



Shire of Pingelly

Attachments

Ordinary Council Meeting
17 June 2020



SHIRE OF PINGELLY

REGISTER OF DELEGATIONS

Explanatory Notes

General

Section 5.42 of the Local Government Act 1995 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. The following areas are decisions that cannot be delegated to the Chief Executive Officer:

- Any power or duty that requires a decision of an absolute majority or 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government;
- Appointing an auditor;
- Acquiring or disposing of any property valued at an amount determined by the local government;
- Any of the local governments powers under Sections 5.98, 5.99 and 5.100 of the Act;
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in Section 9.5;
- Any power of duty that requires the approval of the Minister or Governor; or
- Such other duties or powers that may be prescribed by the Act.

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of their powers to another employee, this must be done in writing. The Act allows for the Chief Executive Officer to place conditions on any delegations if desired. The powers cannot, however, be further sub delegated.

The purpose of this document is to detail which authorities have been delegated by Council to the Chief Executive Officer. The document also indicates delegations which the Chief Executive Officer intends to delegate to other staff, however this is for information/indication purposes only and may change from time to time at the discretion of the Chief Executive Officer. The register details the related document(s) where the power to delegate is derived from, which includes legislation and policies of the Council.

Transfer of Authority Due to Absence

Where an Officer not named has been appointed by Council or by an Officer authorised to make the appointment to act in a position to which the named Officer is appointed, the authority shall transfer to the Officer acting as appointed, for the duration of the authorisation.

Register of, and Records Relevant to, Delegations - Section 5.46

A register of delegations, being this manual, relevant to the Chief Executive Officer and other employees is to be kept and reviewed at least once every financial year.

If a person is exercising a power or duty that they have been delegated, the Act requires them to keep necessary records to the exercise of the power or discharge of the duty. The written record is to contain:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

Decision to Delegate

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

Standard Conditions of Delegations

All delegations are subject to the following Standard Conditions:

- In exercising a delegation, the Chief Executive Officer is to comply with any and all laws and regulations in force in Western Australia and the requirements of any and all laws and policies of the Shire of Pingelly
- In exercising a delegation the Chief Executive Officer is to exercise the delegation in accordance with any budget authority where applicable
- Delegated authority cannot be exercised where a financial interest or interest affecting impartiality is evident
- Pursuant to section 5.46 of the Local Government Act 1995 and Regulation 19 of the Local Government (Administration) Regulations 1996, the Office of the Chief Executive Officer is to keep records of exercising the delegation on any and all occasions that the delegation is exercised

DRAFT

Document Control			
Shire of Pingelly Delegation of Authority Register 2020			
Revision #	Date	Revision Details	Authorised By

Contents

Part 1 Local Government Act 1995	6
1.1 Appoint Authorised Persons	6
1.2 Powers of Entry.....	7
1.3 Impounding abandoned vehicle wrecks and goods involved in certain contraventions.....	8
1.4 Disposing of Confiscated or Uncollected Goods and Sick or Injured Animals	9
1.5 Close Thoroughfares to Vehicles	10
1.6 Reserves under control of Local Government	11
1.7 Certain Provisions about Land	12
1.8 Crossing – Construction, Repair and Removal	13
1.9 Private Works on, over or under Public Places	14
1.10 Tenders for Goods and Services	15
1.11 Disposing of Property.....	17
1.12 Payments from the Municipal or Trust Funds.....	19
1.13 Defer, Grant Discounts, Waive or Write off Debts	20
1.14 Investments.....	21
1.15 Agreement as to Payment of Rates and Service Charges.....	22
1.16 Recovery of Rates or Service Charges.....	23
1.17 Recovery of Rates Debts - Actions to Take Possession of the Land	24
1.18 Common Seal and Execution of Documents	26
1.19 Administer Local Laws.....	27
1.20 Appointment of Acting CEO.....	28
Part 2 Building Act 2011	29
2.1 Appointment of Authorised Persons.....	29
2.2 Powers pursuant to the Building Act 2011.....	30
Part 3 Bush Fires Act 1954.....	31
3.1 Variation of Prohibited and Restricted Burning Times	31
3.2 Appoint Bush Fire Control Officer/s	32
3.3 Institute a Prosecution or Issue an Infringement	33
3.4 Fire Break Maintenance	34
Part 4 Cat Act 2011.....	35
4.1 Cat Act 2011	35
Part 5 Dog Act 1976.....	36
5.1 Dog Act 1976	36
Part 6 Food Act 2008.....	38
6.1 Food Act 2008.....	38
Part 7 Graffiti Vandalism Act 2016.....	40

7.1	Graffiti Vandalism Act 2016.....	40
Part 8 Public Health Act 2016.....		41
8.1	Designation of Authorised Officers	41
Part 9 Planning and Development Act 2005		42
9.1	Directions regarding unauthorised/illegal development.....	42
9.2	Determination of Development Applications	43

DRAFT

Part 1 Local Government Act 1995

1.1 Appoint Authorised Persons

Delegator: Power / Duty assigned in legislation to	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision s.9.10 Appointment of authorised persons
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and the <i>Shire of Pingelly Local Laws</i> made under the <i>Local Government Act 1995</i>. (s.3.24 and s.9.10). 2. Authority to appoint authorised person for the purpose of the <i>Graffiti Vandalism Act 2016</i>, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power (s.15 of the <i>Graffiti Vandalism Act 2016</i>).
Council Conditions on this Delegation:	Each person appointed as an Authorised Person is to be issued with a certificate confirming the authorisation.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Not Applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.2 Powers of Entry

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	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
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to: 1. 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. Give notice of entry (s.3.32). 3. Seek and execute an entry under warrant (s.3.33). 4. Execute entry in an emergency, using such force as is reasonable (s.3.34(1) and (3)). 5. Give notice and effect entry by opening a fence (s.3.36).
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services Environmental Health Officer
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.3 Impounding abandoned vehicle wrecks and goods involved in certain contraventions

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.39 Power to remove and impound s.3.40A Abandoned vehicle wreck may be taken s.3.42 Impounded non-perishable goods s.3.44 Notice to collect goods if not confiscated s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to: 1. Declare an impounded vehicle as an abandoned wreck 2. Remove and impound a vehicle that, in his or her opinion is an abandoned vehicle wreck. 3. Remove and impound any goods that are involved in a contravention that can lead to impounding. 4. Sell or otherwise dispose of confiscated or uncollected goods. 5. Recover the expenses incurred by removing and impounding the goods and disposing of them, if the goods were removed and impounded under s.3.39.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	1. Conditions on the original delegation also apply to the sub-delegation. 2. Impound abandoned vehicle wrecks in accordance with s.3.40A (1), (4).
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

1.4 Disposing of Confiscated or Uncollected Goods and Sick or Injured Animals

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47 Confiscated or uncollected goods, disposal of s.3.47A Sick or injured animals, disposal of
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to: 1. Sell or otherwise dispose of confiscated or uncollected goods 2. Humanely destroy the animal and dispose of the carcass, if an impounded animal is ill or injured to such an extent that treating it is not practicable.
Council Conditions on this Delegation:	1. Delegation to destroy and dispose of sick or injured animals is only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed. 2. Delegation applies to property with an estimated market value of less than \$20,000. 3. Disposal of confiscated or uncollected goods is to be undertaken by offering them for public sale by any fair means, or to an appropriate not-for-profit community group.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.5 Close Thoroughfares to Vehicles

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks. 2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and before doing so, to: <ol style="list-style-type: none"> a) give public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and b) consider submissions relevant to the road closure/s proposed. 3. Authority to revoke an order to close a thoroughfare. 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. 5. Before doing anything to which section 3.51 applies, the Chief Executive Officer is delegated authority to take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land.
Council Conditions on this Delegation:	If 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.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.6 Reserves under control of Local Government

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.54(1) Reserves under control of local government
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the Parks and Reserves Act 1895 . (s.3.54(1)).
Council Conditions on this Delegation:	Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.7 Certain Provisions about Land

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995</i> s.3.25 – Notices requiring certain things to be done by owner or occupier of land s.3.26 – Additional powers when notices given s.3.27 – Particular things local governments can do on land that is not local government property
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to give an owner or occupier of land notice requiring them to do anything as prescribed in Schedule 3.1, Division 1 of the Local Government Act 1995. Following a failure to comply with the above notice, authority to take action that is considered necessary to achieve, so far as is practicable, the purpose for which the notice was given. Authority to recover cost of the above action as a debt due from the person who failed to comply. Authority to do any of the things prescribed in Schedule 3.2 to non-local government property, without consent, in the Local Government's capacity to undertake its general functions as outlined in s.3.27.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.8 Crossing – Construction, Repair and Removal

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing.
Council Conditions on this Delegation:	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulation 1996</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.9 Private Works on, over or under Public Places

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To authorise the construction of anything on, over or under a public thoroughfare or other public place that is local government property in accordance with Regulation 17(2) Local Government (Uniform Local Provisions) Regulations 1996.
Council Conditions on this Delegation:	The exercise of this delegation is subject to: a. written application being made; b. the applicant accepts all liability for every part and aspect of the works/infrastructure; c. conditions, which may be imposed including, such as: building permit, structural engineering certification, environmental assessment etc, where appropriate; any damage or interference to public assets to be made good to the satisfaction of CEO (roadway, fence, other structure etc), traffic management plan to be approved; d. where deemed appropriate, an insurance certificate indemnifying the Shire while works are underway, or for any structure, being provided.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.10 Tenders for Goods and Services

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 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
Delegate:	Chief Executive Officer
Function:	<p>Authority to determine:</p> <ol style="list-style-type: none"> 1. to call tenders for any items included in the Annual Budget (F&G Reg. 11); 2. to invite tenders though not required to do so (F&G Reg. 13); 3. the selection criteria for deciding which tender should be accepted (F&G Reg. 14(2a)); 4. the information to be disclosed to those interested in submitting a tender (F&G Reg. 14(4)(a)); 5. to vary tender information after public notice of invitation to tender and before the close of tenders (F&G Reg. 14(5)); 6. to seek clarification from tenderers in relation to information contained in their tender submission (F&G Reg. 18(4a)); 7. to evaluate tenders and decide which is the most advantageous (F&G Reg. 18(4)); 8. to accept or reject tenders (F&G Reg. 18(2) and (4)); 9. to decline any tender (F&G Reg. 18(5)); 10. minor variations before entering into a contract (F&G Reg. 20); 11. to accept the next most advantageous tender where within 6 months of accepting a tender a contract has not been entered into, or the successful tenderer agrees to terminate the contract (F&G Reg. 18 (6) and (7)); 12. appropriate circumstances for seeking and inviting expressions of interest for the supply of goods or services (F&G Reg. 21); 13. to consider expressions of interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers (F&G Reg. 23). <p>Authority to establish a panel of pre-qualified suppliers to supply particular goods or services in accordance with Part 4 Division 3 of the F&G Regs.</p>

Council Conditions on this Delegation:	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences rationale for why the supply is unique and cannot be sourced through other suppliers.</p> <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, current supply contract expiry is imminent, value of the proposed new contract has been included in the draft Annual Budget proposed for adoption. <p>c. 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.</p> <p>d. Authority to enter into a variation F&G r.20(1), r.20(2) subject to:</p> <ul style="list-style-type: none"> That the variation is minor having regard to the total goods or services that tenderers were invited to supply and shall be consistent with the intended purpose of the contract.
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Not Applicable
Recordkeeping:	<p>A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.</p> <p>Entry in the Tender Register in accordance with regulation 17 <i>Local Government (Functions and General) Regulations 1996</i>. Documentation to be recorded to the relevant Tender file in the ECMS.</p>
Version Control:	<date> <OCM resolution #>

1.11 Disposing of Property

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) (3) Disposing of Property
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to dispose of property to: <ol style="list-style-type: none"> 1. the highest bidder at public auction. 2. 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. 3. dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice. 4. Authority to dispose of property under regulation 30(3) (a) of the Local Government (Functions and General) Regulations 1996.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. 2. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$150,000 or less. 3. When determining the method of disposal: <ol style="list-style-type: none"> i. Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> • Reserve price has been set by independent valuation to be carried out not more than 6 months before the proposed disposition. • Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. ii. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. iii. Where a private treaty is determined (s.3.58(3)) as the method of disposal, authority to: <ul style="list-style-type: none"> • Negotiate the sale of the property up to a -10% variance on the valuation; and • Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. 4. Where the market value of the property is determined as being less than \$10,000 (F&G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> • Without reference to Council for resolution; and

	<ul style="list-style-type: none"> In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value, then the method of disposal must be undertaken in a manner which minimises environmental impact as far as practical. <p>5. Renewal of leases and licences may only be undertaken providing the circumstances of the original lease or licence has not substantially altered.</p>
Express Power to Sub- Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s:	Director Corporate and Community Services Director Technical Services Executive Manager Corporate Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	1. Conditions on the original delegation also apply to the sub-delegation. 2. Sub delegation is restricted to materials, plant and equipment with a market value of less than \$5,000.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.12 Payments from the Municipal or Trust Funds

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	The Chief Executive Officer is delegated authority to make payments from the municipal or trust funds (r.12(1)(a)).
Council Conditions on this Delegation:	A list of accounts paid for the month being presented to the next ordinary meeting of the Council (in accordance with Financial Management Regulation 13(2)).
Express Power to Sub- Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Director Technical Services Executive Manager Corporate Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	Records of decisions are retained in minutes of Council meetings.
Version Control:	<date> <OCM resolution #>

1.13 Defer, Grant Discounts, Waive or Write off Debts

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, waive or write off debts
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the Shire (s.6.12(1)(b)). 2. Grant a concession in relation to money which is owed to the Shire (s.6.12(1)(b)). 3. Write off an amount of money which is owed to the Shire (s.6.12(1)(c))
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. This Delegation does not apply to debts, which are prescribed as debts that are taken to be a rate or service charge. 2. A debt may only be written off where all necessary measures have been taken to locate or contact the debtor and where costs associated with continued action to recover the debt will outweigh the net value of the debt if recovered by the Shire. 3. Limited to individual debts below \$500.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services
CEO Conditions on this Sub-Delegation:	<ol style="list-style-type: none"> 1. Conditions on the original delegation also apply to the sub delegation. 2. Sub delegation is limited to individual debts valued below \$50.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.14 Investments

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose (s.6.14(1)).
Council Conditions on this Delegation:	This delegation must be exercised in accordance with Council Policies, and comply with Financial Management Regulation 19C.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.15 Agreement as to Payment of Rates and Service Charges

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to make an agreement with a person for the payment of rates or service charges (s.6.49).
Council Conditions on this Delegation:	Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
Express Power to Sub- Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services Senior Finance Officer
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.16 Recovery of Rates or Service Charges

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services Senior Finance Officer
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

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

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land re-vested in Crown if rates in arrears 3 years
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land as against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years (s.6.64(1)), including: <ol style="list-style-type: none"> a) lease the land, or b) sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> i. cause the land to be transferred to the Crown (s.6.71 and s.6.74); or ii. cause the land to be transferred to the Shire (s.6.71). 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)). 3. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, services charges and costs within 7 days of and prior to the proposed sale (s.6.69(2)).
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous three years attempted to recover the outstanding rates/charges through a court, under s.6.56. 2. Council approval must be obtained prior to the commencement of proceedings to take possession of land where rates and services charges have remained unpaid for at least three years.
Express Power to Sub- Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services
CEO Conditions on	Conditions on the original delegation also apply to the sub delegation.

this Sub-Delegation:	
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

DRAFT

1.18 Common Seal and Execution of Documents

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.49A(2) Affixing the common seal s.9.49A(3) Execution of documents
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authorise the affixing of the common seal of the Shire to any document that requires the Shire's Common Seal to be legally effective. Authorise the Chief Executive Officer to sign documents on behalf of the local government in accordance with Section 9.49A (4) (5) of the Local Government Act 1995.
Council Conditions on this Delegation:	Where the common seal is affixed, this is to be done in accordance with s.9.49A(3) and the details are to be recorded in the common seal register.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Corporate and Community Services Executive Manager Corporate Services Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation. Where a document is executed by a sub-delegate, the Chief Executive Officer is to be provided with due notice and opportunity to sight the original document, prior to execution.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.19 Administer Local Laws

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	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. 3.18 Performing Executive Functions
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to exercise the powers and duties and to administer and do all things necessary to enact the Shire of Pingelly Local Laws.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. All prosecutions are to be authorised by the Chief Executive Officer. 2. Council is to be advised when the CEO issues instructions for the commencement of legal proceedings.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

1.20 Appointment of Acting CEO

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	Local Government Act 1995: s 5.52 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. 5.36 (1) (a) Local government employees
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to appoint an Acting Chief Executive Officer.
Council Conditions on this Delegation:	Appointment to be made in accordance with Council Policy on this matter.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Not Applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

Part 2 Building Act 2011

2.1 Appointment of Authorised Persons

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011</i> s.96 - Authorised Person s.99 - Limitation on powers of authorised person
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to: <ol style="list-style-type: none"> 1. Designate an employee as an authorised person under the Building Act 2011; and 2. Revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person.
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments
Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

2.2 Powers pursuant to the Building Act 2011

Delegator: Power / Duty assigned in legislation to:	Permit Authority (Local Government)
Express Power to Delegate: Power that enables a delegation to be made	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	Building Act 2011
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	To undertake the powers of the Local Government for the following sections of the Building Act 2011. <ol style="list-style-type: none"> 1. s.18 Further Information 2. s.20 Grant of building permit 3. s.21 Grant of demolition permit 4. s.22 Further grounds for not granting an application 5. s.27 (1)&(3) Conditions imposed by permit authority 6. s.32 Duration of building or demolition permit (consider application to extend time) 7. s.55 Further information 8. s.58 Grant of occupancy permit, building approval certificate 9. s.62(1)&(3) Conditions imposed by permit authority 10. s.65 Extension of period of duration 11. s.88(3) Finishes of walls close to boundaries 12. s.110 Building Orders 13. s.111(1) Notice of proposed building order other than a building order (emergency) 14. s.117 Revocation of building order 15. s.118 Permit authority may give effect to building order if non-compliance s.131(2) Inspection, copies of building records 16. s.131 Inspection, copies of building records 17. s.133 (1) commence a prosecution for an offence 18. s.145A Local Government functions
Council Conditions on this Delegation:	In making any determinations under delegated authority the CEO must consider any advice and recommendations provided by external expert persons or bodies.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments

Sub-Delegate/s:	Building Surveyor
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

Part 3 Bush Fires Act 1954

3.1 Variation of Prohibited and Restricted Burning Times

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
Delegate:	Shire President and Chief Bush Fire Control Officer (jointly)
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer (s.17(7)).
Council Conditions on this Delegation:	Decisions under s.17(7) must be undertaken jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Express Power to Sub-Delegate:	Nil – Sub-delegation is prohibited by s.48(3)
Sub-Delegate/s:	Not permitted
CEO Conditions on this Sub-Delegation:	Not applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

3.2 Appoint Bush Fire Control Officer/s

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. An appointment made under s.38(1) shall cause a local public notice to be published. 2. Records of names, addresses and usual occupations are to be maintained for all Bush Fire Control Officers appointed. 3. This delegation does not extend to the appointment of Chief or Deputy Bush Fire Control Officers.
Express Power to Sub-Delegate:	Nil – Sub-delegation is prohibited by s.48(3)
Sub-Delegate/s:	Not permitted
CEO Conditions on this Sub-Delegation:	Not applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

3.3 Institute a Prosecution or Issue an Infringement

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
Express Power or Duty Delegated:	<i>Bush Fires Act 1954</i> 1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act (s.59). 2. Authority to serve an infringement notice for an offence against this Act (s.59A(2)).
Delegate:	Chief Executive Officer Executive Manager Technical Services Director Technical Services Rangers
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to: 1. Institute and carry on proceedings against a person for an offence alleged to be committed. 2. Serve an infringement notice for an offence. 3. Withdraw an infringement notice for an offence.
Council Conditions on this Delegation:	Any withdrawal of an infringement notice for an offence must be authorised by the Chief Executive Officer.
Express Power to Sub-Delegate:	Nil – Sub-delegation is prohibited by s.48(3)

Sub-Delegate/s:	Not permitted
CEO Conditions on this Sub-Delegation:	Not applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

3.4 Fire Break Maintenance

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

Sub-Delegate/s:	Not permitted
CEO Conditions on this Sub-Delegation:	Not applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

Part 4 Cat Act 2011

4.1 Cat Act 2011

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011</i> <i>Cat Act Regulations 2012</i>
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	The exercise of any powers and duties of a local government pursuant to the Cat Act 2011.
Council Conditions on this Delegation:	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the Cat Act 2011.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

Part 5 Dog Act 1976

5.1 Dog Act 1976

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976</i>
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to exercise all powers and duties conferred by s10AA the Dog Act 1976. Chief Executive Officer is specifically authorised to sub delegate any powers or duties delegated pursuant to s.10AA(3) Delegation of local government powers and duties Dog Act 1976:
Council Conditions on this Delegation:	The Chief Executive Officer cannot subdelegate: <ol style="list-style-type: none"> 1. authority to declare an individual dog to be a dangerous dog [s.33E(1)], 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)].
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (Note: sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.

Version Control:	<date> <OCM resolution #>
-------------------------	---------------------------

DRAFT

Part 6 Food Act 2008

6.1 Food Act 2008

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65 Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67 Request for re-inspection s.110 Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses s.122 Appointment of authorised officers s.125 Institution of proceedings s.126 Infringement Officers
Delegate:	Chief Executive Officer Environmental Health Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Chief Executive Officer is delegated: <ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the 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)). 4. 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)). 5. Authority to vary the conditions or cancel the registration of a food business (s.112). 6. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 (s.122(1)). 7. Authority to appoint a person to be an authorised officer as a meat inspector (s.122(1)). 8. Authority to institute proceedings for an offence under the Food Act (s.125) 9. Authority to appoint an Authorised Officer appointed under s.122(1) of this Act or 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)). 10. 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

	<p>withdrawal of an infringement notice (s.126(7)).</p> <p>The Environmental Health Officer is delegated:</p> <ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the 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)). 4. Authority to grant, apply conditions, refuse, vary or cancel registration of a food business (s.110(1) and (5), s.112).
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	Nil – <i>Food Regulations 2009</i> do not provide for sub-delegation.

Sub-Delegate/s:	Not permitted
CEO Conditions on this Sub-Delegation:	Not applicable
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

Part 7 Graffiti Vandalism Act 2016

7.1 Graffiti Vandalism Act 2016

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>The Graffiti Vandalism Act 2016</i>
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	All powers and duties of a local government pursuant to the Graffiti Vandalism Act 2016
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

Part 8 Public Health Act 2016

8.1 Designation of Authorised Officers

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Public Health Act 2016</i> <i>s21 Enforcement agency may delegate</i>
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> <i>s24(1) and (3) Designation of authorised officers</i> <i>Health (Miscellaneous Provisions) Act 1911</i>
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	Authority to designate a person or class of persons as authorised officers under the Public Health Act 2016.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. The appointment of an Environmental Health Officer must be in accordance with Section 17 (3) of the Public Health Act 2016. 2. The delegate (CEO) will issue to each person who is an authorised person a Certificate of Authority in accordance with Section 30 and 31 of the Public Health Act 2016.
Express Power to Sub-Delegate:	<i>Public Health Act 2016</i> <i>s21 Enforcement agency may delegate</i>
Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub-delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

Part 9 Planning and Development Act 2005

9.1 Directions regarding unauthorised/illegal development

Delegator: Power / Duty assigned in legislation to:	Local Government
Express Power to Delegate: Power that enables a delegation to be made	<i>Local Government Act 1995</i> <i>s.5.42(1)(b) Delegation of some powers and duties to CEO</i>
Express Power or Duty Delegated:	<i>Planning and Development Act 2005</i> <i>s.214 (2), (3) and (5). Illegal development</i> <i>Shire of Pingelly Town Planning Scheme No. 3</i>
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control are requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development; <ol style="list-style-type: none"> a) To remove, pull down, take up, or alter the development; and b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	Nil

Express Power to Sub-Delegate:	Local Government Act 1995 s.5.44 CEO may delegate some powers and duties to other employees
Sub-Delegate/s:	Director Technical Services Executive Manager Technical Services
CEO Conditions on this Sub-Delegation:	<ol style="list-style-type: none"> 1. Conditions on the original delegation also apply to the sub delegation. 2. A certificate of authority as an authorised officer must be issued. 3. All prosecutions are to be authorised by the Chief Executive Officer.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

9.2 Determination of Development Applications

Delegator: Power / Duty assigned in legislation to:	Council
Express Power to Delegate: Power that enables a delegation to be made	<i>Planning and Development Act 2005</i> s.162 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 <i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to CEO s.5.43 Limitations on delegations to CEO
Express Power or Duty Delegated:	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • Clause 82, Schedule 2, Part 10 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, Schedule 2 Deemed Provisions for Local Planning Schemes. • Town Planning Scheme No. 3 • <i>Strata Titles Act 1985</i> s 25
Delegate:	Chief Executive Officer
Function: This is a précis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.	<ol style="list-style-type: none"> 1. Authority to exercise any of the local government's powers or the discharge of any of the local government's duties under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, and Town Planning Scheme No. 3. 2. Authority to make recommendations to the Western Australian Planning Commission on subdivision applications, including the imposition of subdivision conditions or the clearance of subdivision conditions including the bonding of conditions (Part 10, <i>Planning and Development Act 2005</i>).
Council Conditions on this Delegation:	<p>Specific Land uses This power of delegation does not extend to determining applications for development approval relating to the following land uses:</p> <ul style="list-style-type: none"> • Industry - Extractive • Uses of land not listed in the zoning table <p>Exclusions to Delegated Authority This power of delegation does not extend to approving applications for development approval in the following categories:</p> <ol style="list-style-type: none"> a) Non-residential development which, in the opinion of the delegated officer, is likely to have a significant impact on the Shire; b) Applications where objections have been received on valid planning grounds which cannot be reasonably addressed by negotiated minor variations to the application and/or conditions of approval. c) Applications that are not consistent with the Shire of Pingelly Town Planning Scheme No. 3. d) Applications for change of non-conforming use. e) Development not of the kind referred to in item a) and/or b) above, which, in the opinion of the delegated officer, is contentious. f) The determination of an amendment to a previous development approval that was approved by resolution of Council (including an extension to the term of the development approval, except where the variation is of a minor nature, would not substantially change the

	approved development, and for which no objection has been received during the advertising period of the application (where applicable). g) Reconsiderations of applications in accordance with Section 31 of the State Administrative Tribunal Act 2004.
Express Power to Sub-Delegate:	Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83

Sub-Delegate/s:	Nil
CEO Conditions on this Sub-Delegation:	Conditions on the original delegation also apply to the sub delegation.
Recordkeeping:	A record containing the requirements in accordance with Local Government Administration Regulations (1996) Regulation 19, is to be retained within the Shire's approved electronic content management system.
Version Control:	<date> <OCM resolution #>

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

15.3 Attachment

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
		SCHEDULE 4 - GOVERNANCE			
		PHOTOCOPYING FEES			
		Statutory Documents No GST			
		Other Customers Incl GST			
104710	C	A3 (single sided) – Colour	\$3.00	\$0.30	\$3.30
104710	C	A3 (double sided) – Colour	\$3.36	\$0.34	\$3.70
104710	C	A4 (single sided) – Colour	\$1.64	\$0.16	\$1.80
104710	C	A4 (double sided) – Colour	\$2.27	\$0.23	\$2.50
104710	C	A3 (single sided) – Black	\$0.82	\$0.08	\$0.90
104710	C	A3 (double sided) – Black	\$1.27	\$0.13	\$1.40
104710	C	A4 (single sided) – Black	\$0.64	\$0.06	\$0.70
104710	C	A4 (double sided) – Black	\$0.73	\$0.07	\$0.80
104710	C	Community Service Groups (at CEO discretion)	50% rebate	At cost	50% rebate
104170	C	Sending Email:	0.95	\$0.10	\$1.05
104710	C	Facsimile Transmission:			
104710	C	Within Australia (per page excluding cover sheet)	\$4.09	\$0.41	\$4.50
104710	C	Overseas (per page excluding cover sheet)	\$5.00	\$0.50	\$5.50
104780	C	Safety Deposit Packets	\$64.55	\$6.45	\$71.00
104630	C	Rates & Requisitions Enquiry Fee (settlement agents) (EAS)	\$118.18	\$11.82	\$130.00
103100	C	Rates Instalment fee per instalment (first instalment No charge)	\$10.00	Nil	\$10.00
104710	C	Request for copies of old Rates notices (not current year) per notice.	\$10.00	Nil	\$10.00
104710	C	Electoral Roll	Cost of production	N	Cost of production
104710	C	Copy of Rate Book	Cost of production	N	Cost of production
104710	C	Policy Manual	Cost of production	N	Cost of production
104710	C	Council Agendas & Minutes	Cost of production	N	Cost of production
104710	C	Laminating A3	\$3.64	\$0.36	\$4.00
104710	C	Laminating A4	\$2.00	\$0.20	\$2.20
104710	C	Credit Card transaction fees (1.1% of transaction value) cost recovery only	1.1%	Yes	1.1%
104710	C	Recovery of legal fees (Rates and Debtors)	at cost	Yes	at cost
104710	C	Dishonoured Cheque fee	at cost	Yes	at cost
		PROFESSIONAL SERVICES (hourly rate)			
		Note that this excludes all professional consultancy fees for building services, which are applied in accordance with the fees outlined in that section.		Fee for service	
104800	C	Chief Executive Officer	\$113.64	\$11.36	\$125.00
104800	C	Director / Project Manager	\$90.91	\$9.09	\$100.00
104800	C	Supervisor	\$81.82	\$8.18	\$90.00
104800	C	Team Leader	\$72.73	\$7.27	\$80.00
104800	C	Senior Officer / Plant Operator	\$60.91	\$6.09	\$67.00
104800	C	Officer / Labourer	\$50.00	\$5.00	\$55.00
104800	C	Ranger (includes travel for call outs)	\$113.64	\$11.36	\$125.00
		FREEDOM OF INFORMATION ACT 1992 CHARGES			
		Statutory – Freedom of Information Regulations 1993 Sch 1			
N/A	S	No fee to access application relating to personal information and amendment of personal information	Free	N	Free
104840	S	Application fee for other application (non-personal)	\$30.00	N	\$30.00
104840	S	Fees applicable for internal or external reviews	\$30.00	N	\$30.00
104840	S	Charge for time taken by staff dealing with the application – per hour or pro rata for a part of an hour	\$30.00	N	\$30.00
104710	S	Charge for photocopying – per hour or pro rata for a part of an hour of staff time	\$30.00 plus photocopy charges	N	\$30.00 plus photocopy charges
104710	S	Charge for photocopying – per page copy	\$0.20	N	\$0.20
104710	S	Charge for time taken by staff transcribing information from a tape or other device – per hour or pro rata for part of an hour	\$30.00	N	\$30.00
104710	S	Charge for duplicating tape, film or computer information	Actual Cost	Actual Cost	Actual Cost
104750	S	Charge for delivery, packaging and postage	Actual Cost	Actual Cost	Actual Cost
104750	S	Advanced Deposits 25% of estimated charges which will be payable in excess of the application fee	25%	Nil	25%
		DESIGN AND CONTRACT SERVICES			
104170	C	Tender specification documentation deposit (when applied)	\$216.36	\$21.64	\$238.00

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/Council	Particulars	2020/21	GST	2020/21 Total
		SCHEDULE 5 - LAW, ORDER AND PUBLIC SAFETY			
		PHOTOCOPYING FEES			
		Fire Maps:			
105590	C	A3	\$7.27	\$0.73	\$8.00
105590	C	A4	\$2.73	\$0.27	\$3.00
105590	C	Binding – Spiral (each)	\$3.27	\$0.33	\$3.60
		ANIMAL CONTROL			
		DOG REGISTRATION LICENSE FEES			
		Statutory – Dog Act 1976 - Dog Regulations 2013			
105810	S	1 year – Unsterilised	\$50.00	N	\$50.00
105810	S	1 year – Sterilised	\$20.00	N	\$20.00
105810	S	3 years – Unsterilised	\$120.00	N	\$120.00
105810	S	3 years – Sterilised	\$42.50	N	\$42.50
105810	S	Lifetime – Unsterilised	\$250.00	N	\$250.00
105810	S	Lifetime – Sterilised	\$100.00	N	\$100.00
105810	S	Working Dog (A dog used for droving or caring for stock)	¼ of Registration Fee	N	¼ of Registration Fee
105810	S	Pensioner Concession (A person issued with a Pensioner Health Benefit Card ie Aged, Invalid, Widowed or Carers Pension)	½ of Registration Fee	N	½ of Registration Fee
		1. All Registrations expire on 31 October each year			
		2. Registrations paid after 31 May are discounted by 50%			
105810	C	Application Fee for exemption for more than two dogs	\$90.91	\$9.09	\$100.00
		DOG IMPOUND FEES			
		Statutory – Dog Act 1976 - Dog Regulations 2013			
105820	C	Seizure of Dog	\$81.82	\$8.18	\$90.00
105820	C	Sustenance of a dog per day impounded	\$13.64	\$1.36	\$15.00
105870	S	Unregistered Dog (s. 7(1)) - other than dangerous dog	\$200.00	N	\$200.00
105870	S	Unregistered Dog (s. 7(1)) - dangerous dog	\$400.00	N	\$400.00
105870	S	Failure to notify local government of new owner (s.16A(1))	\$200.00	N	\$200.00
105870	S	Registration tag, certificate offences (s.20(2)) - other than dangerous dog	\$200.00	N	\$200.00
105870	S	Registration tag, certificate offences (s.20(2)) - dangerous dog	\$400.00	N	\$400.00
105870	S	Unlawful application of sterilisation tattoo (s.20(2))	\$200.00	N	\$200.00
105870	S	Failure to ensure dog microchipped (s.21(1), (2))	\$200.00	N	\$200.00
105870	S	Failure to ensure dangerous dog microchipped (s.22(2))	\$400.00	N	\$400.00
105870	S	Failure to notify local government of microchip details (s.23(1))	\$200.00	N	\$200.00
105870	S	Removing, interfering with, dog's microchip (s.26A))	\$200.00	N	\$200.00
105870	S	Transfer of ownership to unmicrochipped dog (s.26B(1))	\$200.00	N	\$200.00
105870	S	Failure to notify microchip database company of new owner	\$200.00	N	\$200.00
	S	DOG IMPOUND FEES (cont)			
105870	S	Failure to notify local government, microchip database company of information changes (2.26D)	\$200.00	Nil	\$200.00
105870	S	Keeping more than the prescribed number of dogs - other than dangerous dog (s.26(4))	\$200.00	Nil	\$200.00
105870	S	Keeping more than the prescribed number of dogs - dangerous dog (s.26(4))	\$400.00	Nil	\$400.00
105870	S	Breach of kennel establishment licence (s.27(2))	\$200.00	Nil	\$200.00
105870	S	Dog not wearing collar with attached registration tag (s.30(2))	\$200.00	Nil	\$200.00
105870	S	Dog not held or tethered in certain public places (s.31(3))	\$200.00	Nil	\$200.00
105870	S	Dog in exercise areas, rural areas offences (s.32(4))	\$200.00	Nil	\$200.00
105870	S	Greyhound not muzzled (s.33(3))	\$200.00	Nil	\$200.00
105870	S	Dog in place without consent (s.33A(3)) - other than dangerous dog	\$200.00	Nil	\$200.00
105870	S	Dog in place without consent (s.33A(3)) - dangerous dog	\$400.00	Nil	\$400.00
105870	S	Dog attack or chase causing physical injury (s.33D(1))	\$400.00	Nil	\$400.00
105870	S	Dog attack or chase causing no physical injury (s.33D(2A)) - other than dangerous dog	\$200.00	Nil	\$200.00
105870	S	Dog attack or chase causing no physical injury (s.33D(2A)) - dangerous dog	\$400.00	Nil	\$400.00
105870	S	Dangerous dog not wearing prescribed collar with prescribed information (s.33GA(1))	\$400.00	Nil	\$400.00
105870	S	Not complying with dangerous dog enclosure requirement (s.33GA(2))	\$400.00	Nil	\$400.00
105870	S	Not complying with commercial security dog requirements - dangerous dog (s.33GA(4))	\$400.00	Nil	\$400.00

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
	S	DOG IMPOUND FEES (cont)			
		Statutory – Dog Act 1976 - Dog Regulations 2013			
105870	S	Warning signs about dangerous dogs not displayed (s.33GA(5))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog not muzzled (s.33GA(5))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog not held or tethered (s.33GA(7))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog not controlled by capable person (s.33GA(8))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog in prohibited place (s.33GA(9))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog (restricted breed) or pup advertised (s.33GC (2))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog (restricted breed) or pup sold (s.33GC (3))	\$400.00	Nil	\$400.00
105870	S	Dangerous dog (restricted breed) or pup transferred (s.33GC (4))	\$400.00	Nil	\$400.00
105870	S	Buying or accepting ownership of dangerous dog (restricted breed) (s.33GD)	\$400.00	Nil	\$400.00
105870	S	Breeding, or breeding from, dangerous dog (restricted breed) (s.33GD)	\$400.00	Nil	\$400.00
105870	S	Dangerous dog (declared) sold or transferred to under 18 year old (s.33GE(2))	\$400.00	Nil	\$400.00
105870	S	Failure to notify person of responsibilities under Part VI Div. 2 (s.33K(1))	\$400.00	Nil	\$400.00
105870	S	Failure to notify local government of a dangerous dog event (s.33K(2))	\$400.00	Nil	\$400.00
105870	S	Failure to notify new local government that dangerous dog kept in its district (s. 33K(3))	\$400.00	Nil	\$400.00
105870	S	Failure to provide a notice to new owner about a dangerous dog (declared) (s.33K(4))	\$400.00	Nil	\$400.00
105870	S	Failure to provide written notice to new owner about a dangerous dog (restricted breed) or dangerous dog (commercial security dog)	\$400.00	Nil	\$400.00
105870	S	Failure to notify local government of dangerous dog's new district or death (s.33K(5))	\$400.00	Nil	\$400.00
105870	S	Failure to comply with a nuisance dog order - dog other than dangerous dog (s.38(5))	\$200.00	Nil	\$200.00
105870	S	Failure to comply with a nuisance dog order - dangerous dog (s.38(5))	\$400.00	Nil	\$400.00
105870	S	Failure to produce document when so required - dog other than dangerous dog (s.43(2))	\$200.00	Nil	\$200.00
105870	S	Failure to produce document when so required - dangerous dog (s.43(2))	\$400.00	Nil	\$400.00
105870	S	Failure to give name, date of birth or address on demand - dog other than dangerous dog (s.43A)	\$200.00	Nil	\$200.00
105870	S	Failure to give name, date of birth or address on demand - dangerous dog (s.43A)	\$400.00	Nil	\$400.00
105870	C	Disposal/Destruction of dog	\$98.32	\$9.83	\$108.15
		CAT REGISTRATION FEES			
105830		Statutory - Cat Act 2011- Cat Regulations 2012			
105830	S	Annual registration of a cat, unless concessional fees are applicable	\$20.00	Nil	\$20.00
105830	S	3 year registration period	\$42.50	Nil	\$42.50
105830	S	3 year registration period - Pensioners	\$21.25	Nil	\$21.25
105830	S	Lifetime registration period	\$100.00	Nil	\$100.00
105830	S	Lifetime registration period - Pensioners	\$50.00	Nil	\$50.00
105830	S	Registration after 31 May in any year, for that registration year	50% of fee payable otherwise	Nil	50% of fee payable otherwise
105830	S	Annual registration for approval or renewal of approval to breed cats (per cat)	\$100.00	Nil	\$100.00
105830	C	Application for exemption for more than three cats	\$181.82	\$18.18	\$200.00
		CAT IMPOUND FEES			
		Statutory - Cat Act 2011- Cat Regulations 2012			
105850	C	Seizure of cat	\$85.45	\$8.55	\$94.00
105850	C	Sustenance of a cat per day impounded	\$14.55	\$1.45	\$16.00
105850	C	Disposal/Destruction of cat	\$94.54	\$9.45	\$104.00
105840	S	Unregistered cat (s.5(1))	\$200.00	Nil	\$200.00
105840	S	Failure to ensure cat is wearing its registration tag in public (s.6(1))	\$200.00	Nil	\$200.00
105840	S	Removing, or interfering with, a cat's registration tag (s.7)	\$200.00	Nil	\$200.00
105840	S	Failure to ensure cat is microchipped (s.14(1))	\$200.00	Nil	\$200.00
105840	S	Removing, or interfering with, a cat's microchip (s.17)	\$200.00	Nil	\$200.00
105840	S	Failure to ensure cat is sterilised (s.18(1))	\$200.00	Nil	\$200.00
105840	S	Identifying a cat as sterilised that is not (s.19)	\$200.00	Nil	\$200.00
105840	S	Transfer of a cat that is not microchipped (and is not exempt) (s.23(1))	\$200.00	Nil	\$200.00
105840	S	Transfer of a cat that is not sterilised (and is not exempt) (s. 23(2))	\$200.00	Nil	\$200.00
105840	S	Failure to notify local government or microchip database company of a new owner (s.24)	\$200.00	Nil	\$200.00
105840	S	Failure to notify local government or microchip database company of a change of details (s.25)	\$200.00	Nil	\$200.00
105840	S	Breeding cats, not being an approved cat breeder (s.35(1))	\$200.00	Nil	\$200.00
105840	S	Cats not to be offered as prizes (s.41)	\$200.00	Nil	\$200.00
105840	S	Refusal by alleged offender to give information on request (s.50(2))	\$200.00	Nil	\$200.00
		VEHICLE IMPOUNDMENT			
105860	C	Impoundment of vehicle (plus collection and recovery costs)	\$125.45	\$12.55	\$138.00
105860	C	Collection of vehicle for impoundment	Refer to plant hire charges	Yes	Refer to plant hire charges
105860	C	Recovery by third party	At cost	Yes	At cost
		OTHER APPLICATIONS			
		Activities in Thoroughfares and Public Places and Trading Local Law 2003			
		COMMERCIAL STALL HOLDERS PERMIT (EACH)			
114840	S	Time and date authorised by CEO	\$150.00	N	\$150.00
		Not applicable to Non-profit organisations.	N/A	N/A	N/A

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
		HEALTH AND INSPECTION FEES			
		Statutory - Food Act 2008, Food Regulations 2009			
107500	C	Food Business - Notification (NB: Fees set by LG s140)	\$52.00	N	\$52.00
107500	C	Food Business - Registration & Surveillance (NB: Fees set by LG s140)	\$140.00	N	\$140.00
107500	C	Food Surveillance - Inspection per year	\$114.00	N	\$114.00
107500	C	Temporary Food Stall permit (each)	\$50.00	N	\$50.00
N/A	C	Temporary Food Stall Permit (community group)	Free	Free	Free
107500	C	Repeat/non-compliance inspections per visit (food business)	\$57.00	N	\$57.00
107500	C	Mobile Food Vendor License	\$100.00	N	\$100.00
107500	C	Mobile Food Vendor (Single Event)	\$52.00	N	\$52.00
107500	C	Hairdresser Inspection fee	\$114.00	N	\$114.00
		Statutory - Building Act 2011, Building Regulations 2012, Australian Standard AS 1926.1-1993 Part 1: Fencing for swimming pools			
107500	S	Private Swimming Pool Inspection Fee (NB: Fee set by Building Commission - Building Regulations 2012 Reg 53)	\$58.45	N	\$58.45
		Statutory - Health Act 1911 - Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974			
107550	S	Septic Tank Application for the approval of an Apparatus by local government under regulation 4	\$118.00	N	\$118.00
		Application for the approval of an apparatus by the Chief Health Officer under regulation 4A -			
107550	S	with a local government report	\$56.00	N	\$56.00
107550	S	without a local government report under regulation 4A(4)	\$110.00	N	\$110.00
107550	S	Fee for the grant of or Issuing of a permit to use an Apparatus under regulation 10(2)	\$118.00	N	\$118.00
		Local Government Act 1995			
107540	C	Seizure of Assets Fee	\$51.82	\$5.18	\$57.00
107540	C	Daily Assets Seizure Fee	\$10.91	\$1.09	\$12.00
		SCHEDULE 8 - EDUCATION AND WELFARE			
		BUILDING HIRE FEES			
		Playgroup Building			
108620	C	Per Day	\$27.27	\$2.73	\$30.00
108620	C	Partial usage - per hour	\$10.91	\$1.09	\$12.00
		SCHEDULE 10 - COMMUNITY AMENITIES			
		TOWN PLANNING FEES			
		Maximum set by Planning and Development Regulations 2009 (Part 7 - Local Government Planning Charges) Sch 2			
		1. Determination of development application (other than for an extractive industry) Where the estimated cost of the development is -			
110740	S	a) not more than \$50,000	\$147.00	N	\$147.00
110740	S	b) more than \$50,000 but not more than \$500,000	0.32% of the estimated cost of development	N	0.32% of the estimated cost of development
110740	S	c) more than \$500,000 but not more than \$2.5 million	\$1,700+ 0.257% for every \$1.00 in excess of \$500,000	N	\$1,700+ 0.257% for every \$1.00 in excess of \$500,000
110740	S	d) more than \$2.5 million but not more than \$5 million	\$7,161 + 0.206% for every \$1.00 in excess of \$2.5 million	N	\$7,161 + 0.206% for every \$1.00 in excess of \$2.5 million
110740	S	e) more than \$5 million but not more than \$21.5 million	\$12,633 + 0.123% for every \$1.00 in excess of \$5 million	N	\$12,633 + 0.123% for every \$1.00 in excess of \$5 million
110740	S	f) more than \$21.5 million	\$34,196.00	N	\$34,196.00
110740	S	2. Determine a development application (other than for an extractive industry) where the development has commenced or been carried out	The fee in item 1 plus by the way of penalty, twice that fee	N	The fee in item 1 plus by the way of penalty, twice that fee.
110740	S	3. Determination of development application for an extractive industry where the development has not commenced or been carried out	\$739.00	N	\$739.00
110740	S	4. Determination of development application for an extractive industry where the development has commenced or been carried out	The fee in item 3 plus, by way of penalty, twice that fee	N	The fee in item 3 plus, by way of penalty, twice that fee
110740		5. Provision of a subdivision clearance -		N	
110740	S	a) not more than 5 lots	\$73.00 per lot	N	\$73.00 per lot
110740	S	b) more than 5 lots but not more than 195 lots	\$73.00 per lot for the first 5 lots and then \$35.00 per lot	N	\$73.00 per lot for the first 5 lots and then \$35.00 per lot
110740	S	c) more than 195 lots	\$7,393.00	N	\$7,393.00
110740	S	6. Determine an initial application for approval of a home occupation where the home occupation has not commenced	\$222.00	N	\$222.00
110740	S	7. Determine an initial application for approval of a home occupation where the home occupation has commenced	The fee in item 6 plus, by way of penalty, twice that fee	N	The fee in item 6 plus, by way of penalty, twice that fee
110740	S	8. Determining the application for the renewal of an approval of a home occupation where the application is made before the approval expires	\$73.00	N	\$73.00

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
TOWN PLANNING FEES (cont)					
110740	S	9. Determining the application for the renewal of an approval of a home occupation where the application is made after the approval expires	The fee in item 8 plus, by way of penalty, twice that fee	N	The fee in item 8 plus, by way of penalty, twice that fee
110740	S	10. Determining an application for a change of use or for an alteration or extension or change of a non – conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out	\$295.00	N	\$295.00
110740	S	11. Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply where the change or the alteration extension or change has commenced or been carried out	The fee in item 10 plus, by way of penalty, twice that fee	N	The fee in item 10 plus, by way of penalty, twice that fee
110740	S	12 Providing a zoning certificate	\$73.00	N	\$73.00
110740	S	13. Reply to a property settlement questionnaire	\$73.00	N	\$73.00
110740	S	14. Providing written planning advice	\$76.37	\$7.64	\$84.00
110740	S	Renewal of home occupation permit	\$73.00	N	\$73.00
110740	C	Minor Planning Fee (for Building Under 40m ²)	\$50.00	N	\$50.00
CEMETERY FEES					
110730	C	Funeral Director's Licence (Annual)	\$108.00	N	\$108.00
110730	C	Single funeral permit	\$54.00	N	\$54.00
110730	C	Application for Monumental Mason's Licence	\$54.00	N	\$54.00
Grave Digging to depth of 2.1m					
110700	C	Persons 10 years and over *	\$1,081.82	\$108.18	\$1,190.00
110700	C	Child under 10 years *	\$436.36	\$43.64	\$480.00
110700	C	Each addition depth of 0.3m	\$179.09	\$17.91	\$197.00
110700	C	* Additional for Moorumbine Cemetery - due to hard digging (rock)	\$2,267.27	\$226.73	\$2,494.00
110700	C	Backfill only of grave by Shire Staff	\$213.64	\$21.36	\$235.00
110700	C	Fee to hand dig grave by Shire Staff	POA	POA	POA
110700	C	Administration Fee for Burials	POA	POA	POA
Re-opening					
110700	C	Person 10 years and over * (for second interment)	\$713.64	\$71.36	\$785.00
110700	C	Child under 10 years * (for second interment)	\$356.36	\$35.64	\$392.00
110700	C	Exhumation fee	\$433.64	\$43.36	\$477.00
110700	C	* Additional for Moorumbine Cemetery	\$270.00	\$27.00	\$297.00
Purchase of Grant of Right of Burial - valid for 25 years					
110700	C	2.4 x 1.2 metres	\$147.27	\$14.73	\$162.00
Niche Wall					
110700	C	Fee for interment of ashes - Wall or Rose Garden	\$109.09	\$10.91	\$120.00
110700	C	Memorial Plinth	\$109.09	\$10.91	\$120.00
Reservation of Niche - valid for 25 years					
110700	C	Single compartment reservation	\$147.27	\$14.73	\$162.00
110700	C	Double compartment reservation	\$245.45	\$24.55	\$270.00
110700	C	Single niche wall plaque and one standard inscription	POA	POA	POA
110700	C	Standard double	POA	POA	POA
110700	C	Double inscription extra	POA	POA	POA
110700	C	Ashes removal - Exhumation	\$140.91	\$14.09	\$155.00
110700	C	Additional for interment without notice	\$270.00	\$27.00	\$297.00
110700	C	Additional for interment on a weekend or a public holiday	\$358.18	\$35.82	\$394.00
110700	C	Interment of ashes in a grave	\$298.18	\$29.82	\$328.00
110700	C	Permission to erect any monument	\$60.00	\$6.00	\$66.00
110700	C	Erection of a grave number plate	\$60.00	\$6.00	\$66.00
110700	C	Re-instalment of monument, headstone etc. after re-opening	\$298.18	\$29.82	\$328.00
110700	C	Filling of grave by hand (on families' request)	\$298.18	\$29.82	\$328.00
REFUSE/RUBBISH DISPOSAL/ENVIRONMENT					
110600	C	Rubbish Service Fees (residential per service per annum). Fee to be charged for all habitable properties	\$310.00	N	\$310.00
110620	C	Rubbish Service Fees (commercial/industrial per service per annum)	\$310.00	N	\$310.00
110660	C	Rubbish Tip Fee For After Hours - Supervised Access	\$98.18	\$9.82	\$108.00
110660	C	Rubbish Tip Fee For After Hrs-Unsupervised Access Annual Fee	\$109.09	\$10.91	\$120.00
T7		Key Bond for after hours access	\$50.00	N	\$50.00
110660	C	Burial of Hazardous Waste (per m3) (as per licence)	\$151.42	\$14.00	\$154.00
110660	C	Car body belonging to resident	Free	Free	Free
110660	C	Truck body belonging to resident	Free	Free	Free
110660	C	Building Rubble per m3	\$48.18	\$4.82	\$53.00
110660	C	Green Waste - Residents m3	Free	Free	Free
110660	C	Green Waste - Non Residents m3	\$11.37	\$1.14	\$12.50
110660	C	Uncontaminated sand and fill - residents and non residents	Free	Free	Free
110660	C	Septic Waste - m3 (as per landfill licence)	\$21.81	\$2.18	\$24.00
110660	C	Contaminated or unsorted mixed loads m3 (as per landfill licence) - residents and non residents	\$75.45	\$7.55	\$83.00
104800	C	Administration Fee for contaminated mixed Waste loads e.g. Hillside	\$31.82	\$3.18	\$35.00
104800	C	Administration Fee for other Commercial and Industrial waste loads	POA	POA	POA
110660	C	Oil Disposal - Non residential or commercial - per litre	\$2.73	\$0.27	\$3.00
110660	C	Passenger and Motorcycle Tyre	\$4.09	\$0.41	\$4.50
110660	C	Light truck and 4x4 vehicle Tyre	\$6.36	\$0.64	\$7.00
110660	C	Truck Tyre	\$16.82	\$1.68	\$18.50
110660	C	Super single Tyre	\$20.91	\$2.09	\$23.00
110660	C	Tyres with rims will be charges 100% on the cost of the tyre disposal cost	100% additional cost on the cost of tyre	100% additional cost on the cost of tyre	100% additional cost on the cost of tyre
110660	C	All other tyres as per WA Tyre Recovery Pricing	P.O.A	P.O.A	P.O.A

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
		SCHEDULE 11 - RECREATION AND CULTURE			
		LEASES			
		Pre School/Playgroup Building			
108620	C	Narrogin Child Care Services \$500 per qtr or \$2,000p.a +GST	\$2,000.00	\$200.00	\$2,200.00
		BUILDING HIRE FEES			
		Town Hall, Pavilion & Community Centre Hire			
1151/1150/ 1163	C	Town Hall – Major event/function, weddings, wakes, parties, shows etc.	\$208.18	\$20.82	\$229.00
1151/1150/ 1163	C	Local Community Groups <u>Major Event/Function</u> receive a 50% discount on venue hire as approved by CEO.			
1151/1150/ 1163	C	Town Hall Hire, Hourly Hire Rate (max 3 hours)	\$10.00	\$1.00	\$11.00
1151/1150/ 1163	C	Town Hall, Pavilion & Community Centre – Minor event/functions, displays, exhibitions, other community groups.	\$94.55	\$9.46	\$104.00
1151/1150/ 1163	C	Local Community Groups <u>Minor Event/Function</u> receive a 50% discount on venue hire as approved by CEO (max 3 hours hire)	\$46.82	\$4.68	\$51.50
1165	C	Chair Hire – per item per day	\$1.00	\$0.10	\$1.10
1165	C	Table Hire – per item per day	\$1.00	\$0.10	\$1.10
114760	C	Delivery charge	Refer to Plant Hire Charges - hourly	At Cost	Refer to Plant Hire Charges - hourly
		Events			
SA001/600/ 600	C	Concerts, performing arts events provided by the Shire as authorised by the CEO	CEO to approve event fee	Yes	CEO to approve event fee
SA001/600/ 600	C	Physical activity programs provided by the Shire are charged as authorised by the CEO	CEO to approve event fee	Yes	CEO to approve event fee
		Bonds (Refundable)			
T7	C	Key, each	\$50.00	Nil	\$50.00
T7	C	Key, maximum (multiple keys)	\$150.00	Nil	\$150.00
T7	C	Cleaning/Damage	\$150.00	Nil	\$150.00
T7	C	Cutlery/Crockery	\$200.00	Nil	\$200.00
T7	C	Liquor - Authorisation must be obtained from CEO (refer below)	\$150.00	Nil	\$150.00
		1. Deposits and hire charges are to be paid when keys are collected unless standing deposit held.			
		2. Claims for credit/refunds will not be considered unless notified by the end of the following month.			
		3. Deposits will be refunded once clearance is given by caretaker, or at close of season as appropriate.			
		4. The hirer of a public building is responsible for the first \$1,000.00 of damage incurred.			
		5. A License from the Clerk of Courts to sell liquor is required if liquor is to be sold or is included in the ticket price for a function.			
		6. Any consumption of liquor must be authorised by the CEO.			
T7	C	7. The CEO may authorise and implement an annual standing bond for community groups for the regular use of facilities and/or equipment.	\$500.00	Nil	\$500.00
		RECREATION GROUND HIRE FEES			
1164	C	Pingelly Shears (Shearing Shed Hire)	\$38.18	\$3.82	\$42.00
1164	C	Sheep sale yards and equipment	\$104.55	\$10.45	\$115.00
		EQUIPMENT HIRE FEES			
		PA System			
1165	C	Bond - refundable	\$150.00	Nil	\$150.00
1165	C	Day Hire	\$50.00	\$5.00	\$55.00
1165	C	Casual Hire – per hour	\$15.00	\$1.50	\$16.50
		Piano / Electric Keyboard			
1165	C	Bond	\$300.00	Nil	\$300.00
		Small Animal Trap			
Bonds T?	C	Bond	\$80.00	Nil	\$80.00
0580	C	Weekly Hire	\$10.91	\$1.09	\$12.00

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
PLANT HIRE FEES					
Community Bus (MR Class drivers license required)					
1162	C	Hire (per/km) - plus fuel	\$1.18	\$0.12	\$1.30
1162	C	Minimum any hire - plus fuel	\$31.82	\$3.18	\$35.00
1162	C	Full Day hire rate - plus fuel	\$209.09	\$20.91	\$230.00
		Note: The hirer has the choice to hire the Community Bus by hiring per km or the full day hire rate if the hire will exceed the minimum any hire rate. The hirer will always be charged the lesser amount.			
1162	C	NB: If the hirer returns the bus not refuelled to full then the Shire will charge the cost of the fuel and staff time including an Administrative fee.	Cost of fuel and time + \$30 admin fees	Cost plus gst on admin fee of \$3	Cost of fuel and time plus Admin fee of \$33
1162	C	Minimum cleaning charge for the first hour	\$59.09	\$5.91	\$65.00
1162	C	Any additional cleaning requirements in addition to the first hour will be charged per 15 minute blocks at the rate of	\$21.82	\$2.18	\$24.00
T7	C	Bond	\$100.00	Nil	\$100.00
		Note: The hirer of the Community Bus is responsible for the first \$1,000 for any malicious damage caused.			
SWIMMING POOL FEES					
Entry Fee					
1156	C	Adult (18 years and over)	\$2.55	\$0.25	\$2.80
1156	C	Student (15 years and over)	\$1.55	\$0.15	\$1.70
1156	C	Child (Over 5 to 17 years)	\$1.55	\$0.15	\$1.70
1156	C	Child (under 5 years) Must be accompanied by paying adult)	Free	Free	Free
1156	C	Senior/Pensioner (over 60 years)	\$1.55	\$0.15	\$1.70
1156	C	Family (2 Adults + Max 4 dependent children under 12)	\$7.28	\$0.73	\$8.00
1156	C	Spectators	\$1.55	\$0.15	\$1.70
1156	C	Swimming classes (Vacation Swim Lessons only)	\$1.55	\$0.15	\$1.70
1156	C	Swimming school classes (In Term Ed Dept Lessons only)	N/C	N/C	N/C
		Free entry school holidays for all users as approved by the CEO			
		No pool entry fees (or usage fees) are to be charged for school swimming carnivals.			
Season Tickets					
1157	C	Child	\$18.18	\$1.82	\$20.00
1157	C	Adult	\$45.45	\$4.55	\$50.00
1157	C	Family	\$109.09	\$10.91	\$120.00
Hire of pool (by arrangement)					
1156	C	per hour (minimum 1 hour)	\$113.64	\$11.36	\$125.00
1156	C	maximum (3 hours)	\$336.36	\$33.64	\$370.00
SCHEDULE 12 - TRANSPORT					
UNSEALED ROAD MAINTENANCE CONTRIBUTION					
1226	C	This fee will only be applicable when Council has approved conditional business access to an unsealed road. Maintenance agreement with Council is per tonne/per kilometre or part thereof.	\$0.20	\$0.02	\$0.22
SCHEDULE 13 - ECONOMIC SERVICES					
PHOTOCOPYING FEES					
1353	C	Building Plan Search Fee (plus photocopy charges)	\$18.00	Nil	\$18.00
BUILDING FEES					
Statutory - Building Services (Complaint Resolution and Administration) Act 2011 & Regulations 2011					
APPLICATIONS FOR BUILDING / DEMOLITION					
113310	S	Certified - Classes 1 and 10 (of declared value)	0.19% (min \$105.00)	Nil	0.19% (min \$105.00)
113310	S	Certified - Classes 2 to 9 (of declared value)	0.09% (min \$105.00)	Nil	0.09% (min \$105.00)
113310	S	Uncertified - Classes 1 and 10 (of declared value)	0.32% (min \$105.00)	Nil	0.32% (min \$105.00)
113310	S	Minimum Fee any class	\$105.00	Nil	\$105.00
113310	S	Application for Demolition Permit - Class 1 and 10	\$105.00	Nil	\$105.00
113310	S	Application for Demolition Permit - Class 2 to 9	\$105.00 per storey	Nil	\$105.00 per storey
113310	S	Application to extend time during which building or demolition permit has effect.	\$105.00	Nil	\$105.00
Building Services Levy-Dept of Commerce					
102220	S	Building Permit (Over \$45,000)	0.137% of work	Nil	0.137% of work value
102220	S	Building Permit (\$45,000 or less)	\$61.65	Nil	\$61.65
102220	S	Demolition Permit (Over \$45,000)	0.137% of work	Nil	0.137% of work value
102220	S	Demolition Permit (\$45,000 or less)	\$61.65	Nil	\$61.65
102220	S	Occupancy Permit or Building Approval Certificate (s.47,49, 50 or 52 of Building Act 2011)	\$61.65	Nil	\$61.65
102220	S	Occupancy Permit or Building Approval Certificate for Unauthorised Work (Over \$45,000 (s.51 of Building Act 2011))	0.274% of work value	Nil	0.274% of work value
102220	S	Occupancy Permit or Building Approval Certificate for Unauthorised Work (\$45,000 or less (s.51 of Building Act 2011))	\$123.30	Nil	\$123.30

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
		APPLICATION FOR OCCUPANCY PERMITS / BUILDING APPROVAL CERTIFICATES			
		Statutory – Building Regulations 2012 Schedule 2 Application for:			
113310	S	Occupancy Permit for a completed building (s.46)	\$105.00	Nil	\$105.00
113310	S	Temporary Occupancy Permit for incomplete building (s.47)	\$105.00	Nil	\$105.00
113310	S	Modification of an Occupancy Permit for additional use of a building on temporary basis (s. 48)	\$105.00	Nil	\$105.00
113310	S	Replacement Occupancy Permit for permanent change of the building's use, classification (s.49)	\$105.00	Nil	\$105.00
113310	S	Occupancy Permit or Building Approval Certificate for registration of strata scheme, plan of re-subdivision	\$11.60 per strata unit (min. \$115.00)	Nil	\$11.60 per strata unit (min. \$115.00)
113310	S	Occupancy Permit for a building in respect of which unauthorised work has been done (s. 51(2))	0.18% of work value (min. \$105.00)	Nil	0.18% of work value (min. \$105.00)
113310	S	Building Approval Certificate for a building in respect of which unauthorised work has been done (s.51(3))	0.38% of work value (min. \$105.00)	Nil	0.38% of work value (min. \$105.00)
113310	S	Replacement Occupancy Permit for an existing building (s.52(1))	\$105.00	Nil	\$105.00
113310	S	Building Approval Certificate for an existing building where unauthorised work has not been done (s.52(2))	\$105.00	Nil	\$105.00
113310	S	Extension of time during which an occupancy permit or building approval certificate has effect (s.65(3)(a))	\$105.00	Nil	\$105.00
		OTHER APPLICATIONS			
103310	S	Application as defined in regulation 31 (for each building standard in respect of which declaration is sought)	\$2,160.15	Nil	\$2,160.15
102230	S	BCITF Levy (over \$20,000) (of declared value) (Statutory)	0.20%	Nil	0.20%
T7	C	Relocated Secondhand Dwelling Bond	\$5,000.00	Nil	\$5,000.00
103310	S	Local Government approval of battery powered smoke alarms -Building Regulations 2012 Reg 61(3)\$170 max	\$170.00	Nil	\$170.00
		TOWN PLANNING FEES			
113510	C	Rural Address Fee - supply and erection (Rural Road Number)	\$72.73	\$7.27	\$80.00
		CARAVAN PARK FEES			
		Site utilising power, water or ablutions (including RVs and tents)			
		Powered Sites			
113300	C	per night (up to 2 people)	\$30.91	\$3.09	\$34.00
113300	C	per week (up to 2 people) (stay for 7 nights pay for 6 nights)	\$152.73	\$15.27	\$168.00
113300	C	per week (permanent after 3 months)	\$136.36	Nil	\$136.36
113300	C	per night extra person (over 6 years of age)	\$11.36	\$1.14	\$12.50
113300	C	per week extra person (over 6 years of age)(stay for 7 nights pay for 6 nights)	\$68.18	\$6.82	\$75.00
113300	C	per night extra person (over 6 years of age) (permanent after 3 months)	\$11.50	Nil	\$11.50
113300	C	per day - Showers (itinerants) per person	\$9.09	\$0.91	\$10.00
		CARAVAN PARK FEES (cont)			
		Unpowered Sites (including RVs and Tents)			
113300	C	per night (up to 2 people)	\$25.45	\$2.55	\$28.00
113300	C	per week (up to 2 people)	\$90.91	\$9.09	\$100.00
113300	C	extra person (over 6 years of age)	\$5.91	\$0.59	\$6.50
113300	C	Showers (itinerants) per person	\$9.09	\$0.91	\$10.00
		Oval Site Unpowered			
113300	C	RV (Self Contained) only requiring dump site - No Power	\$10.91	\$1.09	\$12.00
		Caravan Clubs / Group Bookings			
113300	C	Site Only (Max number of sites 10)	\$78.18	\$7.82	\$86.00
		STANDPIPE WATER CHARGE			
113320	F	1 kL (per 1,000 Litres) (NB: minimum charge \$10.00) GST free	\$8.78	Nil	\$8.78
113320	C	Administration / Invoice Charge	\$31.82	\$3.18	\$35.00

SHIRE OF PINGELLY FEES AND CHARGES 2020/21

Account Code	Statutory/ Council	Particulars	2020/21	GST	2020/21 Total
		SCHEDULE 14 - OTHER PROPERTY AND SERVICES			
		ENGINEERING SERVICES			
		Engineering Private Works and wet hire of plant as approved by CEO			
114700	C	Administration Charge per invoice - only apply to non residents and commercial works or contractors	\$160.00	\$16.00	\$176.00
		Wet plant hire (per hour, minimum of one hour)			
114700	C	- Front end loader	\$209.09	\$20.91	\$230.00
114700	C	- Tip truck - 10m3	\$181.82	\$18.18	\$200.00
114700	C	- Tip truck - 6m3	\$161.82	\$16.18	\$178.00
114700	C	- Tip truck - 3m3	\$125.45	\$12.55	\$138.00
114700	C	- Rollers	\$236.36	\$23.64	\$260.00
114700	C	- Tractor/Broom	\$181.82	\$18.18	\$200.00
114700	C	- Road patching maintenance truck (plus materials)	\$236.36	\$23.64	\$260.00
114700	C	- Sign truck (plus materials)	\$151.82	\$15.18	\$167.00
114700	C	- Water truck (large) (plus water)	\$172.73	\$17.27	\$190.00
114700	C	- Water truck (small) (plus water)	\$131.82	\$13.18	\$145.00
114700	C	- Tractor	\$113.64	\$11.36	\$125.00
114700	C	- Tractor and slasher	\$159.09	\$15.91	\$175.00
114700	C	- Tractor and mower	\$159.09	\$15.91	\$175.00
114700	C	- Grader/Loader	\$236.36	\$23.64	\$260.00
114700	C	- Backhoe	\$200.00	\$20.00	\$220.00
114700	C	- Bobcat (includes attachments)	\$160.00	\$16.00	\$176.00
114700	C	- Mowers with catchers	\$113.64	\$11.36	\$125.00
114700	C	- Out front ride on mower	\$113.64	\$11.36	\$125.00
114700	C	- Small ride on mower	\$80.91	\$8.09	\$89.00
		Plant Hire (per hour, minimum of one hour):			
114700	C	- SAM sign	\$122.73	\$12.27	\$135.00
114700	C	- Trailer box	\$13.64	\$1.36	\$15.00
114700	C	- Trailer large car	\$24.55	\$2.45	\$27.00
114700	C	- Trailer heavy plant	\$43.64	\$4.36	\$48.00
114700	C	- Spray unit and vehicle (excluding chemicals)	\$61.82	\$6.18	\$68.00
		Plant Hire (per hour, minimum of one hour):			
114700	C	- 4 x 4 ute (per day)	\$172.73	\$17.27	\$190.00
114700	C	- 4 x 4 ute (per hour)	\$111.82	\$11.18	\$123.00
114700	C	- 4 x 2 ute (per day)	\$140.91	\$14.09	\$155.00
114700	C	- 4 x 2 ute (per hour)	\$74.55	\$7.45	\$82.00
114700	C	- Small sedan (per hour)	\$69.09	\$6.91	\$76.00
114700	C	- Large sedan (per hour)	\$80.91	\$8.09	\$89.00
		<i>Note: all plant hire rates include operator labour costs as plant will not be dry hired unless approved by CEO for other local government use at agreed rates.</i>			
		1. All Plant hired (excluding Community Bus) to be operated by Shire of Pingelly Staff.			
		2. Minor Plant is not to be hired out unless specifically authorised by CEO.			
		3. Professional or skilled personal services only when not using plant refer to Schedule 4 for fees.			
		SALE OF MULCH AND SAND			
114760	C	Mulch m3	\$18.18	\$1.82	\$20.00
114760	C	Sand (yellow) m3	\$24.55	\$2.45	\$27.00
114760	C	Gravel m3	\$30.91	\$3.09	\$34.00
114760	C	Blue Metal m3	\$103.64	\$10.36	\$114.00
114760	C	Mixed Stone m3	\$36.36	\$3.64	\$40.00
		<u>Delivery Charge in town (includes Pingelly Heights):</u>	\$0.00		
114760	C	Large Truck (6m3 and above)	\$80.91	\$8.09	\$89.00
114760	C	Small Truck (any truck smaller than 6m3)	\$70.00	\$7.00	\$77.00
114760	C	Delivery charge out of town	Refer to Plant Hire Charges - hourly	At Cost	Refer to Plant Hire Charges - hourly
		SALE OF PAVING AND SLABS			
114760	C	Concrete Slabs 600 x 600 x 50mm (each)	\$4.00	\$0.40	\$4.40

5.18 Financial Hardship Policy

Policy Owner:	Corporate Services
Person Responsible:	Director Corporate & Community Services
Date of Approval:	2 June 2020

Policy Objective

To give effect to the Shire of Pingelly's commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire recognises that these challenges may result in financial hardship for our ratepayers.

This Policy is intended to ensure that the Shire offers a fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

Policy Scope

This policy applies to:

1. Outstanding rates and service charges as at the date of adoption of this policy; and
2. Rates and service charges levied for the 2020/21 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason, this Policy is not intended to provide rate relief to ratepayers who are not able to evidence financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

Policy Statement

1 Payment difficulties, hardship and vulnerability

Payment difficulties, or short-term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charges debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Pingelly recognises the likelihood that COVID19 will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

2 Anticipated Financial Hardship due to COVID19

The Shire recognises that many ratepayers may already be experiencing financial hardship due to COVID-19. The Shire respects and anticipates the probability that additional financial difficulties will arise when their rates are received.

The Shire will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Financial Hardship Criteria. While evidence of hardship will be required, the Shire recognises

that not all circumstances are alike. The Shire will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Eligibility to apply for financial hardship will be considered where any Ratepayer is experiencing difficulties in meeting their financial commitments.

An application for financial hardship will be considered where any of the following criteria apply:

- Unemployed, under-employed, temporarily stood down
- Household Income has been reduced
- Unable to work due to carer responsibilities
- Unable to work due to physical or mental health diagnosis
- Diagnosed with Coronavirus (COVID19) and unable to work
- Unable to work due to self-isolation
- Death in the family
- Family or domestic violence

Ratepayers will be encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. The Shire will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

3 Payment Arrangements

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Pingelly of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, the Shire may consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

4 Interest Charges

A ratepayer that meets the Financial Hardship Criteria and enters into a payment arrangement may request a suspension or waiver of interest charges. Applications will be assessed on a case by case basis.

5 Deferment of Rates

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

-
- remains as a debt on the property until paid;
 - becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;
 - may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
 - does not incur penalty interest charges.

6 Debt recovery

The Shire will suspend our debt recovery processes whilst negotiating a suitable payment arrangement with a Ratepayer. Where a Ratepayer is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3rd due payment, the Shire will continue to suspend debt recovery processes. Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/22 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

7 Review

The Shire will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

8 Communication and Confidentiality

The Shire will maintain confidential communications at all times and undertake to communicate with a nominated support person or other third party at the Ratepayers request.

The Shire will advise Ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

The Shire recognises that applicants for hardship consideration may be experiencing additional stressors and may have complex needs. The Shire will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

Adopted:
Reviewed/Amended:
Reviewed:

