amendments			
Approved	**Type**	**Amendment**	**References**
14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil

AMENDMENTS

Delegation	Approved or adopted	Type	Amendment	References
10 Information to be available to the public	14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Finance. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil
11 Financial Management Systems and Procedures	14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Finance. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil
13 Infringement Notices	14 Feb 2023	Amended delegation	14.02.2023 - as advised during meeting with CEO, new delegate to be Manager, Community Services. Subsequently advised by WALGA (on 23.02.23) that no Council-CEO delegation required for this Delegation as legislation allows for CEO to be the delegator.	Nil
100 Tenders for Goods and Services	28 Feb 2023	Amended delegation	Adopted by Coumcil at OCM 28.02.2023	Minute reference: 100223
101 Payments from the Municipal or Trust Funds	14 Feb 2023	Amended delegation	Correction to Amendment comment above - Manager Finance and Chief Operating Officer given delegation 14/02/2023 (not 2022).	Nil
101 Payments from the Municipal or Trust Funds	22 Feb 2023	Amended delegation	Following subdelegates added, on instruction of CEO, as follows: - 20/08/2022: Human Resources Supervisor (refer amendment comment 20/8/22 in EMP101); - 23/08/2022: Community Emergency Services Manager (refer amendment comment 23/08/22 in EMP101); - 14/09/2022: Manager, Community Services (refer amendment comment 14/09/22 in EMP101); - 15/02/2022: Manager Finance and Chief Operating Officer (ALTUS folder: 3.00342; ref: INT23/14767209).	Nil

Delegation	Approved or adopted	Type	Amendment	References
101 Payments from the Municipal or Trust Funds	8 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	Nil
102 Trust Fund	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
102 Trust Fund	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
106 Compensation for Damage Incurred when Performing Executive Functions	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
107 Powers of Entry	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
108 Declare Vehicle is Abandoned Vehicle Wreck	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
109 Confiscate or Uncollected Goods	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
110 Disposal of Sick or Injured Animals	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
111 Close Thoroughfares to Vehicles	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
111 Close Thoroughfares to Vehicles	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
112 Control Reserves and Certain Unvested Facilities	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
113 Obstruction of Footpaths and Thoroughfares	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
113 Obstruction of Footpaths and Thoroughfares	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	Approved or adopted	Type	Amendment	References
114 Gates Across Public Thoroughfares	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
114 Gates Across Public Thoroughfares	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO, as follows: Mark Jones in position of Manager Operations (acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
115 Public Thoroughfare – Dangerous Excavations	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
115 Public Thoroughfare – Dangerous Excavations	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	Approved or adopted	Type	Amendment	References
116 Crossing – Construction, Repair and Removal	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
116 Crossing – Construction, Repair and Removal	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
118 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
119 Disposal of Property	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil

Delegation	Approved or adopted	Type	Amendment	References
120 Defer, Grant Discounts, Waive or Write off Debts	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
121 Power to Invest and Manage Investments	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
122 Rate Record Amendment	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
123 Agreement as to Payment of Rates and Service Charges	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
126 Recovery of Rates – Lessee to Pay Rent	14 Feb 2023	Amended delegation	14 February 2023 - previously not sub -delegated. Sub-delegated to Manager Finance as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
127 Rate Record - Objections	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
128 Issuing Notices to Owner or Occupier of Land	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
128 Issuing Notices to Owner or Occupier of Land	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	

Delegation	Approved or adopted	Type	Amendment	References
129 Actions on Land that is not Local Government Property	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
129 Actions on Land that is not Local Government Property	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper.	
130 Works Required for Supply of Gas or Water	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation removed as advised by CEO on 21.02.2023 - i.e. NO sub-delegation at this time.	Nil
131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #120221	OCM Decision #120221
131 Complaints Officer	23 Feb 2021	New delegation	OCM Decision #130221	OCM Decision #130221
131 Complaints Officer	23 Feb 2021	New delegation	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221	Adopted by Absolute Majority OCM 23 Feb 2021 Minute#120221
200 Grant a Building Permit	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
201 Demolition Permits	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
202 Occupancy Permits or Building Approval Certificates	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
204 Building Orders	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
205 Inspection and Copies of Building Records	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
206 Referrals and Issuing Certificates	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
207 Private Pool Barrier – Alternative and Performance Solutions	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
208 Smoke Alarms – Alternative Solutions	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
400 Cat Registrations	14 Feb 2023	Amended delegation	14 February 2023 - previously not sub -delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
401 Cat Control Notices	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
402 Approval to Breed Cats	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
403 Appoint Authorised Person	14 Feb 2023	Amended delegation	14 February 2023 - not previously sub -delegated. Sub-delegated to Manager Community Services as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
405 Applications to Keep Additional Cats	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
501 Kennel Establishments	14 Feb 2023	Amended delegation	14 February 2023 - previously not sub -delegated. Sub-delegated to Manager Development as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil
505 Declare a Dangerous Dog	14 Feb 2023	Revoked	14 February 2023 - Sub-delegation revoked as advised by CEO on 21.02.2023 - not to be sub-delegated at this time.	Nil
900 Illegal Development	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
901 Waiving or Refunding Planning Application Fee	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
904 Local Planning Scheme No.5	14 Feb 2023	Amended delegation	14 February 2023 - amendments to sub-delegations as advised by CEO at meeting 14/2/23. Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles. 22 February 2023 - Council to CEO and CEO to Employee delegations combined into the one template (as approved by CEO).	Nil

Delegation	Approved or adopted	Type	Amendment	References
905 Strata Title Applications - Certificates of Approval	14 Feb 2023	Amended delegation	14 February 2023 - amendments to delegations as advised by CEO at meeting 14/2/23 (Old role of A/Manager Infrastructure and Development removed). Amendments required due to staffing changes, change in staff titles and responsibilities falling under these new titles.	Nil
CEO1000 Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Regulatory Services role no longer exists. Delegation changed to Manager Community Services.	Nil
CEO1002 Cemeteries Local Law 2000	20 Jun 2023	Amended delegation	Following subdelegate added on instruction of CEO,as follows: Mark Jones in position of Manager Operations(acting), from 29/05/2023 position review replaces existing role of COO, vacated by Ted Roper. Manager Corporate & Community role no longer exists. Delegation changed to Manager Community Services.	Nil
CEO1003 Dogs Local Law	20 Jun 2023	Amended delegation	Following subdelegates added on instruction of CEO, as follows: Manager Infrastructure and Development and Manager Regulatory Services roles no longer exist. Delegation changed to Manager Operations and Community Services.	Nil
CEO1004 Extractive Industries Local Law 2000	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Operations and Manager Community Services.	Nil

Delegation	Approved or adopted	Type	Amendment	References
CEO1005 Health Local Laws 2002	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles, no longer exist. Delegations amended to Manager Development ang Manager Operations.	Nil
CEO1006 Local Government Property Local Law	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Development and Manager Operations.	Nil
CEO1007 Local Law Relating to Signs, Hoarding and Bill Posting	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil
CEO1008 Local Laws Relating to Fencing	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegation amended to Manager Community Services and Manager Operations.	Nil
CEO1010 Parking and Parking Facilities Local Law 2000	20 Jun 2023	Amended delegation	Manager Infrastructure and Development & Manager Regulatory Services roles no longer exist. Delegations amended to Manager Community Services and Manager Operations.	Nil

ATTACHMENT: CC09
Delegated Authority Report-
Development, May 2023
Attachment 9

SHIRE OF IRWIN
DONGARA-PORT DENISON
A BRILLIANT BLEND

Records of exercise of delegated powers or duties – Development, May 2023

Function	Officer	Date of decision	Decision	Description	Address
Grant a Building Permit	Manager Development	15 May 2023	Granted	Building Permit – Storeroom	Lot 500 (No. 1) Moreton Terrace, Dongara
Grant a Building Permit	Manager Development	15 May 2023	Granted	Building Permit – Farm Shed x 2	Lot 9887 (No. 699) Milo Road, Milo
Grant a Building Permit	Manager Development	15 May 2023	Granted	Building Permit – Shed & Carport	Lot 255 (No. 7) Bayliss Road, Dongara
Grant a Building Permit	Manager Development	15 May 2023	Granted	Building Permit – Shed	Lot 121 Springfield Drive, Springfield
Grant a Building Permit	Manager Development	23 May 2023	Granted	Building Permit – Patio	Lot 93 (No. 9) Massingham Place, Dongara
Grant a Building Permit	Manager Development	26 May 2023	Granted	Building Permit – Temporary Mining Camp Accommodation	Lot 4 (No. 353) Pye Road, Mount Adams
Grant a Building Permit	Manager Development	26 May 2023	Granted	Building Permit – Dwelling	Lot 764 (No. 64) Retreat Boulevard, Port Denison
Grant a Building Permit	Manager Development	29 May 2023	Granted	Building Permit – Grouped Dwelling x 2	Lot 104 (No. 48) Hampton Street, Port Denison
Grant a Building Permit	Manager Development	29 May 2023	Granted	Building Permit – Patio	Lot 64 (No. 22) Armstrong Street, Dongara
Local Planning Scheme No.5	Manager Development	9 May 2023	Granted	Development Approval – Grouped Dwelling (Patio)	Lot 37 (Unit 9, No. 213) Point Leander Drive, Port Denison
Local Planning Scheme No.5	Manager Development	9 May 2023	Granted	Development Approval – Single House	Lot 11 Sandalwood Drive, Yardarino
Local Planning Scheme No.5	Manager Development	25 May 2023	Granted	Development Approval Amendment – Single House (Outbuilding)	Lot 289 (No. 27) Carnarvon Street, Port Denison
Local Planning Scheme No.5	Manager Development	25 May 2023	Granted	Development Approval – Single House (Outbuilding)	Lot 11 (No. 64) Waldeck Street, Dongara
Local Planning Scheme No.5	Manager Development	26 May 2023	Granted	Development Approval – Single House (Outbuilding)	Lot 100 (No. 39) Fane Road, Bonniefield
Local Planning Scheme No.5	Manager Development	26 May 2023	Granted	Development Approval – Single House (Outbuilding)	Lot 349 (No. 78) North Shore Drive, Dongara
Subdivision Clearance	Manager Development	18 May 2023	Granted	Subdivision Clearance – 2 Residential lots	Lot 250 Brennan Road, Dongara

ATTACHMENT: CC10
Attachment 1 of 2:
Application for
Developmental Approval

Attachment 10

To Dongara Council,

I would like you to consider a 6-metre rear setback in the Moreton Bay Estate at 20 Bayliss Rd.

- New zoning R5 allows for a 6-metre rear setback.

- Well established landscape buffer zone between the rear boundary fence and road is 30 metres approximately.
- The neighbors shed is 2 metres approximately rear setback and does not detract from the estate.
- Our proposed shed size is comparable with existing sheds on the estate.

- Existing ground levels will greatly reduce ground disturbance and earth works at 6 metre setbacks.
- Our earthy colours chosen will blend in with surroundings and visually pleasing.

- If noise is an issue, there is a proposed bypass planned.

- Two gum trees (widow makers) will need to be removed as they will be within the building envelope and roots will interfere with footings.
- Within 2 metres of our rear boundary is an established landscape buffer zone which we will also add to.

Regards Dave and Tracy Spurr



1 PROPOSAL VIEW

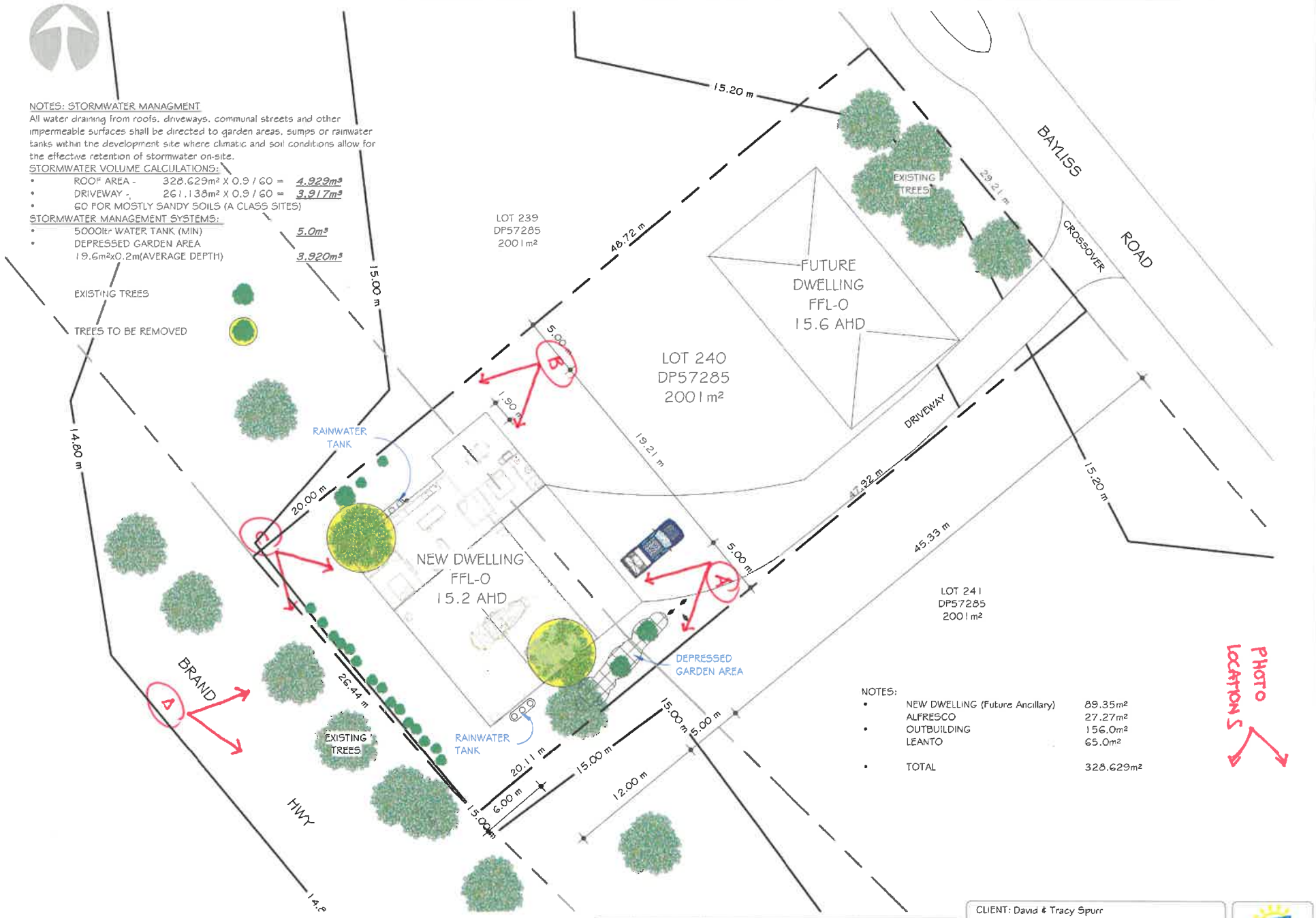
Rev	Date	Revisions
3	23/5/2023	ADD TREES, SHOW TREES REMOVED
2	18/5/2023	REAR SETBACK TO 6MTRS. STORMWATER CALCS
1	7/3/2023	PRELIMINARY PLANS

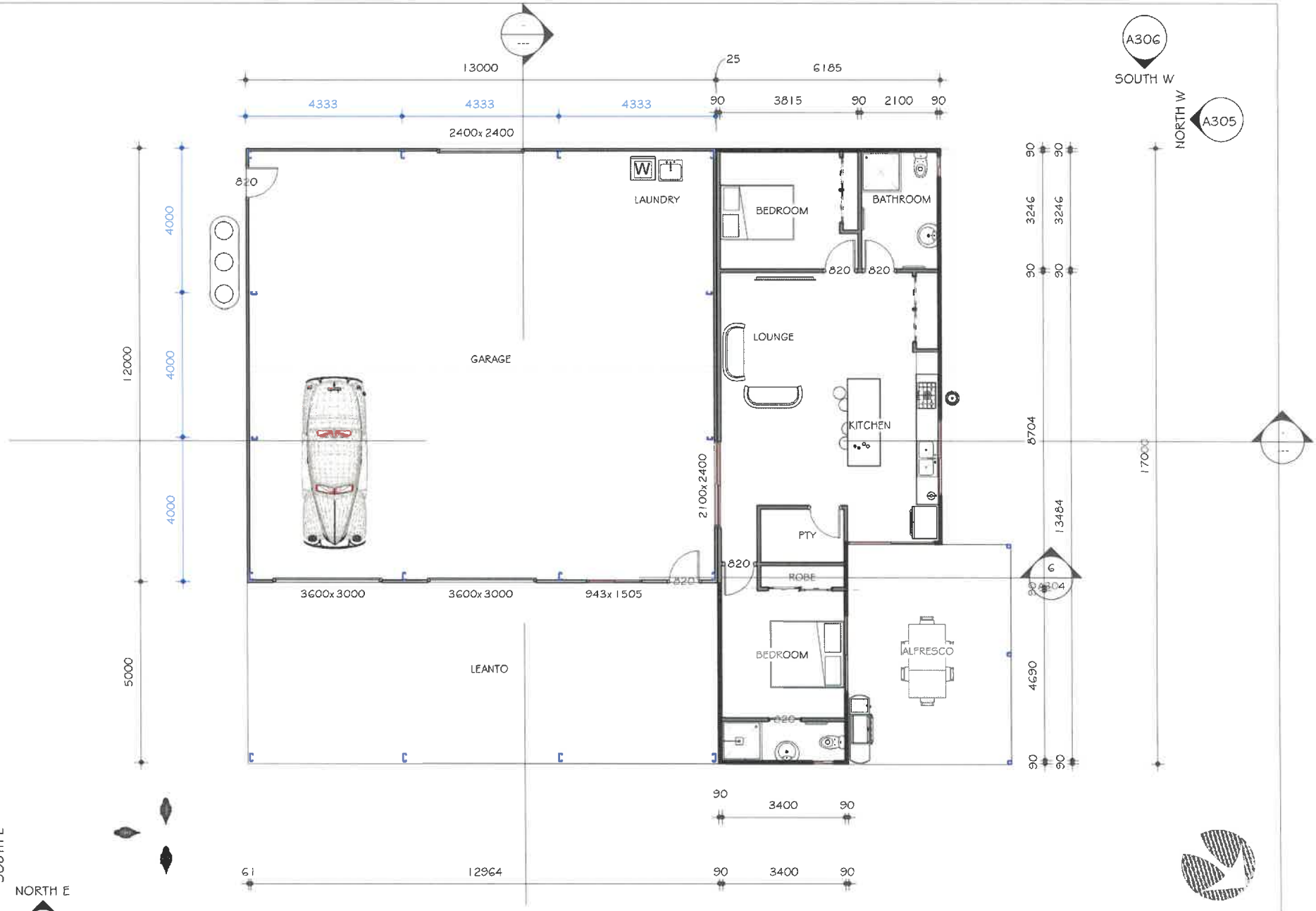
CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA

TITLE: NEW DWELLING REV 3

DRAWING No A301 PROPOSAL 23/5/2023

ECO BUILDING DESIGN


NOTES: STORMWATER MANAGMENT
All water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site where climatic and soil conditions allow for the effective retention of stormwater on-site.
STORMWATER VOLUME CALCULATIONS:
• ROOF AREA - 328.629m² X 0.9 / 60 = 4.929m³
• DRIVEWAY - 261.138m² X 0.9 / 60 = 3.917m³
• 60 FOR MOSTLY SANDY SOILS (A CLASS SITES)
STORMWATER MANAGEMENT SYSTEMS:
• 5000ltr WATER TANK (MIN) 5.0m³
• DEPRESSED GARDEN AREA 19.6m²x0.2m(AVERAGE DEPTH) 3.920m³
EXISTING TREES
TREES TO BE REMOVED
LOT 239 DP57285 2001 m²
LOT 240 DP57285 2001 m²
LOT 241 DP57285 2001 m²
FUTURE DWELLING FFL-0 15.6 AHD
NEW DWELLING FFL-0 15.2 AHD
RAINWATER TANK
RAINWATER TANK
DEPRESSED GARDEN AREA
DRIVEWAY
CROSSOVER
BAYLISS ROAD
BRAND HWY
15.20 m
48.72 m
15.00 m
14.80 m
20.00 m
19.21 m
47.92 m
45.33 m
15.20 m
5.00 m
1.50 m
26.44 m
20.11 m
15.00 m
6.00 m
12.00 m
29.21 m
NOTES:
• NEW DWELLING (Future Ancillary) 89.35m²
ALFRESCO 27.27m²
• OUTBUILDING 156.0m²
LEANTO 65.0m²
• TOTAL 328.629m²
PHOTO LOCATIONS
1 Site 1 : 300
3 23/5/2023 ADD TREES, SHOW TREES REMOVED
2 18/5/2023 REAR SETBACK TO GMTRS, STORMWATER CALCS
1 7/3/2023 PRELIMINARY PLANS
Rev Date Revisions
CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA
TITLE: NEW DWELLING REV3
DRAWING No A302 SITE PLAN 23/5/2023
ECO BUILDING DESIGN



1 FLOORPLAN
1 : 100

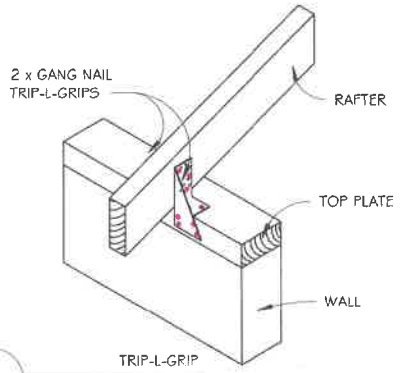
Rev	Date	Revisions
3	23/5/2023	ADD TREES, SHOW TREES REMOVED
2	18/5/2023	REAR SETBACK TO 6MTRS, STORMWATER CALCS
1	7/3/2023	PRELIMINARY PLANS

CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA

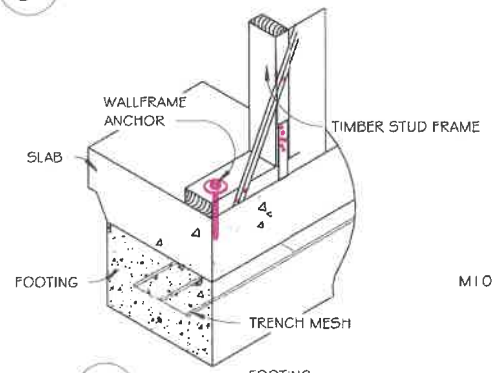
TITLE: NEW DWELLING REV 3

DRAWING No A303 FLOOR PLAN 23/5/2023

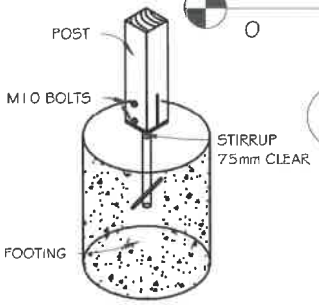
ECO BUILDING DESIGN



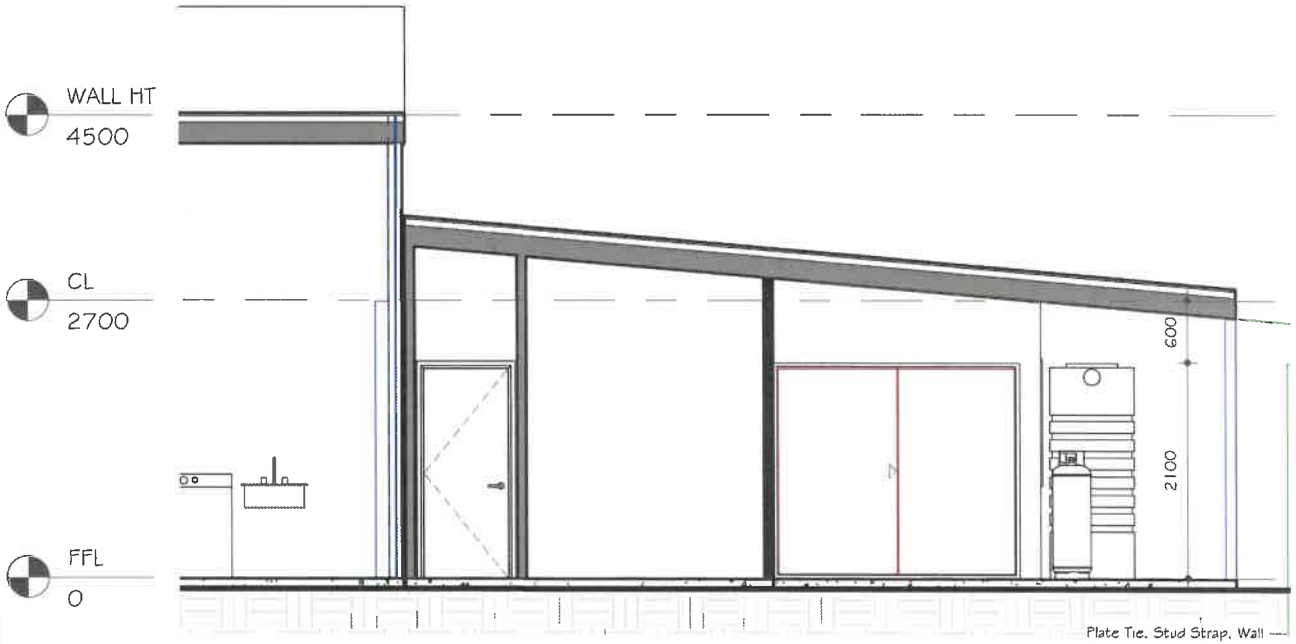
3



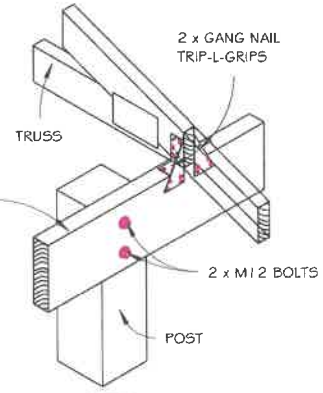
1



2



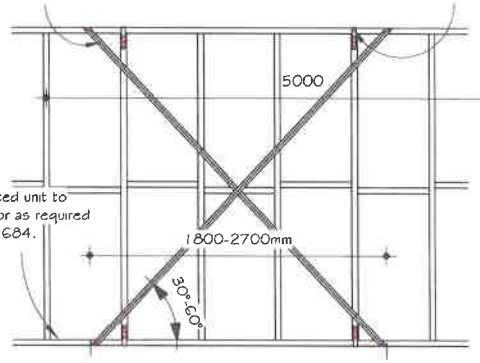
6 Section 3
1 : 50



5 TRIP L GRIP TRUSS

Speedbrace fixed with 1 nail to each stud and 4 nails to each wall plate.

Plate Tie, Stud Strap, Wall Strap or 30 x 0.8mm Tie Down Strap fixed with 4 off 30 x 2.8mm galvanized reinforced head nails to each side.



3.0kN/m Bracing Type - Gang-Nail Speedbrace

4 BRACING 3.0kN/m

ROOF
- Custom Orb-Surfmist 15° PITCH
- TIMBER TRUSS TO MANUFACTURERS SPECIFICATIONS
- PITCHING BEAM 200x35 LVL H3

WALLS
- TIMBER FRAMED TO MANUFACTURERS SPECIFICATIONS
- WEATHERBOARD CLADDING

SLAB & FOOTINGS
- THE SOIL HAS BEEN DEEMED TO BE A TO S CLASS AS PER AS2870-2011. IF ANY SIGN OF CLAY ARE APPARANT ON EXCAVATION OF FOOTINGS CONSULT STRUCTURAL ENGINEERS ADVICE
- TERMITE RISK MANAGEMENT TO REQUIREMENTS OF NCC 2012 PART B1.4 AND AS 3600.1
- WATERPROOF MEMBRANE 0.2mm UNDER SLAB
- 100mm SLAB WITH SL72 MESH 40mm FROM TOP
- 300x280 FOOTINGS WITH 3-L8TM, LAPPED AND SPLICED AT NOT LESS THAN 500mm.
- AT RE-ENTRANT CORNER OR INTERNAL CORNER, TWO STRIPS OF 3-L8TM AT 2000mm, LAYED UNDER REINFORCMENT SLAB MESH DIAGONALLY ACROSS CORNER.
- N10 FITMENTS @ 600c/c CONNECTING FOOTINGS TO SLAB
- SERVICE PENETRATIONS ARE TO BE LOCATED ONLY THRU THE MIDDLE THIRD OF THE EDGE AND STIFFENING BEAMS
- ALL PLUMBING PENITRATIONS TO BE LAGGED WITH 15mm FOAM LAG, FULL LENGTH OF SERVICE IN CONTACT WITH CONCRETE.
- ALL PLUMBING PENITRATIONS THRU WATERPROOF MEMBRANE TO BE TAPED AND SEALED
- MIN CONCRETE STRENGTH TO BE N25/20/100 AND SHALL BE SUPPLIED PLACED AND FINISHED IN ACCORDANCE WITH AS3600 CONCRETE CODE AND CONSTRUCTED AS PER AS2870-2011
- FOUNDATIONS FOR FOOTING AND SLAB MATERIALS TO MEET ALLOWABLE MINIMUM BEARING PRESSURE OF NOT LESS THAN 50KPA

GENERAL
ALL STORM WATER TO BE DIVERT AWAY FROM PROPERTY BOUNDARY AND BUILDING

Rev	Date	Revisions
3	23/5/2023	ADD TREES, SHOW TREES REMOVED
2	18/5/2023	REAR SETBACK TO 6MTRS, STORMWATER CALCS
1	7/3/2023	PRELIMINARY PLANS

CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA

TITLE: NEW DWELLING REV3

DRAWING No A304 SECTION 23/5/2023

ECO BUILDING DESIGN



1 NORTH E
1 : 100



2 NORTH W
1 : 100

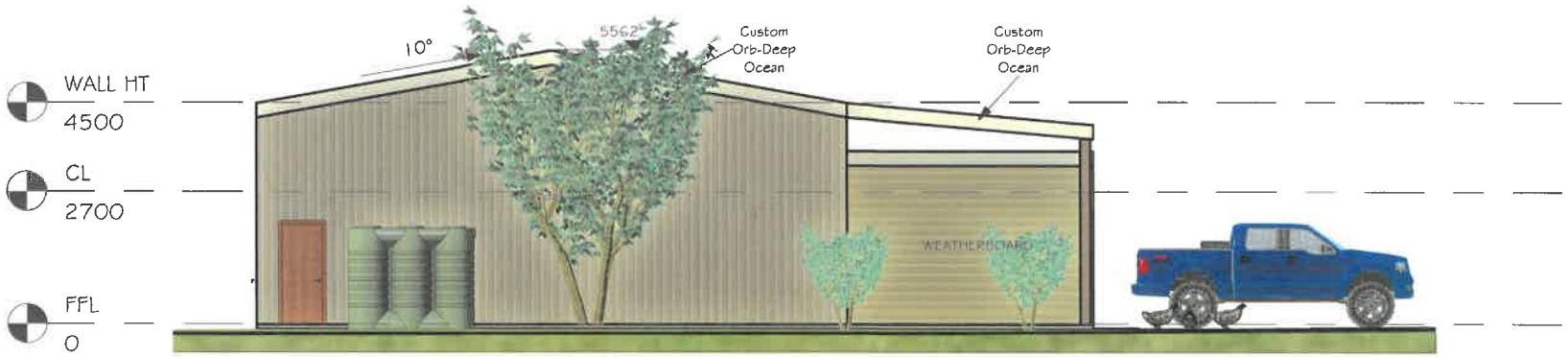
Rev	Date	Revisions
3	23/5/2023	ADD TREES, SHOW TREES REMOVED
2	18/5/2023	REAR SETBACK TO 6MTRS. STORMWATER CALCS
1	7/3/2023	PRELIMINARY PLANS

CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA

TITLE: NEW DWELLING REV 3

DRAWING No A305 ELEVATIONS 23/5/2023

ECO BUILDING DESIGN



1 SOUTH E
1 : 100



2 SOUTH W
1 : 100

Rev	Date	Revisions
3	23/5/2023	ADD TREES, SHOW TREES REMOVED
2	18/5/2023	REAR SETBACK TO 6MTRS, STORMWATER CALCS
1	7/3/2023	PRELIMINARY PLANS

CLIENT: David & Tracy Spurr
Lot240 - 20 Bayliss Road
DONGARA

TITLE: NEW DWELLING REV 3

DRAWING No A306 ELEVATIONS 23/5/2023

ECO BUILDING DESIGN

A

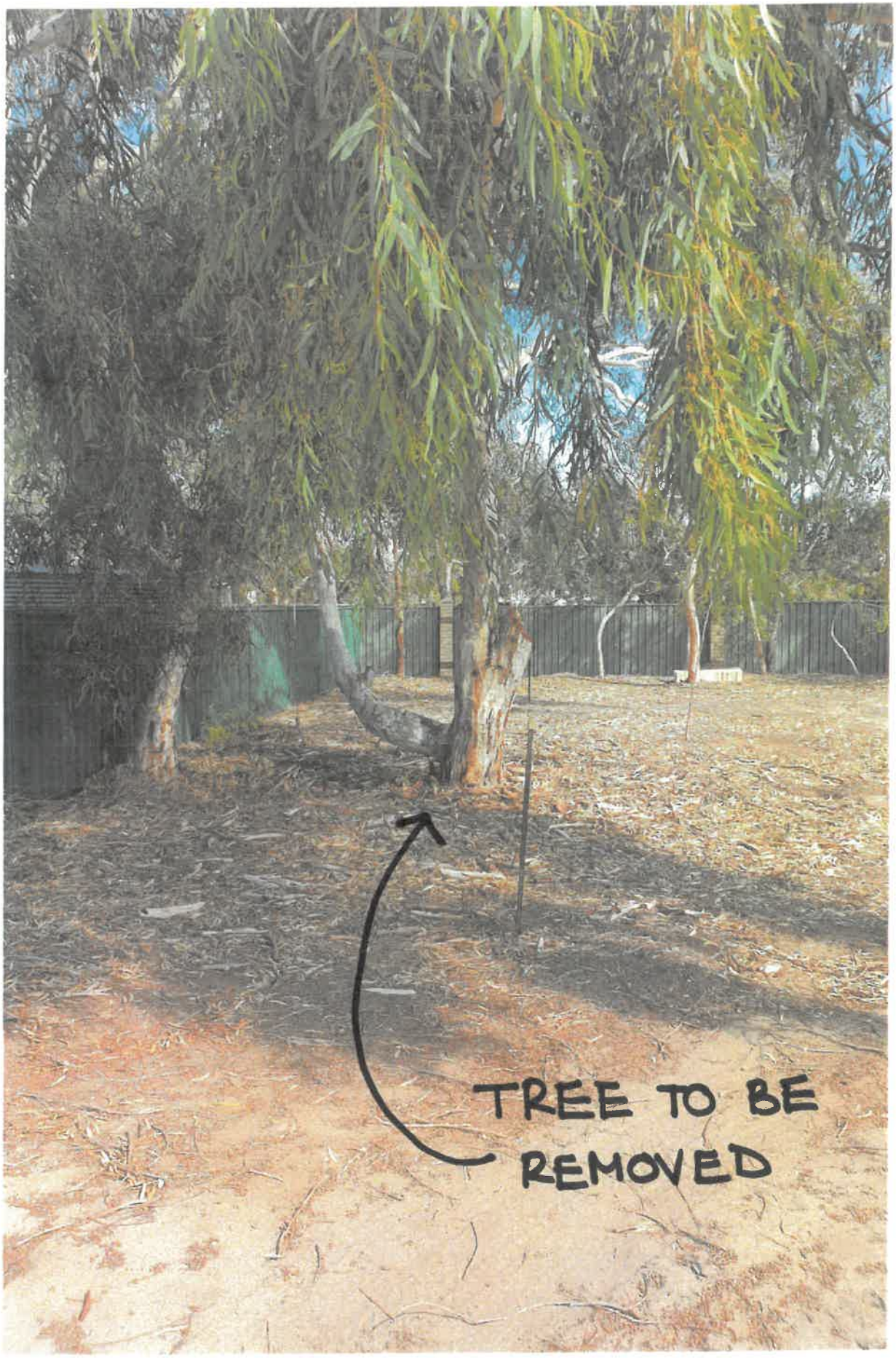


PHOTO A

B



PHOTO (B)

C



PHOTO C

D



PHOTO D

ATTACHMENT: CC11

Attachment 2 of 2: Application for Developmental Approval

Attachment 11

FORM B2

FORM APPROVAL
NO. B2856

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

RESTRICTIVE COVENANT - pursuant to section 129BA of the *Transfer of Land Act*.

(Note 1)

This RESTRICTIVE COVENANT is made the 8 day of February 2008.

BETWEEN:

PARTIES

BERUCA PTY LTD (ACN 009 382 316) and CPL INVESTMENTS PTY LTD (ACN 106 752 621) both of 21 Moreton Terrace, Dongara, in the State of Western Australia ("the Covenantors")

And

SHIRE OF IRWIN, of 13 Waldeck Street, Dongara in the State of Western Australia. ("the Shire")

RECITALS

A. The Covenantors are registered as the proprietor in fee simple in the land described in Item 1 of the Schedule annexed hereto which land comprises the Land Burdened.

B. The Land Burdened is subject to the encumbrances noted in the Schedule hereto.

C. The Land Burdened is situated within the district of the Shire.

D. The Covenantors applied to the Western Australian Planning Commission ("WAPC") for permission to subdivide land of which the Land Burdened forms part, which application was approved by letter dated 10 March 2006 ("the Approval") subject to conditions of which Condition 15 was stated as follows:

15. A Restrictive Covenant, pursuant to Section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) 231-243 advising of that there is 20 metre wide restriction pertaining to the land for the retention of a landscape buffer zone. Notice of this restriction to be included on the Deposited Plan.

H. The Covenantors and the Shire have agreed to enter into this Deed pursuant to Section 129BA of the transfer of Land Act 1893 in order to restrict the use of the Land Burdened and to give effect to Condition 15 of the Approval.

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/05/2023 10:21 AM Request number: 65092815

Landgate
www.landgate.wa.gov.au

OPERATIVE PART

1. COVENANTS

1.1 In consideration of the Shire recommending to the WAPC that the Covenantors have satisfied Condition 15 of the Approval, the Covenantor with the intention of binding so far as is possible the Land Burdened in the hands of whoever it may come for the benefit of the Shire and to comply with the restrictions imposed by the Shire HEREBY COVENANTS with the Shire under and by virtue of the provisions of Section 129BA of the Transfer of Land Act 1893 not to:

(a) remove or destroy any native vegetation situate within the Land Burdened except for:

(i) minor pruning as may be directed by a Shire Representative; or,

(ii) removing dead or diseased vegetation or vegetation which presents a safety hazard and in respect of which the Shire has approved such removal.

(b) build any structure (a "Building") entirely within or encroaching upon the Land Burdened unless:

(i) the Shire gives it's prior written consent to the Building,

(ii) an area of the Land Burdened that does not contain the Building is vegetated and water reticulated (the "Landscaping") to an area equivalent to the area which the Building encroaches upon the Land Burdened,

(iii) the Landscaping being carried out by the Covenantors to the specifications and satisfaction of the Shire.

1.2 The burden of the covenants hereinbefore contained shall run with the land and any part thereof to the benefit of the Shire and shall be enforceable by the Shire against the Covenantors and every other subsequent registered proprietor of the land.

2. COSTS

The Covenantor shall pay the costs of and incidental to the preparation, execution, stamping and registration of this Deed and all stamp duties and registration fees payable hereon.

3. INTERPRETATION

Reference to the parties includes their personal representatives, successors and lawful assigns.

Where a reference to a party includes more than one person the rights and obligation of those persons shall be joint and several.

Headings have been inserted for guidance only and shall be deemed not to form part of the context.

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/05/2023 10:21 AM Request number: 65092815

Landgate
www.landgate.wa.gov.au

ATTACHMENT: CC12

Application for Development Approval 1 of 2

Attachment 12

Application for Development Approval

Description of proposed works and/or land use:
The intended use of 30648 Brand Hwy is to build a purpose-built distillery and brewery production space to keep up with demand for Illegal Tender Distilling Co's current range as well as going into a new range of beverage options.
By building a dedicated hospitality venue for both families, couples, international guests, and events such as live music, weddings, business meetings; we hope to make this a feature on the many itineraries for people visiting the region and hope to get them to stop in the Shire of Irwin and appreciate our hometown a bit more.

We will have a visitors experience in the cellar door where people can collect brochures and maps on the area, be able to book tours within the region and further north, relax and enjoy a spirit or beer tasting with one of our team or complete a tour of the production premise, or simply unwind in our family friendly alfresco zone complete with kids' playground.
By building this premise it will allow further national sales growth for the company and be able to be competitive in our field, whilst building the brand of Illegal Tender further through a strong sense of place through this new facility.
We are seeking development approval to build the following facilities on the property.
Distillery & Brew house; 31m by 16m
Hospitality & Cellar door: 31m by 16m

Nature of any existing buildings and/or land use:
Currently there is a 4x2 home existing on the property this will be used by either the owners/managers or staff to accommodate the existing housing shortage

Description of exemption claimed (if relevant):
Not Relevant

External Materials, colors of wall(s):
Shale Grey or Dune Color bond, with cut limestone feature walls on the entryways- please see additional color style guide
Please see attached materials guide

External Materials, colors of roof:
We expect these to be either the shale grey or Dune with monument featuring on all guttering and downpipes

Landscaping Guide:
Please see attached landscaping plant and color guide

Approximate cost of proposed development (excluding GST):
Proposed Development including build, ground works, landscaping, fit out is currently at $1,600,000
Estimated time of completion: October 2023

Stormwater: Water runoff from the building space will be channeled into purpose-built garden spaces as well as a tank catchment of 200,000L.

Additional Information:
Low Risk

Codie & Hayley Palmer
Illegal Tender Rum Co
Illyarrie Road
SPRINGFIELD
WA 6525

19/12/2022

Please see the below information regarding a quick outline of the brewery and distilling process and a summary of the environmental impact of the process. The primary waste of beer production is spent grain which can be disposed of as stock feed. The other waste is water which 90% of is from rinsing or cleaning as beer and spirits production is a food process and must be kept hygienic. Good drainage with water traps into dedicated tanks will eliminate any odour.

There are other small environmental impacts such as odour during the brewing process, specifically when boiling the wort. This is eliminated through a vapour condenser.

There is some noise produced during the brewing process. However, the noise would be considered background level unless directly operating the equipment.

We have designed, build and commissioned breweries and distilleries in several locations around Australian and have listed a few that are relevant in scope and production.

Please see the below descriptions for further information.

Kind Regards,
Brodie Doornbusch
Flying Foam – Chief Engineer.

Illegal Tender Rum – Production overview

The production facility is to consist of the equipment required for beer and spirits production and to package into keg and can.

Beer is made by processing of grain and other starches and sugars in the brewhouse into wort. The wort is then transfer to a fermenter where it is fermented and then filtered and carbonated into beer.

Spirits can be fermented from either a sugar or malt mix or from a wash produced on the brewhouse. The wash is then fermented, and the fermented liquid is then distilled to produce a spirit.

Brewing Process Description

The Brewhouse is designed to output 1,300L of wort into fermenters. Each batch is doubled brewed to fill a single fermentor. Brewing, being a food grade process, needs to be clean and hygienic by nature and is facilitated in the design.

Brewing is intended to be a closed system. Brewhouse vessels are only open briefly for additions. The fermentation, beer processing and beer serving has a 0% tolerance with regards being exposed to atmosphere and therefore is an airtight process with no odour being generated.

Mash

Grain from the grain handling room is milled and conveyed to the brewhouse where the grain is mixed with water to hydrate the grain and form a slurry. This process generally takes between 10 to 20 minutes depending on the recipe. The grain is held in the mash tun and stepped in temperature for various enzymic reactions and then is transfer to the Lauter

Lauter

The lauter has special slotted plates that allows liquid, but not large solids. Once the slurry has been pumped in the vessel, the liquid is recirculated to try and trap as many solids as possible in the grain bed. Once the wort is clear it is transferred to the kettle. The remaining solids are rinsed with hot water to remove as much sugar as possible.

Once lautering is finished, the grain out door is opened and the spent grain is dumped into large plastic tubs with sealable lids. The solid waste can be removed. The spent grain has use as stock feed, generally for pigs, goats and cows.

Kettle

The wort is boiled in the kettle to sterilize the wort and increase the sugar concentration as well as extract components from any additions such as hops. Other organics can be used such as spices, lemon peel, honey, fruits, etc as desired.

A roiling boil is held for around 45 to 90 minutes, depending on the recipe and style of beer being produced. Any vapour and odour is collected in a vapour condenser which uses a fine mist to condense the steam and is piped directly to drain.

Once boiling is finished the wort is whirlpooled to push all the solids to the canter and the wort drawn from the side of the vessel. Once completed the wort solids are collected, generally onto the spent grain previously collected.

Transfer

Once the boiling process is complete the wort is transferred through a heat exchanger where it is cooled within a closed loop from 100 degrees Celsius to 20 degrees Celsius on its way to the fermentation vessel.

Wash Process Description

Water is measured into the fermenter using the brewhouse flowmeter and mixing station. The solids mixing pump is connected to the fermenter and the powder hopper is loaded. Pump is turned on and the hopper feed is opened. The powder (generally sugars) is slowly mixed into the water stream. Once the hopper is empty the valve is closed to prevent excess aeration. Once mixed, the pump can be turned off, valves closed and the system flushed and cleaned.

Fermentation

Once the wort or wash is in the fermentation tank, yeast and hops are added and the vessel sealed to atmosphere for the duration of fermentation which is approximately fourteen days. Wash fermentation is quicker as it is at a higher temperature and is approximately 3 to 5 days.

Beer Process

Once fermentation is complete the beer is transferred within a closed loop through a filter on its way to the bright beer/serving tank. The beer is then carbonated and is ready to server direct through the inhouse tap system.

Distilling Process

Once the wash has fermented, the liquid is transferred to the distillation vessel. The still is heated with a steam coil. The still will boil the liquid and the vapour is

completely collected and condensed in the vapour condenser and poured into a collection vessel.

The collected spirits is then re-distilled in a smaller still to make the finished spirits.

Cleaning

As brewing and distilling falls within food production all vessels are treated with appropriate cleaning to ensure that no bacteria are present during the process and that all surfaces are sanitary. Chemicals used within the cleaning process include caustic soda, citric acid and acetic acid mixed with an oxidiser. All waste is collected into a settling and holding waste tank which is then diluted further with clean rinsing water leading to dilution, neutralisation and temperature mitigation.

Environmental Impact Mitigation

Vapour Condensers

This equipment is designed and engineered for steam condensation and the removal of vapours and odours generated in boiling equipment during the brewing and distilling process. The vapor condenser allows suction of vapor from the container by ventilator and subsequent condensation in a tubular heat exchanger. From the heat exchanger then goes only condensed liquid of substantially lower temperature that is discharged directly to waste system or collection vessel thus eliminating steam and odour without it escaping into the atmosphere.

Tank Purge Lines

The brewery services include a tank vent discharge line to purge tank gasses and odors to atmosphere. As part of the cleaning process fermentation and bright tanks are connected to this vent line prior to the vessels being opened ensuring that CO2 and odorous gasses are discharged safely without causing undue impact to the hospitality arena.

Trade Waste (liquid)

All brewery and distillery hydraulic discharge is collected in a two-stage sealed below ground tank. The first stage collects any suspended solids and allows for temperature balancing. The second stage allows for further temperature balancing prior to discharge or further treatment. Through use of good drainage, water traps and sealed tanks little or no odour escapes from the discharge of hydraulic waste.

Spent Grain Removal

Spent grain, that is milled grain that has been used in the first stage of brewing is removed from site on the day of brewing. This ensures that there is no undue environmental impact from spent grain being left on site. Other solids, such as trub from the kettle of fermenters is added to the spent grain bins.

Roof water capture

The water from the roof is to be capture into rainwater tanks and is to be treated and then used to make beer and spirts.

Equipment Noise

The site will have various plant but will all fall under the safe no ear protection dB ratings while next to the equipment. They are also in dedicated rooms and positioned far from the hospitality spaces to further mitigate the noise. The equipment runs for short amount of time and is only used during production hours.

The noisest equipment would be:

Boiler: 69 dB

Air compressor: 67 dB

Mill: 63 dB (reasonably quiet, but listed as it is often mistakenly through of as being loud)

Examples of Breweries and Distilleries in Hospitality spaces

Bailey Brewing

Bailey Brewery has a 12HL Brewery in the Swan Valley has the brewery directly behind the main bar. This brewery is of a similar size to the proposed brewery and distillery.





Shelter Brewing Company

Shelter Brewing in Busselton has a larger 24HL Brewhouse directly behind the bar and also forms part of the dividing line. There are also tables on the mezzanine level above the brewery.





Running With Thieves

Running With Thieves in Fremantle is another larger 24HL Brewery and Distillery. The brewery and Distillery are in the middle of the building and hospitality is positioned around.





PS ref: 8488

26 May 2023

Shire of Irwin
11-12 Waldeck Street
Dongara WA 6525

Attention: Murray Connell – Manager Development

LOT 201 (30648) BRAND HIGHWAY, DONGARA
PROPOSED DISTILLERY, BREWERY AND RESTAURANT
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION

Planning Solutions acts on behalf of the proponent Illegal Tender Rum Co. Pty Ltd in relation to the proposed distillery, brewery and restaurant at Lot 201 (30648) Brand Highway, Dongara (**subject site**).

This submission provides the applicant's response to the following correspondence received from the Shire:

- Formal assessment comments from the Shire of Irwin (received 17 February 2023).
- Schedule of Public Submissions (received 17 February 2023).
- Formal assessment comments from the Public Transport Authority (received 17 February 2023).
- Formal assessment comments from Main Roads Western Australia (received 17 February 2023).
- Formal assessment comments from the Department of Primary Industries and Regional Development (received 17 February 2023).
- Formal assessment comments from the Department of Health (received 17 February 2023).
- Formal assessment comments from the Department of Water and Environmental Regulation

The following documentation has been updated, and enclosed in the RFI response package, as per the Shire's request.

- Appendix 1 - Updated development plans;
- Appendix 2 - Planning assessment;
- Appendix 3 - Traffic Impact Statement responding to traffic/access comments;
- Appendix 4 - Acoustic reporting;
- Appendix 5 – Wastewater Management Plan;
- Appendix 6 – Response to Schedule of Submissions.
- Appendix 7 – Complaints Management Plan and Complaints Management Form;
- Appendix 8 - Emissions Management Plan.

This responsive submission outlines the proposed solutions to these issues identified within the referral comments.

PLANNING SOLUTIONS
URBAN & REGIONAL PLANNING
PS
Level 1, 251 St Georges Tce, Perth WA
(08) 9227 7970
GPO Box 2709
Cloisters Square PO 6850
admin@planningsolutions.com.au
www.planningsolutions.com.au
ACN 143 573 184 ABN 23 143 573 184
Planning Solutions (Aust) Pty Ltd

MODIFICATIONS TO PLANS

Refer to **Appendix 1** that contains updated development plans. The following modifications have been made to the development plans:

- Minor floor plan modifications.
- Spot heights included on the site plan.
- Location of fresh water tanks, treated waste disposal area and waste system shown on site plan.
- Inclusion of 23 trees adjoining the driveway portion of the site shown on the site plan.
- Modification to driveway access to align with the property boundary with Bonnefield Road East.
- Entry signage shown on site plan.
- Existing trees shown on site plan.
- All façades of each individual building shown on the elevations plan.
- Proposed external shutters to kitchen servery shown on elevations plan.

The above changes are shown on the development plans at **Appendix 1.**

RESPONSE TO REFERRAL ITEMS

Please refer to **Table 1** below for specific responses to the assessment comments received from various external referral departments and by the City's planning officers.

Table 1: Response to planning items.

Comment	Applicant's response
Shire of Irwin	
Prepare Transport Impact Statement / Assessment	A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development. Refer **Appendix 3.**
Effluent Management Plan *Prepared by a suitably qualified professional. Read through requirements of DPIRD, DOH and DWER. Please note that the requirements of a DWER works approval may also need to be addressed. Please contact DWER to work through your requirements.*	A preliminary waste and effluent design has been prepared to support the proposed development which is contained within **Appendix 5.** The sanitary drainage and effluent disposal system will consist of: • Sanitary drains • Trade waste drains • Trade waste treatment plant • Effluent treatment plant and effluent disposal for the sanitary appliances • Effluent treatment plant and effluent disposal for the brewing waste water.

Comment	Applicant's response
	The sanitary drains will discharge to an on site septic tank system. The septic tank system has been sized and designed in compliance to Supplement to Regulation 29 and schedule 9 of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. The daily effluent calculations are based on the following occupancies • 200 sit in customers. • 15 staff This will generate 7,050 litres of effluent per day. The leach drains have been sized on the assumption that the soil is loamy clay soil, we have used a Design Loading Rate (DLR) of 15mm per day. A total of 235 metres of flat bed leach drains are required. Trade waste from the kitchen will be treated by an on site grease arrestor. The treated trade waste will then be discharged to the sanitary drainage system. More detailed waste water management information can be provided at the detailed design stage to inform the overall building permit.
Waste Management Plan	Waste will be stored in the bin store adjoining building 1. Waste will be collected at an 'at need' basis by Cleanaway. A service vehicle will be able to access the bin store by driving down the internal access road, parking on the hard stand area located at the rear of the two buildings and accessing the bin store via 2 x 1200mm wide gates.
Acoustic Assessment Management Plan *To demonstrate that the proposal can comply with the Environmental Protection (Noise) Regulations for the distillery, brewery and restaurant/live music.*	An environmental noise assessment has been prepared to support the proposed development. The environmental noise assessment confirm the operations of the proposed development meet the Environmental Protection (Noise) Regulations 1997. Refer **Appendix 4** for Acoustic Report.
Justification against the objectives of the Rural Smallholding zone. Please note the Local Planning Scheme states: *a) To provide for the use of land for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part-time income from cottage industries, home occupation and the use of land for agriculture may be derived.* *b) To preserve and enhance landscape quality, environmental values and conservation attributes.*	Refer to planning assessment contained within **Appendix 2,** for an assessment against the objectives of the Rural Smallholdings zone and provide the further information and detail regarding the operations of the facility.

Comment	Applicant's response
• *Hours and days of operation* • *Delivery times (incoming and outgoing)* • *Number of staff during various service times* • *Number of patrons expected for times of service, night events, and a maximum occupancy being applied for (most people onsite at any one time)*	Refer to planning assessment contained at **Appendix 2,** for operational information.
Emissions Management – Noise, dust, odour, gas. How will these be managed day to day.	Refer to the Emissions Management Plan at **Appendix 8,** which outlines measures and procedures to effectively manage and minimise emissions related to noise, dust, odor, and gas.
Complaints Management / Procedure	Refer to **Appendix 7** for a copy of the Complaints Management Procedure and the Complaints Management Form.
Crossover doesn't appear accurate to the existing cadastre/arrangement of road, railway, reserve, verge etc. Can you also please show proposed crossover details such as width and construction/materials. Please liaise with the Shires Works Supervisor for further information. A sealed crossover from Bonnie Field Road East will be required.	Refer to the updated plans at **Appendix 1** accurately showing the crossover details.
Details on entry wall/statement. Masonry walls on the boundary require planning approval and building approval so the details will need to be provided please.	Refer to the updated plans at **Appendix 1** showing the details on the entry wall. The wall is proposed to be 6m long and 1.8m high. A sign is proposed on the wall which is 1.2m x 1.2m.
Can you please confirm if you are putting in a second driveway alongside the accessway into the development? And there is another line is this a fence? If you could please clarify this on the plan.	The proposed development only has one driveway and one fence. Refer to the updated plans at **Appendix 1** showing the driveway proposal.
Existing and proposed landscaping as a visual screen and to provide a level of mitigation for light and noise for surrounding landowners. This can be provided on the existing plans or provided as a separate Landscaping Plan.	Refer to the updated plans at **Appendix 1** showing the updated landscaping locations. It is proposed to plant additional trees along the boundary of the proposed driveway. This will provide a visual buffer to the railway and surrounding properties to the east. The specific species and information to support the landscaping can be provided at detailed design and informed by way of a condition of development approval.
Proposed materials and drainage for carparking and access road into development.	Bitumen will be used for the proposed driveway and car parking area. Compacted gravel will be utilised as hardstand surrounding the proposed development. A stormwater management plan can be provided at detailed design and informed by way of a condition of planning approval.

Comment	Applicant's response
Main Roads Western Australia	
A Transport Impact Assessment is required, in accordance with the WAPC Transport Impact Assessment Guidelines and Main Roads Driveway Policy, in order for Main Roads to review the impact on the Brand Highway, Bonniefield Road and Francisco Road intersection.	A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development. The traffic analysis undertaken in this report shows that the impact of the traffic generation on Brand Highway, Bonniefield Road and Francisco Road intersection is satisfactory.
Main Roads recommends the applicant meets with Main Roads and the Shire to discuss the items to consider in the TIA. Below is a preliminary list of some of the items the TIA will need to consider: • *Brand Highway, Bonniefield Road and Francisco Road intersection.* • *Francisco Road review by the Shire of Irwin and their appointed consultants,* • *considering the road network in the area.* • *Bonniefield Road is a RAV route* *Queue length of the section of Bonniefield Road between the Brand and Railway when the rail crossing is closed for goods trains.*	Representatives from Main Roads WA met with the applicant to discuss the proposed development. Following the meeting, a TIS has been prepared to support the proposed development. The TIS provides an intersection warrant analysis for the Brand Highway/ Bonniefield Road East intersection. The intersection warrant analysis indicates the following conclusions: • There are no changes in turning movement arrangements due to the proposed development. • The impact of the proposed development on the intersection may be considered minimum or insignificant. • The existing right turn movements from Brand Hwy into Bonniefield Rd East is already at capacity and the intersection may be considered to warrant an auxiliary right turn lane upgrade (with or without the development). With regard to the Main Roads WA HVS Network Map, this portion of Brand Highway is approved for Restricted Access Vehicles (RAV) up to 36.5 metres long (RAV 7) and the largest size vehicles approved on this section of the Bonniefield Road East are 27.5 metres B-doubles (RAV 4). Refer to **Appendix 3** for a copy of the TIS.
The Brand Highway Realignment project (Dongara Bypass) concept plans show that lot 201 is required for the future road. However, the lot has not been rezoned as a primary distributor. Main Roads is undertaking a review and prioritisation of all bypasses over the next 6-12 months, during which the Dongara Geraldton Northampton alignment is likely to be finalized. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.	The proposed Brand Highway Realignment Project has no impact on the subject site and the proposed development.
No vehicle access is permitted directly to and from Brand Highway.	No vehicle access directly to and from Brand Highway is proposed

Comment	Applicant's response
Existing vehicle access crossover are to be removed and verge reinstated and restored in accordance with Local Government requirements and WALGA restoration and reinstatement Guidelines, and the gate to be replaced with a fence on the surveyed property boundary.	Noted. This may be adequately addressed by a condition of planning approval.
The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.	Noted.
Advertising signs and internal lights shall need to be reviewed by Main Roads under the 'Advertising' application process.	Noted.
No works are permitted within the Brand Highway road reserve, unless Main Roads has accepted the Application to undertake works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website >Technical & Commercial > Working on Roads.	No works are proposed within the Brand Highway road reserve.
Public Transport Authority	
Prior to occupancy of the development a fence must be constructed along the lot boundary (Lot 201) abutting the rail corridor to the satisfaction of the PTA.	Noted. a fence is currently constructed along the *lot boundary (Lot 201) abutting the rail corridor to the satisfaction of the PTA.*
Department of Primary Industries and Regional Development	
It is not clear whether the trade wastewater from the tank is removed offsite to an approved waste facility, or whether the proponents intend to discharge it somewhere on the property. It is assumed the site is unsewered.	The water is treated through a dedicated 60 kL water treatment plant, consisting of a settling stage, aeration stage, aeration and pH dosing stage and final filtration through a back flushable filter (backflush into the first tank) . The majority of the solids will be removed during process, however there will be solids that make its way into the system. The solids settle out in the tanks and will be cleaned out as required (expecting once per month)
Untreated brewery wastewater can have a high Biological Oxygen demand (BOD) and can clog septic tanks and leach drains, which are designed for domestic strength wastewater. A waste stream with a BOD of >350mg/L is not suitable for subsurface infiltration proposals (eg: leach drains).	The expected discharge from brewing and distilling of less than 5,000 L per day, with the predicted waste water being 9,000L per week. Biochemical oxygen demand (BOD) represents the amount of oxygen consumed by bacteria and other microorganisms while they decompose organic matter under aerobic (oxygen is present) conditions at a specified temperature. Due to the size of the tanks, the residence time will be a minimum of 12 days. The tanks will have bacteria and other microorganisms (yeast at the minimum) and will consume all the organic matter in the tanks as we will

Comment	Applicant's response
	be force aerating the first and second tanks a minimum of 240 minutes per day.
Domestic secondary treatment systems are not an appropriate treatment and disposal technology for beverage manufacturing waste systems.	Noted.
Discharging trade wastewater onto land is likely to lead to salinisation, sodicity and eutrophication problems and will require a nutrient and irrigation management plan (NIMP).	Samples from waste water can be taken and a plan developed. Wastewater can be sent to a holding tank and blended to bring salinity down. KOH or Mg_2OH could be used as an alternative to NaOH as a cleaning solution to reduce Na+ ions. Mg+ being a macronutrient rather than the negative of Na+ As much cleaning solution will be kept and reused through CIP holding tanks. The waste water after treatment and filtering can be used for washdown water, reducing the amount used for irrigation.
There is also insufficient information to determine the total output per year from the facility.	The maximum capacity of the brewery/distillery will produce 201,800 L per year across beer and spirits. The current plan is to output 96,000 bottles of spirits per year with 30,000L of beer being produced. This works out to be 102 kL of product. From a maximum capacity perspective, this would then eventually increase to 192,000 bottles of spirits with 60,000L of beer.
Under s.52 and s.53 of the Environmental Protection Act 1986 an environmental works approval is required for construction of prescribed premises and a licence is required to authorise emissions and discharges from the operation of the premises, onto land or into waters.	The proposed development produces less than 350kL per year and is therefore under the prescribed premises requirement. The production equipment has a maximum capacity to produce 201,800 L per year across beer and spirits.
The threshold design capacity for this requirement to be made under the Environmental Protection Act 1986 is 350 kL of alcoholic beverage per year. This is based on the maximum design capacity or capability of the beverage manufacturing infrastructure, not on what is proposed to be manufactured.	The development produces less than 350kL per year and is therefore under the prescribed premises requirement. The production equipment will only be producing 201,800 L per year across beer and spirits.
The application does not describe where the water used for manufacturing the product comes from.	The domestic water service to the site will be provided from two on site dedicated domestic water tanks. Each tank will have a volume of 220,000 litres. These tanks will provide 25 days supply of water.

Comment	Applicant's response
	The domestic water tanks will be filled with rain water captured on the roof of the buildings. If required the water tanks can be filled with supplementary water that is trucked to the site.
There is no mention in the application of the seating capacity of the restaurant. This must be included, as well as information about the wastewater treatment system being proposed for the guests of the restaurant and brewery staff.	The sanitary drains will discharge to an on site septic tank system. The septic tank system has been sized and designed in compliance to Supplement to Regulation 29 and schedule 9 of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. The daily effluent calculations are based on the following occupancies • 200 sit in customers. • 15 staff This will generate 7,050 litres of effluent per day. The leach drains have been sized on the assumption that the soil is loamy clay soil, we have used a Design Loading Rate (DLR) of 15mm per day. A total of 235 metres of flat bed leach drains are required. Further detailed associated with the waste water systems can be provided as part of a condition of development approval. Refer to **Appendix 5** for a copy of the Wastewater Management Plan.
The waste from the facility's toilets and the trade waste from the brewery must be kept separate and managed through two independent management and treatment systems. The Department of Planning, Lands and Heritage has been developing a fact sheet for planners about breweries in collaboration with DPIRD, DWER and other agencies. As well as disposal of trade waste and risk to water resources, the draft fact sheet discusses other planning issues such as access to potable water, visual amenity, traffic management and separation distances.	The current hydraulic plans show the systems as separate.
was also noted that the design of the toilet facilities has lots of doors. This reduces the ability of users to maintain good hygiene due to the number of surfaces they are required to touch to enter and exit the toilet facilities. The design should be reviewed to enable contactless access, particularly after users have washed their hands.	Updated plans show reduced the number of doors. Refer to **appendix 1** for a copy of the updated development plans.
Department of Water and Environmental Regulation	
What is the production and design capacity of the facility, as it would assist with facilitating a response around the need for a Licence for Works Approval or Licence?	The production equipment will only be producing 201,800 L per year across beer and spirits. The proposed development produces less than 350kL per year and is therefore under the prescribed premises requirement. .

Comment	Applicant's response
Department of Health	
Because of the hazardous and high pollutant content of distillery wastes and the environmental/public health risk, septic tanks and leach drains are not an acceptable method of treatment and disposal for brewery and distillery operations. The proposal has not identified these risks, how the volumes have been estimated nor details including plans and specifications of the onsite wastewater treatment system and disposal area/s.	Refer above for detailed responses to the proposed treatment system.

CONCLUSION

The responses contained within this letter address the comments raised through the assessment process. We respectfully request the Shire proceed to finalise its assessment.

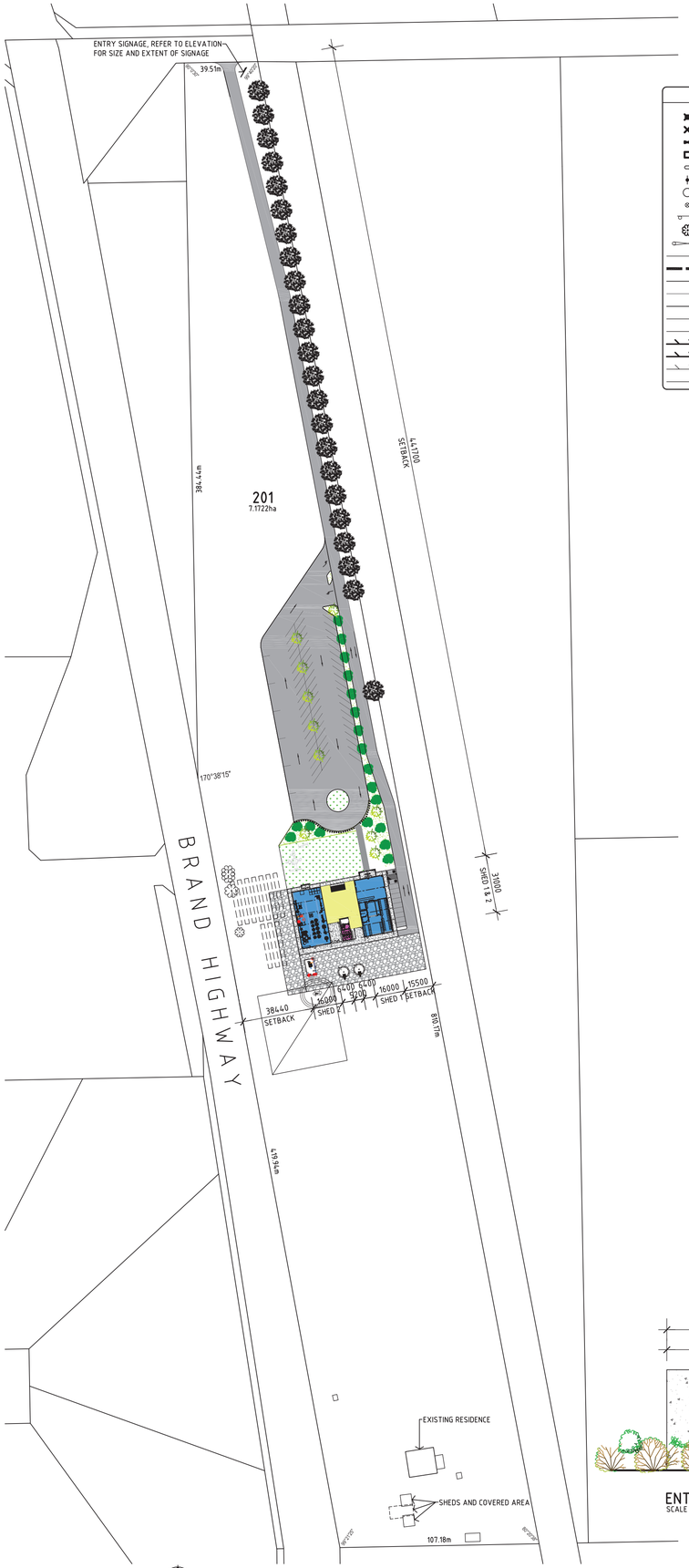
Should you have any queries or require further clarification in regard to the proposal, please do not hesitate to contact the writer.

Yours faithfully,

JOSH WATSON
SENIOR ASSOCIATE

230501 8488 RFI Response

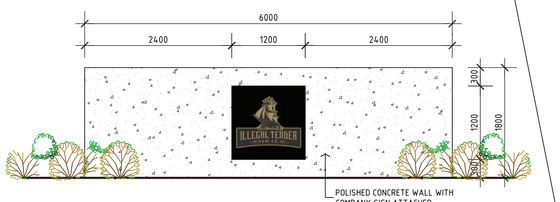
Appendix 1:
Revised Development Plans



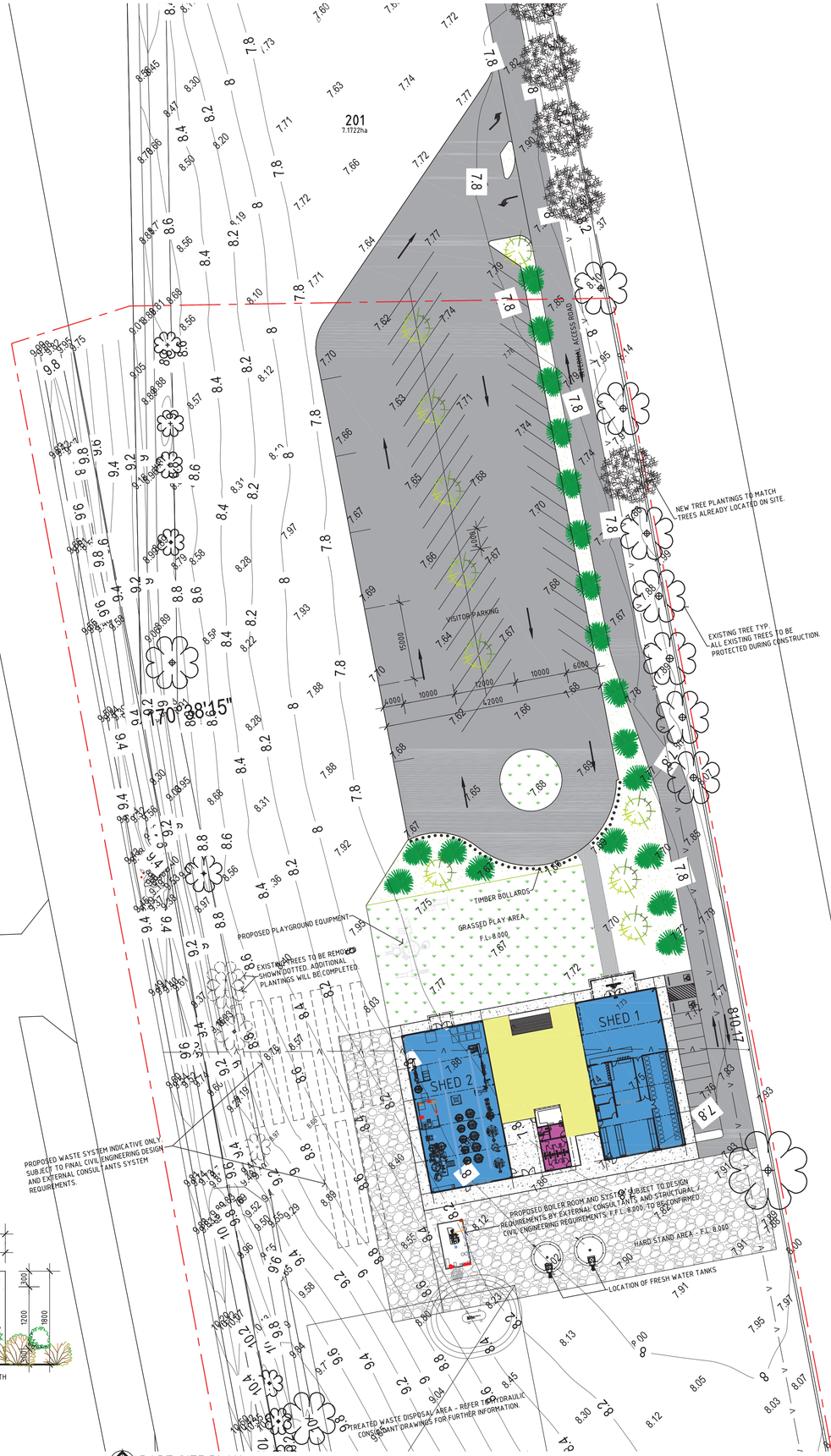
LOCATION PLAN
SCALE 1:1500

LEGEND

- POWER DOME
- WIRE ANCHOR
- POWER POLE
- METER BOX
- COMMUNICATIONS PIT
- COMMUNICATIONS MARKER
- COMMUNICATIONS PILLAR
- GUIDE POST
- DOUBLE POST SIGN
- TREE
- GATE
- FENCE
- AREA OF DETAIL SURVEY
- CHANGE IN GRADE
- DRAIN
- ROAD SHOULDER
- EDGE OF BITUMEN
- DRIVEWAY / TRACK
- BUILDING
- STRUCTURE
- RETAINING
- POWERLINE



ENTRY SIGNAGE
SCALE 1:50



PART SITE PLAN
SCALE 1:500

LEGEND

- SHED 1 & 2
- ABLUTION BLOCK
- OUTDOOR SEATED AREA - 388.7m²
- PROPOSED ACCESS ROAD - BITUMEN. ALL STORMWATER DRAINAGE WILL BE PROVIDED AT DETAILED DESIGN.
- PROPOSED HARDSTAND - COMPACTED GRAVEL
- PROPOSED LANDSCAPING - 900.0m² WOOD CHIPS, NATIVE GRASSES AND SHRUBS
- PROPOSED GRASSED AREA - 830.0m²
- 100mm THICK EXTERNAL CONCRETE APRON.
- 60mm THICK EXTERNAL BRICK PAVERS.
- PROPOSED NATIVE TREE. (TO CLIENTS PREFERENCE AND SHIRE OF IRWIN SPECIMEN PREFERENCES AS WELL AS LOCAL AVAILABILITY).

Efficient Ratings W.A.
Creating a Sustainable Future

PROPOSED DISTILLERY & BREWERY
LOT 201 BRAND HIGHWAY
DONGARA, WA
LOCATION PLAN / SITE PLAN

DRAWN LS		PRINCIPAL	REDUCTION 0 25
DESIGNED LS	LS		
SCALE 1:1500, 1:500		DATE MAY 2023	DRAWING No. A.01
ERWA PROJ No. 23034		ERWA Job No.	

THIS IS A CADD DRAWING DO NOT AMEND MANUALLY

COPYRIGHT
21 PIAVE STREET (PO BOX 1924) GERALDTON WA 6530

ELEVATION 3

DISTILLERY ENTRY

COVERED ENTRY
CONCRETE
29.2m²

LANDSCAPE

STAGE
TIMBER DECKING

REFRESHMENT BAR & WATER STATION

SUGAR & GOODS STORAGE

3690x4000 ROLLER DOOR

F.F.L. 8.200

DISTILLERY
CONCRETE
479.2m²

KEGGING AREA

GRAIN ROOM
17.2m²

GIN GARDEN / ALFRESCO
WASHED CONCRETE
363.0m²

FUNCTION / RETAIL
CONCRETE
190m²

F.F.L. 8.200

FOLDING DOOR

BENCH / BAR

2x820 CAVITY SLIDER DOORS

BAR
CONCRETE
16.9m²

SERVERY

GLASS DOOR TO COOL ROOM WITH GLASS SERVING DOORS AND SHELVING

COOL ROOM
CONCRETE
39.8m²

COVERED WALKWAY
WASHED CONCRETE

MEETING
CONCRETE
12.1m²

STAFF
CONCRETE
10.6m²

SINK

BENCH

TIMBER FRAMED WALLS

3690x4000 ROLLER DOOR

BARREL ROOM
CONCRETE
82.0m²

3690x4000 INSULATED ROLLER DOOR

SERVERY

KITCHEN

F.F.L. 8.200

STAFF

DISABLED TOILET

CLEANER

FEMALE TOILETS

MALE TOILETS

1800 HIGH COLORBOND FENCING

920 WIDE GATE

RUBBISH / BIN STORE
CONCRETE
68.5m²

2x1200 WIDE GATES

STORE / PACKING ROOM DELIVERIES
97.3m²

SHELVING

LAB BENCH

3690x4000 ROLLER DOOR

CONCRETE APRON

ELEVATION 1A

ELEVATION 2A

ELEVATION 3A

ELEVATION 4A

ELEVATION 5

ELEVATION 6

ELEVATION 7

ELEVATION 4

ELEVATION 1

FLOOR PLAN
SCALE 1:100

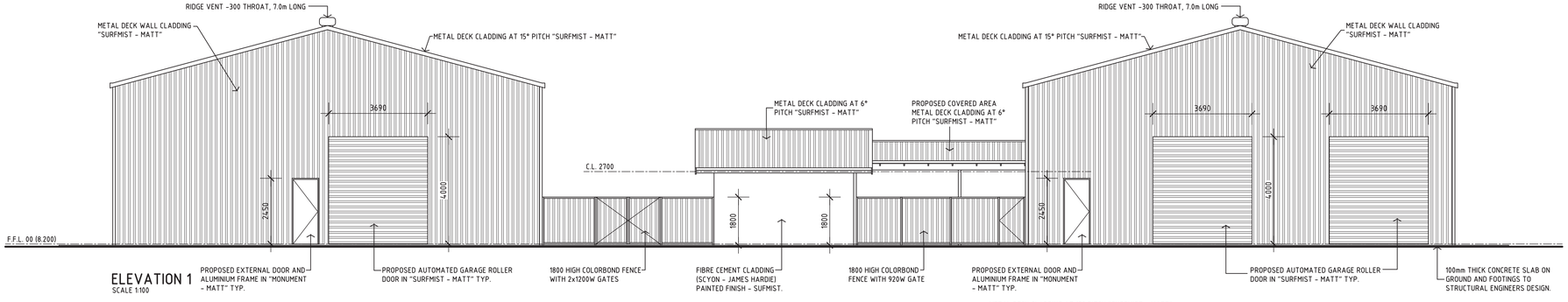
Efficient Ratings W.A.
Creating a Sustainable Future

PROPOSED DISTILLERY & BREWERY
LOT 201 BRAND HIGHWAY
DONGARA, WA
FLOOR PLAN

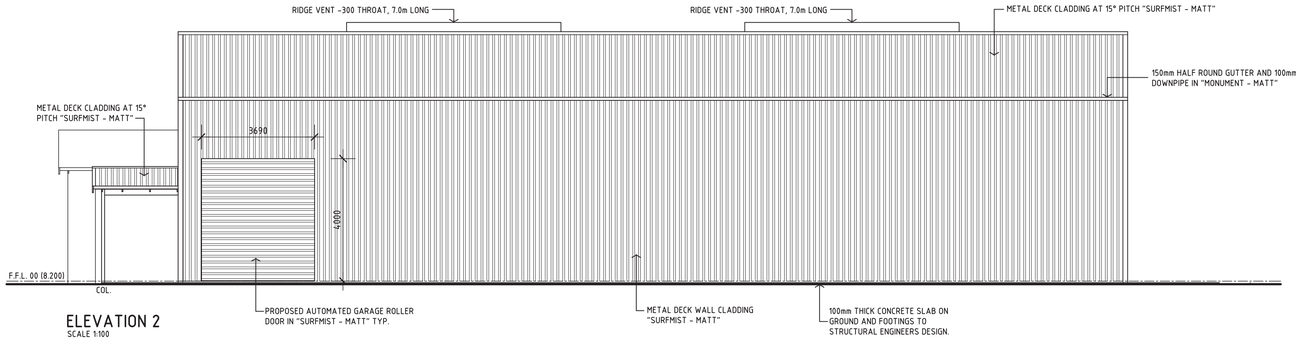
DRAWN LS		PRINCIPAL	REDUCTION 0 25
DESIGNED LS		LS	
SCALE 1:100		DATE MAY 2023	DRAWING No. A.02
ERWA PROJ No. 23034		ERWA Job No.	

THIS IS A CADD DRAWING DO NOT AMEND MANUALLY

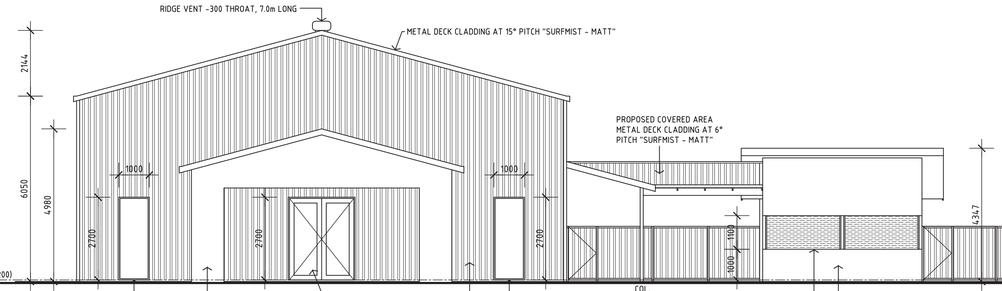
COPYRIGHT 21 PIAVE STREET (PO BOX 7024) GERALDTON WA 6530



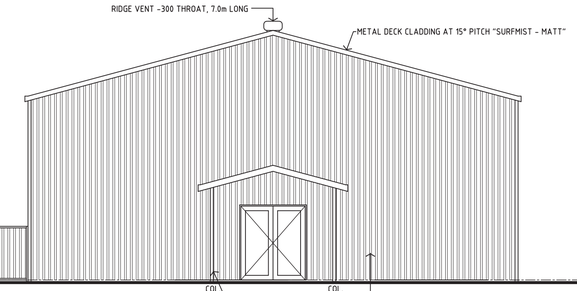
ELEVATION 1
SCALE 1:100

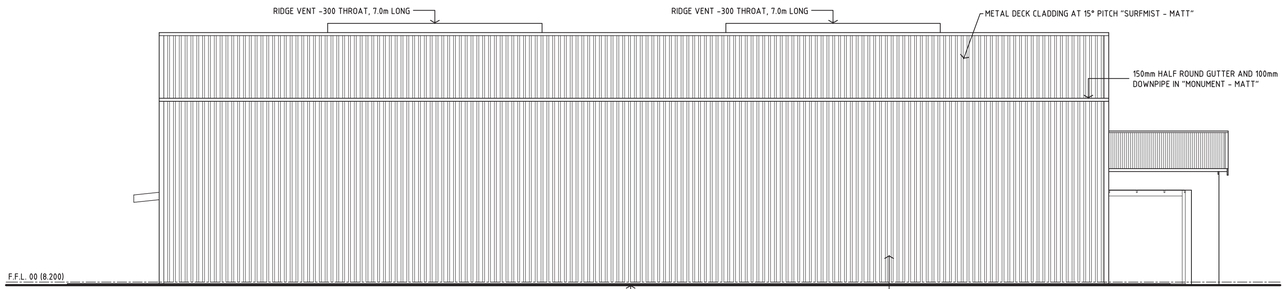


ELEVATION 2
SCALE 1:100

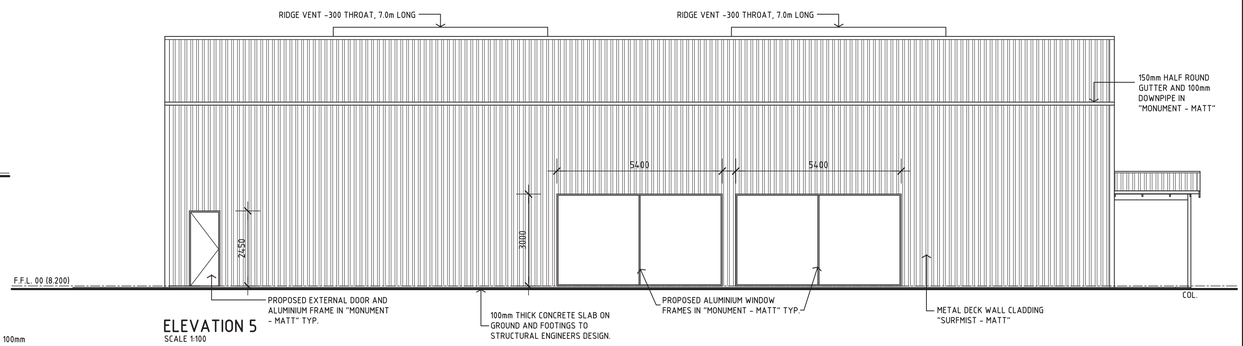


ELEVATION 3
SCALE 1:100

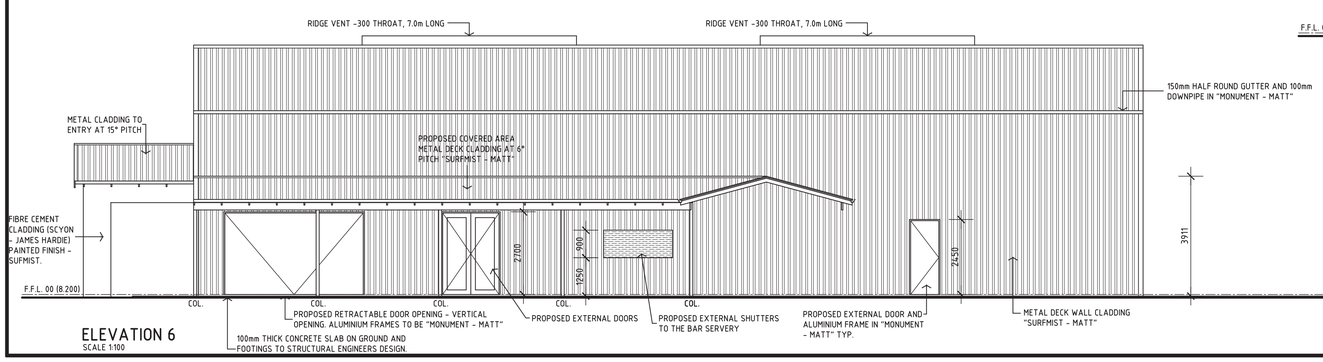




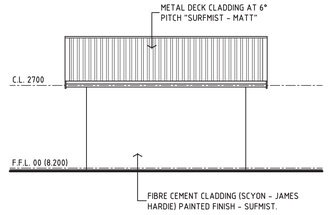
ELEVATION 4
SCALE 1:100



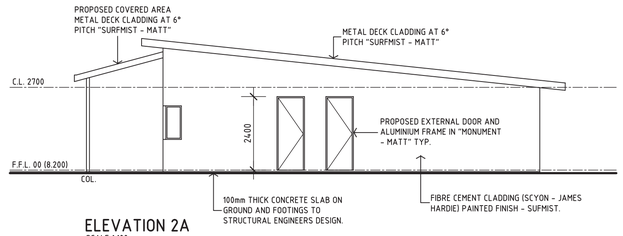
ELEVATION 5
SCALE 1:100



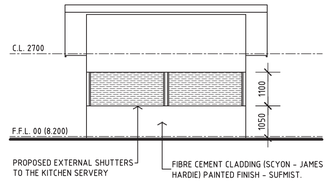
ELEVATION 6
SCALE 1:100



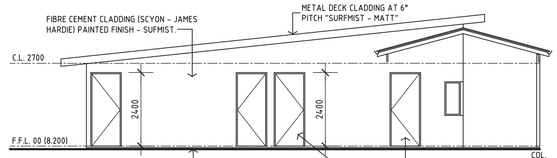
ELEVATION 1A
SCALE 1:100



ELEVATION 2A
SCALE 1:100



ELEVATION 3A
SCALE 1:100



ELEVATION 4A
SCALE 1:100

Efficient Ratings W.A.
Creating a Sustainable Future

PROPOSED DISTILLERY & BREWERY
LOT 201 BRAND HIGHWAY
DONGARA, WA
ELEVATIONS

DRAWN LS	PRINCIPAL		REDUCTION 0 25
DESIGNED LS		LS	
SCALE 1:100	DATE MAY 2023		DRAWING No. A.03
ERWA PROJ No. 23034	ERWA Job No.		

COPYRIGHT
THIS IS A CADD DRAWING DO NOT AMEND MANUALLY

21 PIAVE STREET (PO BOX 1924) GERALDTON WA 6530

Appendix 2:
Planning Assessment

PS ref: 8488

21 April 2023

Shire of Irwin
11-12 Waldeck Street
Dongara WA 6525

Attention: Murray Connell – Manager Development

LOT 201 (30648) BRAND HIGHWAY, DONGARA
PROPOSED DISTILLERY, BREWERY AND RESTAURANT
PLANNING CONSIDERATIONS AND ASSESSMENT

Planning Solutions acts on behalf of the proponent Illegal Tender Rum Co. Pty Ltd in relation to the proposed distillery, brewery and restaurant at Lot 201 (30648) Brand Highway, Dongara (**subject site**).

The following submission discusses various matters pertaining to the proposal, including:

- Site details.
- Proposal.
- Town planning considerations.

SITE DETAILS

Site context

The subject site is located in Dongara, approximately 2.1 kilometres north of the Dongara town centre and approximately 350 kilometres north of the Perth city centre. The subject site is within the municipality of the Shire of Irwin (**Shire**). The subject site adjoins Brand Highway to the west, which connects the subject site to the wider Mid-West region, and Bonniefield Road East to the west of the subject site. The subject site is widely surrounded by rural land to the north, east and south and residential lots to the west. The development is proposed centrally within the subject site. The subject site contains one house and one shed located on the southern portion of the subject site. Refer to **Figure 1**, local context.

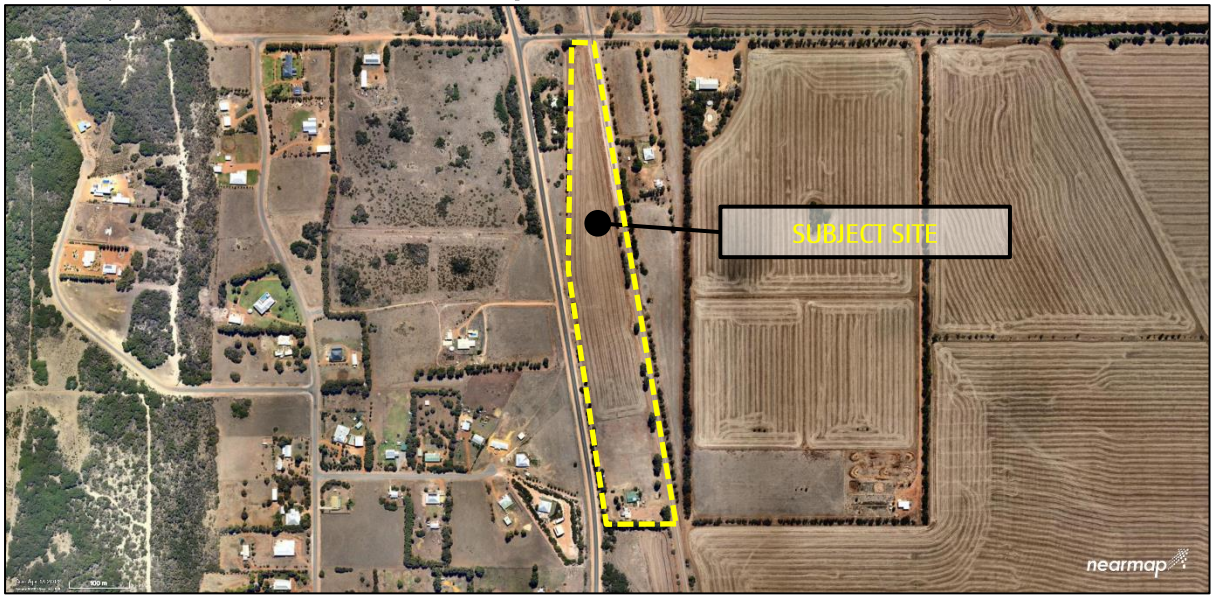


Figure 1 – Aerial photograph. Source Nearmaps 2023.

PLANNING SOLUTIONS
URBAN & REGIONAL PLANNING
PS
Level 1, 251 St Georges Tce, Perth WA
(08) 9227 7970
GPO Box 2709
Cloisters Square PO 6850
admin@planningsolutions.com.au
www.planningsolutions.com.au
ACN 143 573 184 ABN 23 143 573 184
Planning Solutions (Aust) Pty Ltd

PROPOSAL

The proposal involves the development of a distillery, brewery, restaurant and associated parking, access and landscaping. The proposed development will provide for the production and retail sale of food and alcohol within two buildings located centrally on the subject site. The development will also facilitate the direct purchase of products and provide a venue within Dongara for gatherings, events and live music to be held.

The development has been designed in a site responsive and contextual manner, utilising the unique shape of the subject site as well as being sympathetic to the surrounding rural and residential land. The proposed development will provide a valuable business and hospitality venue / service to the local community and patrons travelling through Dongara along the surrounding road network.

Site Layout and Built Form

The proposed distillery, brewery and restaurant will provide for the preparation, sale and serving of food and beverages to customers, for consumption either on or off the premises.

Specifically, the proposed development comprises:

- A distillery, brewery and restaurant development comprising of two 479.2m^2 buildings located centrally on the subject site. The two buildings are constructed of metal deck wall cladding, external shutters and glazing. Building 1 will be utilised for the distilling and production of rum onsite and contains storage, laboratory, fermentation vessels and barrels. Building 2 will be utilised for hospitality space, a barrel room and staff offices and toilets.
- A washed concrete alfresco garden which includes an outdoor bar / kitchen including a public toilet block is located centrally between the two buildings.
- An 859.3m^2 grassed area including playground equipment adjoining the northern frontage of the buildings.
- A service area/ bin store adjoining building 1.
- 60 visitor car parking bays, including two ACROD bays, 9 staff parking bays and 5 caravan / bus car parking bays.
- 900m^2 of landscaping including 33 new mature trees.
- A wastewater system and 2 fresh water tanks located at the south of the proposed development.

Refer **Appendix 1** for a copy of the Development Plans.

Hours of Operation

The proposed distillery, brewery and restaurant incorporates three operational components. These include:

1. Staffing hours for the distilling/brewery and preparation.
2. Standard public opening hours
3. Special events and Sunday live music

The operating hours for these components are broken down as follows:

Staff hours

- Monday – Sunday 6am – 11pm.
- Most staff will arrive 8.30am and depart at 5pm.
- The additional time beyond standard hours would factor in any ad hoc brewing or distilling requirements and pack up from events.

Standard public opening time

- Monday to Sunday 11am – 5pm

Special events and Sunday live music

- Monday to Sunday 10am – 10pm (ad hoc basis).
- Sunday fortnightly music 10am-10pm

The hours of operation have been incorporated into the environmental noise assessment contained in **Appendix 4** and confirms compliance with the noise regulations.

Amenity Management

The proposed distillery, brewery and restaurant is positioned centrally on the subject site and orientated in a manner which enables direct access form Bonniefield Road East.

An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery, restaurant. Refer to **Appendix 4** for a copy of the acoustic report.

A Complaints Management Policy has been prepared to outline procedures and guidelines for addressing and resolving complaints related to noise, dust, odour and gas emissions. Further to this, a complaints management form has been prepared for any complaints to be lodged. Refer to **Appendix 7** for a copy of the Complaints Management Procedure and the Complaints Management Form. An Emissions Management Plan has been prepared to outline measures and procedures to effectively manage and minimise emissions related to noise, dust, odour, and gas. Refer to **Appendix 8** for a copy of the Emissions Management Plan.

Waste will be stored in the bin store adjoining building 1. Waste will be collected at an 'at need' basis by Cleanaway. A service vehicle will be able to access the bin store by driving down the internal access road, parking on the hard stand area located at the rear of the two buildings and accessing the bin store via 2 x 1200mm wide gates.

TOWN PLANNING CONSIDERATIONS

Shire of Irwin Local Planning Scheme No. 5

The Shire of Irwin Local Planning Scheme No. 5 (**LPS5**) applies to the subject site. The provisions of LPS5 are supplemented by the deemed provisions in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Where a deemed provision is inconsistent with a provision of LPS5, the deemed provision prevails to the extent of the inconsistency.

Zoning

The subject site is zoned Rural Smallholdings pursuant to the provisions of LPS5. The objective of the Rural Smallholdings zone under LPS5 is:

> *To provide for the use of land for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where parttime income from cottage industries, home occupation and the use of land for agriculture may be derived.*
>
> *To preserve and enhance landscape quality, environmental values and conservation attributes.*

The proposed development is consistent with the LPS5 objectives of the Rural Smallholdings zone for the following reasons:

- The proposal utilises the abnormal narrow subject site that would not be otherwise be practical for rural activities. As outlined in figure 1, Brand Highway is located directly to the west of the subject site and is major heavy and light vehicle route through the region. The railway line is located directly to the east which provide freight throughout the region. With a maximum site width of 103m, the subject site is not suitable for agricultural or more sensitive rural pursuits. The constrained property, is well suited to a rural pursuit which captures passing trade from Brand Highway and is entirely suitable for a distillery, brewery and restaurant land use.

- The distilling, production and sale of alcohol and food is considered a minor rural pursuit which utilises the subject site without having an adverse impact on the surrounding environment or amenity.
- The development retains all the natural vegetation on the site and further enhances the landscaping quality through the additional trees and shrubs that are to be provided throughout the site as part of the proposed development, preserving the rural characteristic of the site.

The proposal provides a built form style that is a minor and simplistic structure to ensure it blend appropriately with the rural context. It is considered the proposed development achieves the objectives of the Rural Smallholdings zone, and demonstrates to be a benefit within this area of Dongara.

Use class and permissibility

The proposed development seeks approval for a distillery, brewery and restaurant, best classified as a use not listed under LPS5 and therefor the determination of the application is at the discretion of the Shire. No use is listed within LPS5 which defines the operations proposed as part of this application. Therefore, a use not listed distillery, brewery and restaurant land use best classifies the operations on site.

Clause 9.4 – *Advertising Applications* of LPS5 states that where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is not listed in the Zoning Table, the local government shall not grant approval to that application unless it is publicly advertised The development application has been advertised in accordance with Clause 9.4.3 of LPS5 and is therefore considered capable of approval under LPS5.

Matters to be Considered

Clause 67(2) of the Deemed Provisions sets out the matters for which due regard is to be given when considering a development application. Refer **to Table 1** below for an assessment of the relevant matters.

Table 1 - Matters to be considered

Matter to be considered	Provided
(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The proposed use and development are consistent with the aims and provisions of the Shire's LPS5 for the following reasons: • The distilling, production and sale of alcohol and food is considered a minor rural pursuit which utilises the subject site without having an adverse impact on the surrounding environment or amenity. • The development retains all the natural vegetation on the site and further enhances the landscaping quality through the additional trees and shrubs that are to be provided throughout the site as part of the proposed development, preserving the rural characteristic of the site.
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation, and appearance of the development;	The proposed development is entirely compatible with its setting for the following reasons: • The proposed development is appropriately located within close proximity to the Dongara town centre, allowing locals and tourists to access the distiller, brewery and restaurant. • The proposed development is located within close proximity to Brand Highway, minimising the traffic impacts on surrounding local streets. • The proposed development is appropriately located within an established rural smallholdings precinct. The railway as the eastern border of the site provides a clear separation point to the remainder of the rural activities further east of the site. • The scale of the building is sympathetic to the surrounding rural properties.

Matter to be considered	Provided
	Having regard to the above, the nature of the proposed development is entirely compatible with its surroundings and features a highly considered visual character to ensure no undue impact on surrounding sensitive land uses.
(n) the amenity of the locality including the following – *(i) environmental impacts of the development;* *(ii) the character of the locality;* *(iii) social impacts of the development;*	**Environmental Impacts** The proposed development includes the provision of and extensive amount of landscaping and does not involve the clearing of any vegetation, The noise impacts produced by the proposed development will be minimal and has been mitigated through the orientation and layout of the development. Refer to **Appendix 4** for a copy of the acoustic report. **Character of the Locality** The subject site forms part of a rural smallholdings zone, which contains various complementary activities. Further, the proposed development has been designed in a manner to remain sympathetic to the surrounding rural properties. The proposed development is entirely consistent with the established rural smallholdings setting. **Social Impacts** The proposed development will have a positive social impact on the surrounding locality for the following reasons: • The proposed tenancy will provide their services to patrons from Dongara and to tourists travelling through Dongara. • The proposed distillery, brewery and restaurant will create employment positions for the surrounding locality.
(s) the adequacy of – *(i) the proposed means of access to and egress from the site; and* *(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;*	The TIS prepared by Khouri Engineering Services demonstrates that all traffic generation associated with the proposed development will not adversely impact the surrounding road network, and that surrounding road network is entirely capable of accommodating traffic associated with the proposed use. Refer to **Appendix 3** for a copy of the TIS.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	

For the reasons outlined above, the proposed development is consistent with the matter for which due regard is to be given when considering a development application in accordance with the Deemed Provisions.

CONCLUSION

The proposed development will provide for the production and retail sale of food and alcohol whilst also facilitating events and offer a venue within Dongara for gatherings and live music to be held. The proposed development has been designed to minimise the impact on the surrounding rural amenity.

The proposal is consistent with the objectives of the Rural Smallholdings zone under LPS5.

It is considered the proposal should be favourably determined, on individual merit, recognising the proposal is consistent with the statutory planning framework for the subject site. We therefore respectfully request the application for development approval be considered on its merits and favourably determined.

Should you have any queries or require further clarification in regard to the proposal, please do not hesitate to contact the writer.

Yours faithfully,



JOSH WATSON
SENIOR ASSOCIATE

230501 8488 Briefing Note - Planning Considerations

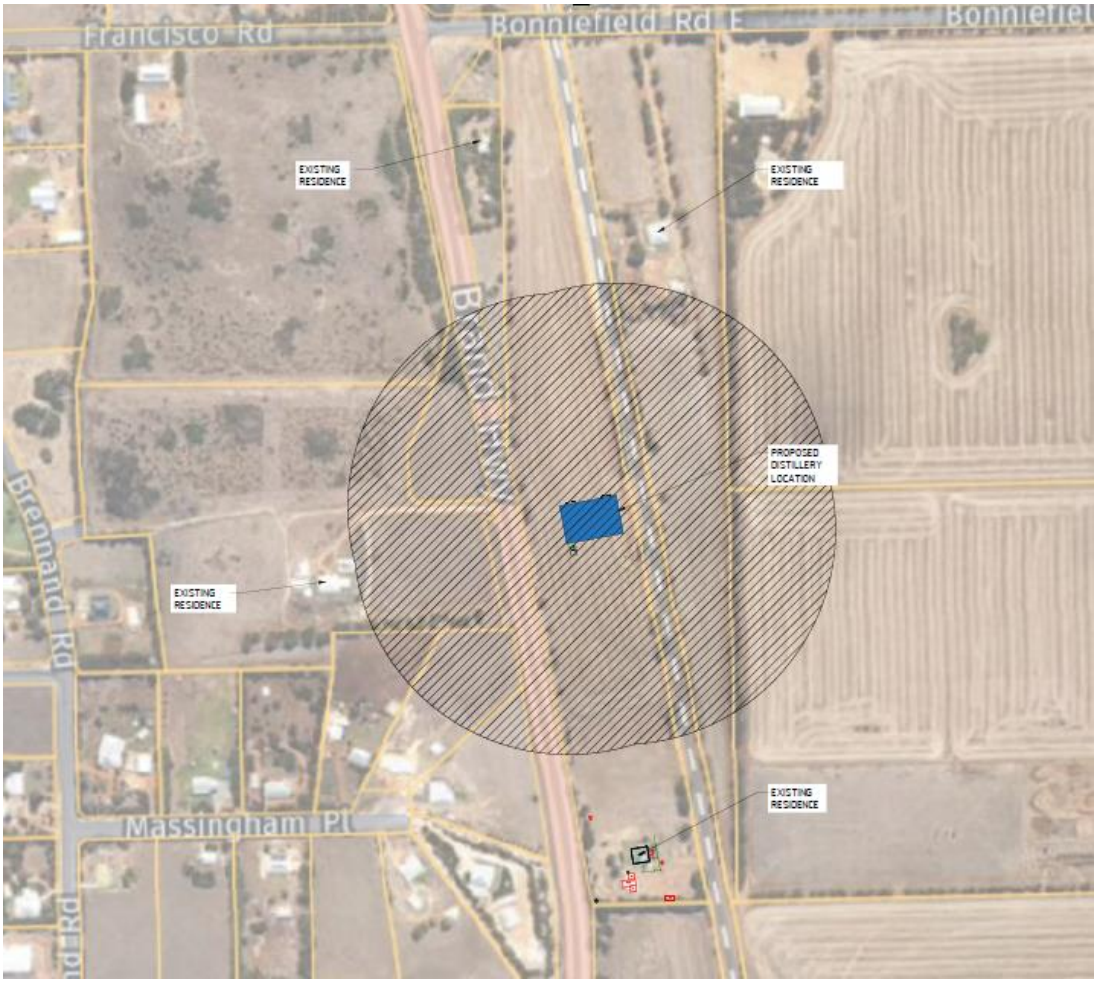
Appendix 3:
Traffic Impact Assessment

KHOURI
ENGINEERING SERVICES
SERVICE QUALITY INTEGRITY

PROPOSED DISTILLERY

Lot 201 Brand Highway, Dongara

TRANSPORT IMPACT STATEMENT



8 May 2023

PROPOSED DISTILLERY – LOT 201 BRAND HWY, DONGARA
TRAFFIC IMPACT STATEMENT

Project ID	2023.02.10
Document Version	FINAL
Current Version Date	8 May 2023
Original Publication Date	17 April 2023
Number of Pages:	38
File Name:	2023.01.10 -TIS Final

Prepared by

Jorge El-Khouri | Chartered Professional Civil Engineer (CPEng / NER 3183180)

Published by

KHOURI Engineering Services
City Hive Building
184 Marine Terrace
Geraldton WA 6530 Australia
ABN: 86 910 530 262
www.khouriengineering.com.au

Contact

0439 766 504
jorge@khouriengineering.com.au

Description

A Transport Impact Statement (TIS) for a proposed Distillery on Lot 201 Brand Highway, Dongara in the Shire of Irwin. This TIS has been prepared in accordance with the WAPC 2016 Transport Impact Assessment Guidelines.

Client

ILLEGAL TENDER RUM CO.
STABLEVIEWS DISTILLERY, DONGARA WESTERN AUSTRALIA

This is not an approved document unless certified below by:

Jorge El-Khouri
(CPEng / NER 3183180)

About the Author

Jorge El-Khouri is a qualified chartered professional Civil Engineer (CPEng) with more than 20 years experience in the field of civil infrastructure including traffic engineering, design, construction, maintenance, traffic project management, traffic asset management and development engineering.

Jorge is a full member of the Institute of Engineers Australia (MIEAust), registered on the National Engineers Register (NER) and a Registered Professional Engineer Queensland (RPEQ) and Victoria (RPE-Vic) as required by State legislation for any traffic engineering works carried out in those respective States.

Jorge has a wealth of experience in traffic investigation and design, providing traffic engineering expert advice and solutions across all stages of traffic engineering projects including planning and feasibility, design, construction and operation for existing and future roads, developments, carparks, schools, and mine sites.

Jorge specialises in undertaking and preparing traffic impact assessments in accordance with either the WAPC Transport Impact Assessment Guidelines or Austroads Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments.

Disclaimer

Neither KHOURI Engineering Services nor any member or sub consultants to KHOURI Engineering Services takes responsibility in any way whatsoever to any person or organisation, other than that for which this report has been prepared, in respect of the information set out in this report, including any errors or omissions therein. KHOURI Engineering Services is not liable for errors in plans, specifications, documentation, or other advice not prepared or designed by KHOURI Engineering Services.

Contents

1. INTRODUCTION 4
2. PROPOSED DEVELOPMENT 7
3. TRIP GENERATION & TRAFFIC VOLUMES 9
3.1. PROPOSED ROUTE 9
3.2. TRAFFIC GENERATION 10
3.3. EXISTING TRAFFIC 11
3.4. INTERSECTION TRAFFIC MOVEMENTS 12
4. INTERSECTION WARRANT ANALYSIS 15
5. SIGHT DISTANCES 17
6. CHANGES TO SURROUNDING TRANSPORT NETWORK 18
7. VEHICLE ACCESS AND PARKING 18
8. PROVISION FOR SERVICE VEHICLES 20
9. HOURS OF OPERATION 20
10. SUMMARY & RECOMMENDATIONS 20
11. APPENDIX A – Shire of Irwin - LOCAL PLANNING SCHEME NO.5 – Map 9 23
12. APPENDIX B – DRAFT SITE PLAN 25
13. APPENDIX C - TRAFFIC VOLUME DATA 32
14. APPENDIX D - WAPC TRANSPORT IMPACT STATEMENT CHECKLIST 36

1. INTRODUCTION

This Transport Impact Statement (TIS) report is for the proposed Distillery Development on Lot 201 Brand Highway, Dongara.

This document has been prepared in accordance with the WAPC publication Transport Impact Assessment Guidelines which states that a Transport Impact Statement (TIS) "*is required for those developments that would be likely to generate moderate volumes of traffic and therefore would have a moderate overall impact on the surrounding land uses and transport networks*".

Lot 201 is zoned "**Rural Small Holdings**" according to "**Map 9 - Dongara townsite locality North**", of the *Shire of Irwin Local Planning Scheme No.5 – District Scheme.* A copy of the Map 9 has been included in **Appendix A** of this report.

Neither the WAPC Guidelines, nor the Shire of Irwin's Local Planning Scheme and Local Planning Strategy, specifically outline the functions associated in an area zoned "Rural Small Holdings". However, the desired expectation is generally for small commercial/industrial/farming operations, which is consistent with the proposed Distillery development.

Table 1 of the WAPAC Guideline (Volume 1), shown below in **Figure 1**, suggests that if the development has a peak hour traffic volume of less than 100 vehicle trips, the development is classified as "Moderate Impact" requiring only a Traffic Impact Statement (TIS).

LAND USE	MODERATE IMPACT	HIGH IMPACT
	Transport Impact Statement required	Transport Impact Assessment required
	10 – 100 vehicle trips in the peak hour	> 100 vehicle trips in the peak hour
Residential	10–100 dwellings	>100 dwellings
Schools	10–100 students	>100 students
Entertainment venues, restaurants, etc.	100–1000 persons (seats) OR 200–2000 m² gross floor area	>1000 persons (seats) OR >2000 m² gross floor area
Fast food restaurants	50–500 m² gross floor area	>500 m² gross floor area
Food retail /Shopping centres with a significant food retail content	100–1000 m² gross floor area	>1000 m² gross floor area
Non-food retail	250–2500 m² gross floor area	>2500 m² gross floor area
Offices	500–5000 m² gross floor area	>5000 m² gross floor area
Service Station	1–7 refuelling positions	>7 refuelling positions
Industrial/Warehouse	1000–10,000 m² gross floor area	>10,000 m² gross floor area
Other Uses	Discuss with approving authority	Discuss with approving authority

Figure 1 - Level of TIA required by land use and size, WAPC Guidelines (Volume 1) – Table 1

Figure 2 of WAPAC Guidelines (Volume 4), shown below in **Figure 2**, also reaffirms the "Moderate Impact" nature of the proposed development and the need for a Traffic Impact Statement (TIS), rather than a Traffic Impact Assessment (TIA).

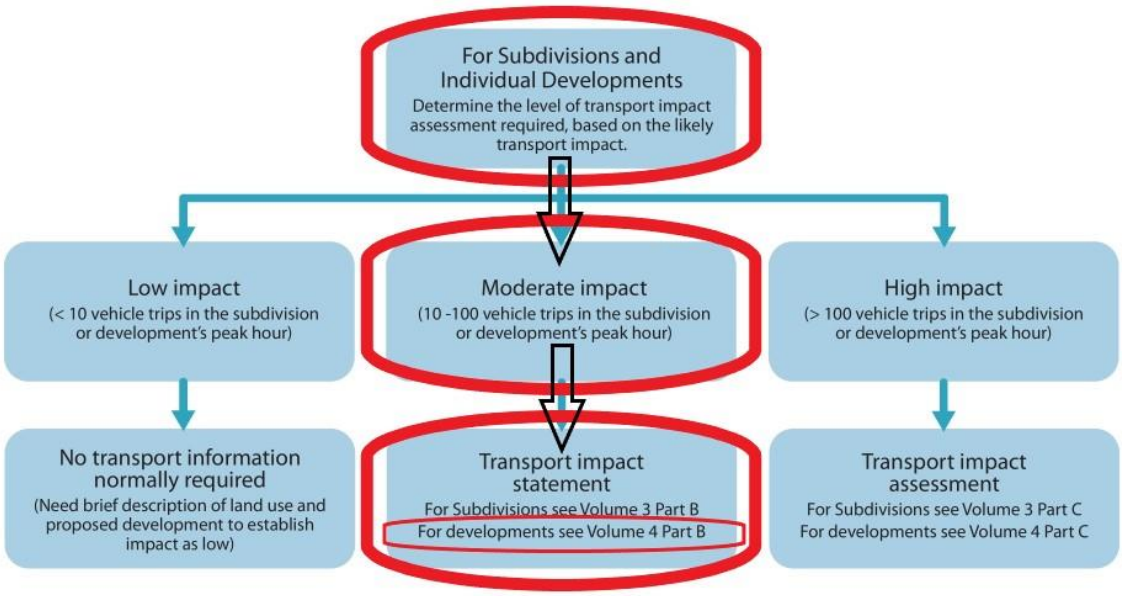


Figure 2 - Level of assessment required (Source Figure 2 WAPC Guidelines Vol 4)

The maximum forecast peak hour traffic volumes estimated in **Section 3** of this report are consistent with the "Moderate Impact" definitions of the WAPAC Guidelines, requiring only a TIS.

The preparation of a TIS also ensures compliance with Clause 67(t) of the Planning and Development (Local Planning Schemes) Regulations 2015 (3) which states that "*due regard*" should be given to:

> *(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety*

WAPC Guidelines, Volume 4 and Part B (Transport Impact Statement) sates:

> *"A transport impact statement is a brief statement outlining the transport aspects of the proposed development. The intent of the statement is to provide the approving authority with sufficient transport information to confirm that the proponent has adequately considered the transport aspects of the development and that it would not have an adverse transport impact on the surrounding area …*
>
> *It is envisaged that the transport impact statement will generally be from two to three pages up to several pages in length, but this will depend upon the number and nature of any specific issues that need to be addressed.*
>
> *It is expected that most, if not all, of the information to be provided will be of a nontechnical nature, that is, will not require input from a specialist in transportation planning or traffic engineering. This will, however, depend upon the nature of the specific issues to be addressed*

and specialist technical input may be required on occasions."

Accordingly, the extent of this assessment includes:

- The proposed development site.
- All roads fronting the site.
- The area(s) likely to be affected by any site-specific issue(s).

2. PROPOSED DEVELOPMENT

Illegal Tender Rum Co., currently operating at 35 Illyarrie Rd, Dongara, is proposing to relocate their operations to a new site on Lot 201 Brand Highway, Dongara, in the Shire of Irwin. Lot 201 Brand Hwy, Dongara, is bordered by the Brand Highway to the west, Bonniefield Road East to the north, and the railway track to the east, as shown in **Figure 3** below.

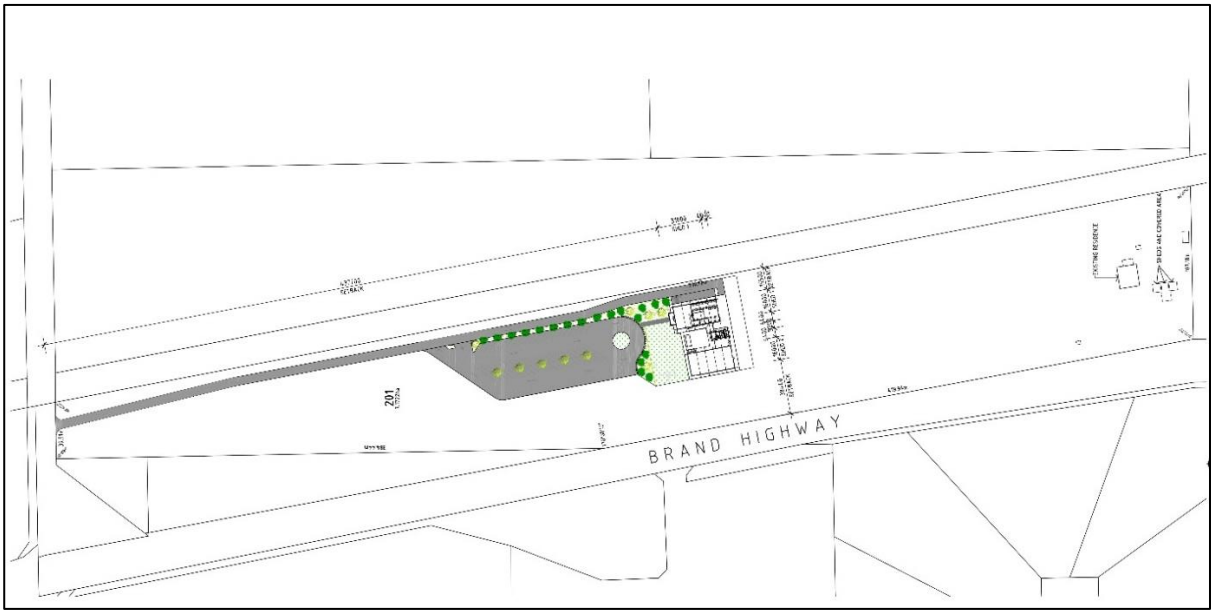


Figure 3 –Proposed development

Brand Highway is a national route road under the jurisdiction of Main Roads WA, while Boniefield Road East is a local shire road under the jurisdiction of the Shire of Irwin.

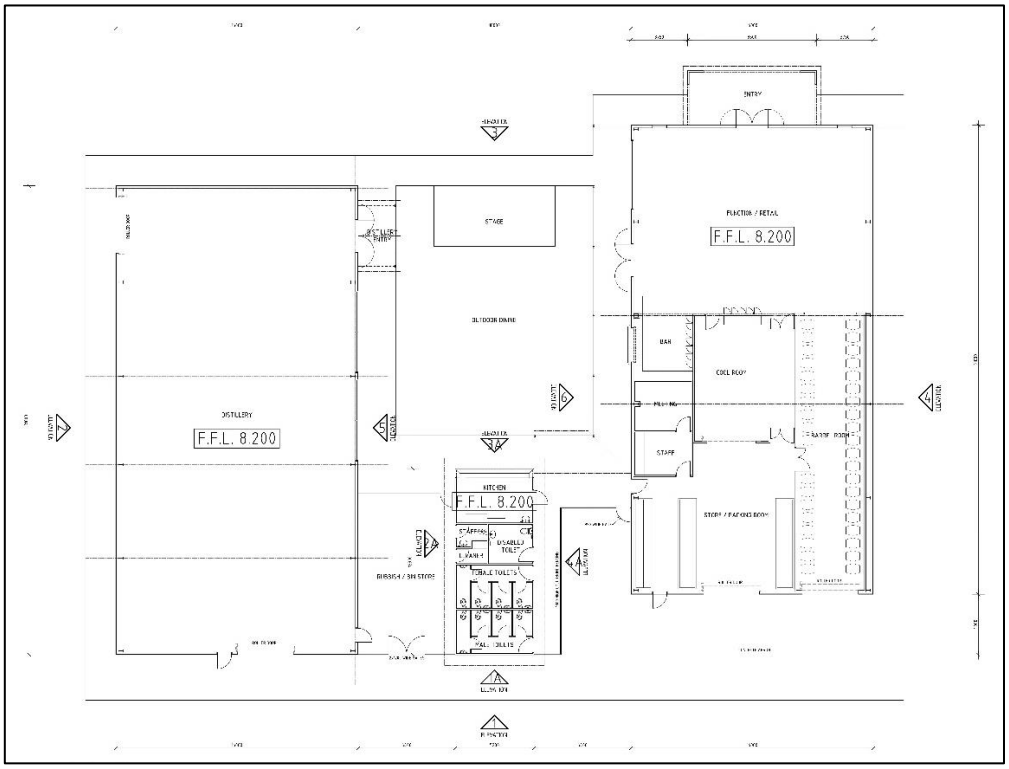


Figure 4 – Proposed Building Facilities

The proposed Distillery development is expected to include the following building and infrastructure facilities (**Figure 4**):

- Building 1 - Distillery Building (480 m2 approximately)
- Building 2 – Function / Retail, Storage, Cellar and Office (480 m2 approximately)
- Toilet Block & Kitchen (64m2 approximately)
- Outdoor Dining Area (270 m2 approximately)

The development will also include driveaway access from Bonniefield Road East and an internal off-street carpark as detailed in **Section 7** of this report.

Refer to **Appendix B** for a full set of the draft planning drawings for the proposed development.

3. TRIP GENERATION & TRAFFIC VOLUMES

3.1. PROPOSED ROUTE

Traffic access to the proposed development is expected to come mostly from the Brand Highway. Experience from the current Distillery operation at 35 Illyarrie Rd in Dongara, suggests that most visitors to the Distillery are southbound motorist on light vehicles travelling back to Perth after visiting the north. Accordingly, the predominant travel route expected from motorists visiting the proposed Distillery is:

1. Vehicles travel along Brand Highway, predominately coming from Geraldton and north, and turn LEFT into Bonniefield Road East.
2. Then travel approximately 100 metres along Bonniefield Road East and turn right at the proposed access to enter the property.
3. The return journey is expected to be predominantly southbound, with vehicles turning left from the access into Bonniefield Road East, then left again into Brand Highway.

Although most visitors to the site are expected to be coming from the north (southbound travelling back to Perth), traffic movements going in the opposite direction (northbound) have also been considered in this TIS document. Also, although most visitors are expected to vist the site on standard light vehicles, consideration has also been given to standard 20 metres (max.) buses bringing in visitors on special organized occasions.

In addition to the vehicles expected to visit the proposed development, this study has also considered the type of vehicles permitted to use this section of Bonniefield Rd East and the Brand Hwy. According to Main Roads WA HVS Network Map, this section of the Brand Hwy is approved for Restricted Access Vehicles (RAV) up to 36.5 metres long (RAV 7), with similar configuration to **Figure 5**.

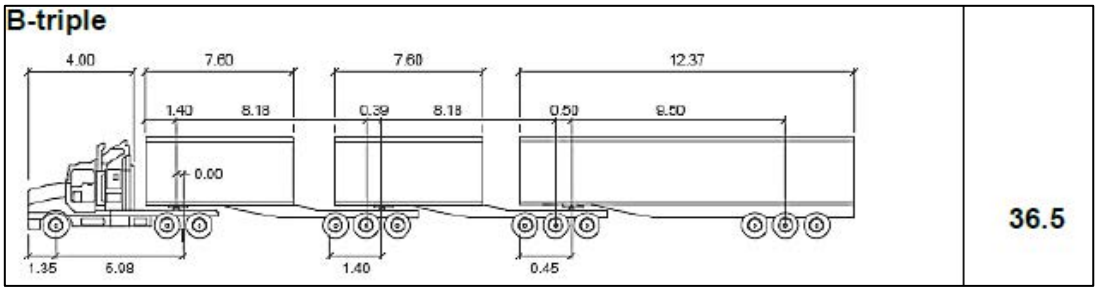


Figure 5 – Maximum size vehicle approved on this section of Brand Hwy

Similarly, Main Roads WA HVS Network Map also suggests that the largest size vehicles approved on this section of the Bonniefield Road East are 27.5 metres B-doubles (RAV 4), similar to **Figure 6**.

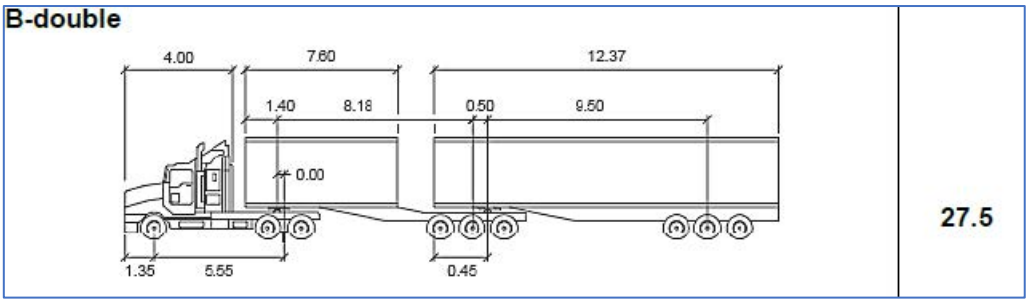


Figure 6 – Maximum size vehicle approved on this section of Bonniefield Rd East

A full list of the Main Roads HVS approved size and type of vehicles on the proposed / expected route is shown in **Table 2** below.

PROPOSED ROUTE & HVS CLASSIFICATION		
ROAD NAME	**Brand Hwy**	**Bonniefield Rd East**
MRWA ROAD NUMBER	H004	5080014
MRWA SLK (Start - End)	307.52	0 - 0.1
WA Agricultural Pilot Zone	Orange	Green
Tandem Drive Network	N7	N4
Tandem Drive Concessional	N7.3	N4.1
Tri Drive Network Tri Drive Concessional	TD4 TD4.3	TD1 TD1.1
PBS Tandem Drive Network (Concessional):		
- PBS Tandem Drive	PBS 3B.3	PBS1B.1
- PBS Tandem Drive Quad Axle	PBS Q3B.3	
- PBS Tri Drive	PBS TD3B.3	
- PBS Tri Drive Quad Axle	PBS TD Q3B.3	
Road Trains with long trailers		
Import/export containerised cargo	IECC4	
Oversize Network:		
- Oversize road train and b-double		
- Oversize divisible products	OSDP6	
- Platform trailer relocation	Yes	
Overmass Networks:	8TPA 6	
Australian Defence Force Vehicle	Cat 2	

Table 2 - HVS classification on the proposed route

Main Roads WA HVS network maps are available on the following website link:
https://mrwebapps.mainroads.wa.gov.au/hvsnetworkmap

3.2. TRAFFIC GENERATION

Based on the current operations of the Distillery at its existing location on 35 Illyarrie Rd, public peak times is generally between 12pm and 3pm. Experience also shows that most visitors are travelling tourist averaging around 2-3 people per vehicle.

Up to nine (9) staff/employees are expected on site on most days. On a standard weekday, most staff are expected to arrive for an 8:30am start and depart around 5pm. Departing times may vary on weekends and during special events.

The provision of bus services is proposed during high season and special events, transporting up to 100 visitors (2 buses) per event. This is expected to significantly reduce the number of vehicles accessing the site during these special events.

By applying the current average of 2-3 people per visiting vehicle, we estimate that the maximum expected peak hour traffic on site to be about 12 vehicles, sometime between 12pm and 3pm.

Table 3 below shows a brief summary of the estimated number of daily visitors and the expected volume of peak hour traffic on site.

	Low Season (October – June)	High Season (July – September)	Expected Peak Hour Traffic (No. of Vehicles)
Weekdays	Up to 80 visitors per day	Up to 100 visitors per day	9 - 11
Weekends	Up to 100 visitors per day	Up to 150 visitors per day	11 – 12 (*)
Fortnight music event (Sundays)	Up to 100 people	Up to 200 people	11 – 12 (*)
(*) Including 1 – 2 buses			

Table 3 – Expected Daily Number of Visitors & Peak Hour Traffic

By projecting the expected numbers on Table 3 over a 12 months period, and averaging 2 visitors per car, it is estimated that the proposed development will generate a total of 20,125 vehicles per year. **Table 4** below shows the expected distribution of monthly traffic volume over a 12 months period.

Month Traffic Volumes (high and low seasons)	TRUCKS & SERVICE VEHICLES			BUSES			LIGHT VEHICLES			
	Weekdays	Weekends	TOTAL	Weekdays	Weekends	TOTAL	Visitors		Staff	TOTAL
							Weekdays	Weekends		
JAN (low season)	23	24	47	0	0	0	920	400	279	1599
FEB (low season)	20	24	44	0	0	0	800	400	252	1452
MAR (low season)	23	24	47	0	0	0	920	400	279	1599
APR (low season)	22	24	46	0	0	0	880	400	270	1550
MAY (low season)	23	24	47	0	0	0	920	400	279	1599
JUN (low season)	22	24	46	0	0	0	880	400	270	1550
JUL (high season)	23	24	47	46	16	62	1150	600	279	2029
AUG (high season)	23	24	47	46	16	62	1150	600	279	2029
SEP (high season)	22	24	46	44	16	60	1100	600	270	1970
OCT (low season)	23	24	47	0	0	0	920	400	279	1599
NOV (low season)	22	24	46	0	0	0	880	400	270	1550
DEC (low season)	23	24	47	0	0	0	920	400	279	1599
TOTALS			**557**			**184**				**20125**
			2.67%			0.88%				96.45%

Table 4 – Expected Distribution of Traffic Volumes by Month

The annual traffic estimates shown in Table 4, equates to an annual average daily traffic (AADT) of about 55 vehicles (one-way) per day including approximately 3.6% heavy vehicles (trucks and buses).

3.3. EXISTING TRAFFIC

Recent traffic count data (2021/22) for Brand Highway has been collected from Main Roads WA (MRWA) website (https://trafficmap.mainroads.wa.gov.au/map) at SLK 307.20, approximately 300 metres south of Bonniefield Rd East. The Brand Hwy count shows an average annual daily traffic (AADT) of 3,180 vehicles (in both directions) with 13.7% heavy vehicles (Austroads Class 3 – 12).

Recent traffic count data was also collected from Irwin Shire for Bonniefield Rd East, approximately

40 metres east of the Brand Hwy. The count was done over a period of 17 days, from 27 March 2023 to 12 April 2023. The Bonniefield Rd East count showed a total of 2,408 vehicles in both directions, with 2.9% heavy vehicles (Austroads Class 3 – 12). The count equates to an annual average daily traffic (AADT) of 142 vehicles.

Figure 4 shows the location of both counts and the respective 7-days count summary. **Appendix C** provides greater level of traffic count details.

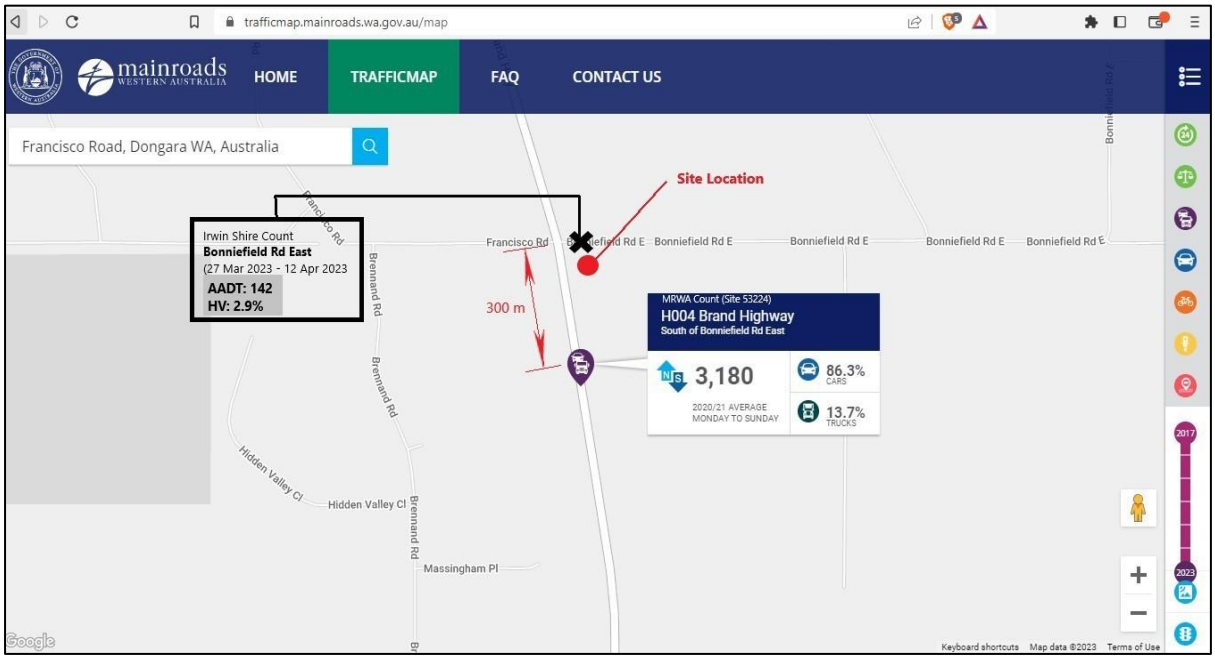


Figure 4 – Relevant traffic counts

3.4. INTERSECTION TRAFFIC MOVEMENTS

Although the MRWA and Shire counts present valuable mid-block traffic count data, they do not provide turning movements at the intersection of Brand Hwy / Bonniefield Rd East (intersection count).

In the absence of a thorough intersection count, the existing mid-block traffic counts (**Section 3.3**) were used to derive intersection (turning movement) counts with a combination of assumptions based on experience from the existing operations at 35 Illyarrie Rd. These assumptions include:

- Eastbound traffic on Bonniefield Rd East → Over 95% is expected to come from the Brand Hwy. Less than 5% is expected to come from Francisco Rd.
- Brand Hwy traffic into Bonniefield Rd East → Approximate 50/50 split from left turners and right turners.

Given the low volume of traffic on Bonniefield Rd East, the above assumptions are considered reasonable for the purpose of this exercise and we can derive existing intersection count movements (before the development), as shown in **Figure 5**.

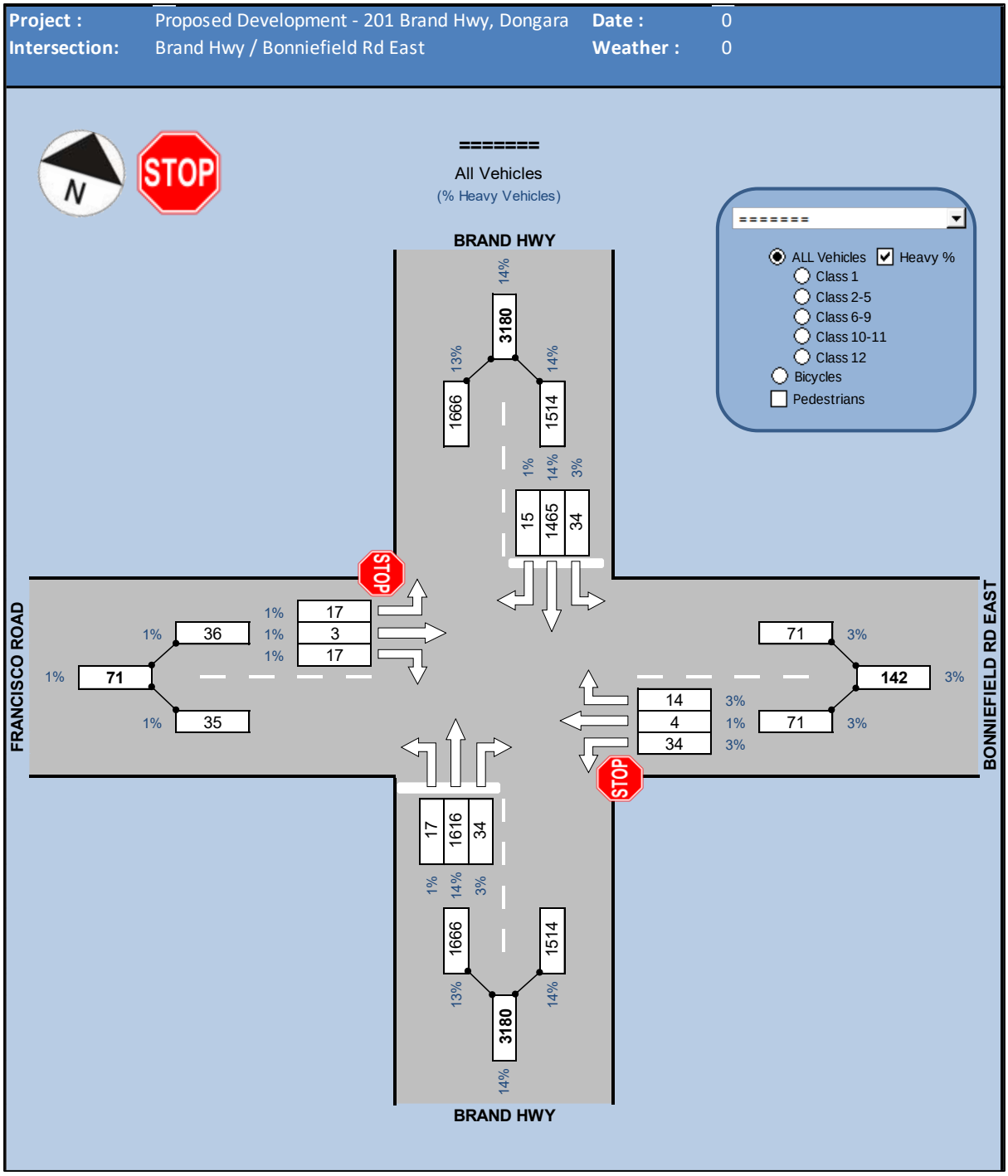


Figure 5 – Derived EXISTING intersection count

Similarly, we can also derive the projected (after the development) intersection count movements by combining existing traffic counts (shown in **Figure 5**) with:

- the estimated traffic generation from **Section 3.2,** and
- an assumed north/south split of 70/30, which is consistent with the current Distillery operation where most visitors come from the north on their way back south to Perth.

The results of the derived projected intersection count movements is illustrated in **Figure 6.**

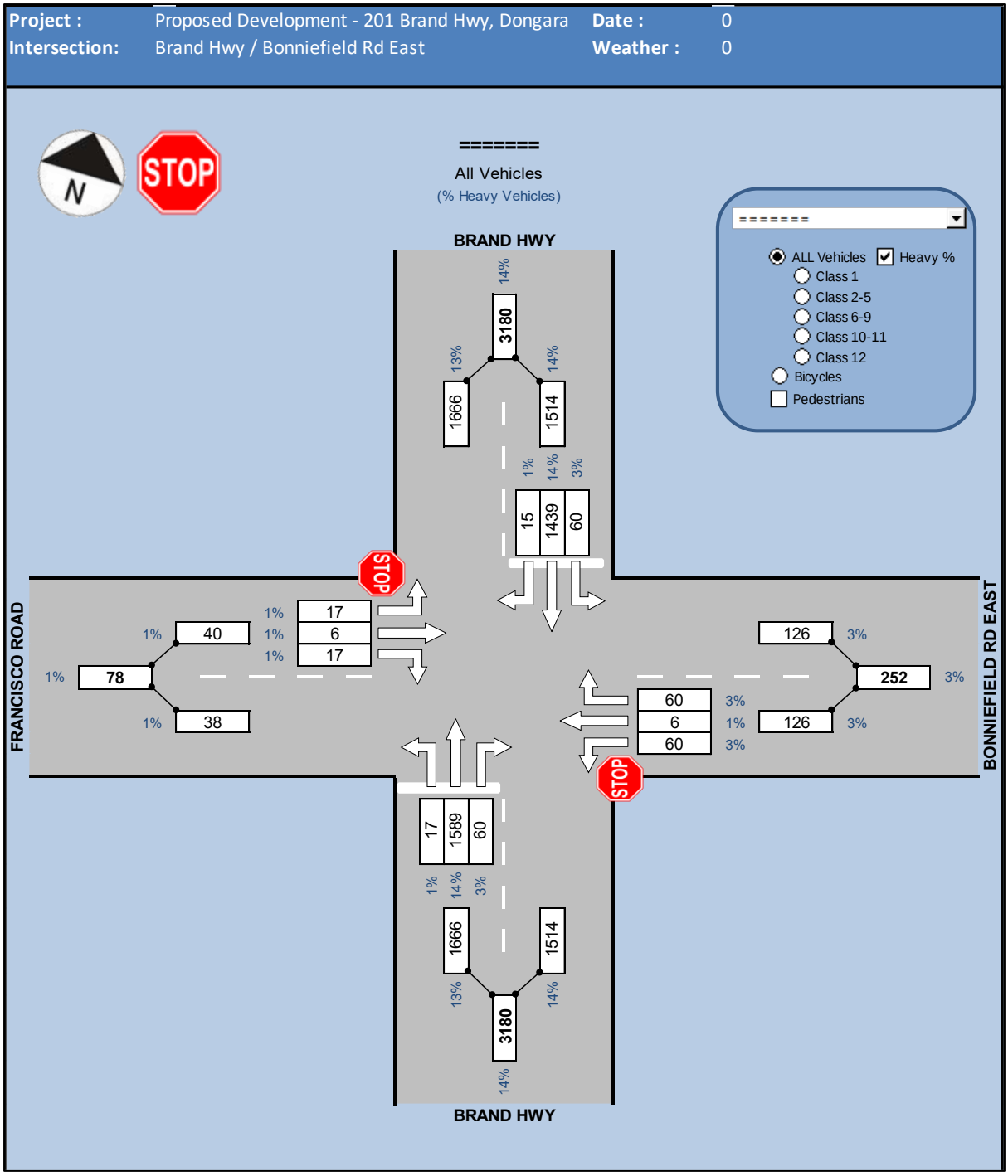


Figure 6 – Derived FUTURE intersection count

4. INTERSECTION WARRANT ANALYSIS

An intersection warrant analysis has been carried out for the intersection of Brand Hwy / Bonniefield Rd East. This has been done in accordance with Austroads GTM Part 6 and MRWA Supplement of Austroads to determine the impact the development may have on the intersection and to evaluate whether the existing (or proposed) intersection arrangement meets the necessary requirements for safety, efficiency, and capacity.

The analysis takes into consideration the traffic speed and the peak hour traffic volumes as shown in **Figure 7** below and derived in **Section 3.2** and **Section 3.4** of this report.

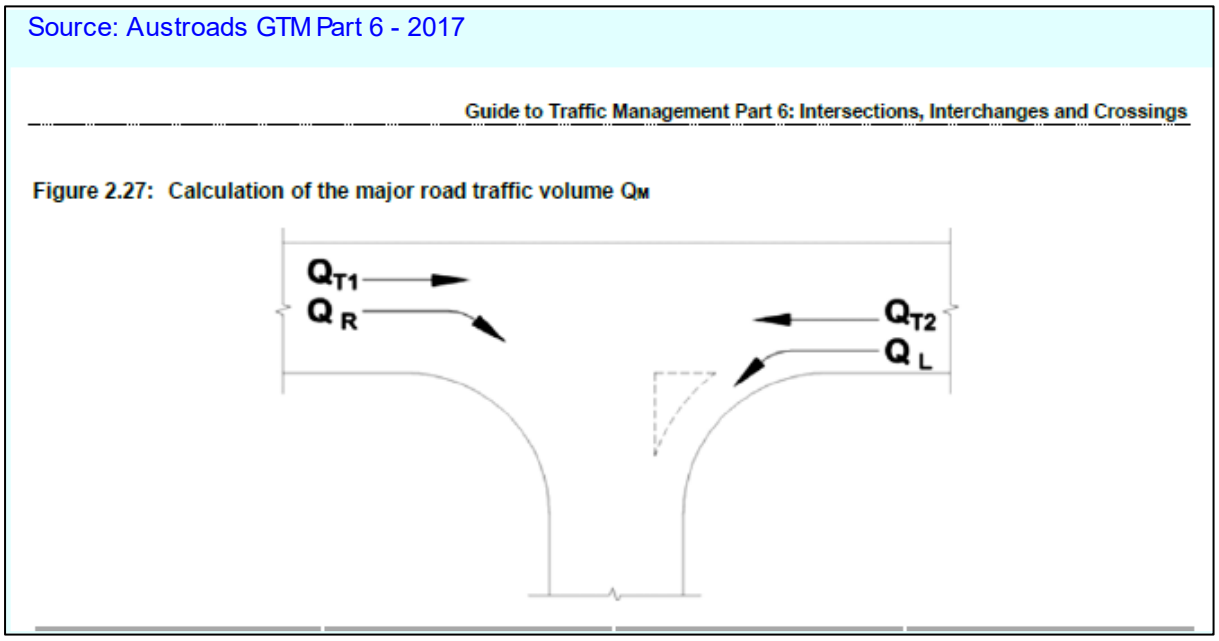


Figure 7 – Intersection Warrant Analysis (Austroads GTM Part 6)

- Q_{T1} → peak hour traffic volume on Brand Hwy (northbound)
- Q_R → peak hour traffic volume turning RIGHT from Brand Hwy into Bonniefield Rd East
- Q_{T2} → peak hour traffic volume on Brand Hwy (southbound)
- Q_L → peak hour traffic volume turning LEFT from Brand Hwy into Bonniefield Rd East

To accurately determine the impact of the development on the existing intersection, it is necessary to carryout the analysis with the existing traffic volumes and with the total projected traffic volumes due to the development. Accordingly, **Table 5** below shows a summary of peak hour traffic volume movements adopted in the analysis.

	No. of Vehicles in the Peak Hour (HV%)		Data Source / Comment
	EXISTING	PROJECTED (FUTURE)	Data Source
Q_{T1}	151 (12.6% HV)	151 (12.6% HV)	From MRWA count
Q_{T2}	154 (13.6% HV)	154 (13.6% HV)	From MRWA count
Q_R	20 (2.9% HV)	23.6 (3.6% HV)	→ Existing = Fig. 6 (in peak hour) → Future = Fig. 6 + 30% split of projected (Table 3)
Q_L	20 (2.9% HV)	28.4 (3.6% HV)	→ Existing = Fig.6 (in peak hour) → Future = Fig.6 + 70% split of projected (Table 3)

Table 5 – Intersection Warrant Analysis Input (Existing & Future)

The results of the intersection warrant analysis, shown in **Figure 8**, indicate that:

- There are no changes in turning movement arrangements due to the proposed development.
- The impact of the proposed development on the intersection may be considered minimum or insignificant.
- Existing right turn movement from the Brand Hwy into Bonniefield Rd East suggest that the intersection may be considered to warrant an auxiliary right turn lane upgrade, but this is irrespective of the proposed development.

INTERSECTION WARRANTS

Main Roads WA Supplement to Austroads Guide to Road Design - Part 4 A.8

DESIGN SPEED =	90km/h
SPLITTER ISLAND YES / NO =	No
DUAL CARRIAGEWAY YES / NO =	No

	EXISTING		FUTURE	
MOVEMENT	**COUNT (v/h)**	**HV (%)**	**COUNT (v/h)**	**HV (%)**
Q_{T1} =	151	12.6	151	12.6
Q_R =	20	2.9	23.6	3.6
Q_{T2} =	154	13.6	154	13.6
Q_L =	20	2.9	28.4	3.6

RIGHT TURN ASSESSMENT

Q_m =	325	333.4
% HV =	12.477	12.295
x =	1.53	1.67
TREATMENT =	**AUR**	**AUR**

LEFT TURN ASSESSMENT

Q_m =	154	154
% HV =	13.600	13.600
x =	0.78	0.90
TREATMENT =	**BAL**	**BAL**

Figure 8 – MRWA Intersection Warrants (Existing & Future)

5. SIGHT DISTANCES

Sight distances have been checked for the intersection of Brand Hwy and Bonniefield Rd East, as per Austroads and MRWA requirements. The relevant sight distances checked in this instance were the Safe Intersection Sight Distances (SISD) and the Approach Sight Distance (ASD).

In this instance, SISD is the safe sight distance required for a motorist, travelling on the Brand Hwy at the posted speed, to bring their vehicle to a stop or avoid a collision with vehicles entering from Bonniefield Rd East, as shown **in Figure 9** below.

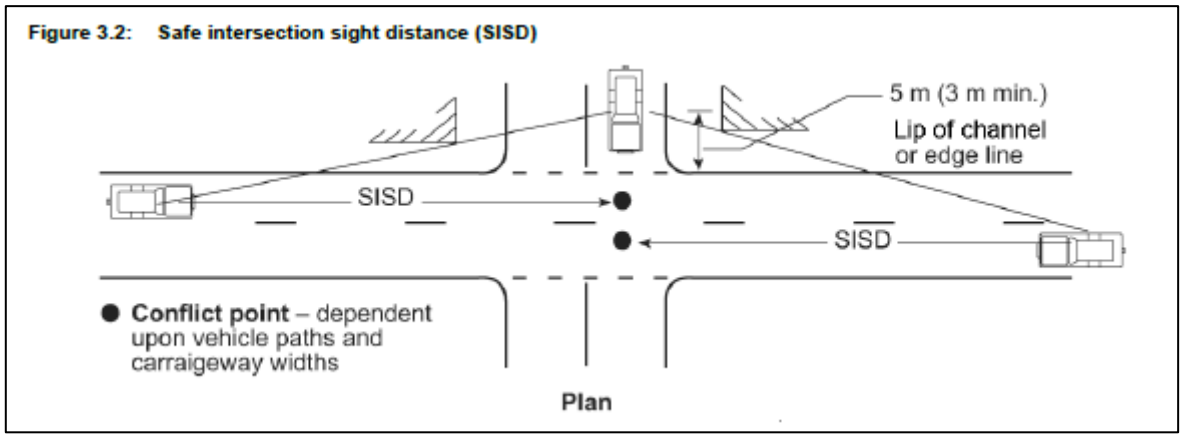


Figure 9 – SISD Schematic

The Approach Sight Distance (ASD), in this instance, is the minimum distance required for a driver on Bonniefield Rd East to sight and safely negotiate the approaching Brand Hwy intersection, as shown **in Figure 10** below.

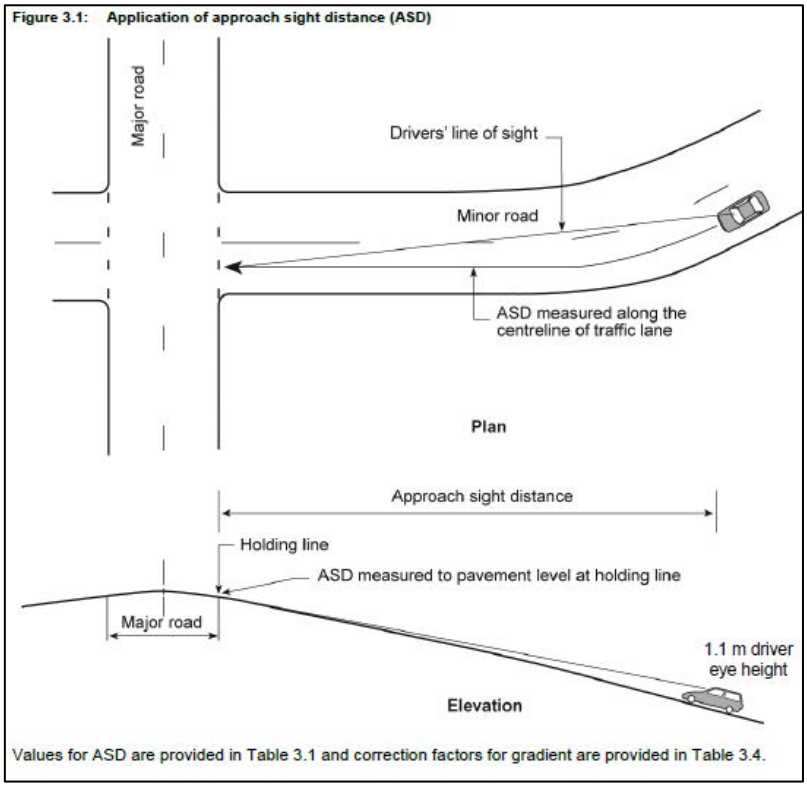


Figure 10 – ASD Schematic

The required minimum sights distances were calculated using the existing posted speeds of 90 kph on the Brand Hwy and on Bonniefield Rd. The relevant longitudinal grades and driver reaction times were also used in the calculations accordance with Austroads and MRWA Guidelines.

The results have confirmed satisfactory sight distances with existing measured sight distances being greater than the minimum required sight distances for both SISD and ASD. These have been summarized in **Table 6** below.

Bonniefield Rd - Sight Distance Analysis:								
				SISD	**ASD**			
			Dt or Rt (minimum)	5	2	seconds		
			Dt or Rt (desirable)	5.5	2.5	seconds		
			d (car)	0.36	0.36			
			d (truck)	0.29	0.22			
			Adopt minimum requiremnent for trucks					
				Min. Requirement		**Min. Existing on Site**		
		V	**Long. Grade**	**SISD (m)**	**ASD (m)**	**SISD (m)**	**ASD (m)**	
southbound on Brand (SISD)		90	-5%	**235.2**		**237**		**PASS**
northbound on Brand (SISD)		90	-1.00%	**235.0**		**331**		**PASS**
westbound on Boniefield (ASD)		90	2.50%		**194.8**		**220**	**PASS**

Table 6 – Sight Distance Summary Calculations

6. CHANGES TO SURROUNDING TRANSPORT NETWORK

Vehicles expected to visit and to serve the proposed development are within the existing approved HVS limits described in Section 3.1, hence no changes to the surrounding transport network is required.

7. VEHICLE ACCESS AND PARKING

All vehicles are proposed to access the site (exist and entry) from Bonniefield Rd East, at the location shown on the plan in Figure 3, approximately 100 metres east of Brand Hwy.

The proposed arrangement, shown in **Figure 10**, allows for a one-way movement of all vehicles, including parking bays for:

- 9 X staff parking bays;
- 2 X parking for people with disability;
- 60 X visitors parking bays;
- 1 drop-off driveway (roundabout);
- 5 X caravan parking bays; and
- 1 X bus parking bay.
- Loading area for service vehicles at the back with sufficient turning circle.

The number of off-street parking bays proposed is considered sufficient and no street parking is necessary.

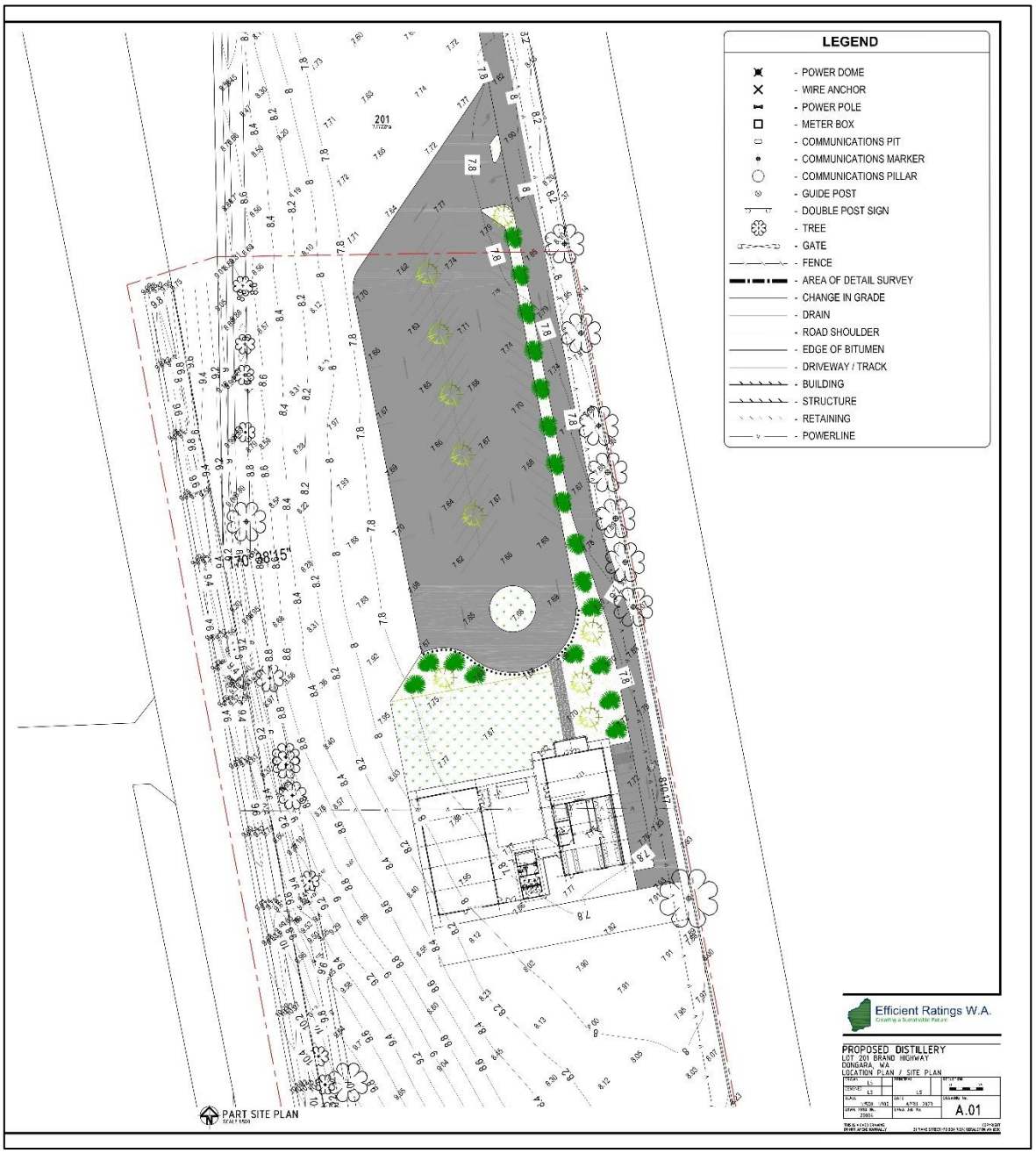


Figure 10 – Proposed carpark and driveway configuration

8. PROVISION FOR SERVICE VEHICLES

Service vehicles in the Australian Standards is the Small Rigid Vehicle (SRV) as shown in **Figure 11** below. It has a clearance height of 3.5 m and a design turning radius of 7.1 m.

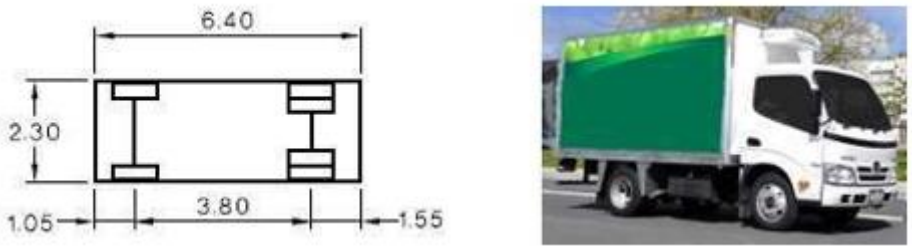


Figure 12 – SRV dimensions and example

SRV are expected for general commercial deliveries to the site normally during common business hours of 8am to 5pm. SRV are expected to access the site from the proposed access on Bonniefield Rd East.

To allow wholesale pick up of products, the proposed development includes the provision of a parking / loading area at the back of the building for vehicles up to 20 metres in length (standard semi-trailers). The proposed design allows for safe forward movement of all service vehicles with no maneuverability constraints.

No adverse impacts are expected with any deliveries or product pick-ups from site.

9. HOURS OF OPERATION

The hours and days of operation are expected to be within the following:

- Normal Weekdays & Weekends:
  - 6am to 10pm (for staff)
  - 11am to 5pm (for visitors)

- Special Events (Functions):
  - 6am to 11pm (for staff)
  - 10am to 10pm (for visitors)

10. SUMMARY & RECOMMENDATIONS

The existing distillery on 35 Illyarrie Rd, Dongara, is proposing to relocate their operations to a new site on Lot 201 Brand Highway, Dongara, in the Shire of Irwin.

Peak hour traffic in the worst-case scenario is expected to be 12 vehicles, including 2 buses during special events as outlined in **Section 3.2** of this report.

Based on experience from the distillery's existing operation, most visitors stop at the distillery on their

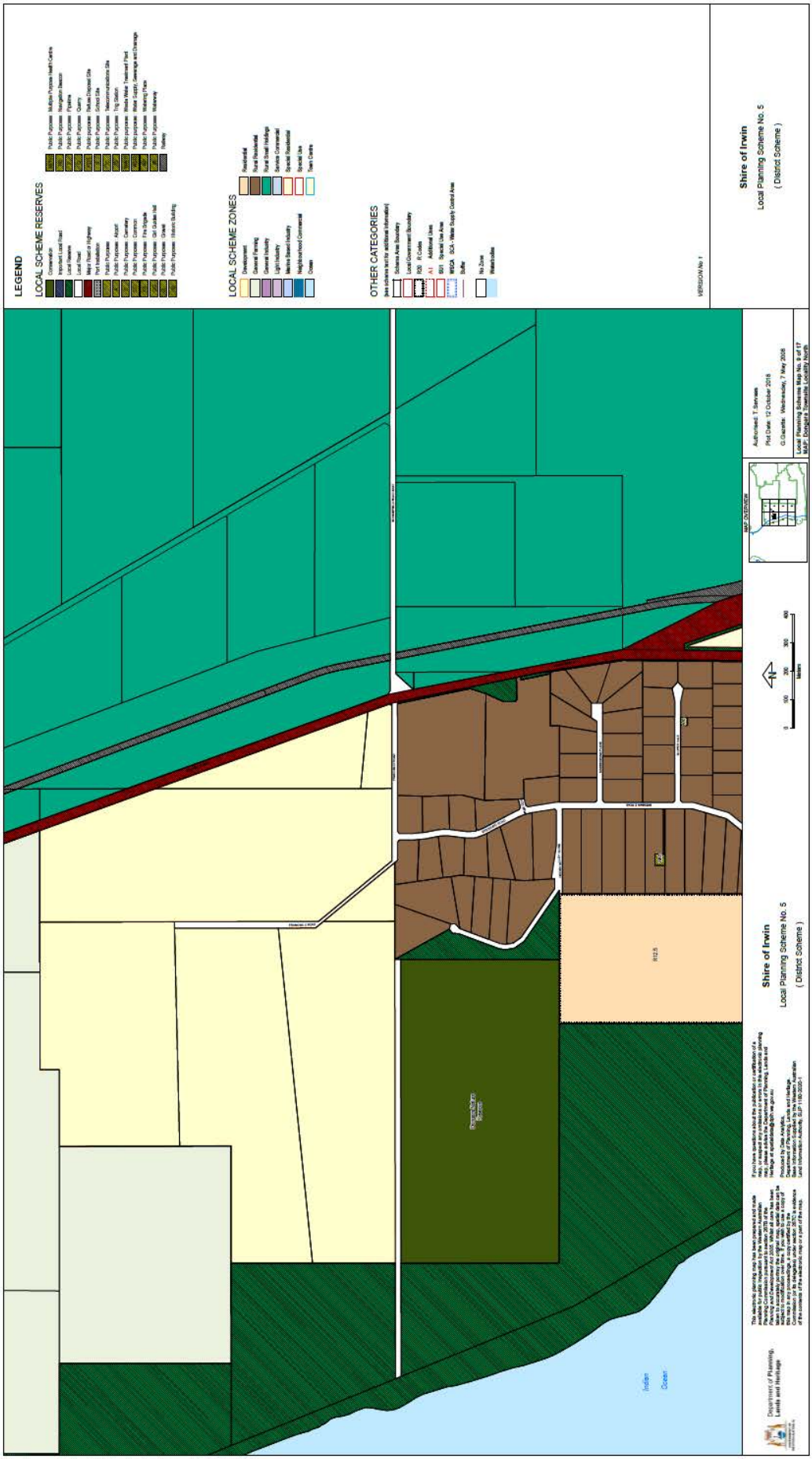
return trip to Perth from the north.

This report has been prepared in accordance with the *WAPC Transport Impact Assessment Guidelines – Part 4 (Individual Developments)*. The following conclusions have been made regarding the proposed development:

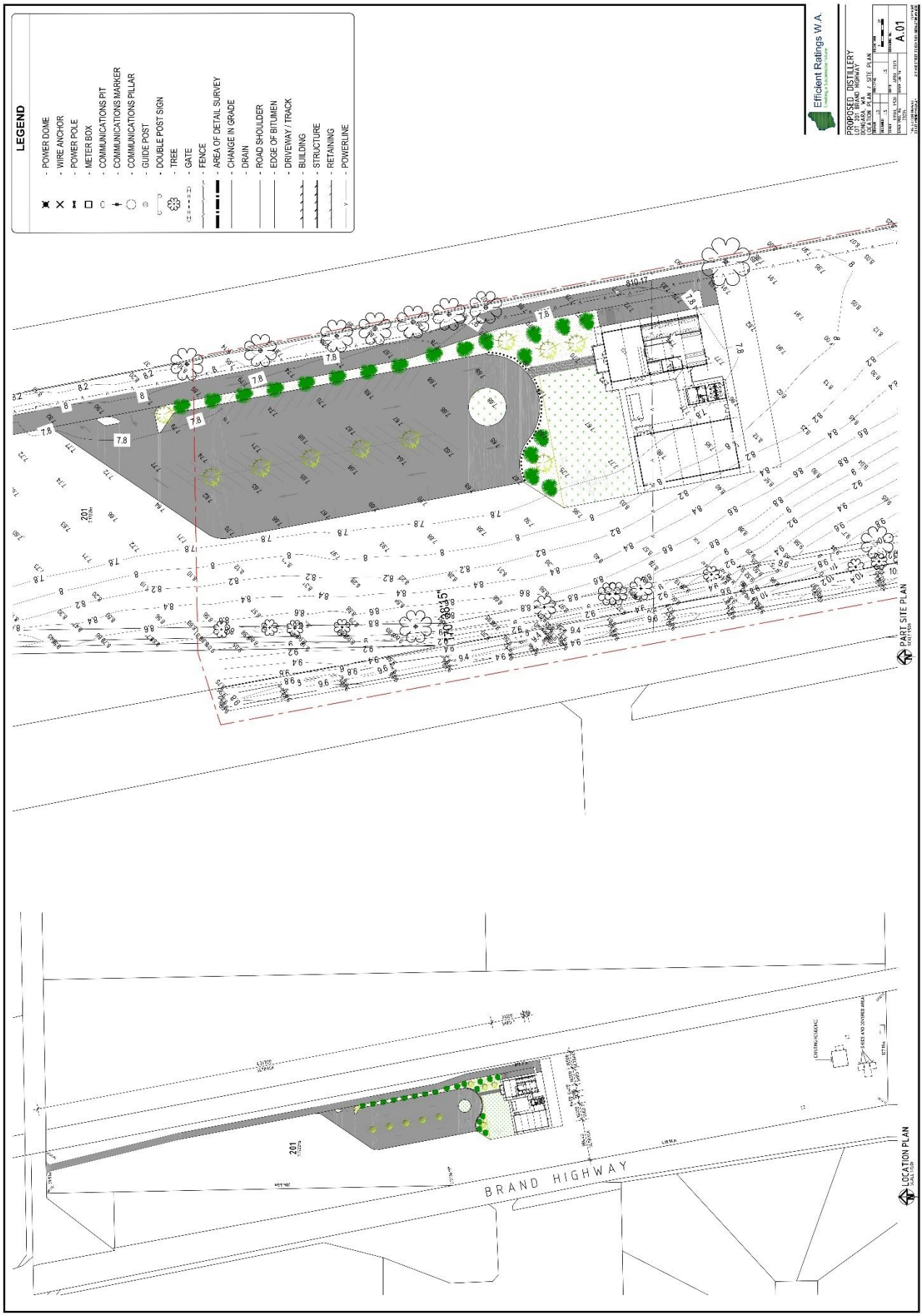
- There is no significant impact expected by traffic generated by the development.
- An intersection warrant analysis on Brand Hwy / Bonniefield Rd East showed minimum traffic impact due to the development, but the existing traffic loads at the intersection may already warrant an upgrade to auxiliary right turn lane from the highway.
- Sight distances at the intersection of Brand Hwy / Bonniefield Rd East is considered satisfactory.
- There is no impact to the surrounding transport network as the vehicles expected to use the site are within the approved size in the HVS network.
- Access into the site and the maneuverability of vehicles around the site is considered satisfactory.
- No street parking is expected with the proposed parking arrangement.

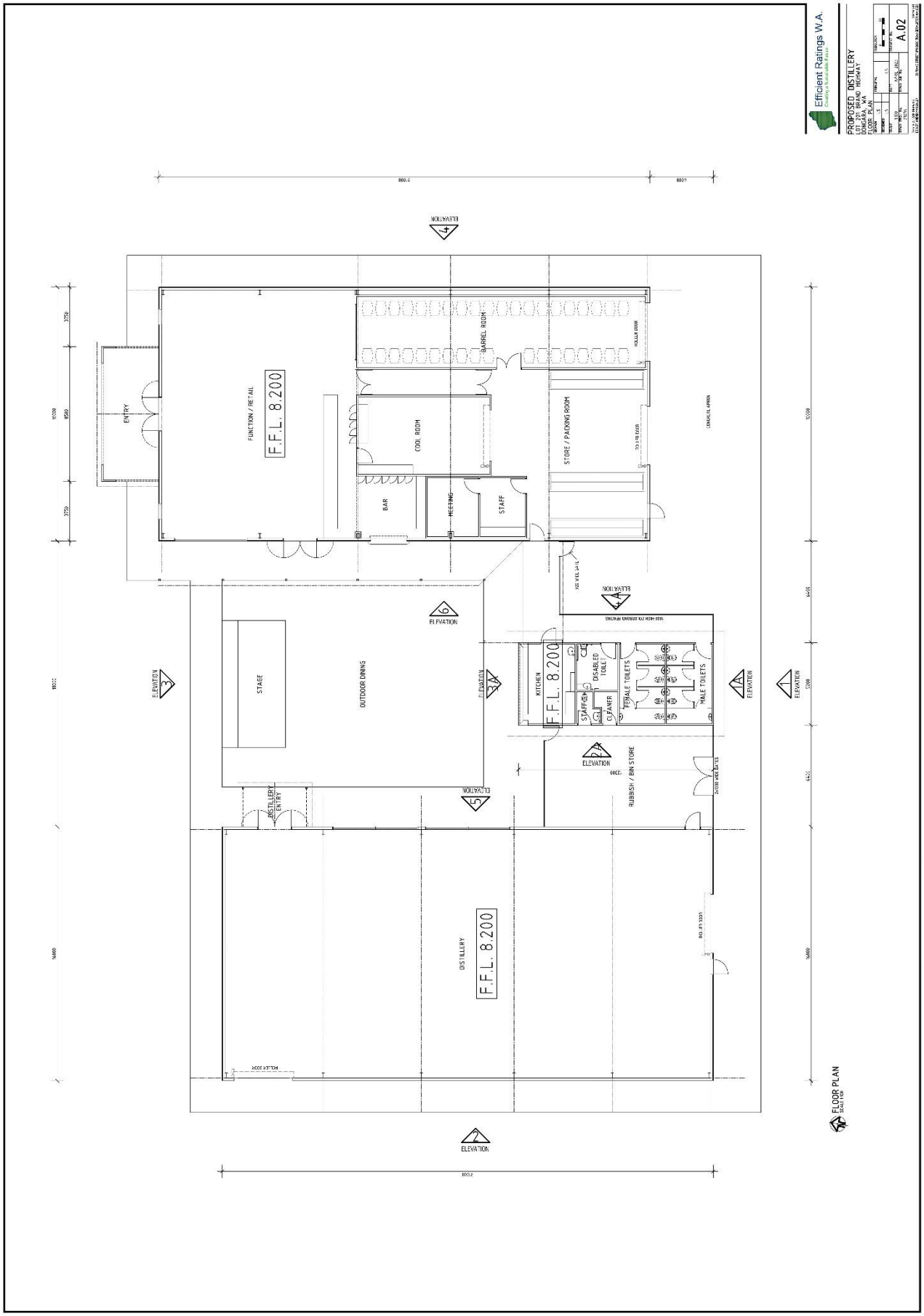
BLANK

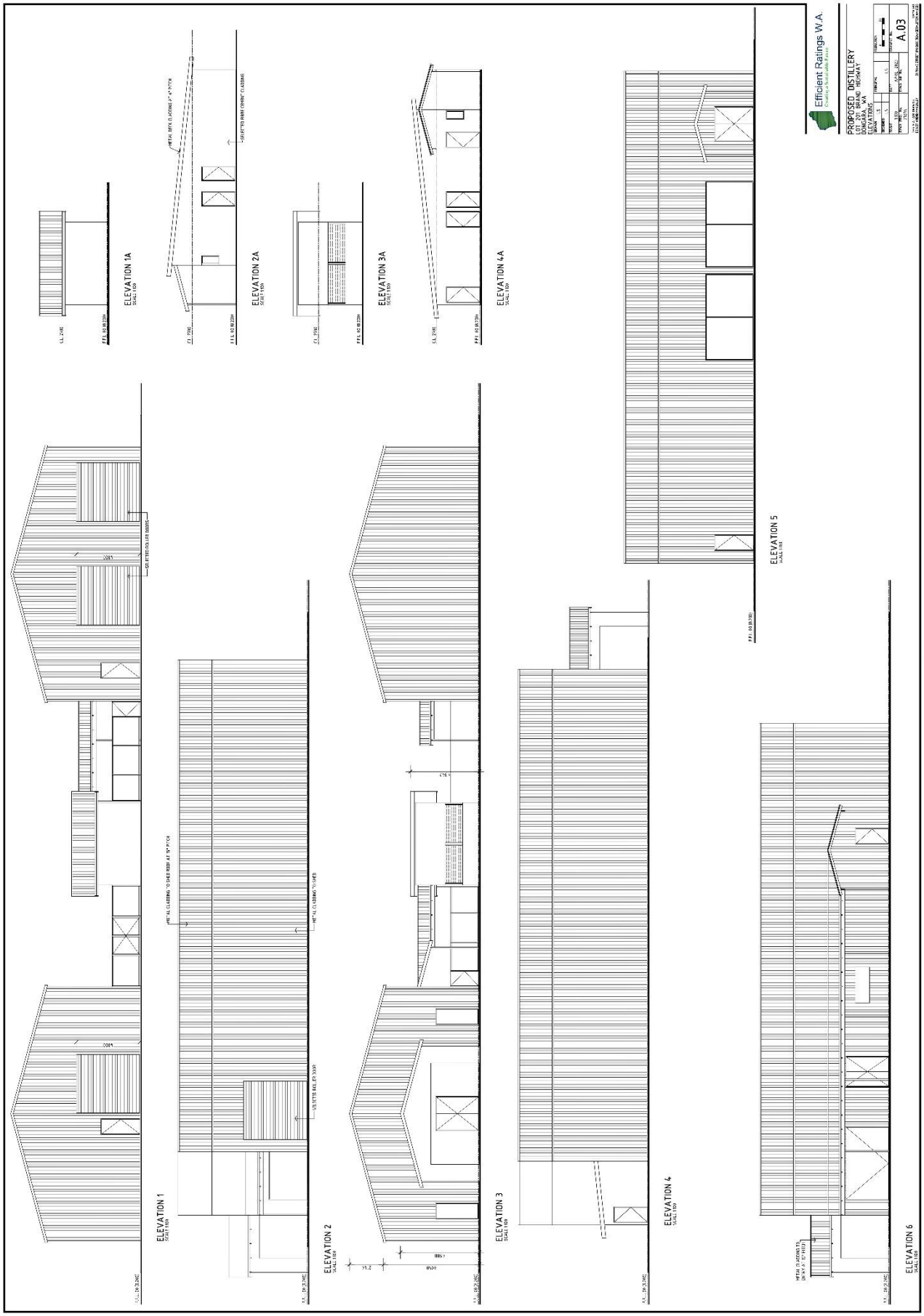
11. APPENDIX A – Shire of Irwin - LOCAL PLANNING SCHEME NO.5 – Map 9


LEGEND
LOCAL SCHEME RESERVES
LOCAL SCHEME ZONES
OTHER CATEGORIES
Shire of Irwin
Local Planning Scheme No. 5
(District Scheme)
Indian Ocean

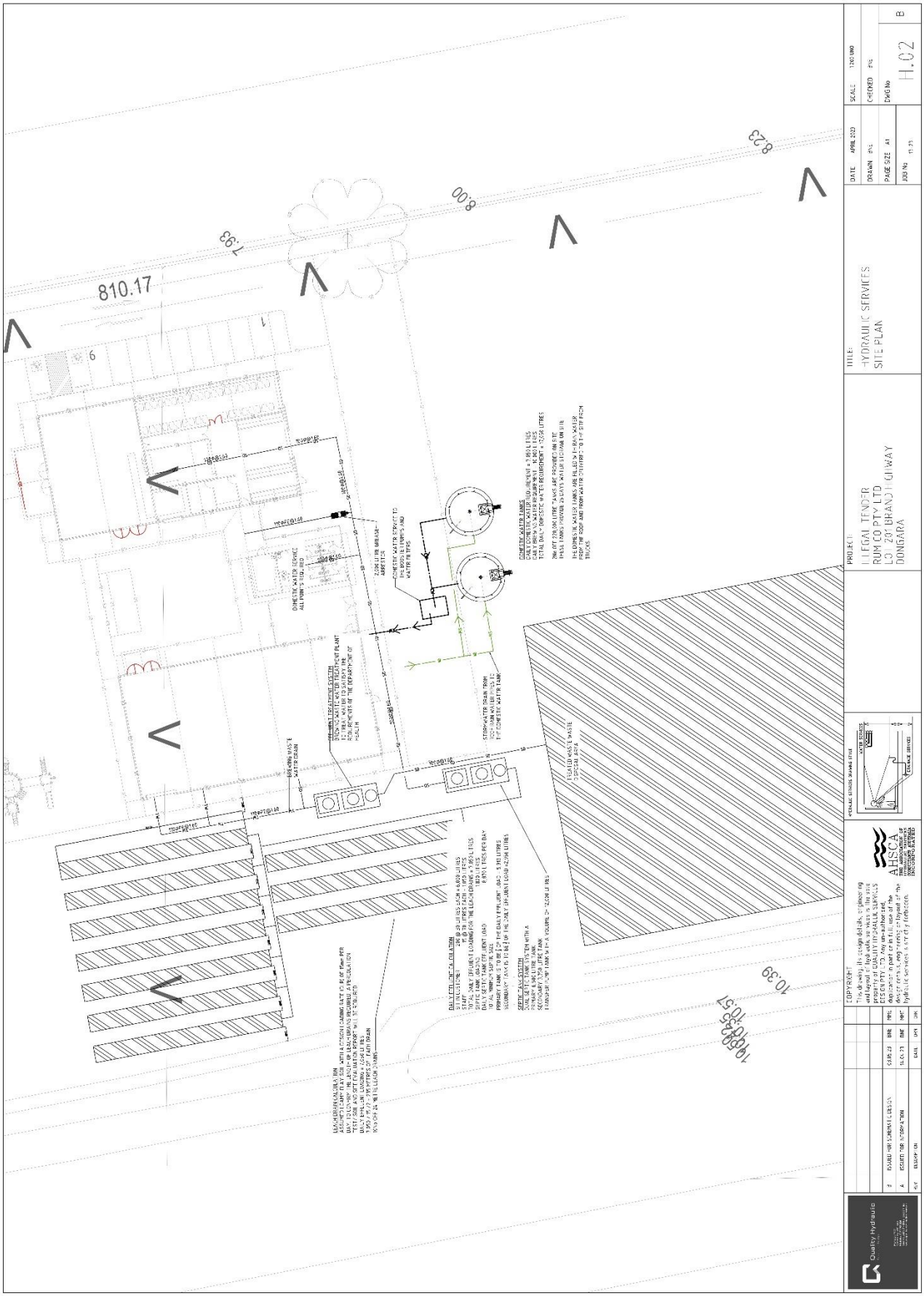
12. APPENDIX B – DRAFT SITE PLAN


LEGEND
POWER DOME
WIRE ANCHOR
POWER POLE
METER BOX
COMMUNICATIONS PIT
COMMUNICATIONS MARKER
COMMUNICATIONS PILLAR
GUIDE POST
DOUBLE POST SIGN
TREE
GATE
FENCE
AREA OF DETAIL SURVEY
CHANGE IN GRADE
DRAIN
ROAD SHOULDER
EDGE OF BITUMEN
DRIVEWAY / TRACK
BUILDING
STRUCTURE
RETAINING
POWERLINE
Efficient Ratings W.A.
PROPOSED DISTILLERY
LOT 201 BRAND HIGHWAY
DONGARA WA
LOCATION PLAN / SITE PLAN
A.01
PART SITE PLAN
LOCATION PLAN
BRAND HIGHWAY
201


Efficient Ratings W.A.
PROPOSED DISTILLERY
LOT 201 BRAND HIGHWAY
DONGARA, WA
FLOOR PLAN
A.02
ENTRY
FUNCTION / RETAIL
F.F.L. 8.200
COOL ROOM
BAR
MEETING
STAFF
BARREL ROOM
STORE / PACKING ROOM
STAGE
OUTDOOR DINING
KITCHEN
F.F.L. 8.200
STAFF
CLEANER
DISABLED TOILET
FEMALE TOILETS
MALE TOILETS
RUBBISH / BIN STORE
DISTILLERY ENTRY
DISTILLERY
F.F.L. 8.200
ELEVATION
FLOOR PLAN


ELEVATION 1A
ELEVATION 2A
ELEVATION 3A
ELEVATION 4A
ELEVATION 5
ELEVATION 1
ELEVATION 2
ELEVATION 3
ELEVATION 4
ELEVATION 6
Efficient Ratings W.A.
PROPOSED DISTILLERY
DONGARA, WA
A.03




810.17
8.00
7.93
8.23
10.39
PROJECT:
LEGAL TENDER
RUM CO PTY LTD
L3/ 201 BRAND HIGHWAY
DONGARA
TITLE:
HYDRAULIC SERVICES
SITE PLAN
DATE APRIL 2023
DRAWN
PAGE SIZE A1
SCALE 1:200 @ A1
CHECKED
DWG No H.02
B
COPYRIGHT

BLANK

13. APPENDIX C - TRAFFIC VOLUME DATA

mainroads WESTERN AUSTRALIA

Vehicle Type

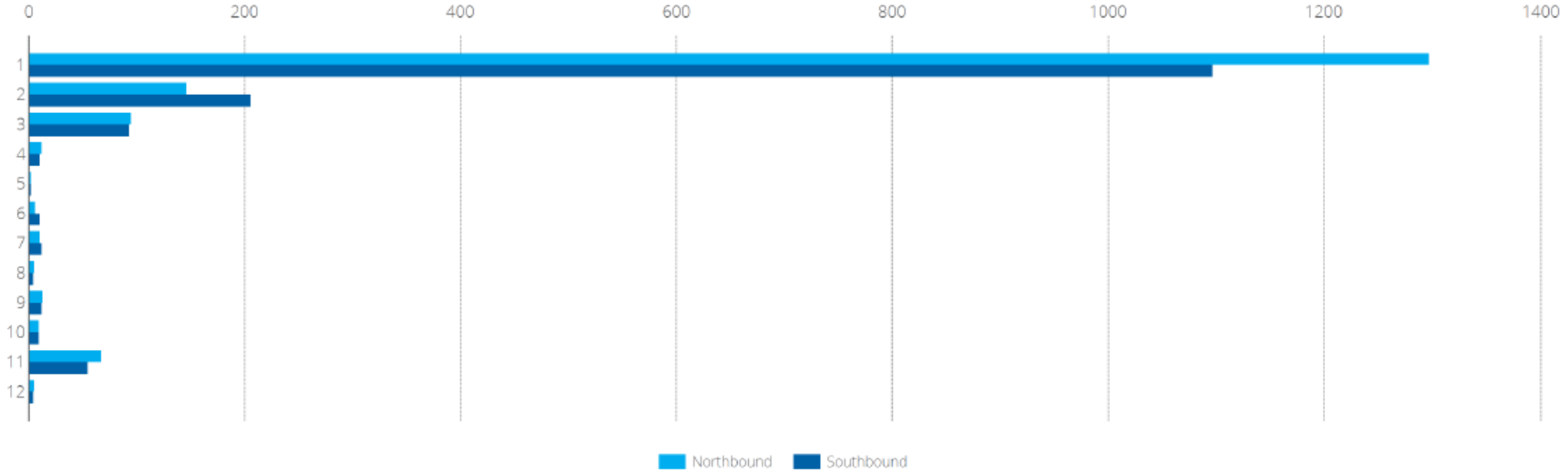
H004 Brand Highway (H004)

South of Bonniefield Rd East (SLK 307.20)

SITE 53224

2020/21

Monday to Sunday



	Austroads Classification Scheme 1994													
	1	2	3	4	5	6	7	8	9	10	11	12	Heavy	Total
N	1296	146	95	12	2	6	10	5	13	9	67	5	224	1666
%	77.8	8.8	5.7	0.7	0.1	0.4	0.6	0.3	0.8	0.5	4.0	0.3	13.4	
S	1097	206	93	10	2	10	12	4	12	9	55	4	211	1514
%	72.5	13.6	6.1	0.7	0.1	0.7	0.8	0.3	0.8	0.6	3.6	0.3	13.9	
N S	2393	352	188	22	4	16	22	9	25	18	122	9	435	3180
%	75.3	11.1	5.9	0.7	0.1	0.5	0.7	0.3	0.8	0.6	3.8	0.3	13.7	

mainroads WESTERN AUSTRALIA

SITE 53224

Hourly Volume

H004 Brand Highway (H004)

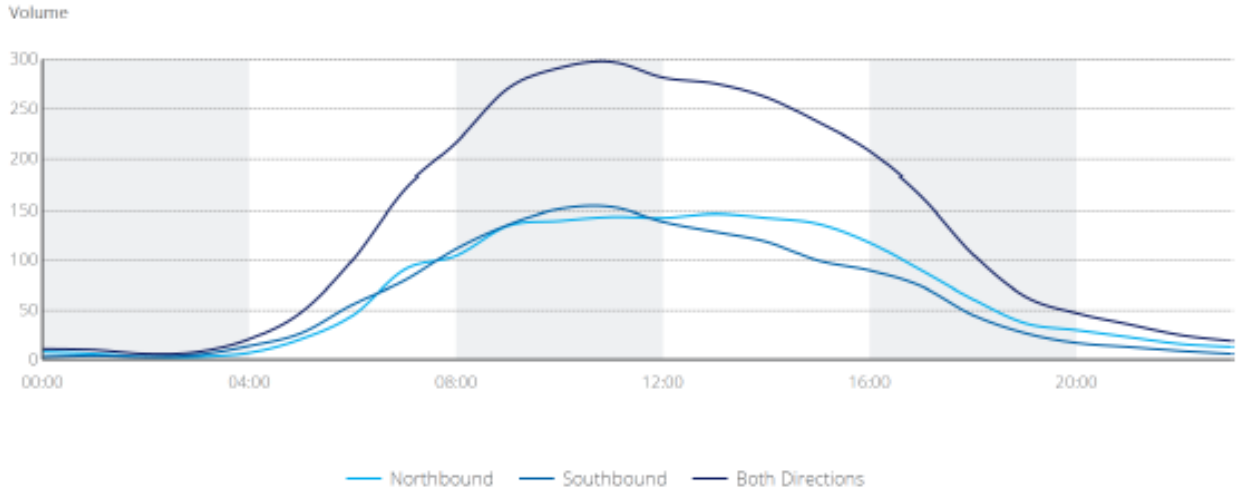
South of Bonniefield Rd East (SLK 307.20)

2020/21
Monday to Sunday

	All Vehicles			Heavy Vehicles			
	NB	SB	Both	NB	SB	Both	%
00:00	8	3	11	4	1	5	45.5
01:00	6	4	10	4	2	6	60.0
02:00	3	3	6	1	1	2	33.3
03:00	3	5	8	0	2	2	25.0
04:00	7	14	21	1	5	6	28.6
05:00	21	27	48	2	7	9	18.8
06:00	45	56	101	5	11	16	15.8
07:00	91	80	171	15	13	28	16.4
08:00	105	112	217	14	17	31	14.3
09:00	135	136	271	16	18	34	12.5
10:00	140	152	292	16	18	34	11.6
11:00	144	154	298	18	16	34	11.4
12:00	143	139	282	15	15	30	10.6
13:00	147	129	276	15	16	31	11.2
14:00	143	119	262	17	15	32	12.2
15:00	137	100	237	15	12	27	11.4
16:00	118	90	208	18	11	29	13.9
17:00	90	74	164	10	8	18	11.0
18:00	61	45	106	9	7	16	15.1
19:00	37	27	64	6	5	11	17.2
20:00	30	17	47	6	3	9	19.1
21:00	23	13	36	5	4	9	25.0
22:00	16	9	25	6	3	9	36.0
23:00	13	6	19	6	1	7	36.8
TOTAL	1666	1514	3180	224	211	435	13.7

Peak Statistics

AM	TIME	11:00	11:00	11:00	10:45	08:45	09:15
	VOL	144	154	298	21	21	38
PM	TIME	12:45	12:00	12:00	13:30	13:00	13:30
	VOL	151	139	282	19	16	34



Class Speed Matrix

ClassMatrix-6
Site: Bonniefield East Road SLK.0.04.0.1EW
Description: **Bonniefield East Road SLK 0.04**
Filter time: **8:13 Monday, 27 March 2023 => 12:01 Wednesday, 12 April 2023**
Scheme: Vehicle classification (AustRoads94)
Filter: Cls(1-12) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100) Lane(0-16)

	Class												Total	
km/h	SV 1	SVT 2	TB2 3	TB3 4	T4 5	ART3 6	ART4 7	ART5 8	ART6 9	BD 10	DRT 11	TRT 12		
10- 20	48	1	6	2	.	.	.	.	.	.	.	.	57	2.4%
20- 30	125	21	45	3	.	.	6	9	2	1	.	.	212	8.8%
30- 40	839	52	129	13	2	6	7	8	.	.	.	.	1056	43.9%
40- 50	849	8	82	2	1	7	3	.	.	.	.	.	952	39.5%
50- 60	103	.	15	.	.	.	.	.	.	.	.	.	118	4.9%
60- 70	9	.	4	.	.	.	.	.	.	.	.	.	13	0.5%
70- 80	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
80- 90	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
90-100	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
100-110	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
110-120	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
120-130	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
130-140	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
140-150	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
150-160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
Total	1973	82	281	20	3	13	16	17	2	1	0	0	2408	
	81.9%	3.4%	11.7%	0.8%	0.1%	0.5%	0.7%	0.7%	0.1%	0.0%	0.0%	0.0%		

14. APPENDIX D - WAPC TRANSPORT IMPACT STATEMENT CHECKLIST

CHECKLIST FOR A TRANSPORT IMPACT STATEMENT FOR INDIVIDUAL DEVELOPMENT

- Tick the provided column for items for which information is provided.
- Enter N/A in the provided column if the item is not appropriate and enter reason in comment column.
- Provide brief comments on any relevant issues.
- Provide brief description of any proposed transport improvements, for example, new bus routes or signalisation of an existing intersection.

ITEM	PROVIDED	COMMENTS/PROPOSALS
Proposed development		
existing land uses	✓	• Section 1
proposed land use	✓	• Section 1
context with surrounds	✓	• Section 1
Vehicular access and parking		
access arrangements	✓	• Section 2 & 7
public, private, disabled parking set down/pick up	N/A	N/A
Service vehicles (non-residential)		
access arrangements	✓	• Section 2 & 7
on/off-site loading facilities	✓	• Section 7
Service vehicles (residential)		
rubbish collection and emergency vehicle access	N/A	N/A
Hours of operation (non-residential only)	✓	• Section 9
Traffic volumes		
daily or peak traffic volumes	✓	• Section 3
type of vehicles (for example, cars, trucks)	✓	• Section 3
Traffic management on frontage streets	N/A	N/A
Public transport access		
nearest bus/train routes	N/A	N/A
nearest bus stops/train stations	N/A	N/A
pedestrian/cycle links to bus stops/ train station	N/A	N/A
Pedestrian access/ facilities		
existing pedestrian facilities within the development (if any)	N/A	N/A
proposed pedestrian facilities within development	N/A	N/A
existing pedestrian facilities on surrounding roads	N/A	N/A
proposals to improve pedestrian access	N/A	N/A
Cycle access/facilities		
existing cycle facilities within the development (if any)	N/A	N/A
proposed cycle facilities within development	N/A	N/A
existing cycle facilities on surrounding roads	N/A	N/A
proposals to improve cycle access	N/A	N/A
Site specific issues	✓	N/A
Safety issues		
identify issues	✓	N/A
remedial measures	✓	N/A

Proponents' name			
Company		**Date**	

Transport assessor's name	Jorge El-Khouri		
Company	KHOURI Engineering Services	**Date**	8 May 2023

Appendix 4:
Acoustic Reporting

ACOUSTIC REPORT

FOR

ILLEGAL TENDER RUM CO

1 May 2023

AES-890308-R01-0-01052023

Acoustic Engineering Solutions
www.acousticengsolutions.com.au

DOCUMENT CONTROL

Prepared for:	**Illegal Tender Rum Co**
	PO Box 5
	Dongara WA 6525
Contact:	Jo Grizia

Prepared by:	DR. Roy Ming
	Acoustic Engineering Solutions
	0408 944 982
	roy.ming@acousticengsolutions.com.au

Revision:	0
Date:	1 May 2023
Doc NO:	AES-890308-R01-0-01052023

Acoustic Engineering Solutions

ABN: 64 451 362 914

This document contains commercial, conceptual and engineering information which is proprietary to Acoustic Engineering Solutions (AES). The information in this document should not be divulged to a third party without AES written consent.

EXECUTIVE SUMMARY

Acoustic Engineering Solutions (AES) has been commissioned by Illegal Tender Rum Co to prepare an acoustic report in relation to environmental noise emissions from the proposed combined business of distillery, brewery, restaurant and bar at Lot 201 Brand Highway, Dongara. The combined business will have a maximum capacity of 200 patrons and is open to the public, 7 days a week, between 11.00am and 10.00pm.

Environmental noise is assessed against the set noise limits of the Environmental Protection (Noise) Regulations 1997 (the Regulations). The noise emissions are predicted by way of noise modelling to the most critical surrounding noise sensitive premises being:

- R1 – Lot 200 (#22) Bonniefield Road East, Bonniefield;
- R2 – Lot 1143 (#30674) Brand Highway, Dongara; and
- R3 – Lot 4 (#30655) Brand Highway, Dongara.

The following scenarios were used to assess the compliance status of the proposal:

- Scenario 1 – Mechanical Plant: Will operate potentially 24 hours a day and is therefore assessed against the day/evening/night-time L_{A10} criteria;
- Scenario 2 – Normal Operations: Consists of the mechanical plant, 200 patrons and outdoor background music finished prior to 10.00pm and is assessed against the day and evening-time L_{A10} criteria;
- Scenario 3 – Special Operations: Consists of the mechanical plant, 200 patrons and a small performance occurring on the outdoor stage finished prior to 10.00pm and is assessed against the day and evening-time L_{A10} criteria;
- Scenario 4 – Delivery: Consists of the Scenario 2 noise sources and includes a delivery vehicle. Being a shorter event and only occurring during the day on Mondays to Saturdays, is assessed against the day-time L_{A1} criteria;
- Scenario 5 – Car Door Closing: Consists of car door closing in the car park at the day and evening, and is therefore assessed against the day & evening-time L_{Amax} criteria.

The analysis has shown that each of the above scenarios can achieve compliance with the set noise limits of the Regulations noting the following:

- Buildings shall be constructed as described in this report. Any significant variations shall be subject to further acoustic analysis;
- Plant and equipment shall be as described. Any significant variations shall be subject to further acoustic analysis;
- There are to be no more than 200 patrons at any time;
- Background music levels are to be limited to a sound power level of 78 dB(A) (70 dB(A) at 1-metre from each of six (6) outdoor speakers);
- Small outdoor performances are to be limited to a sound power level of 94 dB(A) (77 dB(A) from speakers on the stage at 3-metres);
- There shall be no outdoor music after 10.00pm; and
- Any deliveries shall be restricted to Mondays to Saturdays, 7.00am to 7.00pm.

TABLE OF CONTENTS

EXECUTIVE SUMMARY III
1.0 INTRODUCTION 1
1.1 SUBJECT SITE 1
2.0 NOISE CRITERIA 2
2.1 THE REGULATIONS 2
2.1.1 Corrections for Characteristics of Noise 3
2.1.2 Vehicle Noise 3
2.1.3 Influencing Factors 3
3.0 NOISE MODELLING 5
3.1 METHODOLOGY 5
3.2 INPUT DATA 5
3.2.1 Topography 5
3.2.2 Noise Sensitive Premises 5
3.2.3 Source Sound Power Levels 5
3.3 METEOROLOGY 7
3.4 OPERATIONAL SCENARIOS 8
4.0 MODELLING RESULTS 11
4.1 POINT MODELLING RESULTS 11
4.2 NOISE CONTOURS 12
5.0 COMPLIANCE ASSESSMENT 13
5.1 ADJUSTED NOISE LEVELS 13
5.2 COMPLIANCE ASSESSMENT 14
5.2.1 Monday to Saturday 14
5.2.2 The Evening 14
5.2.3 The Night 15
APPENDIX A AERIAL VIEW 16
APPENDIX B NOISE CONTOURS 23

1.0 INTRODUCTION

A combined business of distillery, brewery, restaurant and bar is proposed to operate at lot 201 Brand Hwy Dongara. An acoustic report is required to undertake environmental noise impact assessment to determine whether or not the proposed operations of combined business would comply with the Environmental Protection (Noise) Regulations 1997 (the Regulations).

Acoustic Engineering Solutions (AES) has been requested by Illegal Tender Rum Co to prepare the acoustic report.

1.1 SUBJECT SITE

Figure 1 in APPENDIX A presents an aerial view of the subject site and surrounding area including the selected closest residential receivers. The subject site is located between Brand Hwy and freight railway. The existing acoustic environment is influenced by the freight railway and Brand Highway, a recognised freight traffic route.

Figure 2 to Figure 5 in APPENDIX A presents the site layout, floor plan and elevation views of the site buildings. The walls of buildings are constructed of 120mm KINGSPAN KS1000RW panels. The roofs of buildings are colorbond sheeting with zinc purlins and duragal frames. Anticon R3.0 is installed directly below the metal roof cladding. Ceilings with R2.8 insulation are present for cool room, kitchen and bar. All of the windows are fixed windows with 5mm single glazing and aluminium frames. The external doors are 35mm solid core doors with seals and equipped with auto-closers. They are closed during the operations except for receiving goods.

Building 1 is the production facility building where different items of brewing/distilling equipment operate. Building 2 is divided into different areas of hospitality space, cool room, office, staff toilet, barrel room and laydown/packing area for deliveries. Gin Garden, outdoor bar/kitchen and public toilets are located between the two large buildings. Two split/reverse cycle air-conditioners will be installed for the kitchen and office with their outdoor units sitting on the east ground. A small boil room is located to the south of Building 1.

Low level amplified music will be played through multiple music speakers in the hospitality space and in the gin garden to provide relaxing environment. Small performance plays at the stage in the gin garden for one off events or during weekends.

The combined business will have a full capacity of 200 patrons. It opens 7 days a week between 11am and 10pm (Distillery & brewery may operate potentially 24 hours a day).

Regular food deliveries are planned once a week on Wednesday excluding public holidays. The collection of products has not been set up yet but will occur once a week during week-day excluding public holidays. The products will be un/loaded to delivery trucks by a forklift.

60 car-park bays are available in the visitor parking area. A staff car park is located in the east of building 2.

2.0 NOISE CRITERIA

2.1 THE REGULATIONS

Noise management in Western Australia is implemented through the Environmental Protection (Noise) Regulations 1997 (the Regulations). The Regulations set noise limits which are the highest noise levels that can be received at noise-sensitive (residential), commercial and industrial premises. These noise limits are defined as 'assigned noise levels' at receiver locations. Regulation 7 requires that "noise emitted from any premises or public place when received at other premises must not cause, or significantly contribute to, a level of noise which exceeds the assigned level in respect of noise received at premises of that kind".

Table 2-1 presents the assigned noise levels at various premises.

Table 2-1: Assigned noise levels in dB(A)

Type of Premises Receiving Noise	Time of Day	Assigned Noise Levels in dB(A)[1]		
		$L_{A\ 10}$	$L_{A\ 1}$	$L_{A\ max}$
Noise sensitive premises: highly sensitive area	0700 to 1900 hours Monday to Saturday	45 + Influencing factor	55 + Influencing factor	65 + Influencing factor
	0900 to 1900 hours Sunday and public holidays	40 + Influencing factor	50 + Influencing factor	65 + Influencing factor
	1900 to 2200 hours all days	40 + Influencing factor	50 + Influencing factor	55 + Influencing factor
	2200 hours on any day to 0700 hours Monday to Saturday and 0900 hours Sunday and public holidays	35 + Influencing factor	45 + Influencing factor	55 + Influencing factor
Noise sensitive premises: any area other than highly sensitive area	All hours	60	75	80
Commercial premises	All hours	60	75	80

For highly noise sensitive premises, an "influencing factor" is incorporated into the assigned noise levels. The influencing factor depends on road classification and land use zonings within circles of 100 metres and 450 metres radius from the noise receiver locations.

[1] Assigned level L_{A1} is the A-weighted noise level not to be exceeded for 1% of a delegated assessment period.
Assigned level L_{A10} is the A-weighted noise level not to be exceeded for 10% of a delegated assessment period.
Assigned level L_{Amax} is the A-weighted noise level not to be exceeded at any time.

2.1.1 Corrections for Characteristics of Noise

Regulation 7 requires that that "noise emitted from any premises or public place when received at other premises must be free of:

(i) tonality;
(ii) impulsiveness; and
(iii) modulation.

when assessed under Regulation 9".

If the noise exhibits intrusive or dominant characteristics, i.e. if the noise is impulsive, tonal, or modulating, noise levels at noise-sensitive premises must be adjusted. Table 2-2 presents the adjustments incurred for noise exhibiting dominant characteristics. That is, if the noise is assessed as having tonal, modulating or impulsive characteristics, the measured or predicted noise levels have to be adjusted by the amounts given in Table 2-2. Then the adjusted noise levels must comply with the assigned noise levels. Regulation 9 sets out objective tests to assess whether the noise is taken to be free of these characteristics.

Table 2-2: Adjustments for dominant noise characteristics

Adjustment where noise emission is not music. These adjustments are cumulative to a maximum of 15 dB.			Adjustment where noise emission is music	
Where tonality is present	Where Modulation is present	Where Impulsiveness is present	Where Impulsiveness is not present	Where Impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

2.1.2 Vehicle Noise

Regulation 3(a) states that *nothing in these regulations applies to the following noise emissions —*

(a) Noise emissions from the propulsion and braking systems of motor vehicles operating on a road.

If it is open to public, a car park is considered to be a road and therefore vehicle noise (propulsion and braking) is not assessed. However, noise from car door closing still requires assessment, as this does not form part of the propulsion or braking systems.

2.1.3 Influencing Factors

Three closest residences are selected for detailed assessment of noise impacts, as shown in Figure 1 in APPENDIX A.

Influencing factor varies from residence to residence depending on the surrounding land use.

No nearby roads are classified as the main or secondary roads. Figure 6 in APPENDIX A presents the planning scheme zone map of the Dongara Townsite Locality North. The subject site and selected residential receivers are located within the "Rural Residential" and "Rural Small Holdings" zones. No commercial and industrial zones are indicated with 450m to the selected receivers. However, the subject site will be a "commercial land" and should be considered for the calculation of influencing factors.

The selected residences are more than 195m away from the development site. The influencing factors are zero at any of the selected residences due to the presence of the proposed business.

3.0 NOISE MODELLING

3.1 METHODOLOGY

An acoustic model is developed using SoundPlan v8.0 program, and the CONCAWE[2,3] prediction algorithms are selected for this study. The acoustic model is used to predict noise levels at the selected receiver locations and generate noise contours for the area surrounding the subject site.

The acoustic model does not include noise emissions from any sources other than from the proposed business. Therefore, noise emissions from road traffic, aircraft, railway, birds and dog barking, etc are excluded from the modelling.

3.2 INPUT DATA

3.2.1 Topography

The ground elevation contours for the subject site and surrounding area are obtained from the Landgate website. Averaged ground absorption of 0.9 is assumed.

The proposed buildings and fences on the subject site are digitised into the acoustic model. No other buildings are considered.

3.2.2 Noise Sensitive Premises

Three closest residential receivers are selected for the detailed assessment of noise impacts, as shown in Figure 1 in APPENDIX A.

R1 – Lot 200 (#22) Bonniefield Road East, Bonniefield.
R2 – Lot 1143 (#30674) Brand Highway, Dongara.
R3 – Lot 4 (#30655) Brand Highway, Dongara.

All of the receivers are the ground receivers (1.5m above the ground).

3.2.3 Source Sound Power Levels

Table 3-1 presents the source sound power levels. The sound power levels of mechanical plant are provided by Illegal Tender Rum Co. The sound power level of a normal patron conversation was measured for another AES project in a restaurant. The sound power level of raised voice conversation was calculated based on the assumption of raised voice[4]. The

[2] CONCAWE (Conservation of Clean Air and Water in Europe) was established in 1963 by a group of oil companies to carry out research on environmental issues relevant to the oil industry.
[3] The propagation of noise from petroleum and petrochemical complexes to neighbouring communities, CONCAWE Report 4/81, 1981.
[4] Lazarus, H 1986, „Prediction of verbal communication in noise – a review: Part 1“, *Applied Acoustics*, vol. 19, pp. 439-464.

(background) amplified music level of a speaker was determined from the assumption of 70 dB(A) at 1 metre. The sound power level of small performance is the maximum allowable level for achieving compliance with the Regulations when it plays in isolation. The sound power level of car-door closing is presented in L_{Amax} level.

Table 3-1: Source sound power levels.

Equipment	Number	Overall Sound Power Levels in dB(A)
Music Speaker	8	78
Kitchen Extract Outlet	1	75
Kitchen Extract Inlet	1	83
Toilet Vent	4	62
Roof Extraction Fan	6	62
Air-conditioner Outdoor Unit	3	70
Cool Room Condenser	1	83
Forklift	1	88
Glasswasher	1	75
Dishwasher	2	73
3 Door Fridge	2	60
2 Door Freezer	1	60
Deep Frier	1	68
Oven	1	60
Ice Machine	1	60
Beer Tap Compressor	1	64
Boiler	1	89
Air Compressor	1	78
Grudfos Pump	8	70

Equipment	Number	Overall Sound Power Levels in dB(A)
2.2kW Sanitary Pump	4	80
1.1kW Sanitary Pump	5	76
0.37kW low Speed Motor	1	65
Grain Mill 750	1	99
Auger	1	81
ABE Canning Line	1	83
Patriot Bottling Line	1	83
Normal Patron Conversation		66
Raised Voice conversation		74
Small Performance		94
Truck Refrigeration Unit		88
Car Door Closing L_{Amax}		89

3.3 METEOROLOGY

SoundPlan calculates noise levels for defined meteorological conditions. In particular, temperature, relative humidity, wind speed and direction data are required as input to the model. For this study the worst-case meteorological conditions[5] are assumed, as shown in Table 3-2. The evening and the night have the same worst-case meteorological conditions.

Table 3-2: Worst-case day-time meteorological conditions.

Time of day	Temperature Celsius	Relative Humidity	Wind speed	Pasquill Stability Category
Day (0700 --- 1900)	20 Celsius	50%	4 m/s	E
Evening (1900 --- 2200)	15 Celsius	50%	3 m/s	F

[5] The worst case meteorological conditions were set by the EPA (Environmental Protection Act 1986) Guidance note No 8 for assessing noise impact from new developments as the upper limit of the meteorological conditions investigated.

Time of day	Temperature Celsius	Relative Humidity	Wind speed	Pasquill Stability Category
Night (2200 --- 0700)	15 Celsius	50%	3 m/s	F

3.4 OPERATIONAL SCENARIOS

Illegal Tender Rum Co advised:

- The combined business is open 7 days a week between 11am and 10pm (but the distillery & brewery may operate potentially 24 hours a day).
- A full capacity of 200 patrons is proposed with ≤15 staff.
- Low level amplified music will be played in the hospitality space through 2 ceiling-mounted speakers and in the Gin Garden via 6 speakers, as shown in Figure 3 in APPENDIX A.
- Small performance occurs in the gin garden for one off events or for occasional weekend entertainment.
- All of the windows are fixed windows.
- All of the external doors are equipped with auto-closers and closed during the operations.
- The kitchen and bar are individual units. During the opening hours both the kitchen doors and the bar front are open.
- The kitchen exhaust outlet is located above the kitchen roof.
- Both the auger and grain mill 750 operate 2 X 20 minutes a day. They are fully enclosed and their enclosure is located inside building 1.
- The following machines operate inside Building 1:
  - 3 X Grudfos Pumps;
  - 4 X 2.2kW Sanitary Pumps;
  - 5 X 1.1kW Sanitary Pumps;
  - 0.37kW low Speed Motor;
  - ABE Canning Line; and
  - Patriot Bottling Line.
- A boiler and an air compressor operate inside the Boiler Room.
- Two Grudfos Pumps operate outdoors in the south of the boiler room.
- Three Grudfos Pumps operate outdoors at locations close to the water tanks.
- No noise machines operate inside Building 2. Pallet dollies are used to move stock around inside the laydown/packing area.
- A coolroom is located inside Building 2, and its compressor sits outdoors against the east wall.
- Two split/reverse cycle air-conditioners will be installed for the Kitchen and the office in Building 2. Their outdoor units sit on the ground outside the buildings.
- The ventilation outlets of toilets are located above the roof.

- Six roof extraction fans are located on the roofs of buildings 1 and 2.
- Regular food deliveries are planned once a week on Wednesday excluding public holidays. Food delivery truck/van parks on the staff car park in the east of building 2.
- The collection of products is not set up yet but will occur once a week during weekday excluding public holidays.
- A forklift may be used to move large objects onsite occasionally.
- A forklift is also used for un/loading products when a delivery truck does not have a tail lift. The loading area is in the front of south roller door of building 2.
- 60 car-park bays are available in the visitor car-parking area.

In consulting with the representative of Illegal Tender Rum Co, the following five worst-case operational scenarios are modelled:

Scenario 1: The mechanical plant of distillery and brewery operate simultaneously:
- All items of brewery equipment inside Building 1;
- Air compressor and boiler inside the Boiler Room;
- Five outdoor Grudfos Pumps in the back of boiler room and at locations close to the water tanks;
- A cool-room compressor; and
- Six roof extraction fans.

Scenario 2: Scenario 1 operates simultaneously with:
- Low level background (amplified) music playing indoors and outdoors.
- The worst-case patron conversations occurring in both indoor and outdoor areas. 40% of the (200) patrons converse simultaneously and 50% of the conversations in raised voices:
  - 32 indoor patron conversations (inside the hospitality space);
  - 48 outdoor patron conversations in the Gin Garden; and
  - 2 staff talking to patrons indoors and outdoors.
- The worst-case operations of restaurant and bar:
  - Kitchen exhaust and appliances;
  - A split/reserve cycle air-conditioner for the Kitchen; and
  - Bar appliances.
- A split/reserve cycle air-conditioner for the office in Building 2;
- Four toilet ventilations; and
- A forklift.

Scenario 3: Small performance plus scenario2 excluding background (amplified) music.

Scenario 4: Scenario 2 plus food delivery activity.

Scenario 5: A car door is closed in the visitor car-parking area.

Scenario 1 represents the worst-case operation of mechanical plant for the distillery and brewery. The distillery and brewery may operate potentially 24 hours a day.

Scenario 2 represents the worst-case daily operation onsite. Maximum capacity of 200 patrons is assumed and 40% of the 200 patrons converse simultaneously indoors and outdoors. 50% of the conversations are in raised voices. The forklift, toilet vents and the

mechanical plant associated with the restaurant and bar are assumed to operate simultaneously.

Scenario 3 represents the small performance occurring during the full-capacity operation of all facilities onsite.

The refrigeration unit of food delivery trucks radiates tonal noise. For the worst-case operation, delivery trucks may come when the site operates in worst-case condition (scenario 2). The delivery truck engine is assumed to be switched off during its delivery but its refrigeration unit is operating. Scenario 4 occurs once a week in a short period (less than 10% of a 4 hour interval).

Scenario 5 represents short events of closing a car door in the visitor car-parking area. A car-door closing is assumed at a car-parking bay and modelled as a point source. The barrier effect of car bodies is not considered in the model and the predicted noise levels will be higher than the actual levels in the car body shadow areas.

4.0 MODELLING RESULTS

4.1 POINT MODELLING RESULTS

Table 4-1 and Table 4-2 present the predicted worst-case day and evening/night-time noise levels in dB(A). Scenario 4 occurs during the day only. For scenario 5, the predicted noise levels are in L_{AMax} level. It can be seen that the predicted day and evening/night-time noise levels are at similar levels (within 0.1 dB). The highest noise level is predicted at R1 for all of the scenarios.

Table 4-1: Predicted worst-case day-time noise levels in dB(A).

Receivers	Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5
R1	26.4	32.6	32.3	34.0	32.2
R2	16.2	29.0	32.0	30.3	28.9
R3	20.7	28.9	29.3	28.9	28.7

Table 4-2: Predicted worst-case evening-time noise levels in dB(A).

Receivers	Scenario 1	Scenario 2	Scenario 3	Scenario 5
R1	26.4	32.6	32.3	32.2
R2	16.4	29.0	32.0	28.9
R3	20.8	28.8	29.3	28.7

For scenarios 2 to 4, the predicted noise levels include the three contributions: the mechanical plant, patron conversations and music. The noise levels from patron conversations are not changed for scenarios 2 to 4. For scenarios 2 and 4, amplified music levels are not changed. For scenarios 2 and 3, the mechanical noises are the same. Table 4-3 presents a comparison between these contributions. It is shown that the amplified music levels are below 25 dB(A). The mechanical noise is dominant at R3. The patron conversations are at similar levels to either the mechanical noise or music at R1 and R2.

Table 4-3: Noise Contributions.

Receivers	Music		Mechanical Noise		Conversations
	Scenarios 2 & 4	Scenario 3	Scenarios 2 & 3	Scenario 4	Scenarios 2 to 4
R1	25.0	22.8	27.9	31.2	29.5
R2	21.8	29.7	21.6	26.2	27.0
R3	11.9	20.1	28.5	28.6	15.0

4.2 NOISE CONTOURS

Figure 7 to Figure 11 in APPENDIX B present the worst-case noise contours at 1.5m above the ground. These noise contours represent the worst-case noise propagation envelopes, i.e., worst-case propagation (from sources to a receiver) in all directions simultaneously.

The noise contours in Figure 10 occur in less than 10% of a 4 hour interval, as indicated in section 3.4.

Figure 11 shows the worst-case noise L_{AMax} contours.

5.0 COMPLIANCE ASSESSMENT

5.1 ADJUSTED NOISE LEVELS

According to Table 2-2, the predicted noise levels shown in Table 4-1 should be adjusted by:

- 5 dB if the noise received exhibits tonality; or
- 10 dB if the noise received is music; or
- 10 dB if the noise received is impulsive.

Scenario 1 considers mechanical noise. Therefore, a 5dB tonality adjsutment applies to the predicted noise level.

Table 4-3 shows that for scenario 2 the patron conversations are dominant at R2 while the mechanical noise dominates at R3. At R1 patron conversations and the mechanical noise are at similar levels. Therefore, a 5dB tonality adjsutment applies to the predicted noise level at R1 and R3.

Table 4-3 shows that for scenario 3 the mechanical noise dominates at R3. At R1 patron conversations and the mechanical noise are at similar levels. At R2 music is at similar level to the patron conversations and will be partially masked by patron-conversations/mechanical noise and background levels. Music will not be evident but may show tonality at R2. Therefore, a 5dB tonality adjsutment applies to the predicted noise level at R1 to R3.

Table 4-3 shows that for scenario 4 that mechanical plant dominates at R3 but at similar levels to patron conversations at R1 and R2. Therefore, a 5dB tonality adjustment applies to the predicted noise levels at R1 to R3.

Scenario 5 considers car-door closing noise only. The car-door closing noise may exhibit implusiveness. A 10dB adjustment applies to the predicted noise levels at R1 to R3.

Table 5-1 presents the adjusted A-weighted noise levels. The adjusted noise levels are presented in ***Italic Bold***.

Table 5-1: Adjusted noise levels in dB(A).

Receivers	Scenario 1	Scenario 2	Scenario 3	Scenario 4	Scenario 5
R1	***31.4***	***37.6***	***37.3***	***39.0***	***42.2***
R2	***21.4***	29.0	***37.0***	***35.3***	***38.9***
R3	***25.8***	***33.9***	***34.3***	***33.9***	***38.7***

5.2 COMPLIANCE ASSESSMENT

Scenarios 1 to 3 generate continuous noise emissions and they should be assessed against the assigned noise levels L_{A10}. Food delivery trucks visit the site in short periods (less than 10% of a 4 hour interval). Therefore, scenario 4 is assessed against the assigned noise levels L_{A1}. Car door closing is a very short event. The noise from a car door closing is predicted in L_{Amax} level and the assigned noise levels L_{Amax} apply to scenario 5.

The distillery and brewery may operate potentially 24 hours a day. Scenario 1 should be assessed against the day, evening and night-time assigned noise levels.

Regular food deliveries are planned once a week on Wednesday. Therefore, the weekday compliance assessment is required for scenario 4.

5.2.1 Monday to Saturday

Table 5-2 presents the day-time compliance assessment for Monday to Saturday. It is shown that the adjusted noise levels are well below the assigned noise levels at all of the closest residences for all of the scenarios. This demonstrates that compliance is achieved for the day-time operations on Monday to Saturday.

Table 5-2: Day-time compliance assessment.

Receivers	Assigned L_{A10} in dB(A)	Adjusted Levels dB(A)			Assigned L_{A1} in dB(A)	dB(A)	Assigned L_{AMax} in dB(A)	dB(A)
		S1	S2	S3		S4		S5
R1	45	31.4	37.6	37.3	55	39.0	65	42.2
R2	45	21.4	29.0	37.0	55	35.3	65	38.9
R3	45	25.8	33.9	34.3	55	33.9	65	38.7

5.2.2 The Evening

Table 2-1 shows that the evening-time assigned noise levels are not greater than the day-time ones for Sunday and public holidays while the adjusted day and evening-time noise levels are at similar levels. Therefore, the evening-time compliance will guarantee the day-time compliance for Sunday and public holidays.

Table 5-3 presents the evening-time compliance assessment. It is shown that the adjusted noise levels are below the assigned noise levels at all of the closest residences for all of the

scenarios. This demonstrates that compliance is achieved for the evening and for the day of Sunday and public holidays.

Table 5-3: Evening-time compliance assessment.

Receivers	Assigned Noise L_{A10} in dB(A)	Adjusted Levels dB(A)			Assigned Noise L_{AMax} in dB(A)	dB(A)
		S1	S2	S3		S5
R1	40	31.4	37.6	37.3	55	42.2
R2	40	21.4	29.0	37.0	55	38.9
R3	40	25.8	33.9	34.3	55	38.7

5.2.3 The Night

Table 5-4 presents the night-time compliance assessment. It is shown that the adjusted noise levels are below the assigned noise levels at all of the closest residences. This demonstrates that compliance is achieved for the night-time operations.

Table 5-4: Night-time compliance assessment.

Receivers	Assigned Noise Level L_{A10} in dB(A)	Adjusted Noise Levels dB(A)
		Scenario 1
R1	35	31.4
R2	35	21.4
R3	35	25.8

The above assessments conclude that full compliance is achieved for the proposed combined business of distillery, brewery, restaurant and bar.

APPENDIX A AERIAL VIEW

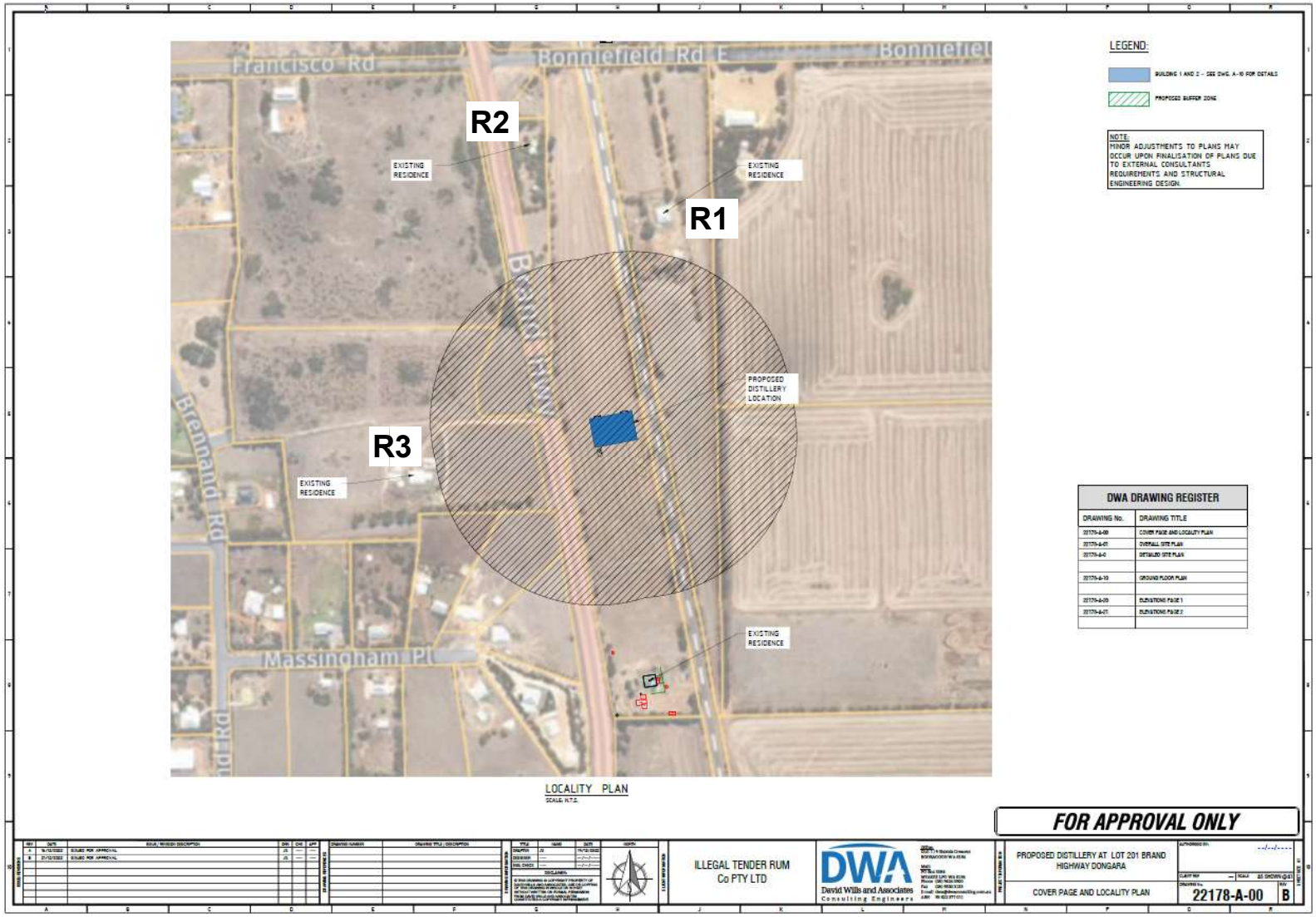


Figure 1: Aerial view of the subject site and surrounding area.

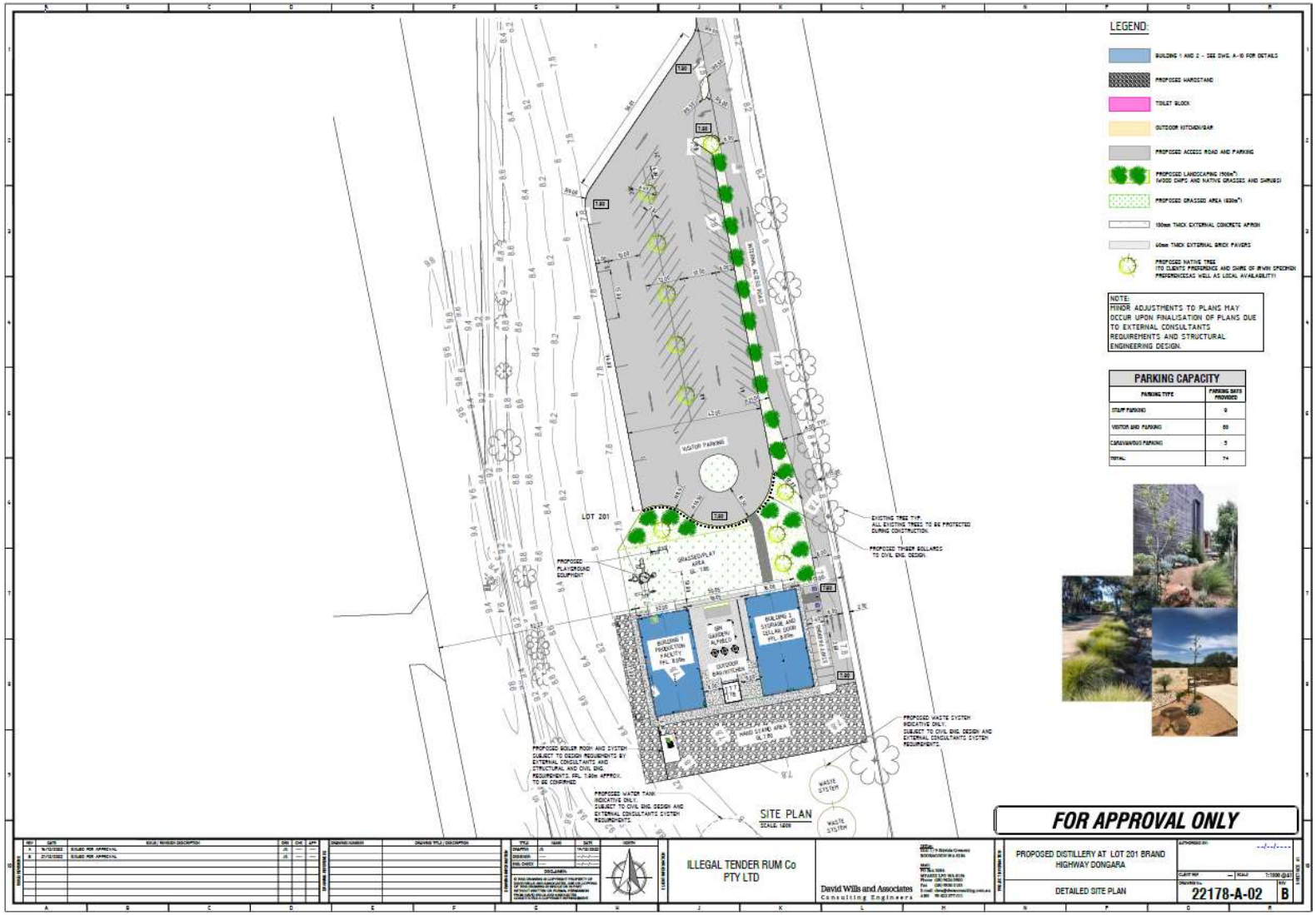


Figure 2: Site layout.

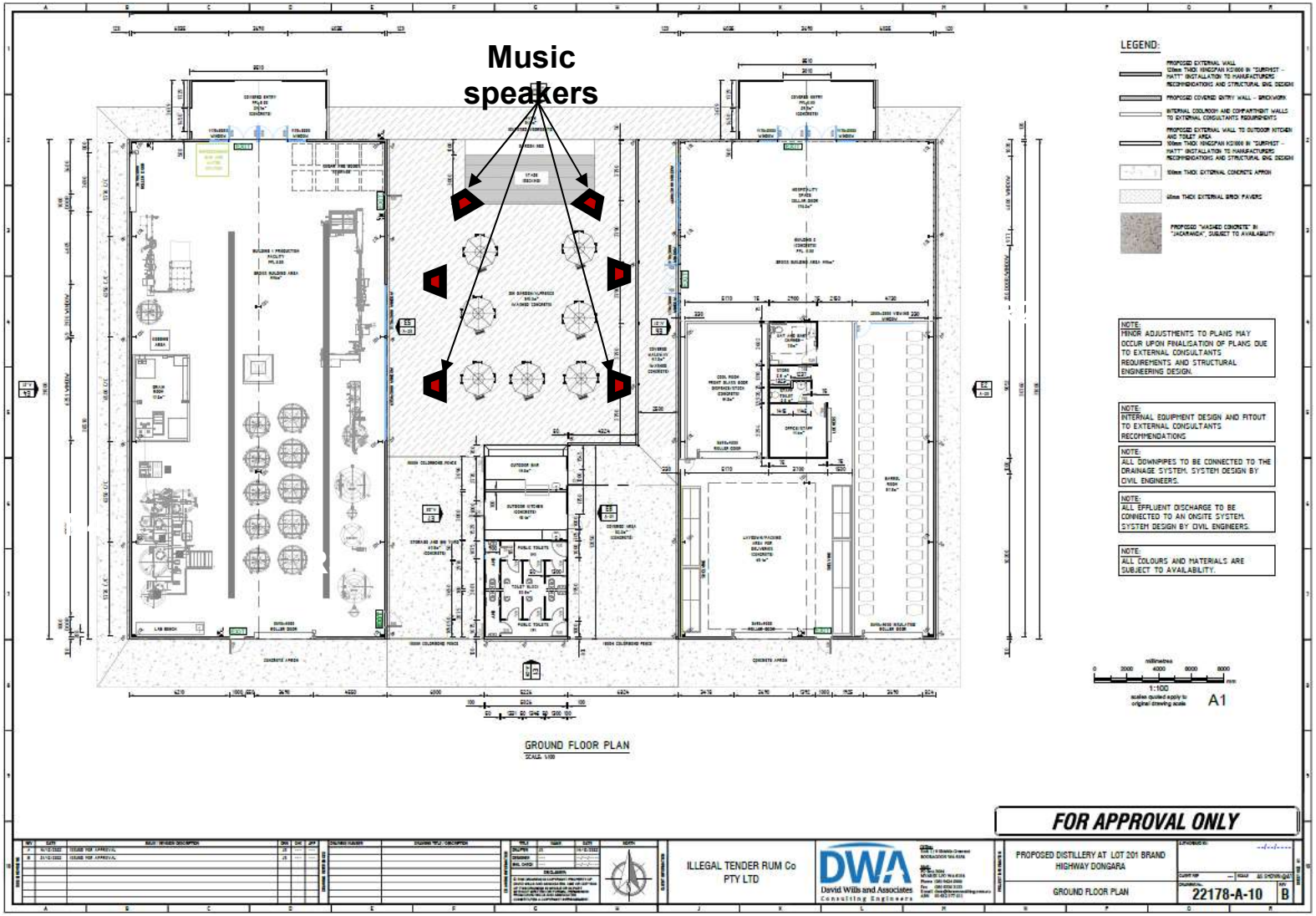


Figure 3: Floor plan.

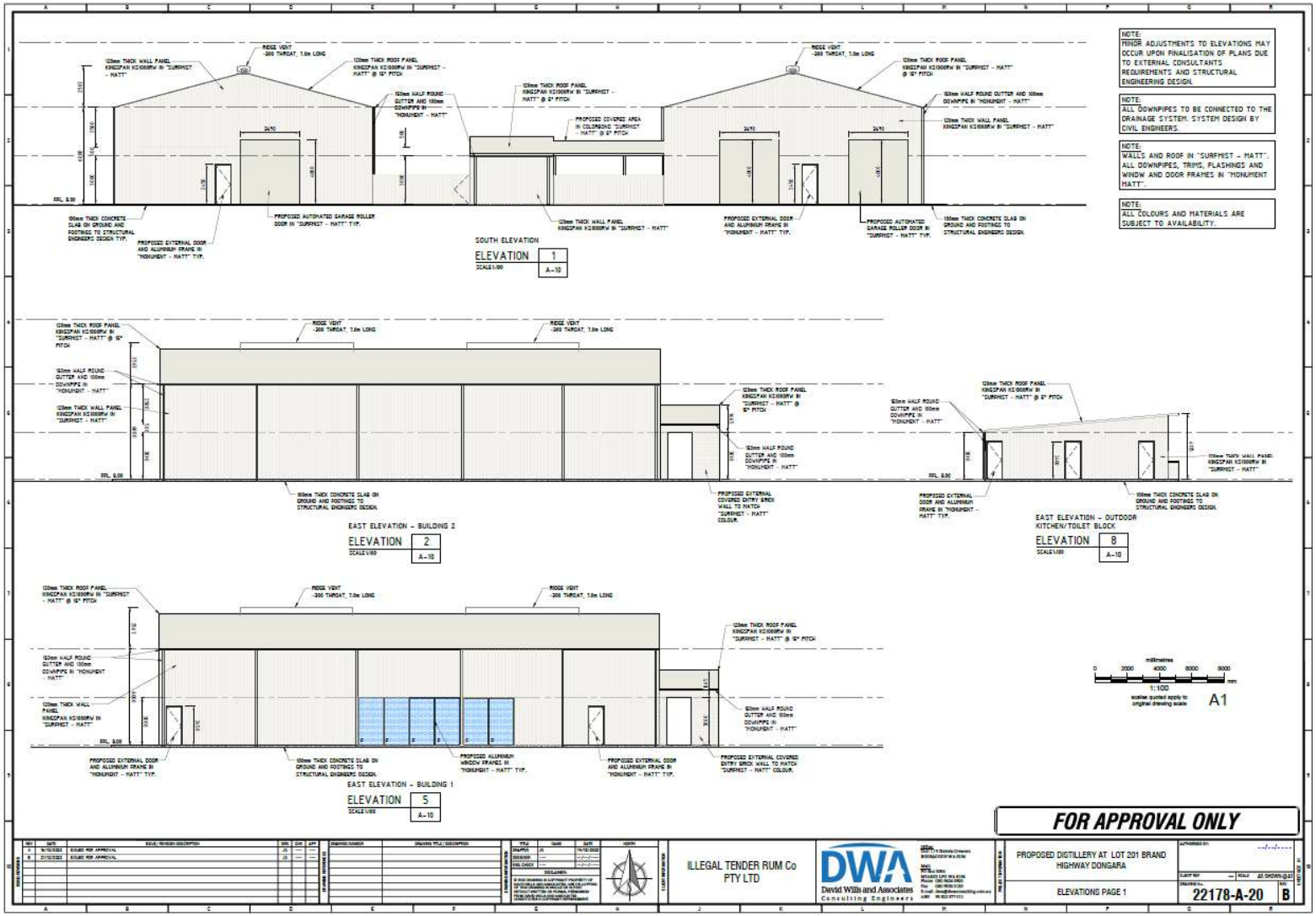


Figure 4: Elevation view 1.

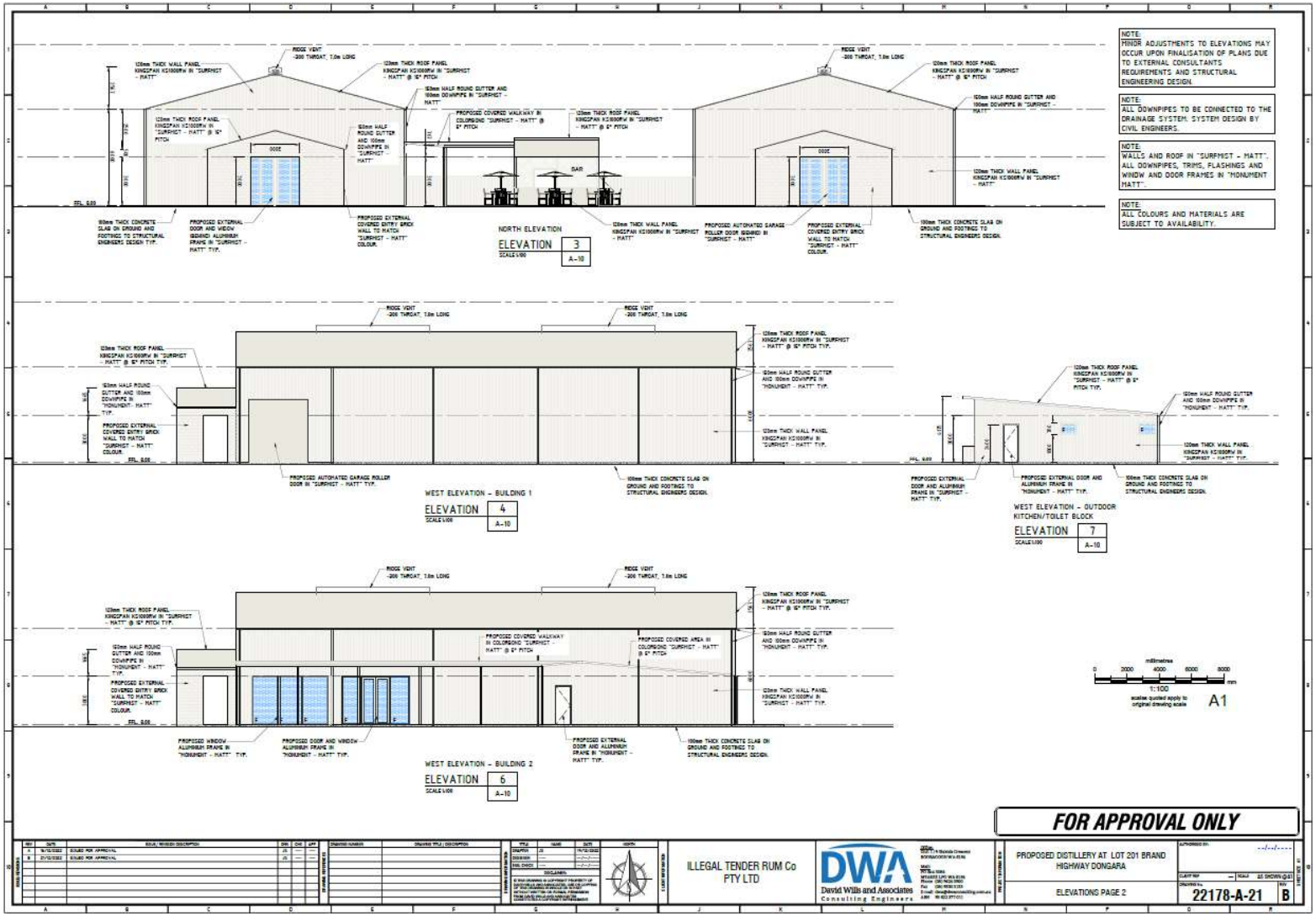


Figure 5: Elevation view 2.

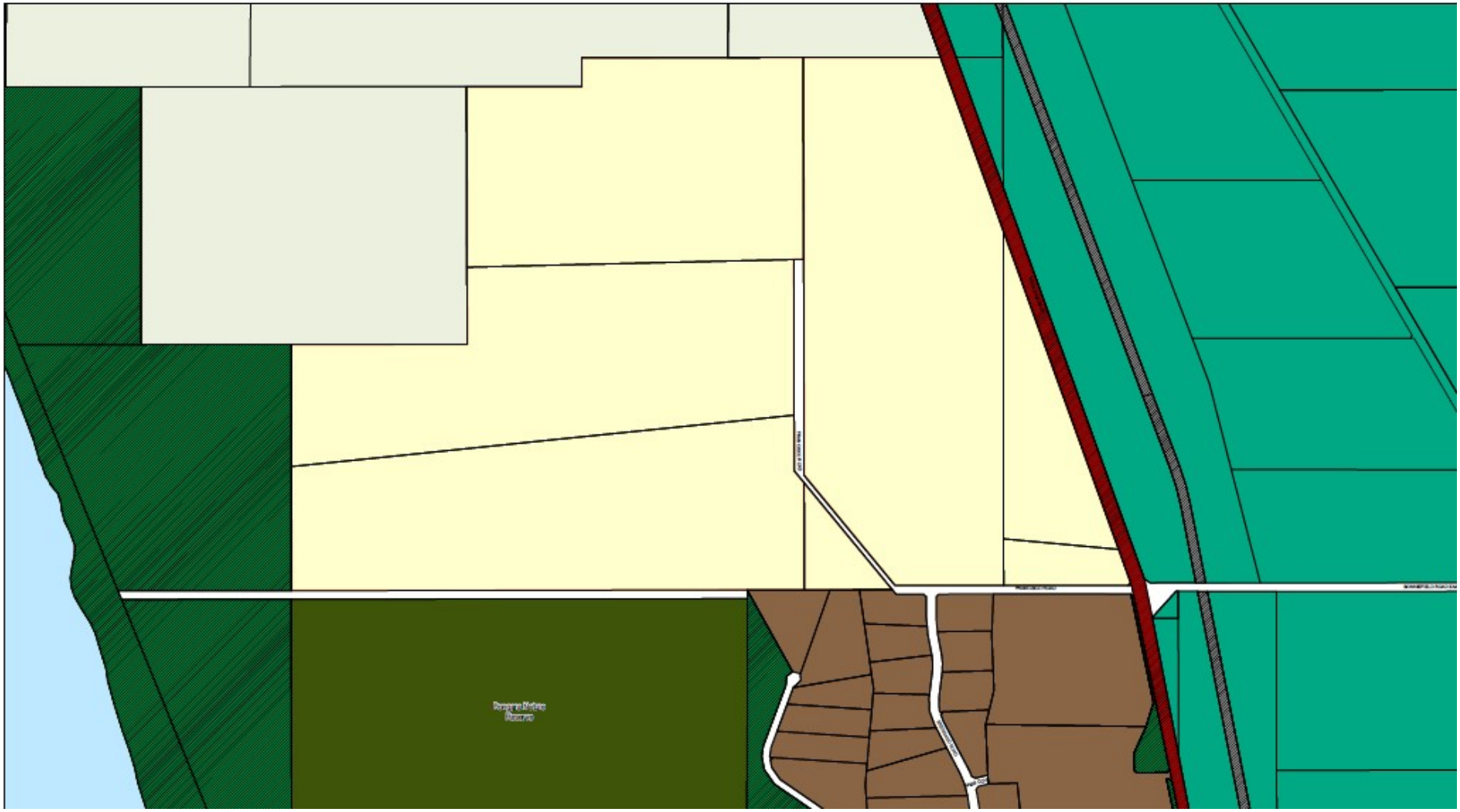


Figure 6: Local planning scheme map of Dongara Townsite Locality North.

APPENDIX B NOISE CONTOURS

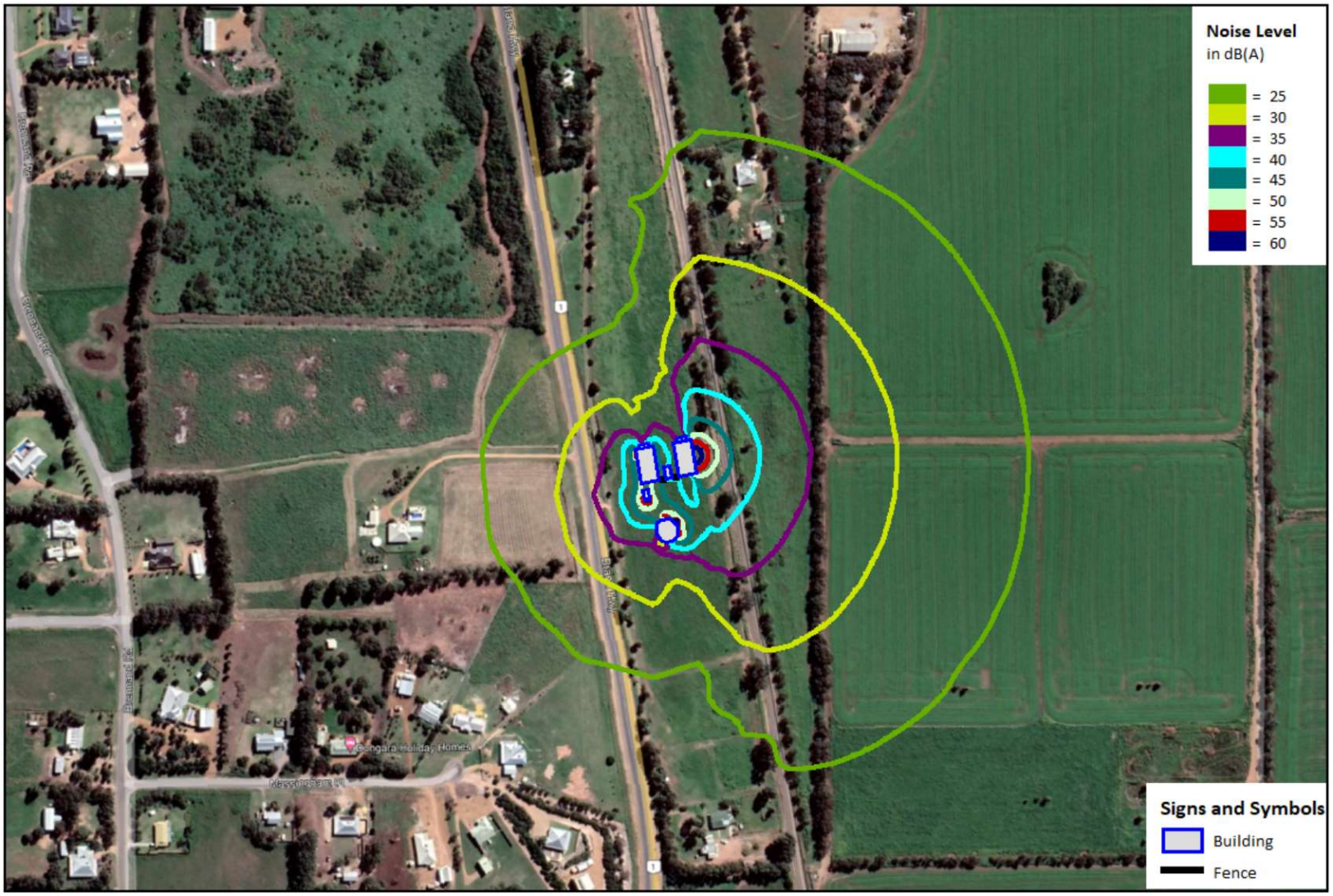


Figure 7: Worst-case noise contours for scenario 1.



Figure 8: Worst-case noise contours for scenario 2.



Figure 9: Worst-case noise contours for scenario 3.

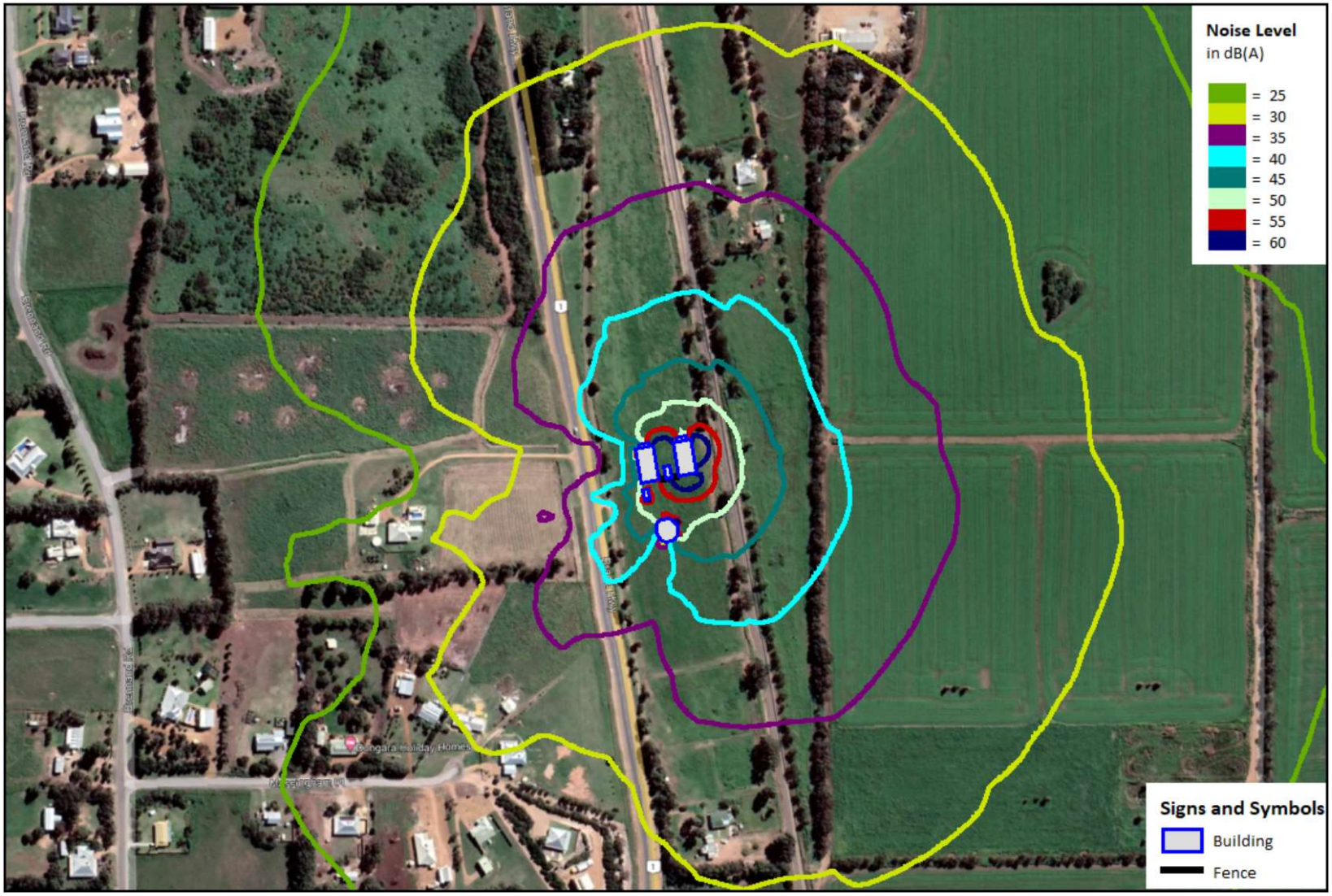


Figure 10: Worst-case noise contours for scenario 4.

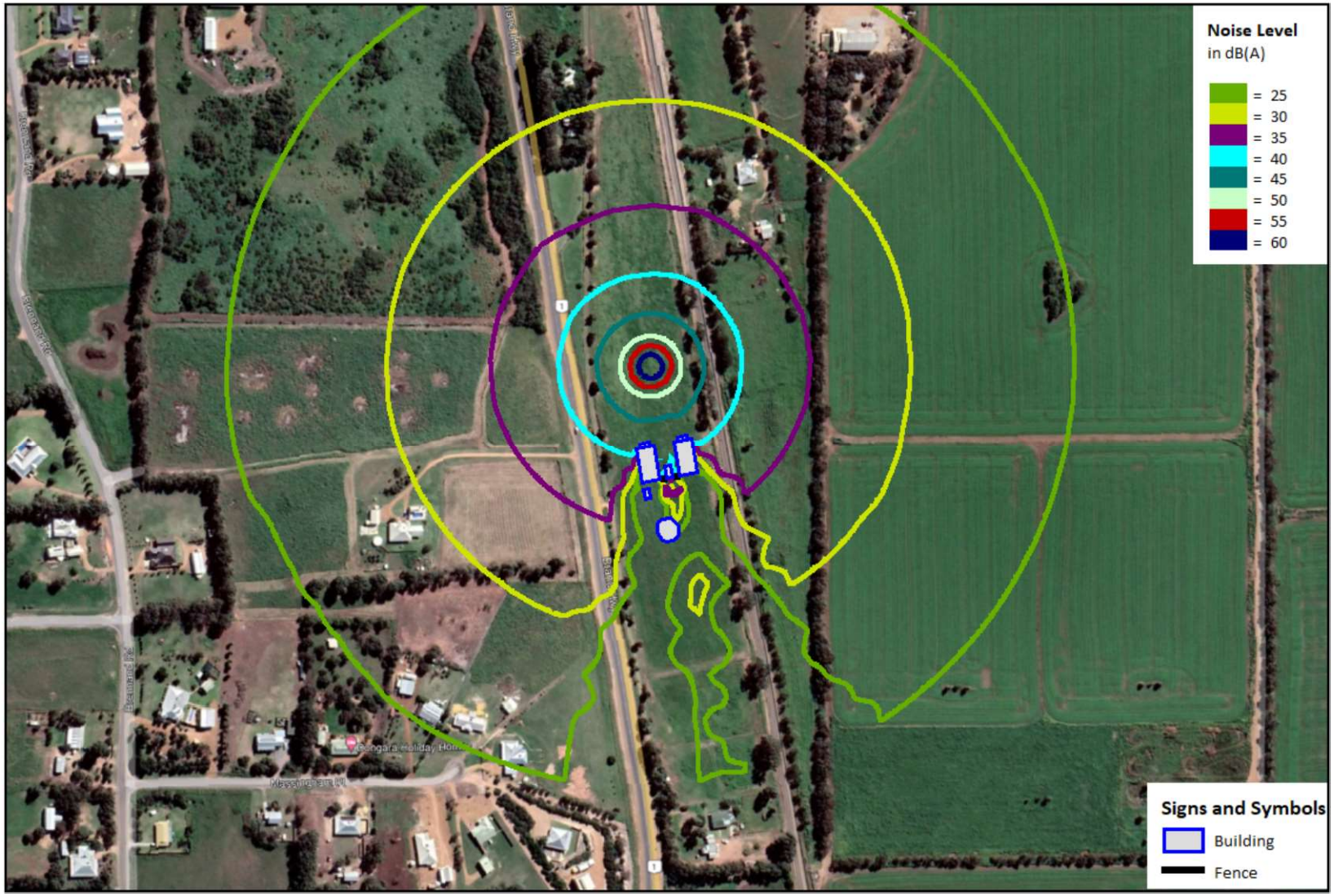


Figure 11: Worst-case noise L_{AMax} contours for scenario 5.

Appendix 5:
Wastewater Management Plan

HYDRAULIC SERVICES SCHEMATIC DESIGN REPORT

Proposed Distillery
Lot 201 Brand Highway
Dongara WA

Project	**Proposed Distillery** **Lot 201 Brand Highway**

Dongara WA

Our Reference **13-23**

Date **May 2023**
Authorized **Ben Edwards**

Revision History

Date	Revision	Revision Status
03/05/23	Issued for Development Approval	A

*For and on behalf of Quality Hydraulic Services Design

1.0 Introduction and Scope

This Schematic Design report is for the Hydraulic services at the proposed distillery at lot 201 Brand Highway Dongara WA

This report provides an overview and the design principals for the hydraulic services. We have been advised that al buildings are under 500 square meters in area, due to this no fire hydrant services are required for the develpoment

At present there are no infrastructure water or drainage services to the site.

Building Description

The prosed development is a large commercial building that will accommodate.

- Beer brewing area
- Rum brewing area
- Commercial kitchen
- Restaurant

Design Standards

The hydraulic services and fire hydrant services design compliance will include but is not limited to the following standards and Regulations

- AS/NZS 3500 Plumbing and Drainage code
- Part 1 Water Services
- Part 2 Sanitary Plumbing and Drainage
- Part 3 Storm Water Drainage Systems
- Supplement to Regulation 29 and Schedule 9- Wastewater system loadings

2.0 Domestic water services

The domestic water service to the site will be provided from two on site dedicated domestic water tanks. Each tank will have a volume of 220,000 litres. These tanks will provide 25 days supply of water.

The domestic water tanks will be filled with rain water captured on the roof of the buildings. If required the water tanks can be filled with supplementary water that is trucked to the site.

Dedicated variable speed domestic water pumps will provide domestic water to all points required.

Domestic Hot Water Plant

The domestic hot water plant providing hot water to the kitchen and sanitary appliances will be an electric point of use hot water plant. Thermostatic mixing valves will be provided to limit the temperature of hot water as required by AS/NZS 3500.4.

Hot water for brewing purposes will be provided as part of the brewing plant, and does not part of this scope.

3.0 Sanitary Drainage and Effluent Disposal

The sanitary drainage system will consist of :

- Sanitary drains
- Trade waste drains
- Trade waste treatment plant
- Effluent treatment plant and effluent disposal for the sanitary appliances
- Effluent treatment plant and effluent disposal for the brewing waste water

Sanitary Drainage

The sanitary drains will discharge to an on site septic tank system. The septic tank system has been sized and designed in compliance to Supplement to Regulation 29 and schedule 9 of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

The daily effluent calculations are based on the following occupancies

- 200 sit in customers.
- 15 staff

This will generate 7,050 litres of effluent per day.

The leach drains have been sized on the assumption that the soil is loamy clay soil, we have used a Design Loading Rate (DLR) of 15mm per day. A total of 235 metres of flat bed leach drains are required.

Trade waste from the kitchen will be treated by an on site grease arrestor. The treated trade waste will then be discharged to the sanitary drainage system.

Brewing Trade Waste Water

Waste water from the brewing areas will be treated by an on site by a specifically designed effluent treatment plant, that will treat the water to a level that will permit the water waste water to be discharged via an irrigation system.

DRAINAGE LEGEND

- DRAIN POINT
- FWG — FLOOR WASTE GULLY
- CO — CLEAN OUT
- RG — RELIEF GULLY
- IO — INSPECTION OPENING
- FVM 100 — SERVICE SIZE
- 100@60 — SIZE OF DRAIN AND GRADE OF DRAIN
- BD — BALCONY DRAIN
- RWP — RAIN WATER PIPE
- DRAIN DROPPER
- FVM — FULLY VENTED MODIFIED (SOIL STACK)
- REFLUX VALVE
- STWSP — SEALED TRADE WASTE SAMPLING POINT
- TWT — TRADE WASTE TRAP
- RV — RELIEF VENT
- CO — CLEAN OUT
- FW — FLOOR WASTE
- PD — PLANTER DRAIN
- GWD — GROUND WATER DRAIN
- TD — TUNDISH
- VNT — VENT
- AAV — AUTOMATIC AIR ADMITTANCE VALVE

WATER /GAS SERVICE LEGEND

- WATER METER
- ISOLATION VALVE
- WATER SERVICE POINT
- HT — HOSE TAP
- DCV — DOUBLE CHECK VALVE
- WATER SERVICE DROPPER/RISER
- RPZD — REDUCED PRESSURE ZONE DEVICE
- BV — TEMPERATURE CONTROLLED BALANCING VALVE
- PLV — PRESSURE LIMITING VALVE
- FH — FIRE HYDRANT AND RISER
- CWS 50 — TYPE OF WATER SERVICE / SIZE OF WATER SERVICE
- VPHT — VANDAL PROOF HOSE TAP
- SERVICE CONTINUATION
- BLV — GAS SERVICE BALL VALVE
- AP — ACCESS PANEL IN THE CEILING
- TEMPERING VALVE

ABBREVIATIONS

CWS	COLD DOMESTIC WATER SERVICE
FWS	FIRE WATER SERVICE
HWF	HOT WATER SERVICE FLOW
HWR	HOT WATER SERVICE RETURN
BWS	BOOSTED WATER SERVICE

LINE TYPE LEGEND

- SD — SANITARY DRAINAGE
- CW — VENT PIPE
- CD — CONDENSATE DRAIN
- SW — STORM WATER DRAIN
- CW — COLD WATER
- HW — HOT WATER SERVICE
- FS — FIRE SERVICE
- BW — BOOSTED WATER SERVICE
- TW — TRADE WASTE DRAIN
- TEMPERED WATER SERVICE

GENERAL NOTES

THE HYDRAULIC SERVICES DOCUMENTATION HAS BEEN COMPLETED IN FULL COMPLIANCE TO THE STANDARDS BELOW:

1. AS/NZS 3500.1:2021 – WATER SERVICES.
2. AS/NZS 3500.2:2021 – SANITARY PLUMBING AND DRAINAGE.
3. AS/NZS 3500.3:2021 – STORMWATER DRAINAGE.
4. AS/NZS 3500.4:2021 – HEATED WATER SERVICES.

1. ALL PLUMBING AND DRAINAGE WORKS SHALL BE COMPLETED IN ACCORDANCE WITH THE PLUMBERS LICENSING AND PLUMBING STANDARDS REGULATIONS 2000 (PLUMBING REGULATIONS). THE PLUMBING REGULATIONS ADOPT VOLUME 3 OF THE NATIONAL CONSTRUCTION CODE, THE PLUMBING CODE OF AUSTRALIA AS THE PLUMBING STANDARDS THAT APPLY FOR PLUMBING WORK IN WA. ALL WORKS SHALL BE COMPLETED IN ACCORDANCE WITH WATER SERVICES PROVIDERS REGULATION AND OTHER LOCAL AUTHORITIES CONDITIONS. HYDRAULIC DRAWINGS SHOW DESIGN INTENT ONLY AND WILL NOT REMOVE THE CONTRACTOR FROM RESPONSIBILITY OF COMPLIANCE.
2. THE LICENSED PLUMBING CONTRACTOR SHALL SUBMIT ALL NECESSARY NOTIFICATION AND CERTIFICATION TO THE PLUMBERS LICENSING BOARD AS REQUIRED BY THE PLUMBING REGULATIONS.
3. IT IS REQUIRED THAT ALL WORK SHALL BE CARRIED OUT BY OR UNDER THE DIRECTION OF A WESTERN AUSTRALIAN LICENSED PLUMBER. THIS PLUMBER MUST BE APPROPRIATELY LICENSED FOR THE WORKS THAT ARE BEING UNDERTAKEN AND FOR ANY AUTHORITIES WITH JURISDICTION OVER THE WORKS.
4. THE DESIGN CONSULTANT DRAWINGS SHALL BE READ IN CONJUNCTION AND COORDINATED WITH THE ARCHITECTURAL, CIVIL, STRUCTURAL, MECHANICAL AND ELECTRICAL CONSULTANTS DOCUMENTATION.
5. ANY DISCREPANCIES IN THE DOCUMENTATION ARE TO BE REFERRED BACK TO THE MAIN CONTRACTOR FOR DIRECTION. WHERE THERE ARE ANY DISCREPANCIES, THE DISCREPANCY WITH THE HIGHER VALUE IS TO BE INCLUDED IN THE TENDER.
6. ALL PLUMBING WORKS SHALL BE COMPLETED IN FULL COMPLIANCE OF:
   - THE PLUMBERS LICENSING AND PLUMBING STANDARDS REGULATIONS 2000;
   - PLUMBING CODE OF AUSTRALIA (PCA);
   - AUSTRALIAN STANDARDS APPLICABLE TO THE WORKS BEING UNDERTAKEN;
   - WATER SERVICES PROVIDER'S REGULATIONS AND REQUIREMENTS; AND
   - ALL LOCAL AUTHORITY REGULATIONS AND REQUIREMENTS.
7. THE HYDRAULIC CONTRACTOR MUST SUPPLY ALL MATERIALS, PLANT, HIRE, EQUIPMENT AND LABOR NECESSARY TO ALLOW THEM TO FULFILL THE COMPLETE AND OPERATIONAL HYDRAULIC SERVICES INSTALLATION THAT REPRESENTS THE INTENT AND REQUIREMENTS OF THE HYDRAULIC SERVICES SPECIFICATION AND DRAWINGS.
8. THE HYDRAULIC CONTRACTOR MUST ATTEND SITE DURING THE TENDER PERIOD TO FULLY UNDERSTAND THE SITE CONDITIONS. NO VARIATIONS WILL BE APPROVED FOR CLAIMS RELATING TO NOT UNDERSTANDING SITE CONDITIONS.
9. ALL HYDRAULIC TENDERS SHOULD INCLUDE A FULL SCHEDULE OF RATES.
10. ALLOW FOR WORKS TO BE STAGED AND COMPLY WITH THE CONTRACT PROGRAM.
11. THE CONTRACT ADMINISTRATOR MUST BE SATISFIED OF ALL WORKS COMPLETED.
12. ANY COMPLIANCE ISSUES REGARDING THE DOCUMENTATION MUST BE PRESENTED TO THE CONTRACT ADMINISTRATOR. THE HYDRAULIC INSTALLATION MUST NOT PROCEED UNTIL THE ISSUE HAS BEEN RESOLVED
13. DRAWINGS SHOWING EXISTING SERVICES IN AND WITHIN THE PROXIMITY OF THE SITE AND HAVE BEEN DEVELOPED FROM AVAILABLE SITE SURVEYS AND RECORD DRAWINGS. ALL EXISTING SERVICES ARE SHOWN IN INDICATIVE LOCATIONS THE EXACT LOCATION MUST BE CONFIRMED ON SITE.
14. BEFORE THE COMMENCEMENT OF ANY WORK ON SITE THE HYDRAULIC CONTRACTOR MUST CONFIRM THE LOCATION, DEPTH AND MATERIAL OF ALL EXISTING SERVICES TO ENSURE ALL CONNECTIONS CAN BE ACHIEVED. NOTIFY THE CONTACT ADMINISTRATOR OF ANY DISCREPANCIES.
15. ALL NEW AND EXISTING SERVICES ARE TO BE COORDINATED ON SITE THIS INCLUDES, BUT IS NOT LIMITED TO:
   - EXISTING DOCUMENTATION IS TO BE REVIEWED;
   - SPATIAL REQUIREMENTS OF THE HYDRAULIC SERVICES AND PLANT WITH OTHER SERVICES AND THE ARCHITECTS LAYOUT; AND
   - COORDINATE SERVICES INTERFACE POINTS WITH THE MECHANICAL,CIVIL AND ELECTRICAL CONTRACTORS.
16. HYDRAULIC DRAWINGS ARE NOT TO BE USED FOR THE SETOUT OF PLUMBING SERVICES AND SHALL BE ISSUED FOR CONSTRUCTION BEFORE THE COMMENCEMENT OF THE PLUMBING INSTALLATION.

GENERAL NOTES (CONTINUED)

16. BEFORE PRACTICAL COMPLETION, PREPARE AND PROVIDE TO THE CONTRACT ADMINISTRATOR AS-INSTALLED DRAWINGS EQUAL TO THE DESIGN DRAWINGS ACCURATELY PLOTTED SHOWING DIMENSIONED, VALVES, SUMPS SOAK WELLS AND UNDERGROUND SERVICES. SUPPLY THE AS CONSTRUCTED DRAWINGS IN CAD AND PDF FORMAT TO THE CONTRACT ADMINISTRATOR AND HYDRAULIC CONSULTANT.
17. BEFORE PRACTICAL COMPLETION, PREPARE AND PROVIDE A PLUMBING DRAINAGE DIAGRAM (DPD) IN THE FORMAT REQUIRED BY THE PLUMBING REGULATIONS. THE DPD SHALL SHOW THE POSITION OF ALL UNDERGROUND DRAINS AND INSPECTION OPENINGS WITH MEASUREMENTS TAKEN FROM DATUM POINTS ON THE EXTERNAL WALL S OF THE BUILDING. THE DPD SHALL BE IN CAD AND PDF FORMAT AND SUPPLIED TO THE CONTRACT ADMINISTRATOR AND HYDRAULIC CONSULTANT.
18. PAY ALL NECESSARY FEES AND CHARGES DIRECT TO THE LOCAL AUTHORITIES. CO-ORDINATE WITH THE LOCAL AUTHORITY TO ENSURE THE SUBMISSION OF NECESSARY APPLICATIONS, PERMITS, APPROVALS AND CERTIFICATIONS REQUIRED FOR THE WORKS ASSOCIATED WITH THE INSTALLATION. ALL APPROVALS TO BE SUBMITTED TO THE CONTRACT ADMINISTRATOR.
19. ALL MATERIALS SHALL CONFORM WITH THE RELEVANT AUSTRALIAN STANDARD, BE NEW AND BEAR THE REQUIRED WATERMARK LOGO IF REQUIRED BY THE PLUMBING CODE OF AUSTRALIA. SUBSTITUTION OF A PRODUCT WHERE A PROPRIETARY PRODUCT HAS BEEN SPECIFIED MAY ONLY OCCUR WITH AN EQUIVALENT AND HAVE WRITTEN APPROVAL FROM THE CONTRACT ADMINISTRATOR. TO ENSURE THE SUBSTITUTION IS EQUIVALENT, PROVIDE ALL RELEVANT DOCUMENTATION.
20. INSTALLATION OF ALL MANUFACTURED COMPONENTS SHALL BE TO THE MANUFACTURER'S REQUIREMENTS, DETAILS AND SPECIFICATIONS.
21. ALL SERVICES ARE TO BE INSTALLED INLINE WITH THE BUILDING AND WITH EACH OTHER IS REQUIRED WHERE POSSIBLE TO MINIMIZE CROSS OVERS AND PROVIDE AESTHETIC GROUPINGS. THIS REQUIRES ALL PIPE WORK TO BE ACCURATELY SET OUT AND FULLY CO-ORDINATE WITH OTHER SERVICES. THE HYDRAULIC INSTALLATION MUST BE COMPLETED IN NEAT TRADESMAN LIKE MANNER.
22. CONCEAL ALL PIPE WORK WHERE POSSIBLE FROM VIEW WITHIN ROOF AND CEILING SPACES, WALLS, DUCTS AND BULKHEADS.
23. IN ACCORDANCE WITH THE AS:1345, ALL EXPOSED PIPEWORK SHALL BE PAINTED AND LABELED WITH PIPE IDENTIFICATION MARKERS. IN ACCORDANCE WITH AS:2648 ALL BURIED PIPE WORK SHALL BE PROVIDED WITH MARKING TAPE IN THE TRENCH DIRECTLY ABOVE THE PIPE.
24. WHEN HYDRAULIC SERVICE PIPE WORK REQUIRES SUSPENSION, IT SHALL BE SUPPORTED WITH UNIT STRUT CHANNEL, SUPPORT BRACKETS, HANGERS AND PVC ISOLATION INSERTS. MASONRY ANCHORS TO BE USED FOR BRACKET FIXINGS.
25. ALL WALL, FLOOR PENETRATIONS, ROOF PENETRATIONS AND CORE HOLES MUST BE FIRE RATED AND A REGISTER OF ALL FIRE COLLARS MUST BE PROVIDED.
26. TO ENSURE PROPER CONNECTION BETWEEN DISSIMILAR PIPEWORK AND MATERIALS, SUPPLY AND INSTALL ALL FITTINGS INCLUDING VARIOUS PIPE ADAPTORS AND NON CONDUCTING MATERIALS.
27. THE STRUCTURAL ENGINEER PRIOR TO COMMENCEMENT OF EXCAVATION IS TO CHECK THE DEPTH OF TRENCHING OF ALL INGROUND SERVICES ADJACENT TO FOOTINGS AND BUILDING STRUCTURE.
28. IN ACCORDANCE WITH AS/NZS:3500 AND STRUCTURAL AND/OR CIVIL ENGINEERS SPECIFICATION WHERE TRENCHES ARE TO BE BACK FILLED IN LAYERS OF NOT MORE THAN 300 mm AND EACH LAYER IS TO BE COMPACTED.
29. IN ACCORDANCE WITH THE AS/NZS:3500.1:2021, THE WATER SERVICE PIPEWORK DIAMETER NOMINATED ON THE DRAWINGS ARE NOMINAL INTERNAL DIAMETERS (COPPER) AND AN EQUIVALENT PIPE SIZE APPROPRIATE FOR THE MATERIAL SHALL COMPLY.
30. THE HYDRAULIC SERVICES CONTRACTOR MUST PROVIDE FULLY COORDINATED SHOP DRAWINGS SHOWING ALL SETTING OUT AND FINAL INSTALLATION DETAILS.
31. ALL FLOOR WASTES AND TRADE WASTE GRATES ARE TO BE BRASS WITH A CHROME FINISH.
32. WET AREAS IN CLASS 2, 3 OR 4 BUILDINGS, WHERE A FLOOR WASTE IS INSTALLED SHALL HAVE A MINIMUM CONTINUOUS FALL TO THE WASTE OF 1:80 AND A MAXIMUM CONTINUOUS FALL IN THE SHOWER TO THE WASTE OF 1:50 IN ACCORDANCE WITH THE VOLUME TWO OF THE NATIONAL CONSTRUCTION CODE.

SANITARY PLUMBING & DRAINAGE NOTES

1. INSTALLATION OF ALL SANITARY DRAINAGE TO BE IN ACCORDANCE WITH AS/NZS:3500.2:2021.
2. INSTALLATION OF INSPECTION OPENINGS TO BE IN ACCORDANCE WITH AS/NZS:3500.2:2021 AND INDICATED ON THE DRAWINGS.
3. CHROME PLATED CAPS (UNLESS NOTED OTHERWISE) TO BE USED WHEN INSPECTION OPENINGS ARE RAISED TO FINISHED FLOOR LEVELS INSIDE THE BUILDING.
4. FRAMES AND COVER LOAD RATED FOR THE ADJACENT EXPECTED SURFACE LOADING TO BE USED WHERE INSPECTION OPENINGS ARE RAISED TO SURFACE.
5. CHROME PLATED COVER PLATES TO BE USED WHERE EXPOSED ALL SANITARY PIPE WORK INCLUDING TRAPS WILL HAVE A CHROME FINISH.
6. IN ACCORDANCE WITH AS/NZS:3500.2:2021 ALL VENT PIPES SHALL TERMINATE ABOVE THE ROOF. TO MAINTAIN A MINIMUM OF 5 m FROM MECHANICAL AIR INTAKE AND 3 m FROM MECHANICAL AIR DISCHARGE ALLOWANCE IS REQUIRED.
7. PROPRIETARY FREE FLOWING PUDDLE FLANGES INSTALLED FOR ALL FLOOR WASTES.
8. WHERE FLOOR WASTES ARE LOCATED IN VINYL FLOORS PROVIDE FLOOR WASTES VINYL CLAMPS.
9. INSTALLATION OF FIXTURE TRAPS REQUIRED TO THE REAR OF THE JOINERY CABINET.
10. IN ACCORDANCE WITH AS/NZS:3500.2:2021, PROVIDE COMPACT SAND BEDDING AROUND ALL IN GROUND PIPEWORK AND BACK FILL AS REQUIRED BY THE STANDARD.
11. AAV'S ARE TO BE LOCATED IN ACCESSIBLE LOCATIONS.
12. ARCHITECTURAL DRAWINGS ARE TO BE USED FOR THE SET OUT OF ALL TAPS AND DRAINS.

FIXTURES AND TAPWARE NOTES

1. COORDINATION WITH THE LATEST ARCHITECTURAL PLANS AND JOINERY DETAILS IS REQUIRED FOR EXACT LOCATIONS OF ALL FIXTURES AND TAPWARE.
2. IN ACCORDANCE WITH MANUFACTURERS REQUIREMENTS AND SPECIFICATIONS, ALL FIXTURES AND TAPWARE ARE TO BE INSTALLED TO STRICTLY MEET THESE DIRECTIONS.
3. SCRATCHES OR DAMAGED ITEMS WILL NOT BE ACCEPTED THROUGHOUT THE PROJECT. ALL FIXTURES, FITTINGS, TAPWARE AND FINISHED SURFACES SHALL BE ADEQUATELY PROTECTED AGAINST DAMAGE.
4. ONLY SEALANTS THAT DO NOT SUPPORT MICROBIAL GROWTH ARE TO BE USED.
5. REMOVAL OF ALL PROTECTIVE COATINGS AND STICKERS AND CLEAN SURFACES ONLY TO BE UNDERTAKEN IMMEDIATELY BEFORE THE DATE OF PRACTICAL COMPLETION. CHECK AND CLEAN DEBRIS FROM TRAPS.
6. WATER SERVICE PIPES PRIOR TO CONNECTION OF FIXTURES, VALVES AND EQUIPMENT TO BE FLUSHED.
7. ALL APPLIANCES ARE TO BE FITTED WITH ISOLATION VALVES TO ALLOW THE WATER SUPPLY FOR EACH APPLIANCE TO BE ISOLATED.

WATER SERVICES NOTES

1. ALL WATER SERVICE PIPE WORK SHALL BE INSTALLED IN ACCORDANCE WITH AS/NZS.3500.1:2021 AND AS/NZS 3500.4:2021.
2. ALLOW TO PAY ALL NECESSARY FEES TO THE WATER SERVICES PROVIDER FOR WATER CONNECTIONS AND METER TO SIZE – REFER TO DRAWINGS FOR FURTHER INFORMATION.
3. PROVIDE AND INSTALL THERMAL INSULATION TO ALL HEATED WATER PIPE WORK IN ACCORDANCE WITH AS/NZS3500.4:2021. THERMAL INSULATION SHALL BE EQUAL TO 'THERMOTEC 4 ZERO' OR APPROVED EQUIVALENT. WHERE THE INSULATION IS SUBJECT TO DIRECT SUNLIGHT PROVIDE PROPRIETARY PROTECTION TO THE INSULATION.
4. UNLESS NOTED OTHERWISE, SUPPLY DN 15 PIPE WORK TO A SINGLE FIXTURE AND DN 20 PIPE WORK TO TWO OR MORE FIXTURES.
5. ALL VALVES ARE TO BE INSTALLED IN EASILY ACCESSIBLE LOCATIONS.
6. PIPE WORK IS TO BE INSTALLED IN FRAMED WALLS, BULKHEADS, FALSE WALLS AND ROOF/CEILING SPACE WITH VERTICAL DROPPERS. LAG ALL CHASED PIPE WORK IN BLOCK WORK WALLS WITH APPROPRIATE LAGGING. HORIZONTAL CHASING OF PIPE WORK SHOULD BE AVOIDED WHERE POSSIBLE. PIPEWORK IS NOT TO BE EMBEDDED IN CONCRETE UNLESS APPROVED AND NOTED OTHERWISE.
7. FLUSH ALL WATER SERVICE PIPES PRIOR TO CONNECTION OF FIXTURES. REMOVE ALL OUT LET AERATORS AND FLUSH THE WATER SERVICES BEFORE PRACTICAL COMPLETION.
8. MINI STOP ISOLATION VALVES SHALL BE INSTALLED IN BOTH COLD AND HEATED WATER SUPPLY FEEDING ALL MIXER TAPS AND TOILET CISTERNS.
9. ALL EXPOSED VALVES ARE TO HAVE A CHROME FINISH.
10. TEMPERATURE CONTROL OF HEATED WATER SHALL BE IN ACCORDANCE WITH THE PLUMBING CODE OF AUSTRALIA. ALL OUTLETS AT FIXTURES USED FOR PERSONAL HYGIENE SHALL BE RESTRICTED TO EITHER A MAXIMUM OF 50 OR 45 DEGREES ACCORDING TO THE PROVISIONS OF THE CODE.

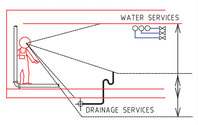
Quality Hydraulic
Services Design
PO Box 4177
Wembley WPI 6913
Mobile: 0430 183 006
ben@qualityhydraulics.com.au
www.qualityhydraulics.com.au

REV	DESCRIPTION	DATE	DRN	CHK
B	ISSUED FOR SCHEMATIC DESIGN	03.05.23	BNE	MME
A	ISSUED FOR INFORMATION	14.04.23	BNE	MME

COPYRIGHT
This drawing, its design details, engineering and layout of hydraulic services is the sole property of QUALITY HYDRAULIC SERVICES DESIGN PTY LTD. Any un-authorised, duplication in part or in full, use of the design details, engineering or layout of the hydraulic services is strictly forbidden.

AHSCA
THE ASSOCIATION OF HYDRAULIC SERVICES CONSULTANTS AUSTRALIA INCORPORATED

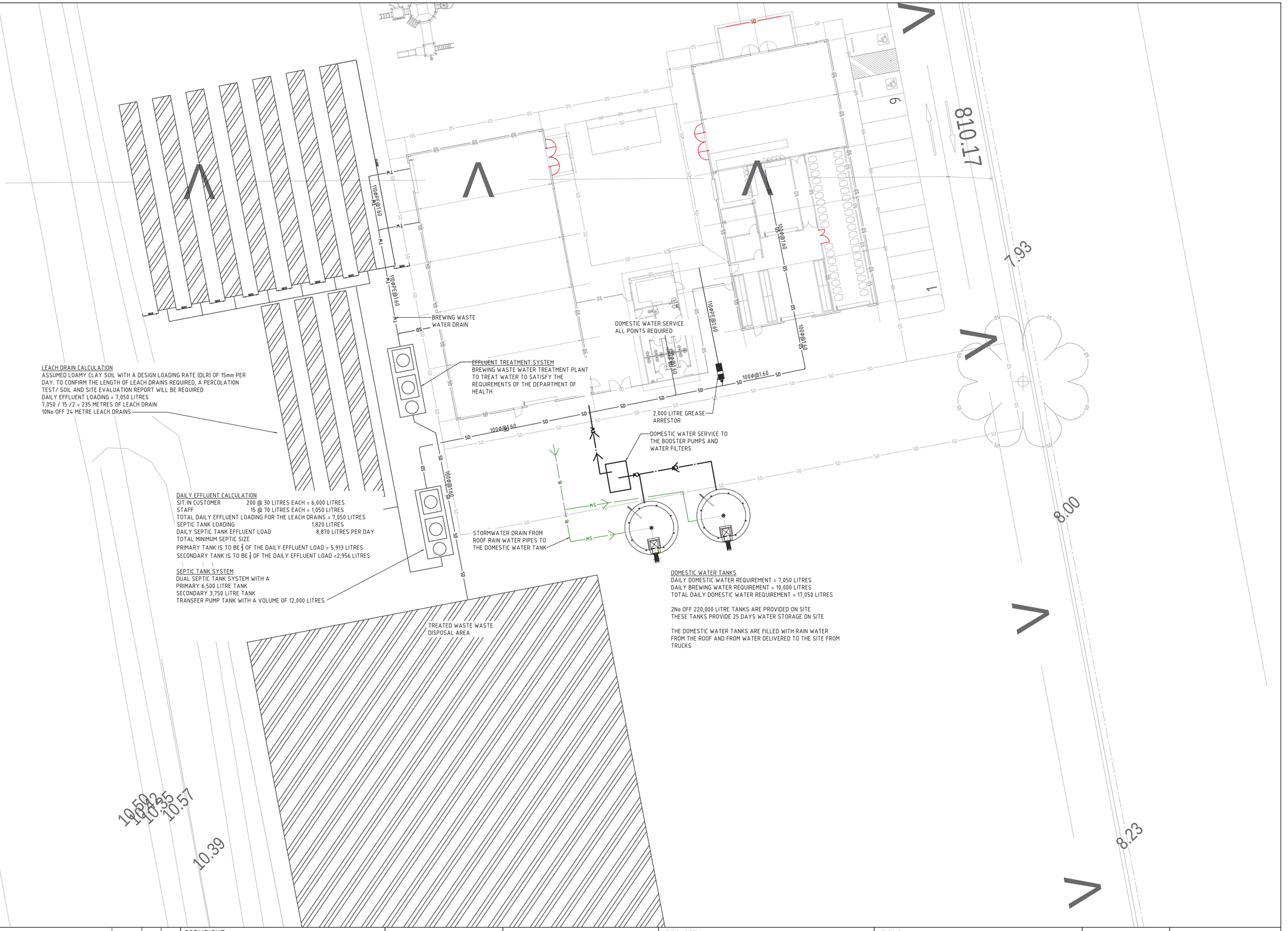
HYDRAULIC SERVICES DRAWING STYLE



PROJECT:
ILLEGAL TENDER
RUM CO PTY LTD
LOT 201 BRAND HIGHWAY
DONGARA

TITLE:
HYDRAULIC SERVICES
LEGEND, NOTES AND
DRAWING REGISTER

DATE	APRIL 2023
DRAWN	BNE
PAGE SIZE	A1
JOB No	13-23
SCALE	1:200 UNO NTS
CHECKED	BNE
DWG No	H.01
	B



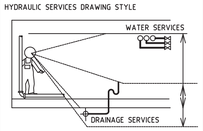
Quality Hydraulic
Services Design
PO Box 4177
Wamberal NSW 2260
M 0418 419 886
ben@qualityhydraulics.com.au
www.qualityhydraulics.com.au

REV	DESCRIPTION	DATE	DRN	CHK
B	ISSUED FOR SCHEMATIC DESIGN	03.05.23	BNE	MME
A	ISSUED FOR INFORMATION	14.04.23	BNE	MME

COPYRIGHT
This drawing, its design details, engineering and layout of hydraulic services is the sole property of QUALITY HYDRAULIC SERVICES DESIGN PTY LTD. Any un-authorised, duplication in part or in full, use of the design details, engineering or layout of the hydraulic services is strictly forbidden.

AHSCA
THE ASSOCIATION OF HYDRAULIC SERVICES CONSULTANTS AUSTRALIA INCORPORATED

HYDRAULIC SERVICES DRAWING STYLE



PROJECT:
ILLEGAL TENDER
RUM CO PTY LTD
LOT 201 BRAND HIGHWAY
DONGARA

TITLE:
HYDRAULIC SERVICES
SITE PLAN

DATE	APRIL 2023
DRAWN	BNE
PAGE SIZE	A1
JOB No	13-23
SCALE	1:200 UNO
CHECKED	BNE
DWG No	H.02 B

Appendix 6:
Response to Schedule of Submissions

Schedule of Submissions – 30648 Brand Highway, Dongara

PUBLIC SUBMISSIONS

No.	Date	Summary of submission	Applicant Comment
1	26/1/2023	Support / no comments made	We appreciate the support for the proposed development.
2	30/1/2023	Support - no information about the operational hours of the business, delivery times or how business will communicate with residents about events - Overall site plan has no details on the entry stone wall design (Scale. Size or entry road design) also no depiction of other surrounding features of houses, railway, and easements) - Letter only states variation to the land use, so how are the size of the buildings justified with the draft Shire of Irwin Shed Policy and Scheme? - Entry off Brand Highway needs to be seriously addressed to consider the increase in traffic flow especially with current 90kmph speed limit in place so reduction of speed to be considered. Furthermore, this intersection is poorly designed and not well maintained so safety of this intersection should be addressed. - We support the overall concept in consideration of the above	1. The hours of operation for staff of the distillery, brewery and restaurant will be 7 days a week from 6am – 10pm. When functions or a Sunday fortnightly music event is occurring, staff operation hours will be 6am – 11pm. The public operational hours will be 7 days a week from 11am – 5pm. When a function is occurring the public operational hours will be 10am – 10pm and for a Sunday fortnightly music event, the public operational hours will be 11am - 10pm. 2. Updated plans at **Appendix 1** details the entry stone wall and the railway location. 3. No access from Brand Highway is proposed. A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development. An intersection warrant analysis was undertaken for the Brand Highway/ Bonniefield Road East intersection which concludes that the intersection arrangement meets the necessary

			requirements for safety, efficiency, and capacity. Refer to **Appendix 3** for a copy of the TIS. 4. We appreciate the support for the proposed development.
3	31/01/2023	Support / no comments made	We appreciate the support for the proposed development.
4	30/1/2023	Support / no comments made	We appreciate the support for the proposed development.
5	1/2/2023	Objection - Cause traffic issues/ congestion from incoming traffic to Dongara, having road trains and heavy vehicles having/requiring braking distance to stop and intersection will become a black spot - Congestion will be from caravans, cars, and buses of tourists in this area and loud music will not be accepted - We think it more appropriate to build this facility in the industrial area and totally disagree with this project	1. A Transport Impact Statement (TIS) was prepared by Khouri Engineering Services in support of the proposed development. The traffic analysis undertaken in this report shows that the traffic generation of the proposed development can be accommodated by the surrounding roads and intersections. Refer to **Appendix 3** for a copy of the TIS. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2,** for an assessment against the objectives of the Rural Smallholdings zone.

Schedule of Submissions – 30648 Brand Highway, Dongara

6	01/02/2023	Support / no comments made	We appreciate the support for the proposed development.
7	1/2/2023	Support / no comments made	We appreciate the support for the proposed development.
8	27/1/2023	Support / no comments made	We appreciate the support for the proposed development.
9	3/2/2023	Support / no comments made	We appreciate the support for the proposed development.
10	5/2/2023	Objection I am out here for the peace of quiet. If they want to build it, build it in the industrial area like other businesses.	An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery, restaurant. Refer to **Appendix 4** for a copy of the acoustic report. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2,** for an assessment against the objectives of the Rural Smallholdings zone.
11	6/2/2023	Support subject to - Intersection onto Brand Highway / Bonniefield Road East is dangerous and are currently no turning lanes and busy traffic from the Brand - It is also current school pick up and drop off location / intersection - Would require work to be done to improve this intersection	1. We appreciate your support for the proposed development. 2. A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development.

			An intersection warrant analysis was undertaken for the Brand Highway/ Bonniefield Road East intersection which concludes that the intersection arrangement meets the necessary requirements for safety, efficiency, and capacity. Refer to **Appendix 3** for a copy of the TIS. 3. The proposed development will not inhibit the school pick up and drop off location.
12	6/2/2023	Support - This would be very good for Dongara for tourism and the town and be ideal for the Northern end of town to have a venue to go to	We appreciate the support for the proposed development and agree that it will enhance the tourism industry of Dongara.
13	Not dated	Objection - More information regarding operating hours - Does not want to live directly opposite a brewery/pub operating late at night - No loud music after 9pm - No liquor sold after 9pm - Not open after 9pm - Visually ruin my eastern view, will trees, shrubs be planted to block out the building from my property along Brand Highway	1. The public operational hours will be 7 days a week from 11am – 5pm. When a function is occurring the public operational hours will be 10am – 10pm and for a Sunday fortnightly music event, the public operational hours will be 10am - 10pm. 2. An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery,

			restaurant. Refer to **Appendix 4** for a copy of the acoustic report. 3. The proposed built form and landscaping has been designed in a manner to be sympathetic to the surrounding rural amenity.
14	14/2/2023	Objection - Copy of plans provided you cannot read small print so had to contact shire offices so find out where property was located - There is no mention of zoning on the paperwork/development application - If it goes ahead how close to Brand Highway will it be situated and will this cause a traffic hazard, vehicles (trucks) entering the property, - what is the drainage/type of soil? - Rainwater tank size and how many if drought year where would water supply come from - how much volume of beer they intend to produce and if using pumps how often on and (noise level) - Has an environmental study been done - If entry from side road, will it be bitumen and two-way traffic or - How many parking bays - How many seats in restaurant - What hours would it be open to public and impact on property owners - Has been study on noise level - impact and removal of wastage - As a ratepayer is the Shire of Irwin being transparent as believes they are not being so in regard to this proposed development	1. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2,** for an assessment against the objectives of the Rural Smallholdings zone. 2. The proposed development is setback 62.23 metres from Brand Highway. No access is proposed from Brand Highway. Refer to **Appendix 1** for a copy of the updated development plans. 3. The soil is a loamy clay soil. A wastewater and water management plan has been provided to demonstrate the site is cable of accommodating the proposed development. 4. The proposed development has been designed to be environmentally responsible and sustainable, and to that end, it has made plans to operate off the grid. One of the ways in which it will achieve this is by capturing and using rainwater on site. This will reduce the need for

		- Has referenced that the cover letter states the land is referred to as 'use not listed' and decision will be at the discretion of the Shire of Irwin Council so why ask for public opinion when they don't get a say? - Why have the proposed developers put their name on someone else's letter head?	municipal water and lessen the strain on local water resources. In addition, the proposed development will be producing its own power using renewable energy sources including solar. This approach will not only help to reduce the development's carbon footprint but also enable it to operate independently of the local power grid. 5. All vehicles are proposed to access the site via a sealed two way crossover from Bonniefield Rd East, approximately 100 metres east of Brand Highway. 6. The development proposes 60 visitor car parking bays, including two ACROD bays, 9 staff parking bays and 5 caravan / bus car parking bays. Refer to **Appendix 1** for a copy of the updated development plans. 7. The proposed distillery, brewery and restaurant will have the capacity for 200 patrons. 8. The public operational hours will be 7 days a week from 11am – 5pm. When a function is occurring the public operational hours will be 10am – 10pm and for a Sunday fortnightly music event, the public operational hours will be 10am - 10pm. 9. An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in

			accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery, restaurant. Refer to **Appendix 4** for a copy of the acoustic report. 10. Impact and removal of waste. The proposed development will be serviced by Cleanway for waste removal services. Cleanaway is a reputable waste management company that is committed to environmentally responsible waste disposal practices. 11. All public submissions will be considered by the Shire as part of their assessment of the development application.
15	15/2/2023	Objection Access: - Brand Highway / Bonniefield Road East intersection is a concern for increased traffic as is a school pick up/drop off point and is "inherently hazardous with the minimal local traffic and other users already - Could an option be via turning lane on brand highway with review of speed limit? - Strongly object to "our quiet road becoming a thoroughfare for non-local traffic"	Access 1. A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development. An intersection warrant analysis was undertaken for the Brand Highway/ Bonniefield Road East intersection which concludes that the intersection arrangement meets the necessary requirements for safety, efficiency, and capacity. Refer to **Appendix 3** for a copy of the TIS. The proposed development will not inhibit the school pick up and drop off location.

		Railway level Crossing: - The railway which is near to the entrance is uncontrolled with no lights or boom gates - Increase in traffic would become higher risk to public using this railway crossing Zoning: - How is this application being considered under the rural small holdings zooming guidelines? Bore Water: - What are the plans for bore water usage? - What is the estimate of how much bore water the venue would require for service and production, washdown & garden - Concerns for the local capacity from current aquafer	2. The development proposes access from a crossover on Bonniefield Road East, located approximately 100 metres from Brand Highway, a major regional road. The TIS concludes that there will be no significant impact expected by traffic generated by the development. Railway level crossing 3. The proposed development will have no impact on the railway. Further, over 95% of the derived future traffic on Bonniefield Road East is coming from Brand Highway, and less that 5% is coming from Francisco Road, crossing the railway. Refer to **Appendix 3** for a copy of the TIS. Zoning 4. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2**, for an assessment against the objectives of the Rural Smallholdings zone. Bore Water The domestic water service to the site will be provided from two on site dedicated domestic water tanks. Each tank will have a volume of 220,000 litres. These tanks will provide 25 days supply of water.

		Location: - Feel it unreasonable that the carpark/venue be 100m closer to a neighbouring property than the existing residence on the proposed plans - With the above in mind is suggesting can it be moved closer to the existing residence on the property and hence amend access to be via Brand Highway rather than Bonniefield Road East - Concerns of noise pollution to existing residences and potential agitation of horses / damage to shared fences - Seeking clarification of proposed opening and closing times, bore water usage prior to mediating on objections	Location 1. The development has been designed in a site responsive and contextual manner, utilising the unique shape of the subject site as well as being sympathetic to the surrounding rural and residential land. 2. An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery, restaurant. Refer to **Appendix 4** for a copy of the acoustic report.
16	16/2/2023	Objection 1. Development is inappropriate for the subject site and the application is lacking critical information that is required to demonstrate that development would function effectively (without detrimental impact on the amenity of the surrounding locality and its community) 2. Inconsistencies with Local Planning Scheme No.5 as the proposed land uses are not consistent with the objectives of the Rural Small holding zone.	1. It is considered the proposed development is appropriate for the subject site as it achieves the objectives of the Rural Smallholdings zone, and demonstrates to be a benefit within this area of Dongara. 2. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2**, for an assessment

		3. No structure plan has been provided to guide subdivision and development and may prejudice future structure planning for the area 4. Failed to demonstrate adequate water supply, capacity, collection and whether sufficient to meet demand generated 5. Fails to demonstrate that there will be no increase in the export of nutrients to watercourses or groundwater, particularly important when onsite disposal of effluent is being proposed 6. Insufficient supporting information 7. Developments that generate more than 10 vehicles trips in the peak hour are required to provide a minimum of a traffic impact statement in accordance with WAPC Transport Impact Guidelines. This would also addressed appropriateness of proposed access arrangements and proximity to railway 8. Acoustic Report to demonstrate that the proposal can comply with the Environmental Protection (Noise) Regulations 1997 given the proximity to nearest residences is warranted 9. Effluent Treatment and Disposal and potential to impact ground water resources, does it comply with Government Sewerage Policy 10. Potable Water Supply – application relies on rainwater with no information on capacity, demand and compliance with draft State Planning Policy 2.9 Planning for Water. 11. Disclosure of Interest – for Council to ensure that Cr Palmer is not involved in any deliberations associated with the application	against the objectives of the Rural Smallholdings zone. 3. The provision of a structure plan is not required for the proposed development on the subject site. 4. Water supply The domestic water service to the site will be provided from two on site dedicated domestic water tanks. Each tank will have a volume of 220,000 litres. These tanks will provide 25 days supply of water. The domestic water tanks will be filled with rain water captured on the roof of the buildings. If required the water tanks can be filled with supplementary water that is trucked to the site. Dedicated variable speed domestic water pumps will provide domestic water to all points required. 5. A preliminary waste water design has been prepared which confirms onsite effluent can be controlled on site. 6. The following documentation has been updated, and enclosed in the RFI response package: • Appendix 1 - Updated development plans; • Appendix 2 - Covering letter – planning considerations; • Appendix 3 - Traffic Impact Statement responding to traffic/access comments; • Appendix 4 - Acoustic reporting;

			• Appendix 5 - Waste Management Plan. 7. A Transport Impact Statement (TIS) was prepared by Khouri Engineering Services in support of the proposed development. Refer to Appendix 3 for a copy of the TIS. 8. An acoustic report was prepared by Acoustic Engineering Solutions. The acoustic report concludes that full compliance is achieved in accordance with the Environmental Protection (Noise) Regulations 1997 for the proposed combined business of distillery, brewery, restaurant. Refer to Appendix 4 for a copy of the acoustic report. 9. Effluent treatments The sanitary drains will discharge to an on site septic tank system. The septic tank system has been sized and designed in compliance to Supplement to Regulation 29 and schedule 9 of the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. The daily effluent calculations are based on the following occupancies • 200 sit in customers. • 15 staff This will generate 7,050 litres of effluent per day. The leach drains have been sized on the assumption that the soil is loamy clay soil, we have used a Design Loading Rate (DLR) of 15mm per day. A

			total of 235 metres of flat bed leach drains are required. 10. All necessary conflict of interests will be disclosed at any Council Meetings considering this application.
17	16/2/2023	Indifferent - Concerned of the adjoining properties that have been farmed for last 150 years and this developments impact on these properties is the project is not managed carefully and correctly so contaminants and alike do not impact the current land/ environment. Wants to ensure the proponents are aware of this? - Is there another plot of land more suitable as has suggested a lot of land available in the shire of Irwin – also suggested surprise that proponents are requesting rezoning of land in this vicinity?	1. It is considered the proposed development is appropriate for the subject site as it achieves the objectives of the Rural Smallholdings zone, and demonstrates to be a benefit within this area of Dongara. The operations of the facility will occur without contaminating the land, as the machinery used for the distillery is high specialised and fit for purpose.
18	17/2/2023	Indifferent I do not oppose the development, but in light of my statement above I ask the Shire to consider the following issues when assessing the development application. - The land is currently zoned 'Rural Small Holding' and is part of the Dongara Flat that has been used for agricultural purposes since the 1860s. If this new use is permitted on this site, how will the Shire deal with the precedent it sets if further applications are made for industrial/retail/tourism developments on other land zoned 'Rural Small Holding' (i.e., most of the Dongara Flat)? Table 1 in Local Planning Scheme No 5 does not really seem to make such uses permissible at Council's discretion, so it would be useful	1. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2**, for an assessment against the objectives of the Rural Smallholdings zone. 2. Noted. The proposal utilises the abnormal narrow subject site that would not be otherwise be practical for rural activities.

		for a clear explanation to be available with Council's decision explaining its use of such discretion. - There is already a significant part of the Dongara Flat between the railway line and the highway (the southern Bonniefield Bottoms area) that has been lost to farming with Industrial and Special Residential zonings. Will the Shire be able to maintain the agricultural uses of the rest of the Dongara Flat if this new use is permitted within the current zone on the edge of town? The Irwin Planning Strategy (2017) identifies such issues in section 3.3.1 'Rural Smallholdings', and I notice similar issues have been raised in local public forums, including Dongara Denison Noticeboard. - Further to the above points, State Planning Policy 2.5 'Rural Planning', especially section 5.1 'Protection of rural land and land uses', and in particular 5.1(g) will need to be taken into account. - In the two years I have lived at this address there have been several complaints from residents of North Dongara, west of Brand Highway, about existing agricultural uses of the land here and adjacent to the proposed development site, mainly about the use of agricultural sprays. The proponents need to be aware that such uses may also impact their business, notably the restaurant and food/drink preparation, especially the use and smell of various sprays, noise and dust and fine debris from ploughing and harvesting (twice a year), and smoke from burning. These are existing uses of long standing. The possible future urban expansion of North Dongara as far as Francisco Road, identified in the Shire Planning Strategy (2017), may also result in complaints from future residents about both the business activities on the site as well as nearby agricultural land uses. The proponents need to be aware of these complaints, and perhaps asked to address them in their proposal. - Should there be a site-specific planning framework to guide future physical expansion of the complex within the site before any approvals are given? If the business is successful, it is reasonable	3. Noted. The proposal utilises the abnormal narrow subject site that would not be otherwise be practical for rural activities. 4. Noted. 5. The provision of a structure plan is not required for the proposed development on the subject site. 6. The proposed development is consistent with the Shire's Strategic Community Plan 2021 – 2031. 7. Any future development on the site that is not within the proposed scope of this development application will have to be assessed by the Shire of Irwin.

		to expect future business expansion, and reasonable for both the owner and the community to know in advance the planning rules that will be applied. - Is the proposal consistent with the Shire's tourism development strategy or policy, including pedestrian and bicycle access from town along Brand Highway or the future street network in North Dongara? - Is it possible for any approval to provide, say through a covenant or similar instrument, requirements for those parts of the site not developed for the proposed new use, to revegetate the landscape back to the original York Gum/Jam tree/Melaleuca/Acacia woodlands and native grasslands that covered the site before the 1860s? Historical descriptions are available to assist with such a requirement. Revegetation would be consistent with clause 4.2.9 of Local Planning Scheme No 5 'Rural Smallholdings Zone'.	
19	17/2/2023	Indifferent - Concern with the changing of use from farming to something that can accommodate business as the land is surrounded by land still carrying out agricultural activities. - Concern with Bonniefield Road East and Hwy intersection, dangerous intersection - Concerned that should Illegal tender be granted approval that they might complain about surrounding agricultural uses impacting on their business	1. The proposed development is consistent with the objectives of the 'Rural Smallholdings' zone as per the Shire of Irwin's Local Planning Scheme No. 5. Refer to Covering letter – planning considerations at **Appendix 2**, for an assessment against the objectives of the Rural Smallholdings zone. 2. A Transport Impact Statement (**TIS**) was prepared by Khouri Engineering Services in support of the proposed development. An intersection warrant analysis was undertaken for the Brand Highway/ Bonniefield Road East intersection which concludes that the intersection arrangement meets the necessary

			requirements for safety, efficiency, and capacity. Refer to **Appendix 3** for a copy of the TIS. 3. Not a relevant planning consideration.
20	17/2/2023	Support	We appreciate the support for the proposed development.

GOVERNMENT AGENCIES

A	13/2/2023	Department of Primary Industries and Regional Development Enquiries: Grant Stainer Phone: 9081 3113 Grant.stainer@dpird.wa.gov.au	See attached submission	Refer to the RFI Response document which addresses the referral comments.
B	16/2/2023	Public Transport Authority 9326 5658 Rashidah Macleod WAPCreferrals@pta.wa.gov.au	No objection however following condition: - Prior to occupancy of the development a fence must be constructed along the lot boundary (Lot 201) abutting the rail corridor to the satisfaction of the PTA. Also requested a copy of Shires final determination on the proposal to be sent to email as provided	Refer to the RFI Response document which addresses the referral comments.
C	16/2/2023	Department of Health	See attached submission	Refer to the RFI Response document which addresses the referral comments.

Schedule of Submissions – 30648 Brand Highway, Dongara

		Enquiries: Chris Hill & Phill Oorjitham Eh.esubmissions@health.wa.gov.au		
D	17/2/2023	Department of Water and Environmental Regulation Enquiries: Nandini Rastogi midwestgascoyne@dwer.wa.gov.au	See attached submission	Refer to the RFI Response document which addresses the referral comments.
E	To come	Main Roads WA Enquiries: Mark Willson mark.willson@mainroads.wa.gov.au	Written comments to come	Refer to the RFI Response document which addresses the referral comments.

Appendix 7: Complaints Management Plan and Complaints Management Form

Illegal Tender Rum Co

Complaints Management Policy – Noise, Dust, Odour and Gas

1. **Introduction:**
   This Complaints Management Policy outlines the procedures and guidelines for addressing and resolving complaints related to noise, dust, odour, and gas emissions. It is our commitment to ensure a safe and healthy environment for our employees, customers, and the surrounding community. We take all complaints seriously and strive to address them promptly and effectively.

2. **Policy Scope:**
   The scope of this policy applies to all employees, contractors, suppliers, and stakeholders associated with our organization who may be involved in activities that generate noise, dust, odour, or gas emissions.

3. **Complaints Handling Process:**

   3.1 Reporting Complaints
   a. Any individual or group affected by noise, dust, odour, or gas emissions is encouraged to report their complaints promptly.
   b. Complaints can be made through various channels, including but not limited to, telephone, email, online forms, or in-person to designated personnel.
   c. Complaints should include relevant details such as the nature of the issue, location, date, time, and any supporting evidence if available.

   3.2 Initial Assessment
   a. Upon receiving a complaint, the designated personnel responsible for complaints management will conduct an initial assessment to determine the severity and validity of the complaint.
   b. The complainant will be notified within a reasonable timeframe about the progress of the assessment.

   3.3 Investigation
   a. If the complaint is deemed valid, an investigation will be initiated to identify the source and cause of the issue.
   b. Trained personnel will be assigned to conduct a thorough investigation, which may include site visits, data collection, monitoring, or consultations with experts if necessary.
   c. During the investigation, efforts will be made to keep the complainant informed about the progress and expected timelines for resolution.

3.4 Resolution

a. Based on the findings of the investigation; appropriate measures will be implemented to address the issue.
b. Where possible, efforts will be made to mitigate the problem and minimize its impact on affected individuals and the environment.
c. The complainant will be informed about the actions taken to resolve the issue, including any necessary corrective or preventive measures.

3.5 Follow-up Feedback

a. Following the resolution of the complaint, a follow-up will be conducted to ensure that the problem has been adequately addressed.
b. The complainant will be contacted to confirm their satisfaction with the resolution and provide an opportunity to provide feedback on the complaint handling process.
c. Feedback received will be used to improve our processes and prevent future occurrences of similar complaints.

4. Communication:

a. Clear and transparent communication channels will be established to facilitate the reporting of complaints and provide updates to complainants.
b. Information about the Complaints Management Policy, including reporting procedures and contact details, will be made readily available to employees, customers, and the community.

5. Continuous Improvement

a. We are committed to continually improving our operations to minimize noise, dust, odour, and gas emissions.
b. Feedback and lessons learned from the complaints handling process will be used to identify opportunities for improvement, implement necessary changes, and prevent future complaints.

6. Compliance

a. This Complaints Management Policy complies with all relevant laws, regulations, and industry standards related to noise, dust, odour, and gas emissions.
b. Regular audits and reviews will be conducted to ensure compliance with this policy and to assess the effectiveness of the complaints management process.

7. Policy Review

a. This policy will be reviewed periodically to ensure its continued relevance and effectiveness. Any necessary updates or revisions will be made to reflect changes in legislation, industry standards, or organizational requirements.

8. Summary

By implementing this Complaints Management Policy, we aim to address and resolve complaints related to noise, dust, odour, and gas emissions in a fair, efficient.

Illegal Tender Rum Co

Complaints Management Form

Please fill out this form if you have any complaints or concerns regarding our products, services or facility.

Contact Information

Name: _____

Contact Number: _____

Email: Address: _____

Complaint Details

Date of Incident: _____

Location of Incident: _____

Nature of Complaint (Please provide a brief description of your complaint):

_____
_____
_____
_____

Resolution: What would be your desired resolution for this issue? Please specify any other information that you would like to provide related to your complaint:

_____
_____
_____
_____

We take all complaints seriously and will do our best to resolve any issues as quickly and efficiently as possible. Our team will review your complaint and get back to you as soon as possible. Thank you for taking the time to fill out this form. Your feedback is valuable to us in helping us improve our products and services.

Appendix 8:
Emissions Management Plan

Illegal Tender Rum Co

Emissions Management Plan

Objective: The objective of this Emissions Management Plan is to outline measures and procedures to effectively manage and minimise emissions related to noise, dust, odor, and gas.

The plan aims to ensure compliance with relevant environmental regulations and to minimise potential impacts on the surrounding environment and community.

1. **Noise Management:**
   - All machinery, equipment, and vehicles used on-site will comply with noise emission standards and will be regularly maintained to minimise noise levels.
   - Operational activities that generate high noise levels, such as loading and unloading activities, will be scheduled during daytime hours to minimise disturbance to nearby residents.
   - Noise barriers, where feasible, will be installed to reduce the propagation of noise beyond the premises.
   - Regular monitoring of noise levels will be conducted to ensure compliance with local regulations.

2. **Dust Management:**
   - All unpaved surfaces within the premises will be adequately stabilised using appropriate methods such as gravel, pavement, or vegetative cover.
   - Regular watering or dust suppression techniques will be implemented to minimise dust generation during dry weather conditions.
   - Measures will be taken to ensure that loading and unloading activities are carried out in a manner that minimises dust generation.
   - The use of enclosed storage facilities and covered transport vehicles will be encouraged to prevent the release of dust into the environment.
   - Regular inspections and maintenance of equipment, including dust collection systems, will be conducted to ensure their efficient operation.

3. **Odour Management:**
   - All processes and activities that may generate odours, such as fermentation and distillation, will be conducted within enclosed systems.
   - Ventilation systems and air filters will be installed to capture and treat any odourous emissions.

- Regular monitoring of air quality and odor levels will be carried out to detect any potential odour issues.
- Any odour complaints from the community will be promptly investigated, and appropriate measures will be taken to address the concerns.

4. **Gas Management:**
    - All gas-related equipment, such as boilers and stills, will be regularly maintained and inspected to ensure their proper functioning and minimise the release of emissions.
    - Gas leak detection systems will be installed in critical areas to enable the early detection of any leaks.
    - Proper ventilation systems will be in place to ensure the effective removal of any potentially harmful gases.
    - Regular monitoring of air quality and gas emissions will be conducted to ensure compliance with applicable regulations.

5. **Employee Training and Awareness:**
    - All employees will receive training on the importance of emissions management and the specific measures outlined in this plan.
    - Employees will be educated in proper equipment operation, maintenance practices, and the reporting of any issues related to emissions.
    - Regular communication and feedback channels will be established to encourage employee involvement in identifying and resolving emissions-related concerns.

6. **Record-Keeping and Reporting:**
    - A comprehensive record-keeping system will be established to document all emissions-related activities, monitoring data, and maintenance records.
    - Regular reports will be generated to track compliance with emissions standards, identify trends, and highlight areas for improvement.
    - Any incidents, complaints, or non-compliance issues related to emissions will be reported, investigated, and appropriate corrective actions will be implemented.

Summary: This Emissions Management Plan will be reviewed periodically to ensure its effectiveness and make necessary updates as new technologies or best practices emerge. Illegal Tender Rum Co is committed to operating in an environmentally responsible manner and aims to continuously improve its emissions management practices.

ATTACHMENT: CC13

Application for Development Approval 2 of 2

Attachment 13

Murray Connell

From: Daniel Lawrence <Daniel.Lawrence@watercorporation.com.au>
Sent: Monday, 30 January 2023 10:55 AM
To: Kathryn Jackson
Subject: RE: Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara

Hi Kathryn,

Water Corporation has no objection to the proposal.

The lot is not connected to the towns water supply system. The applicant appears to be using rainwater collection and will need to determine if this is adequate for there needs.

Should the applicant seek a connection, we will need to look at the capability of the system to deal with the increase in demand. If we deem a connection possible, an extension to the system of 5-600m will be required at the applicants cost. In addition, Standard Infrastructure Contributions will be payable at building stage, the amount will depend on the size of water meter requested.

Kind Regards

Daniel Lawrence
Snr Plnr – Land Planning
Development Services

E Daniel.Lawrence@watercorporation.com.au

Murray Connell

From: WAPCreferrals <WAPCreferrals@pta.wa.gov.au>
Sent: Thursday, 9 March 2023 2:09 PM
To: Kathryn Jackson
Subject: PTA Amended Response -proposed distillery, brewery and restaurant - 30648 (Lot 201) BrandHighway, Dongara

OFFICIAL

OFFICIAL

Hi Kathryn,

With regards to your email, dated 17 February 2023, the Public Transport Authority (PTA) has no objections to the above proposal subject to the following amended condition and advice.

Condition

1. Prior to occupancy of the development the applicant/owner, at their own expense, must construct a fence along the lot boundary (Lot 201) abutting the rail corridor to the satisfaction of the PTA.

Advice

(a) The PTA understands that a Transport Impact Assessment (TIA) is being prepared by the applicant/owner to address matters raised by Main Roads WA (MRWA) during the consultation process. As part of the assessment, the TIA must review the intersections near the proposed development, including the level crossing at Bonniefield Road East, to identify if there is a need for MRWA to install road safety treatments such as 'Keep Clear' hatching / signage based on forecast traffic demand and subsequent longer queuing/stacking distances potentially blocking the level crossing. Any possible road safety treatments will need to be agreed to by MRWA as the regulatory agency for road markings, in consultation with the PTA and the Shire.

Should the Shire have any queries in respect to the above conditions, in the first instance please feel free to contact Rashidah MacLeod, Transport and Land Use Planner, 9326 5658 or WAPCreferrals@pta.wa.gov.au.

The PTA requests a copy of the Shire's final determination on this proposal to be sent to WAPCreferrals@pta.wa.gov.au.

Rashidah MacLeod
Transport and Land Use Planner | Infrastructure Planning and Land Services
Public Transport Authority of Western Australia
Public Transport Centre, West Parade, Perth, 6000
PO Box 8125, Perth Business Centre, WA, 6849
Tel: (08) 9326 5658 Fax: (08) 9326 2000
Email: Rashidah.MacLeod@pta.wa.gov.au | Web: www.pta.wa.gov.au

Department of
Primary Industries and Regional Development

GOVERNMENT OF WESTERN AUSTRALIA

Your reference: Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara
Our reference: LUP 1527
Enquiries: Grant Stainer

Ms Kathryn Jackson
Planning Officer
Shire of Irwin
PMB 21
Dongara WA 6525
planning@irwin.wa.gov.au

13 February 2023

Dear Ms Jackson,

Development application for a proposed distillery, brewery and restaurant – 30648 (Lot 201) Brand Highway, Dongara

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

DPIRD does not consider there to be sufficient information in the application to make a suitable assessment. More information is required about the disposal of the liquid trade waste, referred to as hydraulic waste in the application.

Regarding trade wastewater, the application states that:

> *All brewery and distillery hydraulic discharge is collected in a two-stage sealed below ground tank. The first stage collects any suspended solids and allows for temperature balancing. The second stage allows for further temperature balancing prior to discharge or further treatment. Through use of good drainage, water traps and sealed tanks little or no odour escapes from the discharge of hydraulic waste.*

This is considered insufficient because it does not describe what occurs to the wastewater once the tank is full. It is not clear whether the trade wastewater from the tank is removed offsite to an approved waste facility, or whether the proponents intend to discharge it somewhere on the property. It is assumed the site is unsewered.

75 York Road Northam 6401
PO Box 483 Northam WA 6401
Telephone +61 (0)8 9690 2000 landuse.planning@dpird.wa.gov.au
dpird.wa.gov.au
ABN: 18 951 343 745

Untreated brewery wastewater can have a high Biological Oxygen demand (BOD) and can clog septic tanks and leach drains, which are designed for domestic strength wastewater. A waste stream with a BOD of >350mg/L is not suitable for subsurface infiltration proposals (eg: leach drains).

In addition, domestic secondary treatment systems are not an appropriate treatment and disposal technology for beverage manufacturing waste systems. More advice about brewery trade water disposal is included in the Department of Water and Environmental Regulation's advice note (Attachment 1).

Discharging trade wastewater onto land is likely to lead to salinisation, sodicity and eutrophication problems and will require a nutrient and irrigation management plan (NIMP).

There is also insufficient information to determine the total output per year from the facility.

Under s.52 and s.53 of the *Environmental Protection Act 1986* an environmental works approval is required for construction of prescribed premises and a licence is required to authorise emissions and discharges from the operation of the premises, onto land or into waters.

The threshold design capacity for this requirement to be made under the *Environmental Protection Act 1986* is 350 kL of alcoholic beverage per year. This is based on the maximum design capacity or capability of the beverage manufacturing infrastructure, not on what is proposed to be manufactured.

The application does not describe where the water used for manufacturing the product comes from.

There is no mention in the application of the seating capacity of the restaurant. This must be included, as well as information about the wastewater treatment system being proposed for the guests of the restaurant and brewery staff.

The waste from the facility's toilets and the trade waste from the brewery must be kept separate and managed through two independent management and treatment systems. The Department of Planning, Lands and Heritage has been developing a fact sheet for planners about breweries in collaboration with DPIRD, DWER and other agencies. As well as disposal of trade waste and risk to water resources, the draft fact sheet discusses other planning issues such as access to potable water, visual amenity, traffic management and separation distances.

It was also noted that the design of the toilet facilities has lots of doors. This reduces the ability of users to maintain good hygiene due to the number of surfaces they are required to touch to enter and exit the toilet facilities. The design should be reviewed to enable contactless access, particularly after users have washed their hands.

For more information, please contact Grant Stainer on 90813 113 or grantley.stainer@dpird.wa.gov.au.

Yours sincerely,

Melanie Strawbridge

Dr Melanie Strawbridge
Director Agriculture Resource Management Assessment
Sustainability and Biosecurity

Attachment 1: Advice note - trade waste considerations for beverage manufacturing in unsewered areas (PDF)

Advice note - trade waste considerations for beverage manufacturing in unsewered areas

Items	Discussion	Mitigations opportunities in the planning system
Regulation requirements	<u>Environmental works approval and license</u> Under s.52 and s.53 of the *Environmental Protection Act 1986* a works approval is required for construction of prescribed premises or carrying out certain work on existing prescribed premises and a licence is required to authorise emissions and discharges from the operation of the premises, onto land or into waters. Thresholds for determining if regulation is required: • For alcoholic beverage manufacturing the threshold design capacity is the capability to produce 350kL or more of beverage per year. • For non alcoholic beverage manufacturing (e.g. fruit juice) the threshold design capacity is the capability to produce 200kL or more of beverage, per year. • If an operation produces both alcoholic and non-alcoholic beverages, then the threshold design capacity is 200kL of beverage per year. It is important to note that the above thresholds are based on the capacity of the infrastructure to produce these volumes in one year. This can only be deviated from if the production can be limited to below the threshold by another lawful approval (e.g. planning approval). Regulation will be required when a proposal is received for: • A new operation that meets the threshold criteria detailed above. • An expansion of an existing operation that results in it meeting the threshold criteria detailed above. • A change in beverage manufacturing, e.g. from wine to beer, for an existing licensed operation. For the third point above, the change in beverage being produce will result in a change in the nature and volume of wastewater produced, and hence the waste management approach and/or infrastructure will be required to be reassessed.	<u>Minimum required information in development approval applications</u> Application must provide the maximum design capacity or capability of beverage manufacturing infrastructure: • For beer and wine the limiting factor is usually the fermentation tank volume. • For a distillery the limiting factor is usually the stills capacity in L/hour x 365 days. and consider whether product is fermented on-site or already fermented product brought in to be processed through the still. Where a limiting factor is being claimed to be used to keep the annual volumes below threshold limits, then clear evidence of the lawful approval is required, for example a development approval condition can be applied. <u>Rationale</u> There is a need to assess all the documentation and approvals to ensure that the proponent has provided a consistent message about the volume of waste that are to be managed. And where available this may include development approval, Works Approval application, approval to construct or install an apparatus, and/or liquor licence application and any supporting documents.

Items	Discussion	Mitigations opportunities in the planning system

	Approval to construct or install an apparatus for commercial onsite wastewater system
	
	In accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, approval must be gained for the installation of a commercial onsite wastewater system.
	
	All systems (including those processing trade waste) require approval. Systems with a capacity of greater than 540L/day are to be approved by the Department of Health, with system of a capacity of less than 540L/day are to be approved by the Local Government. For more detailed see: https://ww2.health.wa.gov.au/Articles/A_E/Apply-to-install-a-wastewater-system.
	
	Regulation will be required when a proposal is received for:
	• A new operation that meets the threshold criteria detailed above.
	• An expansion of an existing operation that results in it meeting the threshold criteria detailed above.
	
	Other key consideration include:
	• Generally, all wastewater must be discharged onto the site it was generated i.e. wastewater may not be discharged or irrigated over the lot boundary.
	• The assessment for approval to construct or install an apparatus will consider:
	  ○ human health risk and the hydraulic capability of the land to infiltrate the waste, but not consider environmental contamination risk, and
	  ○ set back distances from infrastructure and receptors.
	• Where treated wastewater is to be used for beneficial uses further assessment may be required in accordance with the Guidelines for the non-potable uses of recycled water in WA.	

Items	Discussion	Mitigations opportunities in the planning system
Incompatible waste management systems	The beverage manufacturing wastewater stream needs a fit for purpose treatment technology with consideration given to peak daily flows and high concentrations of BOD, TDS (salt), cleaning chemicals and total suspended solids which could lead to hydraulic failure if the correct technology is not selected. Untreated brewery wastewater can have a BOD that ranges from between 1200 to +3000mg/L, therefore: • Septic tanks and leach drains, which are designed for domestic strength wastewater, are not an appropriate treatment and disposal technology for beverage manufacturing waste as this will lead to hydraulic failure due to clogging. A waste stream with a BOD of > 350mg/L is not suitable for subsurface infiltration proposals (e.g. leach drains). • Domestic secondary treatment systems are not an appropriate treatment and disposal technology for beverage manufacturing waste systems, and as detailed in *AS 1546.3 On-site domestic wastewater treatment units, Part 3: Secondary treatment system* the inflow BOD range that these systems can manage is between 150-750mg/L. Points to consider when assessing if the chosen treatment and disposal systems for beverage manufacturing is appropriate: • Proponents should be encouraged to engage a suitably qualified professionals to advise on the selection of the most appropriate treatment and disposal system given the chemicals identified in the waste stream and the environmental constraints of the disposal area. • Use of the DoH "OWSAST" tool is not appropriate, given the tool has been designed to work with domestic-strength wastewater, whereas the BOD, TDS (salt), and total suspended solids levels in beverage manufacturing wastewater are much higher than in domestic wastewater.	Assessment inputs for development approval applications When Local Government Planning officers are assessing the waste management component of planning applications input must be sought from the Local Government's EHO, who may seek assistance from DoH, DWER and/or DPIRD. Rationale A suitable and sustainable wastewater treatment and disposal system should be proposed for the trade waste. This is to be proven in documentation supplied to support the development application and associated regulatory approvals. This documentation is to be developed by a suitably qualified professional, for the purpose of waste analysis, system design, and soil assessment; and including consideration of environmental values of the areas, soil properties, topography, etc.

Items	Discussion	Mitigations opportunities in the planning system
	• Furthermore, the methodology outlined in AS/NZS 1547 for sizing leach-drains is likely to be the limited value for water with a high dissolved organic carbon content (Beal et al. 2006). This is because the initial hydraulic testing of the soils in a proposed infiltration area does not indicate the long-term acceptance rate of the wastewater after a period of about a year, when a microbial biomat has become established in soils adjacent to the leach drains. • High BOD loads and discharge rates are considered the most significant impediments to subsurface wastewater disposal. • Furthermore, the highly anaerobic conditions that occur from the discharge of high BOD wastewater to soil poses a significant risk of arsenic leaching from iron-rich soils into groundwater (Julien, 2014; Julien and Safferman, 2015).	
Managing trade waste	The management of trade waste from beverage manufacturing is one of the key risks that is overlooked during business development. For sites that do not have the option of disposing trade waste to a reticulated sewerage system, the only option is to dispose of this waste to land. The risks include sterilisation of land, due to salt build up making it infertile and leaching of nutrients into ground and surface water resources resulting in deteriorating water quality. There are two aspects that require careful consideration, which are the area of land required (as a rule of thumb 200kL of beer may require on hectare of land) and the period in which waste can be managed by disposal to land due to the plants inability to assimilate the contaminants and soils inability to infiltrate water due to being water logged during wetter and colder months (as a rule of thumb 200kL of beer may require 350-550kL of winter storage).	<u>Recommended development approval conditions and advice notes</u> For operations that do not trigger the requirement for a Works Approval and environmental licensing process under the *Environmental Protection Act*, consider the following conditions and advice notes: Conditions: • If irrigation of wastewater is proposed as a disposal method: A Nutrient and Irrigation Plan (NIMP) is to be developed and implemented to the satisfaction of the Shire, in consultation with DPIRD and DWER. • The annual beverage manufacturing volume is limited to XXXX Kl per year, as detailed in the development approval application and supporting documentation. • The type of beverage manufacturing is limited to XXXXX, as detailed in the development approval application and supporting documentation. Advice notes:

Items	Discussion	Mitigations opportunities in the planning system
		• If the annual beverage manufacturing volume is proposed to be increased, a separate Development Approval will be required. • If a different type of beverage manufacturing is proposed to replace or be added to that approved, a separate Development Approval will be required. <u>Rationale</u> A NIMP is required as even if approval to construct or install an apparatus is required under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations* 1974, this assessment considers human health risk and the hydraulic capability of the land to infiltrate the waste, and does not consider environmental risk. The volume and beverage type conditions will avoid production creep and diversification, which could result in regulatory approval being required. For more information see the regulatory requirements below.
Managing production creep	As operations established become successful, there is a risk of the operational capacity being increased and for this to be assumed to be acceptable under the approvals gained for the original operations, which may include development application, Works Approval, and/or approval to construct or install an apparatus for commercial onsite wastewater system. Another risk is the perceived notion that a development approval for beverage manufacturing may also be an approval to switch between different beverages. However, the waste stream from different beverage manufacturing can be very different both in terms of quantity and contaminants and will therefore require consideration of whether a new or amendment to an existing environmental works approval and license is required.	<u>Recommended development approval conditions and advice notes</u> To avoid proponents unknowingly or knowingly triggering thresholds that require regulation or an amendment to regulation, it is recommended to apply development conditions (and advice notes) to limit the volume and type of beverage manufacturing to that which has been assessed, as detailed above in relation to managing trade waste: Conditions: • The annual beverage manufacturing volume is limited to XXXX Kl per year, as detailed in the development approval application and supporting documentation. • The type of beverage manufacturing is limited to XXXXX, as detailed in the development approval application and supporting documentation.

Items	Discussion	Mitigations opportunities in the planning system
		Advice notes: • If the annual beverage manufacturing volume is proposed to be increased, a separate Development Approval will be required. • If a different type of beverage manufacturing is proposed to replace or be added to that approved, a separate Development Approval will be required.

Department of
Primary Industries and Regional Development

GOVERNMENT OF WESTERN AUSTRALIA

Your reference: Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara
Our reference: LUP 1625 (previous response LUP 1527)
Enquiries: Grant Stainer

Murray Connell
Manager Development
Shire of Irwin
PMB 21
Dongara WA 6525
mconnell@irwin.wa.gov.au

16 June 2023

Dear Mr Connell

Development application for a proposed distillery, brewery and restaurant – 30648 (Lot 201) Brand Highway, Dongara

Thank you for inviting the Department of Primary Industries and Regional Development (DPIRD) to comment on the above proposal.

Whilst DPIRD does not object to the concept of a liquor production facility and restaurant at this location, there are issues with this proposal that are outlined below.

Water source and availability

The application indicates that the source of water being used at the site will be rainwater collected from the roof, and that this will last for 25 days. It is not clear where the water will be sourced for the remainder of the year or the water source for the brewery and distillery operations.

As the property is located in a broadacre agricultural area, it is possible that there will be deposition of various agricultural chemicals (such as pesticides, insecticides, and herbicides) from spray drift onto the roof area, which may then be washed into the rainwater tanks. There will need to be regular analysis of water samples and treatment of affected water before use.

75 York Road Northam 6401
PO Box 483 Northam WA 6401
Telephone +61 (0)8 9690 2000 landuse.planning@dpird.wa.gov.au
dpird.wa.gov.au
ABN: 18 951 343 745

Wastewater treatment and salinity

The application states that "*Waste water from the brewing areas will be treated on-site by a specifically designed effluent treatment plant, that will treat the water to a level that will permit the waste water to be discharged via an irrigation system.*"

Irrigation water must be treated so that the salinity is less than 1000 mg/L of Total Dissolved Salts (TDS). The reject water from the treatment system will need to be removed off-site and disposed of in an appropriate manner.

The irrigation system will need to be carefully managed to ensure there is no build-up of salts in the soil surface, as this would lead to land degradation through salinisation. Regular and thorough soil testing would be useful to monitor any changes and identify any problems. This should be done in conjunction with regular sampling and monitoring of the water chemistry.

The use of irrigation water in such volumes may affect the groundwater, both in terms of groundwater level and groundwater chemistry. One or more piezometers should be installed to enable the regular monitoring of groundwater levels and groundwater chemistry.

The application mentions that there may be blending of treated wastewater with fresh water to reduce the salinity levels. This will require very large amounts of water, and it is not clear where these additional amounts of fresh water will be sourced from.

The nutrient levels must be measured and managed so that as a property, the amount of nutrients coming in is equal to the amount of nutrients being exported from the property (ie: a net balance of zero). The main nutrients of concern are nitrogen, potassium, and phosphorus.

DPIRD concurs with the Department of Health's comment that "*because of the hazardous and high pollutant content of distillery wastes and the environmental/public health risk, septic tanks and leach drains are not an acceptable method of treatment and disposal for brewery and distillery operations.*"

Detailed time series records should be maintained of all testing, including water chemistry, soil sampling, and groundwater monitoring.

Zoning

As highlighted by the Shire of Irwin, the subject land is zoned as Rural Small Holdings under the Local Planning Scheme. The proponent states that the proposed uses are rural in nature. DPIRD does not consider breweries and distilleries to be rural land uses, or rural pursuits/hobby farms, as these uses are permissible in other zones, including commercial and industry zones.

In the Irwin Shire's Local Planning Scheme 'winery' is a discretionary use in the Rural Small Holdings zone. The proposed brewery and distillery use is similar to a winery, except that beer and spirits are produced year-round, not seasonally, and the agricultural inputs are, unlike wine grapes used in a winery, not sourced locally.

DPIRD does not consider restaurants to be specifically rural uses, as restaurants are mainly located in non-rural zones. DPIRD suggests the brewery and distillery is assessed as a separate land use to the restaurant.

The applicant has provided an assessment of the proposal against the LPS objectives, stating that "the proposal utilises the abnormal narrow subject site that would not otherwise be practical for rural activities." Whilst it is a narrow block, it is still suitable for agricultural purposes, as indicated by the aerial imagery which shows evidence of cropping and grazing of livestock.

Toilets

Despite the applicant's response stating a reduced number of doors, it appears that the handwashing sinks remain located in the toilet cubicles, meaning that there are still two doors (cubicle door and toilet entry door) to negotiate after handwashing. A contactless exit method is the better solution to prevent contamination after handwashing.

For more information, please contact Grant Stainer on 90813 113 or grantley.stainer@dpird.wa.gov.au

Yours sincerely,

Melanie Strawbridge

Dr Melanie Strawbridge
Director Agriculture Resource Management Assessment
Sustainability and Biosecurity

Murray Connell

From: Josh Watson <josh@planningsolutions.com.au>
Sent: Wednesday, 21 June 2023 8:32 AM
To: Murray Connell
Cc: Nic Watson
Subject: RE: [EXT] - RE: Development application for a proposed distillery, brewery and restaurant – 30648 (Lot 201) Brand Highway, Dongara | 8488

Hi Murray,

Thanks for sending those comments through.

The four main themes from the referral advice are addressed as follows:

Water Source and Availability:

- The capacity of the water tanks to accommodate water for 25 days will be to cater for the business's maximum capacity for production, which they do not anticipate to be at this milestone for a minimum of 5 years - Extra water will be sourced if necessary, from the town water tank stand which is available to the business already. Further water storage for rainwater will be installed if necessary, after operational requirements have been determined this is a necessity.
- Illegal Tender Rum Co are well aware of impacts of spraying and pesticides may have on their site. This would only be an issue should the farmers/agricultural workers be spraying during high winds which is considered to be against their own best practices given the spray would be a total waste of time and money. The business will also be running all of our site water through fine filtration and carbon before use.

Wastewater Treatment and Salinity

- Very little to no sodium chloride will be produced within the wastewater.
- Half of the wastewater is washdown water which will be treated wastewater. Wastewater system will be aerated which will assist with the full digestion of any BOD as well as neutralisation of any acid/base remaining. Solids will be collected in the tanks and removed as required. Site glasses will be installed to notify for solid level. Wastewater to be treaded through a fine sand filter and UV light to remove any live bacteria.
- The blending of treated wastewater with fresh water has been factored into the allocation of water required for the operation of the facility.

Zoning / Planning

- These considerations have been addressed withing Planning Solutions previous submissions. An assessment of the proposed development against the objectives has been undertaken and confirmed to be a use that is compatible with the location.

Toilets

- Any modifications to toilets can be resolved at detailed design prior to building permit.

If you would like to discuss further, please give me a call.

Thanks Murray.

Kind regards,

Josh Watson
Senior Associate

Government of **Western Australia**
Department of **Health**

Our Ref: EHB-01855 D-AA-23/40600
Contact: Chris Hill / Phill Oorjitham 9222 2000

Mr Shane Ivers
Chief Executive Officer
Shire of Irwin
PMB 21
DONGARA WA 6525

Attention: Kathryn Jackson

Via email: planning@irwin.wa.gov.au

Dear Mr Ivers

PROPOSED – DISTILLERY, BREWERY AND RESTAURANT – 300648 (LOT 201) BRAND HIGHWAY, DONGARA

Thank you for your letter of 23 January 2023, requesting comments from the Department of Health (DoH) on the above proposal.

The DoH provides the following comment:

1. Wastewater Disposal and Water Supply

On-Site Wastewater Disposal
The DoH has reviewed the proposal. Although there appears to be sufficient land area, the DoH finds there is little information provided relating to the management of wastewater including the absence of a site and soil evaluation (SSE) and plans and specifications of wastewater treatment systems with disposal areas that are required. Based on the submitted application letter, it appears there may be up to four different wastewater systems to consider: 1. Staff amenities, 2. Public amenities, 3. The brewery, and 4. The distillery.

Therefore, with the above in mind, the following need to be addressed and or demonstrated:

1. A specific SSE report is required for the above proposal, to be undertaken by a qualified consultant that is conducted during the wettest seasonal time of the year only (Mid July – End August), as per AS/NZS 1547:2012 requirements. The disposal area is also required to be adequately sized based on the permeability findings of the SSE report and calculated volumes mentioned above.

189 Royal Street East Perth Western Australia 6004
Telephone (08) 9222 2000 TTY 133 677
PO Box 8172 Perth Business Centre Western Australia 6849
ABN 28 684 750 332
www.health.wa.gov.au

3. The management of wastewater will require separate wastewater treatment systems for staff and patrons, the brewery and the distillery as each of these have different types of liquid wastes that may need to be designed accordingly and may need to be nutrient retentive. With this in mind, it would be recommended that there is consultation with the Department of Water and Environmental Regulation to determine if minimum water quality criteria requirements are required.
4. A reference is required as to the number of personnel and patrons proposed for the restaurant, brewery, distillery and events where the wastewater treatment systems need to be based on the current health sewage legislative volumes.
5. To ensure the proposal demonstrates business objectives and projections and the wastewater treatment and disposal system is sized accordingly. This includes details of the fermentation tank/s capacity, processing methods and the fermentation process for the brewery and distillery. This also includes the current and projected proposed volumes to be produced and the wastewater associated with this as pro rata volumes.
6. The design of all wastewater treatment systems and disposal areas needs to be engineer certified to demonstrate the performance criteria will be achieved.
7. If the treated wastewater is intended to be recycled for beneficial purposes such as landscape and garden bed irrigation, a separate recycled water quality management plan will be required in accordance with the Application Process for approval of a recycling water scheme: https://ww2.health.wa.gov.au/Articles/A_E/Application-process-for-approval-of-recycling-water-scheme;
8. Plans detailing the proposed building envelopes, land application area/s and exclusion zones to scale are required for the proposal.
9. Submit separate formal wastewater applications to the local government for assessment that will be forward onto the DoH for assessment and approval.

Water Supply
The proposal is to ensure a water supply meets potable water quality as specified under the Australian Drinking Water Quality Guidelines 2011. This includes tank water collected from the roof that is proposed to be used as part of the premises for brewery, distillery or other purposes.

Because of the hazardous and high pollutant content of distillery wastes and the environmental/public health risk, septic tanks and leach drains are not an acceptable method of treatment and disposal for brewery and distillery operations. The proposal has not identified these risks, how the volumes have been estimated nor details including plans and specifications of the onsite wastewater treatment system and disposal area/s.

Therefore, with the above in mind, the DoH does not support this proposal until the above have been addressed and demonstrated.

3. Food Act Requirements

All food related areas (kitchen, preparation areas, etc.) to comply with the provisions of the *Food Act 2008* and related code, regulations and guidelines. Details available for download from:
https://ww2.health.wa.gov.au/Articles/S_T/Starting-a-food-business-in-WA

Should you have any queries or require further information, please contact Chris Hill or Phill Oorjitham on 9222 2000 or via email: eh.eSubmissions@health.wa.gov.au

Yours sincerely



Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

16 February 2023

Government of **Western Australia**
Department of **Health**

Our Ref: EHB-01855 D-AA-23/281298
Contact: Hannah Santoso 9222 2000

Mr Shane Ivers
Chief Executive Officer
Shire of Irwin
PMB 21
DONGARA WA 6525

Attention: Murray Connell

Via email: planning@irwin.wa.gov.au

Dear Mr Ivers

PROPOSED – DISTILLERY, BREWERY AND RESTAURANT – 300648 (LOT 201) BRAND HIGHWAY, DONGARA

Thank you for your letter of 30 May 2023, requesting comments from the Department of Health (DoH) on the above proposal.

The DoH provides the following comment:

Wastewater Management
The proposal is required to comply with the requirements of the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* (the Regulations).

The DoH has no objection to the proposal subject to providing further information as required. In particular:

1. Some of the proposed leach drains appear to be covered with paving material. Leach drain installation is required to meet the requirements of the Regulations.

2. A site-specific Site and Soil Evaluation is to be undertaken by a qualified consultant during the wettest seasonal time of the year (mid-July/August) as per AS/NZS 1547:2012.

3. Separate wastewater treatment systems are required for the restaurant and beverage manufacturing. These industrial wastewater systems will need to be engineer Certified to demonstrate the performance criteria that will be achieved.

189 Royal Street East Perth Western Australia 6004
Telephone (08) 9222 2000 TTY 133 677
PO Box 8172 Perth Business Centre Western Australia 6849
ABN 28 684 750 332
www.health.wa.gov.au

5. It is recommended that the proponent consults with the Department of Water and Environmental Regulation in relation to the requirement for a licence and works approval for manufacturing alcoholic beverages.

6. Detailed plans showing the proposed building envelopes, all trafficable areas, parking bays and land application area/s including setback distances, exclusion zones and measurements are required.

In accordance with the Regulations, an '*Application to Construct or Install an Apparatus for the Treatment of Sewage*' is required to be submitted to the local government for each wastewater system. As this proposal is viewed as commercial/industrial, the applications are required to be forwarded to the DoH for assessment and approval.

Drinking Water Management
All drinking water provided on site must meet the health-related requirements and risk management framework set out in version 3.7 of the *Australian Drinking Water Quality Guidelines 2011*. These are highlighted in principle in the following link: https://www.health.wa.gov.au/Articles/J_M/Mine-sites-and-exploration-camps .

Any non-drinking water (i.e., water that is not intended or suitable for drinking) must be managed to ensure it cannot be confused with or contaminate the drinking water supply. This requires satisfactory labelling of non-drinking water taps and, depending on system configuration, suitable backflow prevention arrangements.

Should you have any queries or require further information, please contact Hannah Santoso on 9222 2000 or at eh.eSubmissions@health.wa.gov.au

Yours sincerely



Dr Michael Lindsay
EXECUTIVE DIRECTOR
ENVIRONMENTAL HEALTH DIRECTORATE

20 June 2023

Murray Connell

From:	Nandini Rastogi <Nandini.Rastogi@dwer.wa.gov.au>
Sent:	Friday, 17 February 2023 5:24 PM
To:	Kathryn Jackson
Subject:	RE: Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara
Attachments:	Advice note - trade waste considerations for beverage manufacturing in unsewered areas.pdf

Hi Kathryn,

Thanks for speaking with me earlier.

As discussed, there is insufficient information provided in this application to determine and provide a response, and therefore additional information is required to progress with your application:

- What is the production and design capacity of the facility, as it would assist with facilitating a response around the need for a Licence for Works Approval or Licence?
- Information on the management and disposal of waste/wastewater from the brewery

Also, please see attached advice note for your information.

Regards
Nandini Rastogi

Advice note - trade waste considerations for beverage manufacturing in unsewered areas

Items	Discussion	Mitigations opportunities in the planning system
Regulation requirements	<u>Environmental works approval and license</u> Under s.52 and s.53 of the *Environmental Protection Act 1986* a works approval is required for construction of prescribed premises or carrying out certain work on existing prescribed premises and a licence is required to authorise emissions and discharges from the operation of the premises, onto land or into waters. Thresholds for determining if regulation is required: • For alcoholic beverage manufacturing the threshold design capacity is the capability to produce 350kL or more of beverage per year. • For non alcoholic beverage manufacturing (e.g. fruit juice) the threshold design capacity is the capability to produce 200kL or more of beverage, per year. • If an operation produces both alcoholic and non-alcoholic beverages, then the threshold design capacity is 200kL of beverage per year. It is important to note that the above thresholds are based on the capacity of the infrastructure to produce these volumes in one year. This can only be deviated from if the production can be limited to below the threshold by another lawful approval (e.g. planning approval). Regulation will be required when a proposal is received for: • A new operation that meets the threshold criteria detailed above. • An expansion of an existing operation that results in it meeting the threshold criteria detailed above. • A change in beverage manufacturing, e.g. from wine to beer, for an existing licensed operation. For the third point above, the change in beverage being produce will result in a change in the nature and volume of wastewater produced, and hence the waste management approach and/or infrastructure will be required to be reassessed.	<u>Minimum required information in development approval applications</u> Application must provide the maximum design capacity or capability of beverage manufacturing infrastructure: • For beer and wine the limiting factor is usually the fermentation tank volume. • For a distillery the limiting factor is usually the stills capacity in L/hour x 365 days. and consider whether product is fermented on-site or already fermented product brought in to be processed through the still. Where a limiting factor is being claimed to be used to keep the annual volumes below threshold limits, then clear evidence of the lawful approval is required, for example a development approval condition can be applied. <u>Rationale</u> There is a need to assess all the documentation and approvals to ensure that the proponent has provided a consistent message about the volume of waste that are to be managed. And where available this may include development approval, Works Approval application, approval to construct or install an apparatus, and/or liquor licence application and any supporting documents.

Items	Discussion	Mitigations opportunities in the planning system

	Approval to construct or install an apparatus for commercial onsite wastewater system
	
	In accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, approval must be gained for the installation of a commercial onsite wastewater system.
	
	All systems (including those processing trade waste) require approval. Systems with a capacity of greater than 540L/day are to be approved by the Department of Health, with system of a capacity of less than 540L/day are to be approved by the Local Government. For more detailed see: https://ww2.health.wa.gov.au/Articles/A_E/Apply-to-install-a-wastewater-system.
	
	Regulation will be required when a proposal is received for:
	• A new operation that meets the threshold criteria detailed above.
	• An expansion of an existing operation that results in it meeting the threshold criteria detailed above.
	
	Other key consideration include:
	• Generally, all wastewater must be discharged onto the site it was generated i.e. wastewater may not be discharged or irrigated over the lot boundary.
	• The assessment for approval to construct or install an apparatus will consider:
	  ○ human health risk and the hydraulic capability of the land to infiltrate the waste, but not consider environmental contamination risk, and
	  ○ set back distances from infrastructure and receptors.
	• Where treated wastewater is to be used for beneficial uses further assessment may be required in accordance with the Guidelines for the non-potable uses of recycled water in WA.	

Items	Discussion	Mitigations opportunities in the planning system
Incompatible waste management systems	The beverage manufacturing wastewater stream needs a fit for purpose treatment technology with consideration given to peak daily flows and high concentrations of BOD, TDS (salt), cleaning chemicals and total suspended solids which could lead to hydraulic failure if the correct technology is not selected. Untreated brewery wastewater can have a BOD that ranges from between 1200 to +3000mg/L, therefore: • Septic tanks and leach drains, which are designed for domestic strength wastewater, are not an appropriate treatment and disposal technology for beverage manufacturing waste as this will lead to hydraulic failure due to clogging. A waste stream with a BOD of > 350mg/L is not suitable for subsurface infiltration proposals (e.g. leach drains). • Domestic secondary treatment systems are not an appropriate treatment and disposal technology for beverage manufacturing waste systems, and as detailed in *AS 1546.3 On-site domestic wastewater treatment units, Part 3: Secondary treatment system* the inflow BOD range that these systems can manage is between 150-750mg/L. Points to consider when assessing if the chosen treatment and disposal systems for beverage manufacturing is appropriate: • Proponents should be encouraged to engage a suitably qualified professionals to advise on the selection of the most appropriate treatment and disposal system given the chemicals identified in the waste stream and the environmental constraints of the disposal area. • Use of the DoH "OWSAST" tool is not appropriate, given the tool has been designed to work with domestic-strength wastewater, whereas the BOD, TDS (salt), and total suspended solids levels in beverage manufacturing wastewater are much higher than in domestic wastewater.	Assessment inputs for development approval applications When Local Government Planning officers are assessing the waste management component of planning applications input must be sought from the Local Government's EHO, who may seek assistance from DoH, DWER and/or DPIRD. Rationale A suitable and sustainable wastewater treatment and disposal system should be proposed for the trade waste. This is to be proven in documentation supplied to support the development application and associated regulatory approvals. This documentation is to be developed by a suitably qualified professional, for the purpose of waste analysis, system design, and soil assessment; and including consideration of environmental values of the areas, soil properties, topography, etc.

Items	Discussion	Mitigations opportunities in the planning system
	• Furthermore, the methodology outlined in AS/NZS 1547 for sizing leach-drains is likely to be the limited value for water with a high dissolved organic carbon content (Beal et al. 2006). This is because the initial hydraulic testing of the soils in a proposed infiltration area does not indicate the long-term acceptance rate of the wastewater after a period of about a year, when a microbial biomat has become established in soils adjacent to the leach drains. • High BOD loads and discharge rates are considered the most significant impediments to subsurface wastewater disposal. • Furthermore, the highly anaerobic conditions that occur from the discharge of high BOD wastewater to soil poses a significant risk of arsenic leaching from iron-rich soils into groundwater (Julien, 2014; Julien and Safferman, 2015).	
Managing trade waste	The management of trade waste from beverage manufacturing is one of the key risks that is overlooked during business development. For sites that do not have the option of disposing trade waste to a reticulated sewerage system, the only option is to dispose of this waste to land. The risks include sterilisation of land, due to salt build up making it infertile and leaching of nutrients into ground and surface water resources resulting in deteriorating water quality. There are two aspects that require careful consideration, which are the area of land required (as a rule of thumb 200kL of beer may require on hectare of land) and the period in which waste can be managed by disposal to land due to the plants inability to assimilate the contaminants and soils inability to infiltrate water due to being water logged during wetter and colder months (as a rule of thumb 200kL of beer may require 350-550kL of winter storage).	<u>Recommended development approval conditions and advice notes</u> For operations that do not trigger the requirement for a Works Approval and environmental licensing process under the *Environmental Protection Act*, consider the following conditions and advice notes: Conditions: • If irrigation of wastewater is proposed as a disposal method: A Nutrient and Irrigation Plan (NIMP) is to be developed and implemented to the satisfaction of the Shire, in consultation with DPIRD and DWER. • The annual beverage manufacturing volume is limited to XXXX Kl per year, as detailed in the development approval application and supporting documentation. • The type of beverage manufacturing is limited to XXXXX, as detailed in the development approval application and supporting documentation. Advice notes:

Items	Discussion	Mitigations opportunities in the planning system
		• If the annual beverage manufacturing volume is proposed to be increased, a separate Development Approval will be required. • If a different type of beverage manufacturing is proposed to replace or be added to that approved, a separate Development Approval will be required. <u>Rationale</u> A NIMP is required as even if approval to construct or install an apparatus is required under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations* 1974, this assessment considers human health risk and the hydraulic capability of the land to infiltrate the waste, and does not consider environmental risk. The volume and beverage type conditions will avoid production creep and diversification, which could result in regulatory approval being required. For more information see the regulatory requirements below.
Managing production creep	As operations established become successful, there is a risk of the operational capacity being increased and for this to be assumed to be acceptable under the approvals gained for the original operations, which may include development application, Works Approval, and/or approval to construct or install an apparatus for commercial onsite wastewater system. Another risk is the perceived notion that a development approval for beverage manufacturing may also be an approval to switch between different beverages. However, the waste stream from different beverage manufacturing can be very different both in terms of quantity and contaminants and will therefore require consideration of whether a new or amendment to an existing environmental works approval and license is required.	<u>Recommended development approval conditions and advice notes</u> To avoid proponents unknowingly or knowingly triggering thresholds that require regulation or an amendment to regulation, it is recommended to apply development conditions (and advice notes) to limit the volume and type of beverage manufacturing to that which has been assessed, as detailed above in relation to managing trade waste: Conditions: • The annual beverage manufacturing volume is limited to XXXX Kl per year, as detailed in the development approval application and supporting documentation. • The type of beverage manufacturing is limited to XXXXX, as detailed in the development approval application and supporting documentation.

Items	Discussion	Mitigations opportunities in the planning system
		Advice notes: • If the annual beverage manufacturing volume is proposed to be increased, a separate Development Approval will be required. • If a different type of beverage manufacturing is proposed to replace or be added to that approved, a separate Development Approval will be required.

Enquiries: Mark Willson 9956 1234
Our Ref:
Your Ref: OCP151127

23 February 2023

ATT : Kathryn Jackson

Shire of Irwin
11-13 Waldeck Street
Dongara WA 6525
Email: planning@irwin.wa.gov.au

Dear Kathryn,

Proposed Distillery, Brewery and Restaurant - 30648 (Lot 201) Brand Highway, Dongara

In response to your correspondence received on 23 January 2023, Main Roads has reviewed documents provided and requires further information in order to determine the impact to road network. Final conditions and advice will be provided once the TIA has been completed to Main Roads satisfaction.

In addition, Main Roads provides the following preliminary advice:

Advice

a) A Transport Impact Assessment is required, in accordance with the WAPC Transport Impact Assessment Guidelines and Main Roads Driveway Policy, in order for Main Roads to review the impact on the Brand Highway, Bonniefield Road and Francisco Road intersection.

b) Main Roads recommends the applicant meets with Main Roads and the Shire to discuss the items to consider in the TIA. Below is a preliminary list of some of the items the TIA will need to consider:

   - Brand Highway, Bonniefield Road and Francisco Road intersection.
   - Francisco Road review by the Shire of Irwin and their appointed consultants, considering the road network in the area.
   - Bonniefield Road is a RAV route
   - Queue length of the section of Bonniefield Road between the Brand and Railway when the rail crossing is closed for goods trains.

c) The Brand Highway Realignment project (Dongara Bypass) concept plans show that lot 201 is required for the future road. However, the lot has not been rezoned as a primary distributor. Main Roads is undertaking a review and prioritisation of all bypasses over the next 6-12 months, during which the Dongara Geraldton Northampton alignment is likely to be finalized. Please be aware that timing information is subject to change and that Main Roads assumes no liability for the information provided.

d) No vehicle access is permitted directly to and from Brand Highway.

e) Existing vehicle access crossover are to be removed and verge reinstated and restored in accordance with Local Government requirements and WALGA restoration and reinstatement Guidelines, and the gate to be replaced with a fence on the surveyed property boundary.

f) The lot is situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise. Additional planning and building requirements may apply to development on this land to achieve an acceptable level of noise reduction.

g) Advertising signs and internal lights shall need to be reviewed by Main Roads under the 'Advertising' application process.

h) No works are permitted within the Brand Highway road reserve, unless Main Roads has accepted the Application to undertake works within the road reserve. Application forms and supporting information about the procedure can be found on the Main Roads website > Technical & Commercial > Working on Roads.

Should the Shire disagree with or resolve not to include as part of its conditional approval any of the above conditions or advice, Main Roads requests an opportunity to meet and discuss the application further, prior to a final determination being made.

Main Roads encourages Local Government in liaising with applicants to promote and capitalise on our pre-lodgement consultation service, prior to lodgement of strategic or statutory planning proposals, especially where development plans involve land adjacent to or have the potential to impact on the State road network.

Main Roads requests a copy of the Commission's final determination to be sent to mwgreg@mainroads.wa.gov.au

If you have any queries, please do not hesitate to contact Mark Willson on 9956 1234.

Yours sincerely

Louise Adamson
Network Manager, Mid West-Gascoyne

BLACK - INITIAL MRWA ITEMS FOR CONSIDERATION

RED - APPLICANT FIRST RESPONSE

BLUE - MRWA FURTHER COMMENT

GREEN - APPLICANT SECOND RESPONSE

From: Mark Willson <mark.willson@mainroads.wa.gov.au>
Sent: Tuesday, May 30, 2023 10:49 AM
To: Murray Connell <mconnell@irwin.wa.gov.au>
Cc: Nasima Akter <nasima.akter@mainroads.wa.gov.au>
Subject: RE: 002-293 Shire to MRWA - TIS Issued - Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara

Hi Murray,

Please find the following items that require inclusion and further consideration in the Traffic Report. Main Roads advises the Shire to consider if they have any pedestrian or cyclist requirements or comments to be considered in the report.

1. Section 3.1 PROPOSED Route – assumption made that most visitors would be from the north based on their experience at the existing setup at 35 Illyarrie Road in Dongara. This existing location is about 5 to 6 km from the Brand Highway. Proposed location is on a busy road with more than 3000 vehicles a day. This assumption needs review. The premises of a Traffic Impact Statement / Study is the formulation of a traffic scenario to represent the likely future scenario. It is important to note that a Traffic Impact Study is, in effect, a simplification of a complex system. There are numerous uncertainties and the TIS cannot cater for every possibility, but it should draw on known information to make a reasonable prediction of the most likely scenario. This cannot be done without the development and proper use of "assumptions" (because we are trying to predict a future scenario that hasn't yet happened). So the question here is whether this is a valid assumption. The process of developing a valid assumption involves, primarily, using available information and logical reasoning. The available information that we have is that most visitors to the distillery come from the north, on their way back south to Perth. This is a fact, not an assumption. Why would this fact change if the distillery is closer to the highway? It shouldn't change, and hence, by logical reasoning, the assumption is valid. Please see response in Item 2 below. **Noted.**

2. Section 3.2 TRAFFIC GENERATION – again based on existing setup at 35 Illyarrie Road, Dongara public peak time is between 12pm and 3pm. But as the proposed location is on a busy road, I believe it will extend upto 5pm to match with the operating hours. Why would this be so? This would only be true if we made an assumption that the new location would attract unplanned visitors who happen to be driving past and seeing the distillery on the side of the highway. But on what grounds, or prior knowledge, or prior experience, is this assumption being made? I cannot find available evidence or logical reasoning to justify

this assumption, hence I haven't used it in my report. Please note that Brand Highway carries a lot of commuters between Dongara and Geraldton. As their proposed operating hours is from 11am to 5pm, the public peak times should be between 12pm to 5pm. But even if the peak hour times is extended, as suggested or assumed above, the resulting changes to traffic and impact would be minimum. In fact, it may even be better because it would spread the number of visitors over a longer time period and, therefore, lessen the peak traffic impact.

Table 3 Expected Daily Number of Visitors & Peak Hour Traffic – TIS recorded visitor numbers upto 80 and upto 100 for low (October – June) and high season (July – October) respectively. And this corresponds to 2.5% and 3% of AADT. Given that proposed development offers restaurant facility as well, the daily numbers will be higher than this. Table 3 shows the numbers of visitors, not cars. Based on current experience (known information), we know that each car will bring, on average, 2 visitors. This is stated below Table 3 in the report. Hence, the projected traffic volume (numbers of cars) is correct.

The report should include in the special events wedding functions, and traffic with peak flows over a concentrated period. As stated in the report, *"The provision of bus services is proposed during high season and special events, transporting up to 100 visitors (2 buses) per event. This is expected to significantly reduce the number of vehicles accessing the site during these special events."* For privately booked events such as weddings, visitors are more likely to use their own transport instead of paying for a bus service, so peak flows associated with these type of events should be considered. **The majority of wedding events are most likely to be for people based in Geraldton, although we can expect some from Dongara, it's not unreasonable to expect most wedding events to be from Geraldton. The proposed site in Dongara is considered to be "out of town" for people based in Geraldton. In my recent experience organising my own wedding and considering all the options available, we learnt that it's not uncommon for "out of town" wedding events to include the provision of buses for transportation of quests. Hence, I am comfortable that the TIS has accommodated known information to make reasonable predictions of the most likely "traffic" scenario. As stated in my initial comments under Item 1, *"the TIS cannot cater for every possibility, but it should draw on known information to make a reasonable prediction of the most likely scenario ".***

The existing location at 35 Illyarrie Road in Dongara is in an isolated location at the end of a cul-de-sac with no passing traffic. Visitation will be planned with no "drop in" traffic.
The proposed location is on a busy highway with average daily traffic volume of over 3300 vehicles and during peak holiday periods the daily volumes recorded exceed 5500 vpd. The proposed site will be highly visible to passing traffic from both directions and will encourage unplanned drop in traffic. For these reasons MRWA views the proposed location as vastly different and not comparable with the existing site and visitation patterns. **The "drop in" traffic assumption suggested does not match the current practise experienced on the existing site. But even if it's a valid assumption, it must be noted that a distillery is not like a service station that attracts all passing motorists needing fuel, food, snacks, drinks, general supplies, toilet break, etc. A distillery only attracts a reserved range of likely patrons. Not all motorists will fit that range, in fact most won't. Any unplanned "drop in" traffic to the proposed distillery site will not only be minimum, but also, it will be from already existing traffic on the highway (no added traffic because of the distillery). Hence, although the "drop in" traffic assumption may have some merit, it is considered to be of minimum consequence and have minimum impact on the intersection. Another key point to mention in this regard is that the facility provides for tour groups. These are organised tour groups which are scheduled to attend the site at certain times. This is a core part of the business and will not change due to the location of the new premises adjacent to Brand Highway.**

The warrant assessment Figure 8 suggests that existing peak hour traffic (QR and QL) is 20 into Bonniefield Road while the total turning traffic for the entire day is only 34 for left-in and right-in (Figure 5). This is unrealistic. We estimate that peak hour traffic QR and QL will not be more than 5 into Bonniefield Road. The warrant assessment also suggests that DA will generate 3.6 and 8.4 for QR and QL respectively into Bonniefield Road. We estimate the QR and QL will be in the order of 20 to 25 vehicles. We have run the spreadsheet for both scenarios and attached here. **These suggested numbers do not offer any significant changes to the findings of the TIS. It is unreasonable, in my opinion, to reject or resist this proposed development based on these suggested numbers.**

3. 3.3 EXISTING TRAFFIC – TIS stated Brand Hwy traffic from a short term traffic count site at SLK 307.2. Please also consider the data from PCS 24 hour count site at SLK 341.24 near Showground Road. No evidence of traffic count data has been provided for Francisco Road Appendix C. The traffic count from SLK 307.2 was considered to be the most relevant because it is only 300m away from the intersection. The suggested count at SLK 341.24 is more than 34Km away from the area of the study, hence it was not considered the most appropriate count to use. Nevertheless, the AADT and HV% at the suggested SLK 341.24 is almost identical to SLK 307.2. It would have made no difference to the study.
   - **Francisco Rd** - There are no counts available on Francisco Rd. However, my own observation on site suggested very little (almost "0") movement from there. Hence, assumptions had to be made in order to develop a reasonable traffic scenario. The assumptions made are based on the catchment and demographic of the area.

   MRWA uses Permanent Count Site traffic counts where available as it provides better seasonal variation, however I agree in this instance it may not make a marked difference to the outcome. **Noted.**

4. 10 year Traffic Growth needs to be considered on all roads. For the Brand Highway use a 2.5% growth rate. Francisco Road shall need to consider traffic from the proposed subdivision development. Advice should be sort from the LG on future growth of existing traffic on Bonniefield Road. This is a Traffic Impact Statement and a 10 year traffic growth is not required to be detailed in this level of reporting. Noted.

5. 3.4 INTERSECTION TRAFFIC MOVEMENTS – assumptions made that 70% of generated traffic from the north and 30% from the south on the Brand Highway. This assumption is based on their existing setup at the 35 Illyarrie Rd in Dongara. This needs review and amendment as I mentioned above. As per my comments to point 1 above. The assumptions made are based on the data from their existing operations. Please see response in Item 2 above. **See my response to Item 2 also.**

6. 4 INTERSECTION WARRANT ANALYSIS – used previous version of the warrant tool. Need to used the updated version (available from Main Roads website) with the amended traffic. I'm happy to update the redo the Intersection Warrant Analysis with the updated tool, but I doubt that it would significantly change any of our findings. See attached MRWA Warrant Analysis, TIS values used for QL and QR (for existing situation) will need further supporting evidence as per response to Item 2 above. **See my response to Item 2 also.**

   This section also states that the existing intersection may require an AUR irrespective of the proposed development. I disagree with this. Existing intersection do not have a crash history, and development like this will generate significant traffic increasing the risk profile. The Intersection Warrant Analysis was carried out in accordance with Austroads GTM Part 6 and MRWA Supplement of Austroads. It was done to evaluate the existing intersection with its current volume of traffic and with the added projected traffic due to the development. The results clearly showed that the intersection warrants an AUR upgrade irrespective of the development. I'm not sure what exactly the disagreement seems to be here. The results also show that the added projected traffic due to the development will have minimum impact on the results of the Intersection Warrant Analysis. Qm (before) = 325. Qm(after) = 333.4 → Minimum change, and minimum impact. The numbers speak for themselves, not sure what seems to be the disagreement.
7. Please see response in Item 2 above. **See my response to Item 2 also.**

8. Table 6 – sight distance is based on posted speed. It should be based on design speed or operation speed. Using design speed sight distance to the north is marginal due to a crest. Agree. I'm happy to make the change, however, those sight distances limitations already exist and the study shows that the traffic impact on the intersection (due to the development) is minimal. Please update TIS according to Main Roads Standards. **The intersection may already have limited sight distances in its current posted (or design) speed. Updating the TIS as suggested will not change the findings of the TIS. Once again, it is unreasonable to deny this proposed development based on this alone.**

9. Hours of Operation during special events is from 10am to 10pm. Should consider lighting. This is complete overkill and not necessary for the assessment of the proposed development on Brand Highway. Proposed DA is on the LG road and Main Roads will leave the lighting decision for the Shire of Irwin to confirm. **Noted.**

10. At the meeting regarding the development proposal Main Roads reiterated a safety concern at the Bonniefield Road and Francisco Road four-way intersection with the Brand Hwy, previously discussed with the Shire of Irwin. The Shire advised that they are committed to reviewing the road network and the future options for Francisco Road. I also recall conversations with the Shire and also at our meeting suggesting that the Shire has no immediate or short term plans to do anything with the intersection, and there are currently no progress on developments or DA's that may change this position. Noted.

Regards

Mark

Mark Willson
Development Planning and Road Access Coordinator (DPRAC)
Regional Management & Operations Directorate
Mid West – Gascoyne Region | Geraldton
p: +61 08 9956 1234
w: www.mainroads.wa.gov.au







INTERSECTION WARRANTS

Main Roads WA Supplement to Austroads Guide to Road Design - Part 4 A8

DESIGN SPEED =	100km/h
SPLITTER ISLAND YES / NO =	No
DUAL CARRIAGEWAY YES / NO =	No

MOVEMENT	COUNT (v/h)	HV (%)
Q_{T1} =	151	20.4
Q_R =	5	2.9
Q_{T2} =	135	20.4
Q_L =	5	2.9
Q_{LM} =	3	2.9
Q_{RM} =	1	2.9

RIGHT TURN ASSESSMENT

Q_m =	291
% HV =	20.099
x =	0.83
TREATMENT =	SR

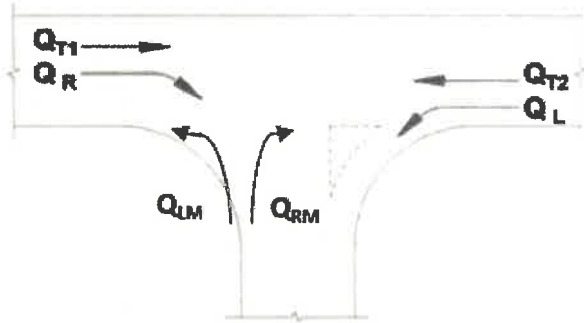
LEFT TURN ASSESSMENT

Q_m =	135
% HV =	20.400
x =	0.41
TREATMENT =	SL
OFFSET?	NO

Source: Austroads GTM Part 6 - 2017

Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings

Figure 2.27: Calculation of the major road traffic volume Q_M



Road type	Turn type	Splitter island	Q_M (veh/h)
Two-lane two-way	Right	No	= $Q_{T1} + Q_{T2} + Q_L$
		Yes	= $Q_{T1} + Q_{T2}$
	Left	Yes or no	= Q_{T2}
Four-lane two-way	Right	No	= 50% x $Q_{T1} + Q_{T2} + Q_L$
		Yes	= 50% x $Q_{T1} + Q_{T2}$
	Left	Yes or no	= 50% x Q_{T2}
Six-lane two-way	Right	No	= 33% x $Q_{T1} + Q_{T2} + Q_L$
		Yes	= 33% x $Q_{T1} + Q_{T2}$
	Left	Yes or no	= 33% x Q_{T2}

Source: TMR (2016a)

INTERSECTION WARRANTS

Main Roads WA Supplement to Austroads Guide to Road Design - Part 4 A 8

DESIGN SPEED =	100km/h
SPLITTER ISLAND YES / NO =	No
DUAL CARRIAGEWAY YES / NO =	No

MOVEMENT	COUNT (v/h)	HV (%)
Q_{T1} =	151	20.4
Q_R =	13	3.6
Q_{T2} =	135	20.4
Q_L =	22	3.6
Q_{LM} =	20	3.6
Q_{RM} =	9	3.6

RIGHT TURN ASSESSMENT

Q_m =	308
% HV =	19.200
x =	1.28
TREATMENT =	AUR

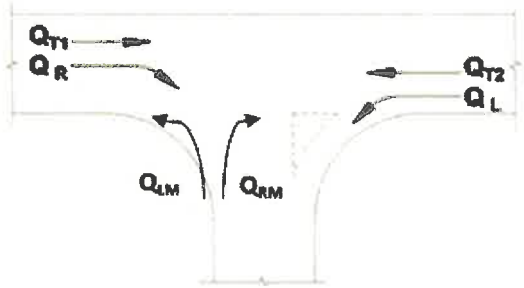
LEFT TURN ASSESSMENT

Q_m =	135
% HV =	20.400
x =	0.75
TREATMENT =	BAL
OFFSET?	NO

Source: Austroads GTM Part 6 - 2017

Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings

Figure 2.27: Calculation of the major road traffic volume Q_M



Road type	Turn type	Splitter island	Q_M (veh/h)
Two-lane two-way	Right	No	= $Q_{T1} + Q_{T2} + Q_L$
		Yes	= $Q_{T1} + Q_{T2}$
	Left	Yes or no	= Q_{T2}
Four-lane two-way	Right	No	= 50% x $Q_{T1} + Q_{T2} + Q_L$
		Yes	= 50% x $Q_{T1} + Q_{T2}$
	Left	Yes or no	= 50% x Q_{T2}
Six-lane two-way	Right	No	= 33% x $Q_{T1} + Q_{T2} + Q_L$
		Yes	= 33% x $Q_{T1} + Q_{T2}$
	Left	Yes or no	= 33% x Q_{T2}

Source: TMR (2016a)

From: Josh Watson <josh@planningsolutions.com.au>
Sent: Thursday, June 15, 2023 12:08 PM
To: Murray Connell <mconnell@irwin.wa.gov.au>
Cc: Nic Watson <nic.watson@planningsolutions.com.au>
Subject: FW: 002-293 Shire to MRWA - TIS Issued - Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara | 8488

Hi Murray,

Pleas refer to our comments in green below. These comments have been prepared with input from our traffic engineer and myself.

As you can see, the primary message is that the proposed development has been supported by a robust TIS. This TIS has considered the existing operations and incorporated this into how the new establishment will operate. One key message that is conveyed by Main Roads is that this establishment is considered to be a venue that people will drive past and make a decision then and there that they will attend this venue. This is not a service station which picks up vast amounts of passing trade. This facility does not operate like that, rather it is a facility where customers know they are going there. This is often in the form or a tour bus or in a vehicle with 2-3 other people.

We consider no further traffic analysis is required to inform the assessment of this application.

If you would like to discuss further, please do not hesitate to give me a call.

Thanks Murray.

Kind regards,

Josh Watson
Senior Associate

From: Nasima Akter <nasima.akter@mainroads.wa.gov.au>
Sent: Monday, June 19, 2023 10:16 AM
To: Murray Connell <mconnell@irwin.wa.gov.au>
Cc: Josh Watson <josh@planningsolutions.com.au>; Louise Adamson <louise.adamson@mainroads.wa.gov.au>
Subject: RE: 002-293 Shire to MRWA - TIS Issued - Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara | 8488

Good Morning Murray

We consider Main Roads comments on the TIS for this development is relevant and should be captured and addressed. In my previous email I attached the warrant assessment of the intersection which shows that the existing intersection layout is adequate for the existing traffic. Increased in traffic due to this DA is most likely to require an AUR treatment.

Louise mentioned in the meeting in March 2023 that Main Roads are supporting of the development but would like to do it safely.

Until these issues are considered in the TIS, Main Roads are unable to provide final recommendation for this development proposal.

Regards
Nasima

Murray Connell

From:	Josh Watson <josh@planningsolutions.com.au>
Sent:	Tuesday, 20 June 2023 1:33 PM
To:	Murray Connell
Cc:	Nic Watson
Subject:	RE: 002-293 Shire to MRWA - TIS Issued - Proposed distillery, brewery and restaurant - 30648 (Lot 201) Brand Highway, Dongara | 8488

Hi Murray,

In relation to the traffic considerations, the TIS report clearly states that the proposed development will pose no significant impact on the intersection. The numbers resulting from the Intersection Warrant (before the development and after the development) suggest no changes in intersection turning arrangements. However, the numbers do suggest that the existing right turn movements from the highway may already warrant a right turn lane upgrade, irrespective of the proposed development.

Here is an extract of Section 4 of the TIS report. This demonstrates that during he peak hour period the existing intersection has 20 vehicles turning right into Bonniefield Road East. The modelling suggests that post completion of the development, this would increase to 23.6 vehicles. This is very minimal over a 60min period.

The right turn assessment generates an outcome of 1.53 which outlines an auxiliary lane would be required for the current intersection. The assessment when it factors in our development would slightly increase this number to 1.67.

The results of the intersection warrant analysis, shown in Figure 8, indicate that:

- There are no changes in turning movement arrangements due to the proposed development.
- The impact of the proposed development on the intersection may be considered minimum or insignificant.
- Existing right turn movement from the Brand Hwy into Bonniefield Rd East suggest that the intersection may be considered to warrant an auxiliary right turn lane upgrade, but this is irrespective of the proposed development.

INTERSECTION WARRANTS

Main Roads WA Supplement to Austroads Guide to Road Design - Part 4 A 8

DESIGN SPEED =	90km/h
SPLITTER ISLAND YES / NO =	No
DUAL CARRIAGEWAY YES / NO =	No

	EXISTING		FUTURE	
MOVEMENT	COUNT (v/h)	HV (%)	COUNT (v/h)	HV (%)
Q_{T1} =	151	12.6	151	12.6
Q_R =	20	2.9	23.6	3.6
Q_{T2} =	154	13.6	154	13.6
Q_L =	20	2.9	28.4	3.6

RIGHT TURN ASSESSMENT

Q_m =	325	333.4
% HV =	12.477	12.295
x =	1.53	1.67
TREATMENT =	AUR	AUR

LEFT TURN ASSESSMENT

Q_m =	154	154
% HV =	13.600	13.600
x =	0.78	0.90
TREATMENT =	BAL	BAL

Figure 8 – MRWA Intersection Warrants (Existing & Future)

- Q_{T1} → peak hour traffic volume on Brand Hwy (northbound)
- Q_R → peak hour traffic volume turning RIGHT from Brand Hwy into Bonniefield Rd East
- Q_{T2} → peak hour traffic volume on Brand Hwy (southbound)
- Q_L → peak hour traffic volume turning LEFT from Brand Hwy into Bonniefield Rd East

Main Roads questioned some of the turning movement input assumptions and the use of an "outdated" spreadsheet tool. They also provided their own turning movement input assumptions in the most up-to-date spreadsheet tools, but their results concurred with our findings, also suggesting no changes to the Intersection Warrant overall results, as outlined in the report. In summary, the increase in traffic due to the development is minimum and does not trigger any changes to the findings of the Intersection Warrant.

In relation to the bus stop on Brand Highway, this is used for school pick up and drop off. This is completely separate to the consideration of the proposed development. Parents use the area around the intersection to drop children off to

then be picked up by the bus. In the morning this is prior to the operation of the proposed development. In the afternoon, the facility would be open but the impact would be very minimal. As outlined above, the amount vehicles generated by this development is minimal and something the bus stop would not be impacted by.

If you require any further information, please do not hesitate to give me a call.

Kind regards,

Josh Watson
Senior Associate

PLANNING SOLUTIONS PS
URBAN & REGIONAL PLANNING

0416 027 486 | 08 9227 7970 | josh@planningsolutions.com.au
Office : Level 1, 251 St Georges Terrace, Perth, WA 6000
Postal : GPO Box 2709 Cloisters Square PO 6850
www.planningsolutions.com.au

City Parking Locations : City of Perth | Wilson Planning Solutions' Email Disclaimer