

Notice of Meeting

Councillors: Please be advised that the next meeting of the

Kulin Shire Council

will be held on **Wednesday 21 May 2025**

Concept Forum
Afternoon Tea
Council Meeting

2:00pm
3:30pm
4:00pm



Alan Leeson
Chief Executive Officer
16 May 2025



DISCLAIMER: The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used. Please note this agenda contains recommendations, which have not yet been adopted by Council.

ORDER OF BUSINESS

- 1 DECLARATION OF OPENING**
- 2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER**
- 3 RECORD OF ATTENDANCE**
- 4 DECLARATION OF INTEREST BY MEMBERS**
 - 4.1 Declarations of Financial Interest
 - 4.2 Declarations of Proximity Interest
 - 4.3 Declarations of Impartiality Interest
 - 4.4 Declarations of Indirect Financial Interest
- 5 PUBLIC QUESTION TIME**
- 6 APPLICATIONS FOR LEAVE OF ABSENCE**
- 7 CONFIRMATION/RECEIVAL OF MINUTES OF PREVIOUS MEETINGS**
 - 7.1 Shire of Kulin Ordinary Minutes 16 April 2025
- 8 PRESENTATIONS / DEPUTATIONS**
- 9 AGENDA BUSINESS - MATTERS REQUIRING DECISION**
 - 9.1 List of Accounts Paid During the Month of April 2025 [Attachment 1](#)
 - 9.2 Financial Reports – April 2025 [Attachment 2](#)
 - 9.3 Inclusion of SMS Services as Eligible Expenditure under the DFES Local Government Grants Scheme (LGGS)
 - 9.4 Reserve Price of Vacant Land Report [Attachment 3](#)
 - 9.5 WALGA Draft Advocacy Position - State Development Applications and Decision Making [Attachment 4](#)
 - 9.6 Adoption of Fees and Charges 2025-2026 [Attachment 5](#)
- 10 COMPLIANCE**
 - 10.1 Compliance Reporting – General Compliance April 2025 [Attachment 6](#)
 - 10.2 Employee Code of Conduct [Attachment 7](#)
 - 10.3 Review of Policy Manual and APOG Manual [Attachment 8](#)
 - 10.4 Register of Delegations - Annual Review [Attachment 9](#)
- 11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12 MOTIONS FROM MEMBERS WITHOUT NOTICE**
- 13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 14 MEETING IS CLOSED TO THE PUBLIC**
 - 14.1 Confidential Items (Meeting Closed to the Public)
 - 14.2 Confidential Item - Matter affecting an Employee
 - 14.3 Confidential Item - Matter of a contractual nature
 - 14.4 Confidential Item - Matter of a contractual nature
- 15 CLOSURE / DATE AND TIME OF NEXT MEETING**

1 DECLARATION OF OPENING

The President declares the meeting open.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

In accordance with Section 5.23A of the Local Government Act 1995, and Part 2A of the Local Government (Administration) Regulations 1996, this Council meeting is being digitally recorded (audio). All recordings will be retained as part of the Shire of Kulin's records and will be made available to the public via Council's website, excluding recordings of matters that Council take Behind Closed Doors.

3 RECORD OF ATTENDANCE

ATTENDANCE

G Robins	President
B Smoker	Deputy President
T Gangell	Councillor
J Noble	Councillor
C Mullan	Councillor
R Bowey	Councillor
B Miller	Councillor
M Lucchesi	Councillor
A Leeson	Chief Executive Officer
F Murphy	Executive Manager Financial Services
T Scadding	Executive Manager Community Services
C Lewis	Executive Manager of Governance and Risk
J Hobson	Executive Manager of Works
N Thompson	Manager Executive Support Services

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

4 DECLARATION OF INTEREST BY MEMBERS

- 4.1 Declarations of Financial Interest
- 4.2 Declarations of Proximity Interest
- 4.3 Declarations of Impartiality Interest
- 4.4 Declarations of Indirect Financial Interest

5 PUBLIC QUESTION TIME

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION/RECEIVAL OF MINUTES OF PREVIOUS MEETINGS

- 7.1 Shire of Kulin Ordinary Meeting 16 April 2025

8 PRESENTATIONS / DEPUTATIONS

Nil

9 AGENDA BUSINESS - MATTERS REQUIRING DECISION

9.1 List of Accounts Paid During the Month of April 2025

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Executive Manager Financial Services
Strategic Reference:	12.01
Disclosure of Interest:	Nil

SUMMARY:

For Council to note the list of accounts paid from the municipal fund and the trust fund and payments made using purchasing cards under the Chief Executive Officer's delegated authority during the month of April 2025.

BACKGROUND & COMMENT:

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council each month. The tables below summarise the payments made during April 2025. Lists detailing the payments made are attached.

April 2025	
Fund	Amount
Municipal	\$864,445.83
Trust	0.00
Total	\$864,445.83

Regulation 13A of the *Local Government (Financial Management) Regulations 1996* requires a list of payments made using credit, debit or other purchasing cards to be prepared and presented to Council each month. A list of payments made using credit, debit and other purchasing cards in April 2025 is attached.

FINANCIAL IMPLICATIONS:

Expenditure is in accordance with the Annual Budget as adopted or amended by Council.

STATUTORY AND PLANNING IMPLICATIONS:

Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

13A. Payments by employees via purchasing cards

- (1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —

AGENDA OF SHIRE OF KULIN ORDINARY MEETING TO BE HELD 21 MAY 2025

- (a) the payee's name;
 - (b) the amount of the payment;
 - (c) the date of the payment;
 - (d) sufficient information to identify the payment.
- (2) A list prepared under subregulation (1) must be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council note,

1. the list of accounts paid from the Municipal and Trust accounts during the month of April 2025, totalling \$864,445.83 as attached; and
2. the list of payments made using credit, debit and purchasing cards in April 2025.

VOTING REQUIREMENTS:

Simple majority required.

[Attachment 1](#) – List of Accounts April 2025

9.2 Financial Reports – April 2025

Responsible Officer:	Chief Executive Officer
File Reference:	12.06
Author:	Executive Manager Financial Services
Strategic Reference:	12.01
Disclosure of Interest:	Nil

SUMMARY:

Council is provided with the monthly financial reports for the month ended 30 April 2025.

BACKGROUND & COMMENT:

The monthly financial reports includes:

- an update on revenue and expenditure in comparison to the annual budget;
- a statement of financial position;
- basis of preparation;
- an explanation of material variances (greater than \$10,000 and 10%) is included in the monthly financial report
- other supplementary financial information relevant to the report month

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Local Government Act 1995 s6.4

Under the *Local Government (Financial Management) Regulations 1996*:

34. Financial activity statement required each month

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for the previous month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the relevant month; and
 - (c) actual amounts of expenditure, revenue and income to the end of the relevant month; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the relevant month and a note containing a summary explaining the composition of the net current assets.
- (1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).
- (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity must be shown according to nature classification.
- (4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and
 - (b) recorded in the minutes of the meeting at which it is presented.

35. Financial position statement required each month

- (1) A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month and —
 - (a) the financial position of the local government as at the last day of the previous financial year; or
 - (b) if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.
- (2) A statement of financial position must be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the previous month; and
 - (b) recorded in the minutes of the meeting at which it is presented.

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council in accordance with Regulations 34 and 35 of the Local Government (Financial Management) regulations 1996, receive the Statement of Financial Activity and Statement of Financial Position and supporting documentation for the period ending 30 April, as presented.

VOTING REQUIREMENTS:

Simple majority required.

[Attachment 2](#) – April 2025 Monthly Financial Reports

9.3 Inclusion of SMS Services as Eligible Expenditure under the DFES Local Government Grants Scheme (LGGS)

Responsible Officer:	Chief Executive Officer
File Reference:	09.05
Author:	Chief Executive Officer
Strategic Reference:	Law Order & Public Safety
Disclosure of Interest:	Nil

SUMMARY:

SMS communication is a vital tool for the effective operation of local emergency services, enabling timely coordination, volunteer mobilisation, and community alerts. Despite its widespread use and operational importance, SMS is not currently recognised as eligible expenditure under the DFES Local Government Grants Scheme (LGGS). Consultation with Fire Control Officers and local government CEOs confirms broad support for its inclusion. Recognising SMS as an eligible expense aligns with statutory emergency management responsibilities, reflects modern communication practices, and promotes equity for all local governments—particularly those in regional and remote areas. It is recommended that DFES update the LGGS guidelines to formally include SMS services as an eligible line item.

BACKGROUND:

The Department of Fire and Emergency Services (DFES) Local Government Grants Scheme (LGGS) provides financial assistance to local governments to support the delivery of emergency services across Western Australia. This funding plays a critical role in ensuring operational readiness, volunteer support, and effective community engagement by local government-managed emergency services.

Currently, the LGGS guidelines outline eligible expenditure across a range of operational areas including equipment, training, maintenance, and communication tools. However, SMS (Short Message Service) platforms and services are not explicitly included as an eligible expense.

SMS messaging is a widely used, reliable, and cost-effective communication method for rapidly disseminating critical information to volunteers, emergency service personnel, and community members. It is particularly effective in remote areas or during emergencies when other communication methods may be unavailable or delayed. Local governments frequently rely on SMS to:

- Notify volunteer brigades of callouts and updates;
- Coordinate logistics during fire and emergency events;
- Distribute time-sensitive safety information to the community;
- Ensure continued engagement and communication with emergency service personnel.

Given the growing reliance on SMS as an operational tool in emergency management, and the increasing use of integrated communication platforms, it is recommended that SMS services be recognised as an eligible expenditure item under the LGGS. This inclusion would align with the Scheme's objective to support effective and efficient emergency service delivery by ensuring local governments can utilise modern, practical communication tools.

COMMENT:

Across regional and remote Western Australia, local governments already use SMS platforms such as Telstra Group SMS, WhatsApp, or similar services. While these costs are currently absorbed through local operational budgets, the financial burden is increasing, particularly for smaller shires with limited discretionary funding. Several local governments have expressed a desire to see SMS recognised under LGGS as a fair reflection of its operational importance.

There is precedent in other government-supported programs for recognising SMS as a valid communication tool in emergency contexts. For example:

- StateAlert systems often rely on SMS as a primary contact method;
- Health and community services regularly fund SMS for emergency public health communications.

Including SMS as an eligible expenditure line item under LGGS would bring the Scheme into alignment with current practice and evolving communication needs across local governments.

Equity and Accessibility

Smaller or resource-constrained local governments may lack the capacity to independently fund SMS systems, despite facing the same operational demands as larger councils. Recognising SMS within LGGS promotes greater equity and ensures that all local governments, regardless of size or rate base, can implement and sustain effective communication tools for their emergency services.

Alignment with LGGS Objectives

The intent of the LGGS is to ensure emergency service units are properly resourced to operate safely and effectively. As communication is a foundational component of emergency response capability, including SMS aligns directly with the Scheme's objective to support readiness, volunteer support, and public safety.

STATUTORY:

The proposed inclusion of SMS services as eligible expenditure under the LGGS does not conflict with existing legislation but intersects with several key statutory responsibilities and frameworks that govern local government emergency management functions:

1. Emergency Management Act 2005 (WA)

Under the *Emergency Management Act 2005*, local governments have a statutory responsibility to support the delivery of emergency management activities, including preparedness, response, and recovery. Section 36 outlines the functions of local governments, which include:

- Ensuring that effective local emergency management arrangements are prepared and maintained across the Shire;
- Managing recovery following an emergency affecting the community.
-

SMS platforms support these functions by enabling timely communication with emergency responders and the community, contributing to efficient preparedness and coordination during emergency events.

2. Bush Fires Act 1954 (WA)

Local governments have responsibility for the management and control of bush fire brigades under this Act. Effective communication with volunteer personnel is essential to discharge duties under the Act, such as issuing firebreak notices, total fire ban alerts, or coordination of suppression efforts. SMS messaging supports this statutory obligation by facilitating prompt brigade mobilisation and fire ground coordination.

3. Local Government Act 1995 (WA)

Under the *Local Government Act 1995*, local governments are empowered to provide good governance and deliver services for the benefit of the community. Ensuring the operational readiness and communication capability of emergency services aligns with these general governance responsibilities.

4. DFES Grant Governance and Policy Framework

Although not legislation, the LGGS operates under DFES guidelines and Treasury policy directives. Changes to eligible expenditure items under the LGGS must comply with financial governance standards, and any inclusion (such as SMS) would need to be reflected in updated DFES funding guidelines, budget templates, and auditing processes.

FINANCIAL IMPLICATIONS:

The inclusion of SMS services as an eligible expenditure under the DFES Local Government Grants Scheme (LGGS) would have minimal financial impact on the overall grant program but significant operational benefit to local governments.

- **Current Costs:** Most local governments currently fund SMS communication platforms from their own operating budgets.
- **Funding Relief:** Recognising SMS under LGGS would provide financial relief to local governments, particularly smaller or regional councils, by allowing these necessary communication costs to be covered through existing emergency services funding.
- **No Material Increase to LGGS Budget:** Given the modest cost of SMS services relative to other funded items (e.g. vehicles, equipment), the inclusion is unlikely to materially increase the overall financial burden on the LGGS. The investment would yield a high return in terms of operational efficiency and volunteer support.
- **Administrative Efficiency:** SMS platforms offer a modest-cost, high-efficiency communication tool compared to more capital-intensive systems, potentially reducing reliance on more expensive paging infrastructure or callout systems.
-

In summary, the financial implications are modest but meaningful—delivering value to local governments and enhancing emergency service capability with minimal impact on the LGGS budget.

POLICY IMPLICATIONS:

There are no known direct policy implications for the Shire of Kulin in consideration of this matter.

COMMUNITY CONSULTATION:

The author of this Report has undertaken informal consultation with a number of key stakeholders regarding the proposed inclusion of SMS services as eligible expenditure under the DFES Local Government Grants Scheme (LGGs).

- **Local Fire Control Officers:** Several Fire Control Officers within the district have expressed strong support for the proposal, noting the critical role that SMS plays in enabling fast, reliable communication during callouts, operational coordination, and fire event management. They emphasised that SMS is often the most effective method to reach volunteers promptly, particularly in rural and farming communities where mobile coverage may be patchy but SMS still delivers reliably.
- **Local Government CEOs:** Conversations with Chief Executive Officers from neighbouring and comparable local governments have revealed consistent support for recognising SMS as an eligible funding item under the LGGs. These officers highlighted that many local governments already utilise SMS platforms at their own cost, despite these tools being essential for operational effectiveness and volunteer coordination.

This broad support from both operational leaders and peer local government executives reinforces the need for DFES to formally recognise SMS messaging services within the LGGs framework as a valid and necessary component of modern emergency service communications.

WORKFORCE IMPLICATIONS:

There are no known direct workforce implications in consideration of this matter.

STRATEGIC IMPLICATIONS:

The inclusion of SMS services as eligible expenditure under the DFES Local Government Grants Scheme aligns with several key strategic priorities for local governments and the broader emergency management sector:

1. Enhanced Emergency Preparedness and Response

Reliable and timely communication is fundamental to effective emergency response. Supporting SMS capability directly enhances local governments' ability to mobilise volunteers, coordinate resources, and issue alerts—strengthening community resilience and preparedness.

2. Support for Volunteer Retention and Engagement

Clear, consistent communication improves volunteer satisfaction and operational efficiency. By recognising SMS as an eligible expense, local governments are better equipped to support their emergency service volunteers—critical to sustaining volunteer-led brigades in regional areas.

3. Equity Across Local Governments

Including SMS services in LGGs promotes equitable access to essential communication tools, particularly benefiting smaller or resource-constrained local governments that may otherwise struggle to fund such services independently.

4. Alignment with Integrated Emergency Management Goals

Modernising LGGs to reflect current communication practices supports broader State and local strategic goals around integrated and technology-enabled emergency management systems.

5. Financial Sustainability

Funding SMS services through LGGs reduces pressure on local government budgets and enables more sustainable long-term planning for emergency services.

OFFICER'S RECOMMENDATION:

That Council supports the inclusion of SMS communication services as eligible expenditure under the DFES Local Government Grants Scheme (LGGs), and formally requests the Department of Fire and Emergency Services (DFES) to amend the LGGs guidelines to reflect this.

Further, that Council advocates for this change through relevant local government networks and WALGA (Central Country Zone) to ensure sector-wide support and equitable access to essential communication tools for emergency service operations.

VOTING REQUIREMENTS:

Simple Majority.

9.4 Reserve Price of Vacant Land Report

Responsible Officer:	Chief Executive Officer
File Reference:	05.19
Author:	EMFS
Strategic Reference:	Nil
Disclosure of Interest:	Nil

SUMMARY:

That Council adopt the Reserve Price of Vacant Land Report.

BACKGROUND & COMMENT:

Council policy A14A sets the procedure for selling vacant blocks of land in accordance with s3.58 of the *Local Government Act 1995* (the Act). The Act requires local public notice of any property sales to be given. This local public notice must include the market value of the property being sold. The market value must be ascertained by a valuation carried out in the last 6 months or as declared by a resolution of the local government based on a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

The Reserve Price of Vacant Land Report lists all vacant blocks of land currently for sale along with the last independent valuation of each block. It also lists a proposed reserve price which reflects Council's view of current market value of each block taking into consideration the last independent valuation and other factors such as recent sales history. The Reserve Price of Vacant Land Report also list the discounts and incentives offered to prospective buyers.

The last independent valuation of the vacant blocks of land was completed as at 30 June 2023. The next independent valuation will be completed as at 30 June 2025.

Council adopted the current Reserve Price of Vacant Land Report setting the current market values and reserve prices in October 2024. As this over six months ago, Council is required to reconsider the values, and these still represent a true market value.

Three blocks of land have sold since October 2024 as outlined in the table below:

Address	Reserve price adopted October 2024	Sales price (accepted by the CEO or Council as appropriate)
8 Bowey Way	\$11,000	\$10,000
31 Ellson Street	\$10,000	\$10,000
15 Rankin Street	\$40,000	\$31,818

Based on current interest in the vacant blocks of land, Management believe the reserve prices set in the attached Reserve Price of Vacant Land Report represent the current market value of the blocks, and therefore no change to this report is recommended.

Under Delegation A.14 Disposal of Vacant Land, the CEO has delegation to dispose of vacant land in accordance with s3.58 of the Act and with a disposal value of not less than 10% of the current market valuation. Any offers below this threshold must be approved by Council.

STATUTORY AND PLANNING IMPLICATIONS:

S3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 - and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

FINANCIAL IMPLICATIONS:

Vacant blocks of land sold at market value unless approved by Council.

POLICY IMPLICATIONS:

Policy A14A Sale of Land and Housing
Delegation A.14 Disposal of Vacant Land

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council approve the Reserve Price of Vacant Land Report to be used in conjunction with Policy A14A Sale of Land and Housing to set reserve prices for vacant blocks of land for sale, along with discounts and site works provided.

VOTING REQUIREMENTS:

Simple Majority.

[Attachment 3](#) – Reserve Price for Vacant Land Report

9.5 WALGA Draft Advocacy Position – State Development Applications and Decision Making

Responsible Officer:	Chief Executive Officer
File Reference:	
Author:	Chief Executive Officer
Strategic Reference:	Nil
Disclosure of Interest:	Nil

SUMMARY:

The purpose of this item is to seek Council's endorsement to provide comment to WALGA in general support of the Draft Advocacy Position Statement relating to State Development Applications and Decision Making. Although the Shire of Kulin has not received significant Development Assessment Panel (DAP) applications to date, it acknowledges the considerable resourcing and technical expertise required to manage such applications and supports WALGA's proposed reforms aimed at improving outcomes for regional local governments.

BACKGROUND & COMMENT:

The Development Assessment Panel (DAP) system was introduced in 2011 to improve transparency, consistency, and reliability in decision-making on complex development proposals. More recently, the Significant Development Assessment (SDA) Pathway was introduced as a temporary COVID-19 recovery measure and has since become a permanent process, managed by the State Development Assessment Unit (SDAU) and determined by the Statutory Planning Committee of the Western Australian Planning Commission.

These processes have increasingly removed decision-making power from local governments for large-scale projects, often placing a significant burden on small local governments without corresponding authority or adequate support. WALGA has developed a draft advocacy position reviewing both processes and is seeking feedback from local governments across the state.

COMMENT

While the Shire of Kulin has not had significant applications referred to a DAP or through the SDA Pathway, it recognises the extensive workload and technical complexity involved in preparing, assessing, and coordinating such applications. The level of assessment required, including technical reviews, statutory advertising, and preparation of a Responsible Authority Report, is often beyond the internal capacity of small regional local governments.

The author recommends the Shire of Kulin supports WALGA's advocacy position that the Significant Development Assessment (SDA) Pathway should only continue if it is reformed to improve fairness, transparency, and alignment with local planning frameworks. In addition, the Shire advocates for adequate resourcing and coordination support to enable small local governments to participate meaningfully in the assessment process.

STATUTORY:

Planning and Development Act 2005

Planning and Development (Significant Development) Regulations 2024

Planning and Development (Development Assessment Panel) Regulations 2011

STRATEGIC IMPLICATIONS:

ADVERSE

1. Loss of Local Oversight and Representation

Reduced community voice: The Shire is the closest level of government to the community. Exclusion means residents lose a formal pathway to express concerns or influence outcomes. Exclusion of local government may be perceived as undermining local democracy, leading to community dissatisfaction and potential backlash.

2. Planning Disconnection

- **Lack of alignment with local plans:** Projects may conflict with local planning schemes, land use policies, or zoning, creating tension or inefficiency.
- **Incompatibility with infrastructure:** Local road networks, services, and utilities might not be suited to support large-scale projects which as a result may adversely impact on the Shire and how it manages / maintains its infrastructure.

3. Undermining of Council Capabilities and Roles

- **Erosion of planning authority:** Weakens the role of local government as a land-use planner and regulator.

- **Capacity underutilised:** Councils often have valuable local knowledge, technical skills, and stakeholder relationships that go untapped.

Key Risks to Agricultural Land Protection

1. Bypassing Local Planning Schemes

- Local planning schemes often contain specific zoning and policies aimed at **preserving agricultural land** and managing land use conflicts.
- If the State overrides or bypasses these schemes, developments (e.g. large solar or wind farms) may be approved on **prime farmland**, despite local intent to protect it.

2. Inadequate Land Use Compatibility Assessments

- Local Governments have detailed knowledge of:
 - Soil quality
 - Water access
 - Land productivity
 - Agricultural supply chains
- Without their input, decisions may be made with insufficient understanding of the agricultural value of the land affected in the Shire / Region.

3. Fragmentation of Productive Landscapes

- Poorly sited renewable projects can cause land fragmentation, disrupting broadacre farming operations and activities

4. Loss of Strategic Agricultural Land

- Over time, exclusion from planning decisions may lead to a cumulative erosion of productive agricultural land areas.
- This as a result may weaken food security, local employment, and rural economic resilience.

5. Weakened Ability to Enforce Land Use Policies

- The Shire may be left to manage the aftermath (e.g. road maintenance, service delivery, land use conflicts) without having had a say in site selection or approval.
- It's ability to uphold its own strategic land use vision as a result will be weakened.

FINANCIAL IMPLICATIONS:

There are no known direct financial implications for the Shire on consideration of this matter.

POLICY IMPLICATIONS:

There are no known direct policy implications for the Shire of Kulin in consideration of this matter.

COMMUNITY CONSULTATION:

Feedback to WALGA's Draft Advocacy Position is to be submitted to WALGA by the 23rd May 2025

WORKFORCE IMPLICATIONS:

There are no direct workforce implications in consideration of this matter.

OFFICER'S RECOMMENDATION:

That Council:

1. Receives the WALGA *Significant Development Pathway (2020–2025 Review)* dated April 2025 and the *Development Assessment Panels (2011–2024 Review)* dated January 2025;
2. Endorses the general intent of WALGA's Draft Advocacy Position Statement on State Development Applications and Decision Making, subject to the following considerations:
 - That the Significant Development Assessment Pathway is retained only if reformed in line with WALGA's recommendations;
 - That appropriate resourcing and coordination mechanisms are provided to support small local governments in managing DAP and significant development applications;
3. Authorises the Chief Executive Officer to provide comment to WALGA reflecting the Shire of Kulin's position.

VOTING REQUIREMENTS:

Simple Majority.

9.6 Adoption of Fees and Charges 2025-2026

Responsible Officer:	EMFS
File Reference:	12.04
Author:	EMFS
Strategic Reference:	Nil
Disclosure of Interest:	Nil

SUMMARY:

A schedule of proposed fees & charges for the 2025/2026 financial year is attached to the agenda.

BACKGROUND & COMMENT:

In accordance with Section 6.16 of the *Local Government Act 1995*, a Local Government may impose and recover a fee or charge for any goods or service it provides or proposes to provide. Fees and charges can be imposed or amended during the year, but only by an absolute majority decision of Council.

In accordance with the *Local Government Act 1995*, the amount of each fee or charge has been determined considering the following factors:

- the cost to Council of providing the service or goods; and
- the importance of the service of goods to the community; and
- the price at which the service or goods could be provided by an alternative provider.

The schedule of User Fees & Charges 2025/2026 has been provided as an attachment to the agenda. The document outlines the proposed charges for the 2025/2026 financial year, which is compared to the previous year's adopted charge.

FINANCIAL IMPLICATIONS:

The schedule of fees and charges has been reviewed with the view of maintaining revenues at the required level to meet service needs and community expectations.

STATUTORY AND PLANNING IMPLICATIONS:

Section 6.16 of the *Local Government Act 1995*

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Advertising period is for a minimum of 4 weeks.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

1. That Council adopt and incorporate the proposed schedule of fees and charges.
2. That the proposed fees and charges take effect 1 July 2025.

VOTING REQUIREMENTS:

Absolute majority required.

Attachment 5 – User Fees & Charges

10 COMPLIANCE

10.1 Compliance Reporting – General Compliance April 2025

Responsible Officer:	Chief Executive Officer
File Reference:	12.07, 12.06
Author:	Chief Executive Officer
Strategic Reference:	CBP 4.1 Civic Leadership, 4.1.8 Compliance methods
Disclosure of Interest:	Nil

SUMMARY:

This report addresses General and Financial Compliance matters for April 2025. This process is not definitive, each month additional items and/or actions may be identified that are then added to the monthly checklist. Items not completed each month e.g. quarterly action - will be notations.

The report provides a guide to the compliance requirements being addressed as part of staff workloads and demonstrates the degree of internal audit being completed.

BACKGROUND & COMMENT:

The Compliance Checklist is a working document, the Manager of Executive Support Services emails the assigned staff member their compliance requirements for the coming month. This document is tabled at the monthly Management Team meetings where the list is reviewed and updated.

Prior month items not completed previously will be reported in the following month so Council remains aware.

Outstanding February 2025

LGIS Annual Review

Review Agreement with Kulin DHS

Outstanding April 2025

Policy Manual Review – included in May agenda

Budget Submissions from public – closed 9 May

FINANCIAL IMPLICATIONS:

In terms of meeting compliance - normal administration expense.

STATUTORY AND PLANNING IMPLICATIONS:

Nil

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council receive the General & Financial Compliance Report for April 2025 and note the matters of non-compliance.

VOTING REQUIREMENTS:

Simple majority required.

[Attachment 6](#) – Compliance Checklist April 2025

10.2 Employee Code of Conduct

RESPONSIBLE OFFICER: Chief Executive Officer
FILE REFERENCE: 04.04
AUTHOR: Executive Manager Governance & Risk
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is asked to consider the adoption of the updated *Employee Code of Conduct* (attached), which has been prepared in accordance with the requirements of the *Local Government Act 1995* and associated regulations.

BACKGROUND & COMMENT:

On 3 February 2021, the Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021 introduced minimum standards for local government employees relating to gifts, conflicts of interest, and disclosure. These regulations require every local government to implement an Employee Code of Conduct addressing key areas such as:

- Employee behaviour
- Disclosure and use of information and resources
- Record keeping
- Addressing misconduct

At the same time, the Local Government (Model Code of Conduct) Regulations 2021 were enacted, establishing a separate and mandatory code of conduct for elected members, committee members, and candidates. This reform created a clear distinction between the behavioural expectations of employees and those of elected officials, with each now governed under their respective legislative frameworks. Section 25 of the Local Government Legislation Amendment Act 2019 introduces section 5.51A into the Local Government Act 1995, which requires local government CEOs to establish and implement an Employee Code of Conduct.

The updated regulations revise the existing provisions on gifts and conflicts of interest and expand the mandatory requirements based on the Public Sector Commission's guide, "Developing a Code of Conduct for Local Government." As a result, the Shire of Kulin's current Code of Conduct, adopted in 2016, no longer meets the new regulatory standards.

Other considerations suggested by the PSC relating to the presentation of a Local Government's Code of Conduct include:

- Use clear headings
- Keep language simple and familiar
- Keep the code as brief as possible
- Build in interactivity such as case studies and working examples. Ethical decision-making tools, such as 'the first steps' and mnemonics, can help staff determine the most appropriate course of action under the code.

Following Council's adoption of the updated Employee Code of Conduct, employees will be provided with a copy of the revised Code. Employees will attend a training session to ensure they understand the expectations, responsibilities, and behavioural standards outlined within the document.

All employees will be provided with a copy of the Code and will be required to attend a briefing or training session to ensure they understand the expectations, responsibilities, and behavioural standards outlined within the document. Each employee will also be required to sign a formal declaration acknowledging that they have read, understood, and agree to comply with the Code. This declaration will be kept on their personnel file. The Code will be made accessible to all staff through internal systems and will form part of the induction process for all new employees moving forward.

Ongoing education and periodic reviews of the Code will also be conducted to ensure continued relevance and awareness across the workforce.

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Local Government Act 1995

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Nil

WORKFORCE IMPLICATIONS:

Executive Management Group

OFFICER'S RECOMMENDATION:

That Council adopt the Employee Code of Conduct as presented.

VOTING REQUIREMENTS:

Simple majority required.

Attachment 7 – Employee Code of Conduct

10.3 Review of Policy Manual and APOG Manual

RESPONSIBLE OFFICER: EMFS
FILE REFERENCE: 12.04
AUTHOR: EMFS
STRATEGIC REFERENCE/S:
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Section 2.7 of the Local Government Act 1995 outlines that one of the roles of Council is to determine the local government's policies. As such, the Shire of Kulin present for review the Shire's Policy Manual and Administrative Procedures and Operation Guidelines (APOG) for review on an annual basis.

The policy manual and APOG were last reviewed, in their entirety, at the May 2023 Council Meeting.

An updated electronic copy of the Administrative Procedures and Operational Guidelines (APOG) Manual is provided on the Councillor portal,

The full Policy Manual document is attached.

BACKGROUND & COMMENT:

The Shire of Kulin policies and procedures are split in to two documents. The Policy Manual which contains formal over-arching policy items, and the APOG which contains formalised procedures and guidelines of a day-to-day, operational nature.

The objectives of the Council's Policy Manual and APOG are to provide Council with a formal written record of all policy decisions, provide staff with guidelines in which to act in accordance with Council's wishes and to enable staff to act promptly in accordance with Council's requirement, but without continual reference to Council.

Since the September 2024 review the changes made throughout the year are listed in the table below:

APOG			
Policy No.	Policy Name	Action	Detail
A8	Community Engagement Strategy	Amend	Include provisions provided for in the LG Act reform around the inclusion of aboriginal people in community engagement.
A14	Housing	Amend	Adjust employee allowances for CPI (2.4%)
A15	IT	New	Include policy for Cyber Security
A18	Mobile Phones	Amend	Increase phone allowance, not increased since 2016.
HR7	Inductions	Amend	Update medical and police clearance requirements
HR8	Gratuities (Employees)	Amend	Function for 20 years of service removed and replaced with recognition at annual Christmas party
HR17	Superannuation	Amend	Update superannuation values in line with imposed increase of SG super to 12%, Council provided superannuation to a maximum of 19%
HR19	Remuneration & Incentives	Amend	Increase Attraction & Retention Allowance by 0.25/hr Increase each level of the Qualifications and Experience Allowance by 0.25/hr Increase Service Pay by CPI increases over 2 previous years Increase phone allowance from \$600 to \$800 pa
Policy Manual			
Policy No.	Policy Name	Action	Meeting Date
A1	Elected Members Code of Conduct	Amend	Previously adopted in 2021, the policy manual has been updated to include the Model Code of Conduct for Elected Members.
A3	Corporate Credit Cards	Amend	Change of language and inclusion of purchasing cards such as fuel cards

FINANCIAL IMPLICATIONS:

The schedule of fees and charges has been reviewed with the view of maintaining revenues at the required level to meet service needs and community expectations.

STATUTORY AND PLANNING IMPLICATIONS:

Section 6.16 of the *Local Government Act 1995*

POLICY IMPLICATIONS:

Nil

COMMUNITY CONSULTATION:

Advertising period is for a minimum of 4 weeks.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council adopts the reviewed and updated Shire of Kulin Policy Manual and Administrative Procedures and Operation Guidelines as attached.

VOTING REQUIREMENTS:

Absolute majority required.

Attachment 8 – Policy Manual

10.4 Register of Delegations – Review

RESPONSIBLE OFFICER: CEO
FILE REFERENCE: 04.04
AUTHOR: EMCGR
DISCLOSURE OF INTEREST: Nil

SUMMARY:

Council is to consider annually any amendments to the Register of Delegations, following a review as required under Sections 5.18 and 5.46 of the Local Government Act 1995 (Act).

BACKGROUND & COMMENT:

All delegations made under the Act must be made by absolute majority and recorded in a register. Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed by the delegator for those delegations under the Act, but this process also presents an opportunity to review delegations made under other legislation. Council undertook its last annual review of delegations in June 2024.

The purpose of delegating power is to enable routine decision making to be undertaken in a cost effective and efficient manner, or rapidly where a time imperative may be involved.

There are limitations to the types of decisions which can be delegated to the Chief Executive Officer and these remain the responsibility of Council. However, Council has discretionary functions that involve making routine decisions that are high frequency and low risk. It is appropriate for Council to delegate these functions to the CEO. The Register of Delegations sets out the powers and functions delegated from Council to the CEO.

The Act requires that the use of each delegation is recorded, but does not require that the use is reported to Council.

The new format of the Register of Delegations was created with Attain for the first time last year. The software allows for the immediate recording of delegations undertaken by staff and reports can be created at any time.

The table below identifies changes made to the Register of Delegations for the approval of Council. No new delegations have been identified during the review which are required to be listed in the register.

Delegation	Delegation Name	Action	Detail
A.9	Payments from Municipal and Trust Funds	Amend	Correction to wording
A.14	Sale of Land and Housing	Amend	Correction to wording
A.19	Discount on Rates	New	Adopted OCM 18 September 2024
G.4	Public Health Act 2016	Amend	Correction to wording
H.1	Grievance Procedures	Amend	Correction to wording
W.10	General – Works Practices	Amend	Delete references to use of depot for servicing Delete references to hire requests from local groups - <i>covered in W.11 Use of Depot and Use of Plant</i>

FINANCIAL IMPLICATIONS:

Nil

STATUTORY AND PLANNING IMPLICATIONS:

Sections 5.18 and 5.46 of the Local Government Act 1995
 Regulation 13 of the Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS:

Review of Register of Delegations is required on an annual basis.

COMMUNITY CONSULTATION:

Not applicable – Council function.

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council:

1. Notes the annual review of its delegations in accordance with Section 5.46(2) of the Local Government Act 1995, as outlined in this report; and
2. Delegated the local government functions listed in the Shire's Register of Delegations as attached.

VOTING REQUIREMENTS:

Absolute majority required.

Attachment 9 – Register of Delegations 2025

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 MOTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

14 MEETING IS CLOSED TO THE PUBLIC

14.1 Confidential Items (Meeting Closed to the Public)

Responsible Officer:	Chief Executive Officer
File Reference:	13.03
Author:	Chief Executive Officer
Strategic Reference:	
Disclosure of Interest:	Nil

SUMMARY:

For Council to discuss a matter of a confidential nature a recommendation to move “in camera” (behind closed doors) is required.

BACKGROUND & COMMENT:

Section 5.23 (2) of the Local Government Act states:

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
- (h) such other matters as may be prescribed.

STATUTORY ENVIRONMENT:

Local Government Act 1995 Section 5.23 (2)

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

Nil

WORKFORCE IMPLICATIONS:

Nil

OFFICER'S RECOMMENDATION:

That Council in accordance with Section 5.23(2)(c) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- a matter affecting an employee or employees; and
- a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

It is the recommendation of the Responsible Officer that this item be considered "in camera" due to the private and confidential nature of its contents.

VOTING REQUIREMENTS:

Simple majority required.

14.2 Confidential Item (Meeting Closed to the Public)

Confidential Item - provided separately – matter affecting an employee / contract

14.3 Confidential Item (Meeting Closed to the Public)

Confidential Item - provided separately – matter of which a contract may be entered into

14.4 Confidential Item (Meeting Closed to the Public)

Confidential Item - provided separately – matter of which a contract may be entered into

15 CLOSURE / DATE AND TIME OF NEXT MEETING

There being no further business the President declared the meeting closed.

Ordinary Meeting 25 June 2025 at 4:00pm

Shire of Kulin

EFT & Chq Listing for period ended 30 April 2025

CHQ / EFT No.	DATE	DESCRIPTION	AMOUNT
TRUST			
MUNICIPAL			
EFT23165	03/04/2025	ARM SECURITY	\$23.50
EFT23166	03/04/2025	AVON WASTE	\$14,770.58
EFT23167	03/04/2025	SERVICES AUSTRALIA CHILD SUPPORT	\$302.61
EFT23168	03/04/2025	AURA SPORTS PTY LTD	\$682.00
EFT23169	03/04/2025	ACRES OF TASTE	\$4,079.00
EFT23170	03/04/2025	AJE CONTRACTORS	\$7,700.00
EFT23171	03/04/2025	BOC LIMITED - A MEMBER OF THE LINDE GROUP	\$7.13
EFT23172	03/04/2025	BEST OFFICE SYSTEMS	\$1,862.97
EFT23173	03/04/2025	BRANDIS CARPENTRY	\$3,762.00
EFT23174	03/04/2025	TEAM GLOBAL EXPRESS	\$625.02
EFT23175	03/04/2025	CS LEGAL	\$2,728.00
EFT23176	03/04/2025	LANDGATE	\$50.32
EFT23177	03/04/2025	GANGELLS AGSOLUTIONS	\$266.50
EFT23178	03/04/2025	GA POWER EQUIPMENT SPARES	\$274.49
EFT23179	03/04/2025	HERSEY'S SAFETY PTY LTD	\$1,599.95
EFT23180	03/04/2025	IT VISION	\$277.20
EFT23181	03/04/2025	I SWEEP TOWN & COUNTRY	\$1,848.00
EFT23182	03/04/2025	ID RENT PTY LTD	\$9,900.00
EFT23183	03/04/2025	KULIN SOCIAL CLUB	\$225.00
EFT23184	03/04/2025	KULIN SHIRE TRUST FUND	\$400.00
EFT23185	03/04/2025	KULIN MUSEUM SOCIETY INC	\$2,100.00
EFT23186	03/04/2025	KULIN LIBRARY, POST OFFICE AND MAIL	\$1,370.90
EFT23187	03/04/2025	KEY CIVIL PTY LTD	\$37,400.00
EFT23188	03/04/2025	TRINITEQ INTERNATIONAL PTY LTD	\$618.75
EFT23189	03/04/2025	VARLEY AGSOLUTIONS	\$286.95
EFT23190	03/04/2025	MULLAN ELECTRICAL	\$33,177.88
EFT23191	03/04/2025	MP MILES MECHANICAL	\$64.13
EFT23192	03/04/2025	NEWDEGATE STOCK & TRADING CO	\$57,560.80
EFT23193	03/04/2025	NAPA KEWDALE	\$3,058.23
EFT23194	03/04/2025	EXURBAN RURAL & REGIONAL PLANNING	\$545.95
EFT23195	03/04/2025	SUPAGAS PTY LTD	\$301.98
EFT23196	03/04/2025	SETTLER'S ROOFING / THOR EARTH PLANT HIRE	\$8,184.00
EFT23197	03/04/2025	T-QUIP	\$992.65
EFT23198	03/04/2025	WESTRAC PTY LTD	\$352.97
EFT23199	03/04/2025	WURTH AUSTRALIA PTY LTD	\$410.23
EFT23200	03/04/2025	WA CONTRACT RANGER SERVICES	\$693.00
EFT23201	03/04/2025	WA DISTRIBUTORS PTY LTD	\$810.95
EFT23202	03/04/2025	WM & CL GARDNER	\$2,772.00
EFT23203	03/04/2025	WARDA KADAK PTY LTD	\$32,536.90
EFT23204	09/04/2025	AIR LIQUIDE WA	\$21.70
EFT23205	09/04/2025	ACRES OF TASTE	\$700.00
EFT23206	09/04/2025	COUNTRY WIDE FRIDGE LINES PTY LTD	\$256.20
EFT23207	09/04/2025	TEAM GLOBAL EXPRESS	\$303.62
EFT23208	09/04/2025	CAPE GUTTER CLEAN	\$5,511.00

EFT23209	09/04/2025	DANIEL PAWSEY	\$605.00
EFT23210	09/04/2025	HOUSING AUTHORITY	\$404.00
EFT23211	09/04/2025	ID RENT PTY LTD	\$3,158.54
EFT23212	09/04/2025	JILAKIN EARTHMOVING PTY	\$10,989.00
EFT23213	09/04/2025	KULIN HARDWARE & RURAL	\$3,106.12
EFT23214	09/04/2025	SHIRE OF KONDININ	\$18,219.74
EFT23215	09/04/2025	LOCAL GOVERNMENT WORKS ASS OF WA INC	\$100.00
EFT23216	09/04/2025	NAPA KEWDALE	\$88.55
EFT23217	09/04/2025	NARROGIN FORD	\$97.02
EFT23218	09/04/2025	PINGARING GOLF CLUB INC	\$622.50
EFT23219	09/04/2025	STEWART & HEATON CLOTHING CO PTY LTD	\$104.58
EFT23220	09/04/2025	TRUCKLINE	\$590.48
EFT23221	09/04/2025	UNIFORMS AT WORK AUSTRALIA PTY LTD	\$179.10
EFT23222	09/04/2025	WESTERN AUSTRALIAN LOCAL GOVERNMENT	\$380.00
EFT23223	09/04/2025	WESTRAC PTY LTD	\$1,188.61
EFT23224	09/04/2025	WESTERN STABILISERS PTY LTD	\$98,994.41
EFT23225	09/04/2025	WA DISTRIBUTORS PTY LTD	\$1,016.05
EFT23226	09/04/2025	WARDA KADAK PTY LTD	\$12,026.85
EFT23227	15/04/2025	CREDIT CARD - MASTER CARD	\$1,153.92
EFT23228	16/04/2025	AUSTRALIAN TAXATION OFFICE	\$60,285.00
EFT23229	16/04/2025	CONTRACT FENCING YEALERING	\$833.25
EFT23230	16/04/2025	DEPARTMENT OF WATER AND ENVIRIONMENTAL	\$322.84
EFT23231	16/04/2025	FEGAN BUILDING SURVEYING	\$660.00
EFT23232	16/04/2025	G & M DETERGENTS	\$79.60
EFT23233	16/04/2025	SHIRE OF KONDININ	\$157.78
EFT23234	16/04/2025	MOORE AUSTRALIA (WA) PTY LTD	\$2,310.00
EFT23235	16/04/2025	PINGARING AGSOLUTIONS	\$203.79
EFT23236	16/04/2025	QUEST PAYMENT SYSTEMS	\$418.00
EFT23237	16/04/2025	SHIRE OF CORRIGIN	\$2,523.40
EFT23238	16/04/2025	UNIFORMS AT WORK AUSTRALIA PTY LTD	\$287.25
EFT23239	16/04/2025	WA DISTRIBUTORS PTY LTD	\$455.60
37521	03/04/2025	PETTY CASH RECOUP - PLEASE PAY CASH	\$305.50
DD9353.1	01/04/2025	BENDIGO BANK	\$2.97
DD9353.2	02/04/2025	WATER CORPORATION	\$17,630.30
DD9353.3	01/04/2025	SYNERGY	\$601.68
DD9353.4	01/04/2025	ST.GEORGE BANK	\$622.63
DD9353.5	02/04/2025	BENDIGO BANK	\$9.15
DD9353.6	02/04/2025	CRISP WIRELESS PTY LTD	\$99.00
DD9353.7	03/04/2025	SYNERGY	\$129.42
DD9353.8	03/04/2025	BENDIGO BANK	\$5.85
DD9353.9	01/04/2025	CARLTON & UNITED BREWERIES	\$489.53
DD9357.1	13/04/2025	MERCER SUPER TRUST	\$298.56
DD9357.2	13/04/2025	AUSTRALIAN RETIREMENT TRUST	\$1,040.09
DD9357.3	13/04/2025	SUNSUPER SUPERANNUATION FUND	\$131.84
DD9357.4	13/04/2025	AWARE SUPER	\$14,582.20
DD9357.5	13/04/2025	AUSTRALIAN SUPERANNUATION	\$843.89
DD9357.6	13/04/2025	BENDIGO SMART START SUPERANNUATION FUND	\$281.32
DD9357.7	13/04/2025	HOSTPLUS SUPERANNUATION FUND	\$638.75
DD9357.8	13/04/2025	MLC MASTERKEY SUPERANNUATION	\$421.83
DD9357.9	13/04/2025	CBUS SUPER	\$637.13
DD9361.1	16/04/2025	TYRO PAYMENTS	\$224.59
DD9364.1	13/04/2025	AWARE SUPER	\$121.58
DD9365.1	11/04/2025	WATER CORPORATION	\$4,339.47
DD9365.2	15/04/2025	AUSTRALIAN LIQUOR MARKETERS PTY. LIMITED	\$2,103.32

DD9365.3	16/04/2025	TYRO PAYMENTS	\$287.34
DD9365.4	16/04/2025	BENDIGO BANK	\$9.90
DD9365.5	16/04/2025	TELSTRA	\$955.92
DD9365.6	17/04/2025	SYNERGY	\$18.57
DD9365.7	17/04/2025	CARLTON & UNITED BREWERIES	\$81.64
DD9365.8	22/04/2025	SYNERGY	\$1,420.24
DD9365.9	22/04/2025	HOUSING AUTHORITY	\$400.00
DD9369.1	27/04/2025	MERCER SUPER TRUST	\$168.69
DD9369.2	27/04/2025	AUSTRALIAN RETIREMENT TRUST	\$1,142.68
DD9369.3	27/04/2025	AWARE SUPER	\$14,405.71
DD9369.4	27/04/2025	AUSTRALIAN SUPERANNUATION	\$605.09
DD9369.5	27/04/2025	BENDIGO SMART START SUPERANNUATION FUND	\$245.10
DD9369.6	27/04/2025	HOSTPLUS SUPERANNUATION FUND	\$586.50
DD9369.7	27/04/2025	MLC MASTERKEY SUPERANNUATION	\$378.22
DD9369.8	27/04/2025	CBUS SUPER	\$465.07
DD9369.9	27/04/2025	PRIME SUPERANNUATION	\$470.85
DD9370.1	28/04/2025	LION - BEER, SPIRITS & WINE PTY LTD	\$1,497.65
DD9370.2	29/04/2025	TELSTRA	\$405.18
DD9370.3	30/04/2025	BENDIGO BANK	\$7.35
DD9353.10	07/04/2025	SYNERGY	\$1,237.01
DD9353.11	07/04/2025	WATER CORPORATION	\$10,515.50
DD9353.12	02/04/2025	SYNERGY	\$1,572.42
DD9353.13	08/04/2025	SYNERGY	\$11,705.91
DD9353.14	08/04/2025	TELSTRA	\$1,630.77
DD9353.15	09/04/2025	HOUSING AUTHORITY	\$400.00
DD9353.16	09/04/2025	BENDIGO BANK	\$3.45
DD9353.17	10/04/2025	WATER CORPORATION	\$9,848.63
DD9357.10	13/04/2025	PRIME SUPERANNUATION	\$469.73
DD9357.11	13/04/2025	REST SUPERANNUATION	\$807.58
DD9365.10	22/04/2025	LION - BEER, SPIRITS & WINE PTY LTD	\$735.57
DD9365.11	23/04/2025	BENDIGO BANK	\$0.15
DD9365.12	14/04/2025	SYNERGY	\$80.47
DD9365.13	14/04/2025	WATER CORPORATION	\$1,150.63
DD9365.14	15/04/2025	TELAIR PTY LTD	\$1,378.51
DD9369.10	27/04/2025	REST SUPERANNUATION	\$849.98
9307785	02/04/2025	BENDIGO BULK PAYMENT	\$106,135.68
9337882	16/04/2025	BENDIGO BULK PAYMENT	\$96,181.73
9363143	30/04/2025	BENDIGO BULK PAYMENT	\$87,653.77
Sub-total: EFT & Chq Payments			\$864,445.83
TOTAL PAYMENTS FOR MONTH ENDING 30 APRIL 2025			\$864,445.83

CREDIT & BP CARDS SUMMARY

Wednesday, 30 April 2025

Transaction Date	Officer	Creditor	Amount
6/04/2025	JUDD HOBSON	WESTONIA PROGRESS ASS	\$72.97
		Diesel Fuel, MV30	
13/04/2025	TARYN SCADDING	APPLE	\$12.99
		Kulin Child Care Music Subscription	
15/04/2025	ALAN LEESON	CS LEGAL VERIFY ID	\$30.80
		ID - Settlement, 53 Johnston Street (old woolshed)	
15/04/2025	JUDD HOBSON	TOTAL TOOLS ONLINE	\$277.83
		Flat Head Laser Tripod & 5 mm Face 5 Section Staff	
16/04/2025	ALAN LEESON	WANEWS	\$96.00
		Subscription, The West Australian	
19/04/2025	TARYN SCADDING	MAILCHIMP	\$81.32
		Subscription	
23/04/2025	JUDD HOBSON	KMART PHOTO CENTRE	\$74.00
		Photo, Canvas	
28/04/2025	JUDD HOBSON	SEEK	\$632.50
		Advertising Staff Positions	
28/04/2025	JUDD HOBSON	SEEK	\$654.50
		Advertising Staff Positions	
29/04/2025		BENDIGO BANK	\$20.00
		Card Fees	
			\$1,952.91
BP CARD PURCHASE			
21/04/2025	JUDD HOBSON	WICKEPIN OPT	\$114.75
		64.50 Litres Diesel @ 1.7790	
21/04/2025	ALAN LEESON	BP WILLIAMS	\$113.89
		63.31 Litres Diesel @ 1.7989	
			\$228.64

Business Credit Card

/5419 009650



SHIRE OF KULIN
PO BOX 125
KULIN WA 6365

Your details at a glance

BSB number	633-000
Account number	691211254
Customer number	7421415/M201
Account title	SHIRE OF KULIN SHIRE OF KULIN

Account summary

Statement period	1 Apr 2025 - 30 Apr 2025
Statement number	239
Opening balance on 1 Apr 2025	\$1,153.92
Payments & credits	\$1,153.92
Withdrawals & debits	\$1,932.91
Interest charges & fees	\$20.00
Closing Balance on 30 Apr 2025	\$1,952.91

Account details

Credit limit	\$30,000.00
Available credit	\$28,047.09
Annual purchase rate	13.990%
Annual cash advance rate	13.990%

Payment details

Minimum payment required	\$58.58
Payment due	14 May 2025

Any questions?

Contact Charmaine King at Shop 1, Lot 157 Bull St, Kulin 6365 on **08 9880 1422**, or call **1300 BENDIGO** (1300 236 344).



Business Credit Card

Minimum Payment Warning. If you make only the minimum payment each month, you will pay more interest and it will take you longer to pay off your balance.

If you make no additional charges using this card and each month you pay the minimum payment

You will pay off the Closing Balance shown on this statement in about **11 years and 6 months**

And you will pay an estimated total of interest charges of **\$1,120.81**

If you make no additional charges using this card and each month you pay **\$93.75**

You will pay off the Closing Balance shown on this statement in about **2 years**

And you will pay an estimated total of interest charges of **\$297.09, a saving of \$823.72**

Having trouble making payments?

If you are having trouble making credit card repayments, please contact our Mortgage Help Centre on 1800 652 146.

Business Credit Card

Date	Transaction	Withdrawals	Payments	Balance
Opening balance				\$1,153.92
7 Apr 25	WESTONIA PROGRESS AS S, WESTONIA AUS RETAIL PURCHASE 06/04 CARD NUMBER 552638XXXXXXX706 1	72.97		1,226.89
14 Apr 25	PERIODIC TFR 00074214151201 000000000000		1,153.92	72.97
15 Apr 25	APPLE.COM/BILL, SYDN EY AUS RETAIL PURCHASE 13/04 CARD NUMBER 552638XXXXXXX021 1	12.99		85.96
17 Apr 25	CS LEGAL VERIFY ID, WEST PERTH AUS RETAIL PURCHASE 15/04 CARD NUMBER 552638XXXXXXX832 1	30.80		116.76
17 Apr 25	TotalToolsOnline, Por t Melbourne AUS RETAIL PURCHASE 15/04 CARD NUMBER 552638XXXXXXX706 1	277.83		394.59
17 Apr 25	WANEWSDTI, Osborne P ark AUS RETAIL PURCHASE 16/04 CARD NUMBER 552638XXXXXXX832 1	96.00		490.59
20 Apr 25	Intuit Mailchimp, Sy dney AUS RETAIL PURCHASE 19/04 CARD NUMBER 552638XXXXXXX021 1	81.32		571.91
24 Apr 25	Kmart Photo Cent, kmh elp.com.au AUS RETAIL PURCHASE 23/04 CARD NUMBER 552638XXXXXXX706 1	74.00		645.91
29 Apr 25	AU* SEEK AU 12251000 ,MELBOURNE AUS RETAIL PURCHASE 28/04 CARD NUMBER 552638XXXXXXX706 1	632.50		1,278.41

Date Paid ____ / ____ / ____ Amount \$ _____

Business Credit Card - Payment options



Pay in person: Visit any **Bendigo Bank** branch to make your payment.



Internet banking: Pay your credit card using ebanking 24 hours a day, 7 days a week.
www.bendigobank.com.au



Register for Internet or Phone Banking call **1300 BENDIGO** (1300 236 344). This service enables you to make payments conveniently between your Bendigo Bank accounts 24/7.



Pay by post: Mail this slip with your cheque to -
**PO Box 480
Bendigo VIC 3552.**
If paying by cheque please complete the details below.

Bill code: 342949
Ref: 691211254



Pay at any Post Office by **Bank@Post** using your credit card.

Business Credit Card

BSB number	633-000
Account number	691211254
Customer name	SHIRE OF KULIN
Minimum payment required	\$58.58
Closing Balance on 30 Apr 2025	\$1,952.91
Payment due	14 May 2025
Date	
Payment amount	

Drawer	Chq No	BSB	Account No	\$	¢

^Fees will apply for payments made using Bank@Post. Refer to Bendigo Bank Schedule of Fees & Charges and Transaction Account Rebates.

Business Credit Card *(continued)*

Date	Transaction	Withdrawals	Payments	Balance
29 Apr 25	AU* SEEK AU 12252843 ,MELBOURNE AUS RETAIL PURCHASE 28/04 CARD NUMBER 552638XXXXXX706 1	654.50		1,932.91
29 Apr 25	CARD FEE 5 @ \$4.00	20.00		1,952.91
Transaction totals / Closing balance		\$1,952.91	\$1,153.92	\$1,952.91

AUTOMATIC PAYMENTS HAVE BEEN SPECIFIED FOR YOUR ACCOUNT.

We suggest you carefully check all entries on your statement. Apparent errors or possible unauthorised transactions should be promptly reported to us.

The security of your Personal Identification Number (PIN) is very important. To avoid being liable for unauthorised transactions, you should follow the terms and conditions of your account. We also recommend some simple steps to protect your PIN:

- Memorise your PINs and passwords and destroy any communications advising you of new ones. Don't keep a record of your PINs or passwords, in written or electronic form.
- If you choose your own, ensure that it is not something easy to guess like your (or a family member's) birth date, name, phone number, postcode, driver's licence number or numbers that form a pattern.
- Don't tell anyone your PIN, not even friends, family or a bank representative.
- Ensure nobody watches you enter your PIN or password. A good practice is to cover the keypad when you put in your PIN or password.
- Watch out for email, SMS or call scams asking for details relating to your account. If you receive suspicious emails, please contact us immediately.

Please note: These are guidelines only. While following these steps will help you to protect your PIN, your liability for any losses arising from unauthorised transactions is determined in accordance with the ePayments Code. For further details, see <https://asic.gov.au/regulatory-resources/financial-services/epayments-code/> or visit bendigobank.com.au/mycard for all card related information. Business customers visit [mybusinesscard](https://bendigobank.com.au/mybusinesscard).

An International Transaction Fee of 3% of the transaction amount (in AUD) is payable for each transaction which is conducted in a currency other than Australian dollars (AUD), or conducted in Australian dollars (AUD) but with or using a merchant, payment processor, financial institution or other entity (including an online merchant) who is outside of Australia. (Fee does not apply to Bendigo Ready Credit Card). Note: It may not always be apparent to you that an online merchant is located outside of Australia. Additional charges may apply for cash transactions.

Card Security

For information on how to securely use your card and account please visit bendigobank.com.au/mycard for all card related information. Business customers visit [mybusinesscard](https://bendigobank.com.au/mybusinesscard).

Resolving Complaints

If you have a complaint, please contact us on 1300 361 911 to speak to a member of our staff. If the matter has not been resolved to your satisfaction, you can lodge a complaint with the Australian Financial Complaints Authority (AFCA). AFCA provides fair and independent financial services complaint resolution that is free to consumers. You can contact AFCA at:

Website: www.afca.org.au

Telephone: 1800 931 678 (free call)

Email: info@afca.org.au

In writing to: Australian Financial Complaints Authority, GPO Box 3, Melbourne VIC 3001

Stay up to date with the latest scams at
bendigobank.com.au/security/scams/alerts





Shire of Kulin

MONTHLY FINANCIAL REPORT

For the period ended 30 April 2025

***LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996***

TABLE OF CONTENTS

Statement of Financial Activity

Statement of Financial Position

Note 1 Basis of Preparation

Note 2 Net Current Assets

Note 3 Explanation of Material Variances

Note 4 Cash & Financial Assets

Note 5 Reserve Accounts

Note 6 Asset Information

Note 7 Receivables

Note 8 Payables

Note 9 Borrowings

Note 10 Rate Revenue

Note 11 Grants

Shire of Kulin
STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

	Ref Note	Adopted Budget (a) \$	Amended Budget (c) \$	YTD Budget (b) \$	YTD Actual (c) \$	Variance (c) - (b) \$	Variance ((c) - (b))/(b) %
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	10	2,451,414	2,442,257	2,451,414	2,453,336	1,922	0%
Rates excluding general rates (inc discount & write offs)	10	(49,785)	(40,628)	(49,785)	(40,628)	9,157	(18%)
Grants, subsidies & contributions	11	1,089,353	1,014,353	919,034	887,644	(31,389)	(3%)
Fees and charges		1,998,822	1,998,823	1,689,206	1,705,244	16,038	1%
Interest revenue		248,877	248,877	183,772	181,395	(2,377)	(1%)
Other revenue		169,386	169,386	113,625	117,899	4,274	4%
Profit on asset disposals	7	73,400	76,400	76,400	22,691	(53,709)	(70%)
Share of net profit of associates accounted for using the equity method		0	0	0	0	0	
Fair value adjustments to financial assets at fair value through project or loss		0	0	0	(3,551)	(3,551)	
		5,981,467	5,909,467	5,383,665	5,324,031	(59,635)	
Expenditure from operating activities							
Employee costs		(3,062,931)	(3,062,930)	(2,566,554)	(2,473,482)	93,073	(4%)
Materials and contracts		(2,528,237)	(2,528,237)	(2,059,094)	(1,698,641)	360,453	(18%)
Utility charges		(384,469)	(384,469)	(329,404)	(310,713)	18,691	(6%)
Depreciation		(3,638,292)	(3,638,292)	(3,031,910)	(3,012,338)	19,572	(1%)
Interest expenses	9	(28,526)	(28,526)	(14,761)	(13,448)	1,313	100%
Insurance		(277,621)	(277,621)	(275,821)	(277,594)	(1,773)	1%
Other expenditure		0	0	0	0	0	0%
Loss on asset disposals	7	(10,682)	(10,682)	(10,682)	(21,099)	(10,417)	98%
		(9,930,757)	(9,930,756)	(8,288,226)	(7,807,314)	480,911	
Non-cash amounts excluded from operating activities	2	3,575,573	3,572,574	2,966,192	3,014,297	48,105	2%
Amount attributable to operating activities		(373,718)	(448,715)	61,631	531,013	469,384	
INVESTING ACTIVITIES							
Capital grants, subsidies and contributions	11	4,365,339	4,565,339	2,685,220	3,290,270	605,050	23%
Proceeds from disposal of assets	7	444,318	444,318	261,318	363,572	102,254	39%
Payments for property, plant and equipment and infrastructure	7	(7,121,642)	(7,211,642)	(4,405,295)	(5,345,969)	(940,674)	21%
Amount attributable to investing activities		(2,311,985)	(2,201,985)	(1,458,757)	(1,692,127)	(233,370)	
FINANCING ACTIVITIES							
Transfers from reserves	5	65,000	65,000	0	0	0	0%
Repayment of borrowings	9	(102,201)	(102,201)	(50,713)	(50,713)	0	0%
Transfers to reserves	5	(251,877)	(251,877)	(60,938)	(61,186)	(248)	0%
Amount attributable to financing activities		(289,078)	(289,078)	(111,651)	(111,898)	(247)	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	2	3,059,332	2,896,762	2,896,762	2,896,764	2	0%
Amount attributable to operating activities		(373,718)	(448,715)	61,631	531,013	469,382	762%
Amount attributable to investing activities		(2,311,985)	(2,201,985)	(1,458,757)	(1,692,127)	(233,370)	16%
Amount attributable to financing activities		(289,078)	(289,078)	(111,651)	(111,898)	(247)	100%
Surplus or deficit after imposition of general rates	2	84,551	(43,016)	1,387,985	1,623,752	235,767	17%

* Refer to Note 3 for an explanation of the reasons for the variance.

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

Shire of Kulin
STATEMENT OF FINANCIAL POSITION
For the period ended 30 April 2025

	30-Jun-24 \$	30-Apr-25 \$
CURRENT ASSETS		
Cash at Bank	2,885,819	3,139,741
Cash at Bank (Reserves & Restricted Funds)	2,437,539	2,498,725
Trade and other receivables	86,995	113,914
Sundry Debtors - Rates	26,237	44,947
Inventories	126,454	65,798
Accrued income & prepayments	56,851	22,344
Contract Assets	1,321,035	94,789
TOTAL CURRENT ASSETS	6,940,931	5,980,257
CURRENT LIABILITIES		
Sundry Creditors	(216,840)	(913,651)
Accruals	(127,326)	0
ATO Liabilities	(70,039)	(100,758)
Bonds & deposits held	(102,486)	(104,206)
Contract Liabilities	(647,119)	(296,350)
Borrowings	(102,201)	(102,201)
Employee Provisions	(442,817)	(442,817)
TOTAL CURRENT LIABILITIES	(1,708,828)	(1,959,983)
TOTAL NET CURRENT ASSETS	5,232,103	4,020,275
NON-CURRENT ASSETS		
Investment in Associate	65,977	65,977
Work in Progress	238,223	-
Inventories - Land for Resale	610,000	549,000
Land & Buildings	22,261,647	22,606,755
Plant & Equipment	3,567,039	3,390,372
Furniture & Equipment	257,150	272,541
Motor Vehicles	1,286,328	1,142,721
Infrastructure	76,264,685	78,495,333
Shares - Kulin Community Financial Services	5,000	5,000
Units Held - Local Government House Trust	83,171	79,620
TOTAL NON-CURRENT ASSETS	104,639,218	106,607,318
NON CURRENT LIABILITIES		
Borrowings	(682,357)	(631,644)
Employee Provisions	(17,817)	(17,817)
TOTAL NON-CURRENT LIABILITIES	(700,173)	(649,461)
NET ASSETS	109,171,148	109,978,132
Asset Revaluation - Infrastructure	37,546,160	37,546,160
Asset Revaluation - Property, Plant & Equipment	1,461,803	1,461,803
Asset Revaluation - Land & Buildings	14,753,878	14,753,878
Accumulated Reserves	2,437,539	2,498,725
Accumulated Surplus	52,971,768	53,717,568
TOTAL EQUITY	109,171,148	109,978,133

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

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 1 - Basis of Preparation & Significant Accounting Policies

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Notes 4-11 do not form part of the financial report.

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

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the City controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

Judgements and estimates

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

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

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

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 2 - Net Current Assets Composition

	Adopted Budget Opening 30-Jun-24	Last Year Closing 30-Jun-24	Year to Date 30-Apr-25
Current Assets			
Cash and Cash Equivalents	5,323,358	5,323,358	5,638,465
Accounts Receivable - Rates	26,237	26,237	44,947
Trade & Other Receivables	86,994	86,994	113,914
Prepaid Assets	33,577	33,577	22,344
Accrued Income	19,803	23,274	0
Inventories	95,918	126,454	65,798
Contract Assets	1,299,114	1,321,035	94,789
	<u>6,885,001</u>	<u>6,940,930</u>	<u>5,980,257</u>
Less: Current Liabilities			
Sundry Creditors	(216,840)	(216,840)	(913,651)
Payroll Accruals	(54,391)	(54,391)	0
Accrued expenses	(65,199)	(72,934)	0
ATO Liability	(70,039)	(70,039)	(100,758)
Contract Liabilities	(440,944)	(647,119)	(296,350)
Provision for Annual Leave	(224,433)	(224,433)	(224,433)
Provision for Long Service Leave	(213,797)	(218,384)	(218,384)
Bonds & deposits held	(102,486)	(102,486)	(104,206)
Borrowings	(102,201)	(102,201)	(102,201)
	<u>(1,490,330)</u>	<u>(1,708,828)</u>	<u>(1,959,983)</u>
Net current assets	5,394,671	5,232,103	4,020,275
Adjustments to Current Assets			
Less: Reserves	(2,437,539)	(2,437,539)	(2,498,725)
Add: Borrowings	102,201	102,201	102,201
Closing funding surplus/(deficit)	<u>3,059,333</u>	<u>2,896,764</u>	<u>1,623,751</u>

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 3 - Explanation of Material Variances

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.

The material variance adopted by Council for the 2024/25 year is \$10,000 and 10.00%.

Revenue from operating activities	Var \$	Var %	Explanation
General Rates	1,922	0%	Under \$10,000 and 10% threshold
Rates excluding general rates (inc discount & write offs)	9,157	-18%	Under \$10,000 and 10% threshold
Grants, subsidies and contributions	(31,389)	-3%	Under \$10,000 and 10% threshold
Fees and charges	16,038	1%	Under \$10,000 and 10% threshold
Interest earnings	(2,377)	-1%	Under \$10,000 and 10% threshold
Other revenue	4,274	4%	Under \$10,000 and 10% threshold
Profit on asset disposals	(53,709)	-70%	Grader & Crew Cab Truck budgeted to be traded in October. Neither have been sold yet.
Expenditure from operating activities	Var \$	Var %	Explanation
Employee costs	93,073	-4%	Significant variances - Admin salaries & allowaances - \$30k underbudget. CRC salaries & allowances \$53k underbudget.
Materials and contracts	360,453	-18%	Various line items underbudget - significant variances include Contract Employment is \$97k underbudget. Fuel purchase cost for public sales \$51k under budget - average cost price 19c below budget however sales volume on 20k overbudget. Plant related material costs \$53k underbudget and road maintenance (including chemical for spraying road verges etc) \$34k underbudget.
Utility charges	18,691	-6%	Under \$10,000 and 10% threshold
Depreciation	19,572	-1%	Under \$10,000 and 10% threshold
Interest expenses	1,313	100%	Under \$10,000 and 10% threshold
Insurance	(1,773)	1%	Under \$10,000 and 10% threshold
Loss on asset disposals	(10,417)	98%	Disposal of additional blocks of land.
Investing activities	Var \$	Var %	Explanation
Proceeds from capital grants, subsidies and contributions	605,050	23%	Actual revenue recognition matched to expenditure on captial projects. Refer to Grants note
Proceeds from disposal of assets	102,254	39%	Additional sale of land and trade in of Works Manager vehicles.
Payments for property, plant and equipment and infrastructure	(940,674)	21%	Budget spread evenly over full year. Timing difference. Refer to Assets note
Financing activities	Var \$	Var %	Explanation
Transfer from reserves	0	0%	Under \$10,000 and 10% threshold
Repayment of borrowings	0	0%	Under \$10,000 and 10% threshold
Transfer to reserves	(248)	0%	Under \$10,000 and 10% threshold
Surplus or (deficit) at the start of the financial year	2	0%	Under \$10,000 and 10% threshold

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 4 - Cash & Financial Assets

	General Ledger Balance 30-Apr-25	Bank Statement Balance 30-Apr-25
Cash at Bank - Unrestricted		
Municipal Funds	774,557	773,677
Freebairn Recreation Centre	86,305	86,947
Trust (restricted muni funds)	104,206	104,006
Investments	2,171,072	2,171,072
Till Float	3,100	-
Petty Cash	500	-
	3,139,741	3,135,702
Cash at Bank - Restricted		
Reserve Funds	2,498,725	2,498,725
	2,498,725	2,498,725

Note 5 - Reserve Accounts

Reserve	Full year Budget				Amended Budget			
	Opening Balance	Transfer to	Transfer from	Closing Balance	Opening Balance	Transfer to	Transfer from	Closing Balance
Leave	405,580	20,279	0	425,859	405,580	20,279	0	425,859
Plant	375,629	18,781	0	394,410	375,629	18,781	0	394,410
Building	513,009	75,650	0	588,659	513,009	75,650	0	588,659
Admin Equipment	81,910	54,096	0	136,006	81,910	54,096	0	136,006
Natural Disaster	90,031	4,502	0	94,533	90,031	4,502	0	94,533
Joint Venture Housing	83,125	4,156	(40,000)	47,281	83,125	4,156	(40,000)	47,281
FRC Surface & Equipment	46,814	2,341	0	49,155	46,814	2,341	0	49,155
Medical Services	125,879	6,294	0	132,173	125,879	6,294	0	132,173
Fuel Facility	29,727	11,486	0	41,213	29,727	11,486	0	41,213
Sportsperson Scholarship	14,913	746	0	15,659	14,913	746	0	15,659
Freebairn Rec Centre	225,888	11,294	0	237,182	225,888	11,294	0	237,182
Bendering Tip Reserve	135,047	6,752	0	141,799	135,047	6,752	0	141,799
Short Stay Accommodation	294,198	14,710	(25,000)	283,908	294,198	14,710	(25,000)	283,908
Independent Water Reserve	15,789	20,790	0	36,579	15,789	20,790	0	36,579
	2,437,539	251,877	(65,000)	2,624,416	2,437,539	251,877	(65,000)	2,624,416

Reserve Details	Reserve Details	Anticipated Use Date	Informal Min.	Informal Max.
Leave	To fund employee long service and annual leave entitlements	-	-	As req
Plant	To fund the purchase of plant.	-	350,000	-
Building	To fund the construction of staff housing	-	-	-
Admin Equipment	To fund the replacement of administration equipment.	-	50,000	100,000
Natural Disaster	To assist in the funding of preparations following a natural	-	-	-
Joint Venture Housing	To fund the upkeep of JV housing with the Department of	-	-	-
FRC Surface & Equipment	To fund the replacement of equipment and sports surfaces at the Freebairn Recreation Facility	-	-	-
Medical Services	To fund the upgrade of medical facilities & costs related to the recruitment of a doctor for the Shire	-	100,000	150,000
Fuel Facility	To fund the replacement of the equipment at the fuel facility. Net profit from the sale of fuel is transferred to this reserve.	-	75,000	200,000
Sportsperson Scholarship	To fund scholarships for local sportspersons	-	-	15,000
Freebairn Rec Centre	To fund the ongoing asset management of the FRC	-	100,000	-
Short Stay Accommodation	To fund the construction of short stay accommodation units	-	-	250,000
Bendering Tip Reserve	To fund the rehabilitation of the Bendering Tip site	-	-	-
Independent Water Reserve	To fund the replacement and maintenance of water infrastructure within the Shire	-	-	-

Shire of Kulin							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the period ended 30 April 2025							
Note 6 - Asset information							
Note 6 (a) - Asset Acquisitions							
	Description	Original Budget	Amended Budget	YTD Budget	YTD Actual	Category	Renewal/ Replace
E041100	AV equipment for Chambers & meeting room	20,000	40,000	40,000	36,571	F&E	
E077110	Nurses station window and upgrades	17,313	17,313	-	-	L&B	Y
E091107	Units 5/25 Johnston Street renovation	15,308	15,308	-	12,650	L&B	Y
E091107	Exterior painting Johnston Street units	25,154	25,154	-	-	L&B	Y
E091113	38 Day Street bathroom	20,308	20,308	-	-	L&B	Y
E091115	14 Stewart Street renovation	51,606	51,606	-	60,793	L&B	Y
E091117	81 Johnston Street bathroom	10,308	10,308	-	1,358	L&B	Y
E107131	Cemetery Toilets	32,390	32,390	-	33,881	L&B	
E101100	Transfer Station	19,740	19,740	-	22,280	L&B	
E110100	Tennis court resurfacing	221,919	221,919	184,920	190,671	L&B	Y
E112100	Aquatic Centre - South side shade	12,123	12,123	-	12,123	Inf	Y
E112101	Aquatic Centre - Splashdown pool	200,627	200,627	35,000	7,938	Inf	
E113700	FRC Car Park	17,444	17,444	-	-	Inf	Y
E113900	FRC Server Replacement	16,205	16,205	-	19,923	F&E	Y
E113901	Bowling Green Lighting	40,000	40,000	-	42,558	L&B	Y
E113905	FRC Kitchen Upgrades	102,313	102,313	-	74,040	L&B	Y
E113908	FRC Changeroom upgrades	42,313	62,313	60,000	56,024	L&B	Y
E113909	FRC Court Fans	40,000	40,000	-	110	L&B	
E117100	Old Skate Park Redevelopment	69,572	69,572	-	110	Inf	Y
E117110	Johnston Street Playground Shade Sail	10,000	10,000	-	9,247	Inf	Y
E117040	Pingaring Golf Club Air Conditioning & Upgrades	15,000	15,000	-	9,897	L&B	Y
E122222	Fleet management software	-	-	-	6,573	L&B	Y
E123100	Grader (PE55)	460,000	460,000	-	-	P&E	Y
E123100	Posi Track & Mulcher	175,000	175,000	-	173,000	P&E	
E123100	Compact Roller	-	50,000	-	48,700		
E123100	Tandem Axle Flat Top Trailer	10,000	10,000	-	-	P&E	
E123100	Truck scan tool & fleet management software	20,000	20,000	-	-	P&E	
E123100	Subsite Standard Utiliguard Cable Locating System	11,000	11,000	-	8,574	P&E	
E123100	Sundry Plant	10,000	10,000	-	-	P&E	
E123105	Ford Everest (CEO)	75,000	75,000		73,405	MV	Y
E123105	Isuzu D-Max (Works Supervisor)	50,000	50,000		49,772	MV	Y
E123105	Ford Everest (Works Manager)	70,000	70,000	279,150	188,507	MV	Y
E123105	Mitsubishi Fuso 4T Single Cab	100,000	100,000		-	MV	Y
E123105	Admin Shared Vehicle	40,000	40,000		33,082	MV	Y
E121500	RRG Road Construction	799,416	799,416	799,416	624,229	Inf	Y
E121520	R2R Road Construction	730,004	730,004	608,340	571,827	Inf	Y
E121550	Own Resource Road Construction	225,180	225,180	-	108	Inf	Y
E121551	WSFN Road Construction	1,867,492	1,867,492	1,244,995	1,391,887	Inf	Y
E121552	RRUPP Road Construction	1,063,954	1,063,954	1,063,954	1,170,296	Inf	Y
E121553	LRCIP Road Construction	89,520	89,520	89,520	97,433	Inf	Y
E121750	Black Spot Road Construction	-	-	-	11,835	Inf	Y
E121580	Footpath Construction	95,312	95,312	-	39,047	Inf	Y
E121570	Depot Crib Room	111,995	111,995	-	160,162	L&B	
E121593	Speed signs at Town Entries	15,000	15,000	-	17,191	Inf	
E121605	Tourism project - Macrocarpa Trail Gazebo & seating	-	-	-	17,880	Inf	
E122220	Fence between Depot & Lot 229 & 230 Day Street	8,077	8,077	-	-	L&B	Y
E132500	Caravan Park Camp Kitchen Outdoor Blinds	9,477	9,477	-	8,615	L&B	
E132710	Jilakin Rock Gazebo & Interpretation	25,572	25,572	-	-	L&B	
E136116	Purchase of Lots 106 & 109 Day & Beard Streets	60,000	60,000	-	63,672	L&B	
		7,121,642	7,211,642	4,405,295	5,345,969		
OA01195	Add Work in Progress at 30 June 2024						
	Aquatic Centre Shade Sails				22,727		
	SF003 Gravel crushing & screening				215,495		
					238,223		
					5,584,192		
		Budgeted WDV	Budgeted Proceeds	Budgeted Profit/(loss) on sale	Actual WDV	Actual Proceeds	Actual Profit/(loss) on Sale
Note 6 (b) - Disposal of Assets							
	PE177 CAT 12M Grader (PE55)	121,000	150,000	29,000			0
	MV173 Holden Colorado (MV117)	11,200	15,000	3,800	11,867	15,000	3,133
	MV199 Toyota Prado (CEO) (MV27)	54,000	60,000	6,000	54,645	58,182	3,537
	MV197 Ford Everest (Works Manager) (MV30)	53,600	60,000	6,400	57,626	63,636	6,010
	MV201 Ford Everest (Works Manager) (MV30)	-	-	0	60,716	63,636	2,920
	MV203 Ford Everest (Works Manager) (MV30)	-	-	0	56,328	54,545	(1,782)
	MV187 Toyota Prado (Admin) (MV120)	34,500	47,000	12,500	38,364	45,455	7,090
	MV178 Mitsubishi Canter Single Cab (MV81)	19,300	35,000	15,700			0
	PE141 Hino Cement truck (PE141)	12,000	16,000	3,000	12,187	9,276	(2,911)
	PE192 Concrete Batching Plant (PE165)	-	-	0	5,929	5,831	(99)
		305,600	383,000	76,400	297,662	315,561	17,899
Land sales							
	3 Rankin Street, Kulin	41,000	61,318	20,318	30,536	30,536	(0)
	8 Bowey Way, Kulin	-	9,000	9,000	11,000	8,718	(2,282)
	31 Ellson Street, Kulin	-	9,000	9,000	10,000	8,758	(1,242)
	15 Rankin Street, Kulin	-	31,000	31,000	40,000	30,536	(9,464)
		\$41,000	\$110,318	\$69,318	\$91,536	\$78,547	(\$12,989)
		346,600	444,318	145,718	328,198	363,572	4,909

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 7 - Receivables

Rates receivable	30-Jun-24	30-Apr-25
	\$	\$
Opening arrears previous years	45,423	45,034
Levied this year	2,566,820	2,717,138
Less - collections to date	(2,567,209)	(2,698,428)
Equals current outstanding	45,034	63,744
Net rates collectable	45,034	63,744
% Collected	98.28%	99.31%

Trade Receivables	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(704)	60,669	3,320	1,210	216	64,711
Percentage	-1.1%	93.8%	5.1%	1.9%	0.3%	
Allowance for impairment of receivables						0
Total receivables general outstanding						64,711
Amounts shown above include GST (where applicable)						

KEY INFORMATION

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

Note 8 - Payables

Payables - general	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Sundry Creditors	763,301	143,854	0	(407)	906,747
Percentage	0.0%	0.0%	0.0%	0.0%	
Balance per trial balance					906,747
ATO liabilities	4,421				4,421
Total payables general outstanding					911,168
Amounts shown above include GST (where applicable)					

KEY INFORMATION

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

Note 9 - Borrowings

	Budget				Actual			
	Principal	Principal	Principal	Interest	Principal	Principal	Principal	Interest
	01/07/2024	Repayments	30/06/2025	Repayments	01/07/2024	Repayments	30/06/2024	Repayments
Loan 1 Administration Building	785,095	102,201	682,894	28,526	785,095	50,713	734,382	13,448
	785,095	102,201	682,894	28,526	785,095	50,713	734,382	13,448

KEY INFORMATION

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

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 10 - Rate Revenue

Rate Type	Rate in \$	Number of properties	Rateable Value	Budgeted Rate Revenue	Actual Rate Revenue
General Rate					
Gross Rental Value					
Residential	0.111592	136	1,371,293	153,025	153,092
Industrial	0.111592	12	115,443	12,883	12,882
Commercial	0.111592	28	435,496	48,598	48,235
Rural	0.111592	11	102,750	11,466	13,062
Unimproved Value					
Rural	0.005757	342	386,562,685	2,225,442	2,226,065
Mining	0.005757	0		-	-
Sub-total		529	388,587,667	2,451,414	2,453,336
Minimum Payment					
Gross Rental Value					
Residential	540.77	9	11,173	4,867	5,898
Industrial	540.77	5	11,452	2,704	2,704
Commercial	540.77	4	8,282	2,163	2,163
Rural	540.77	7	8,127	3,785	3,785
Unimproved Value					
Rural	540.77	20	1,098,515	10,815	10,815
Mining	540.77	32	224,144	17,305	18,651
		77	1,361,693	41,639	44,017
		606	389,949,360	2,493,053	2,497,353
Discount				(108,489)	(102,138)
Concessions/Write-offs				(11,259)	(10,830)
Total raised from general rates				2,373,305	2,384,385
Ex-Gratia Rates				28,324	28,324
Total Rates				2,401,629	2,412,709

All land (other than exempt land) in the Shire of Kulin is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire of Kulin.

The general rates detailed for the 2022/23 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of local government services/facilities.

Shire of Kulin
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the period ended 30 April 2025

Note 11 - Grants

Operating Grants

Grant Source	Purpose	Original Budget	Amended Budget	YTD Budget	YTD Actual	
Grants Commission	Federal financial assistance grants	455,277	380,277	285,208	287,201	
DFES	Emergency Services Levy Operating Grant	45,000	45,000	45,000	40,823	
DFES	ESL Admin Contribution	-	-	-	4,000	
Community Childcare Fund Grant	KCCC Operations	145,962	145,962	145,962	72,981	
Department of Training & Workforce Development	KCCC Staff Training Grant	-	-	-	22,278	
Water Corporation	Contribution to Cemetery Toilets project due to no available potable water on site	-	-	-	7,365	
Main Roads	State Direct Grant (Untied Road Funding)	327,614	327,614	327,614	327,614	
Department of Primary Industries & Regional Development	Community Resource Centre Funding	114,000	114,000	114,000	119,428	
CRC Community Christmas Party Grant	Community Christmas Party	-	-	-	4,700	
Other CRC Grants & Contributions	Kulin Triathlon & Other sponsorships	1,500	1,500	1,250	1,255	
		1,089,353	1,014,353	919,034	887,644	

Capital Grants

Grant Source	Purpose	Original Budget	Amended Budget	YTD Budget	YTD Actual (Income recognised)	Grant income received
Local Roads & Community Infrastructure Program	Federal Government Stimulus to deliver priority local roads and community infrastructure projects	662,774	662,774	571,720	335,903	540,900
Kulin Bowling Club	Bowling Green Lights	5,000	5,000	5,000	-	-
Community Night Lights Program	Bowling Green Lights	13,333	13,333	13,333	16,305	-
Kulin Junior Basketball Club	FRC Court Fans	5,000	5,000	5,000	-	-
Kulin Netball Club	FRC Court Fans	5,000	5,000	5,000	-	-
Kulin Sporting Clubs	FRC Electronic Honour Board	3,000	3,000	3,000	-	-
Kulin Tennis Club	Tennis Court Resurfacing	30,000	30,000	30,000	43,301	43,301
Kulin Bush Races	Tennis Court Resurfacing	80,000	80,000	80,000	72,727	72,728
Colts Carnival	FRC Changeroom Upgrades	40,000	40,000	-	-	-
Main Roads - Regional Road Group	Road Construction	521,194	521,194	40,647	380,179	416,956
Federal - Wheatbelt Secondary Freight Network	Road Construction	1,730,792	1,930,792	1,410,000	1,298,630	1,557,899
Federal - Remote Roads Upgrade Pilot Program	Road Construction	573,886	573,886	-	567,733	614,400
Federal - Roads to Recovery	Road Construction	695,360	695,360	521,520	567,632	522,877
Federal - Black Spot	Road Construction	-	-	-	7,860	7,860
		4,365,339	4,565,339	2,685,220	3,290,270	3,776,921

RESERVE PRICE OF VACANT LAND REPORT

APOG Policy A14A sets out the requirements and process for selling vacant land.

This Reserve Price for Vacant Land Report must be adopted by Council every six months (April and October) to set the reserve price for each block of vacant land in accordance with s3.58(4) of the *Local Government Act 1995*. The reserve price is based on Council's view of the current market value of each block of land, which takes into consideration the last independent valuation and other factors such as recent sales history.

Council offers a discount on sales of vacant land in Proudview Estate as outlined in the table below. The discount is refunded to the purchaser when the property is completed (at lock up stage) and if construction starts within 18 months of settlement.

In addition, Council offers site works up to the value in the table below. Site works can include house and shed pads, earthworks, septic etc. The site works will only be offered if construction starts within 18 months of settlement.

The table below shows the vacant blocks of land for sale.

Block (see diagram below)	Street No.	Street Name	Area (m2)	Desktop Valuation 30 June 2023 (GST excl)	Reserve Price (GST excl)	Discount	Value of site works completed by Shire
Proudview Estate							
A	3	Kulin West Road	10,287	\$41,000	\$41,000	\$15,000	\$10,000
B	9	Kulin West Road	10,000	\$40,000	\$40,000	\$15,000	\$10,000
C	15	Kulin West Road	10,000	\$40,000	\$40,000	\$15,000	\$10,000
D	20	Rankin Street	9,999	\$39,000	\$39,000	\$15,000	\$10,000
E	21	Kulin West Road	10,000	\$40,000	\$40,000	\$15,000	\$10,000
F	25	Kulin West Road	10,000	\$40,000	\$40,000	\$15,000	\$10,000
G	31	Kulin West Road	10,000	\$40,000	\$40,000	\$15,000	\$10,000
H	8	Hodgson Street	9,998	\$39,000	\$39,000	\$15,000	\$10,000
I	9	Hodgson Street	10,000	\$40,000	\$40,000	\$15,000	\$10,000
J	15	Hodgson Street	10,200	\$40,000	\$40,000	\$15,000	\$10,000
K	45	Rankin Street	10,000	\$40,000	\$40,000	\$15,000	\$10,000
Robertson Park							
A	2	Ellson Street	509	\$7,000	\$7,000		\$5,000
B	4	Ellson Street	501	\$7,000	\$7,000		\$5,000
C	6	Ellson Street	501	\$7,000	\$7,000		\$5,000
D	8	Ellson Street	501	\$7,000	\$7,000		\$5,000
F	12	Ellson Street	701	\$9,000	\$9,000		\$5,000
G	14	Ellson Street	700	\$9,000	\$9,000		\$5,000
H	16	Ellson Street	700	\$9,000	\$9,000		\$5,000
I	23	Gordon Street	500	\$7,000	\$7,000		\$5,000
J	25	Gordon Street	500	\$7,000	\$7,000		\$5,000

Block (see diagram below)	Street No.	Street Name	Area (m2)	Desktop Valuation 30 June 2023	Reserve Price (GST Excl)	Discount	Value of site works completed by Shire
K	27	Gordon Street	500	\$7,000	\$7,000		\$5,000
L	29	Gordon Street	500	\$7,000	\$7,000		\$5,000
M	31	Gordon Street	512	\$7,000	\$7,000		\$5,000
N	35	Price Street	703	\$9,000	\$9,000		\$5,000
O	37	Price Street	701	\$9,000	\$9,000		\$5,000
P	39	Price Street	703	\$9,000	\$9,000		\$5,000
Other							
A	8	Bowey Way	1,163	\$11,000	\$11,000		\$5,000
B	19	Ellson Street	1,056	\$10,000	\$10,000		\$5,000
C	27	Ellson Street	1,266	\$12,000	\$12,000		\$5,000
D	29	Ellson Street	1,190	\$11,000	\$11,000		\$5,000
E	34	Ellson Street	1,076	\$10,000	\$10,000		\$5,000

Proudview Estate Blocks:



Robertson Park:



Other:



Draft Advocacy Position

State development applications and decision making

WALGA calls on the State Government to:

1. Ensure that decision making on development applications (DAs) is:
 - a. consistent and accountable
 - b. accessible to local communities
 - c. respects and appropriately applies local planning frameworks in line with their statutory weight.
2. Reform the Development Assessment Panel (DAP) system to:
 - a. raise the DAP threshold from the current \$2 million to \$5 million and mandate periodic reviews of the threshold
 - b. modify the composition of DAPs to provide equal representation of Specialist Members and Local Government Members
 - c. review DAP processes to ensure proponents provide necessary information in a timely manner
 - d. provide clear guidance on the roles and functions of Local Government officers at DAP meetings
 - e. allow the use of the State Referral Coordination Unit for DAP applications to ensure timely and adequate referral responses from State Government agencies are provided to Local Governments.
3. Abolish the state significant development assessment pathway (Part 11B of *the Planning and Development Act 2005*). Should the significant development assessment pathway continue to operate it should be reformed to:
 - i) raise the cost threshold to \$50 million
 - ii) align statutory timeframes with DAP and Local Government determined development applications
 - iii) ensure all developments are consistent with applicable statutory planning instruments, specifically local planning schemes or planning instruments that have been reviewed in the last 10 years, or at a minimum provide comprehensive guidelines for applying extraordinary discretion
 - iv) delete references to 'mandatory significant development' to ensure the Part 11B Pathway remains entirely opt-in
 - v) remove the ability for the Premier to give authorisation for the lodgment and determination of an application.

Development Assessment Panels

2011 - 2024 Review

January 2025

Table of Contents

1.0 Introduction	2
1.1 Data Collection Method	3
2.0 Key Findings 2020-2024.....	4
2.1 Reliability	4
2.2 Efficiency	4
2.3 Consistency	4
2.4 Complexity.....	4
3.0 Discussion	5
4.0 Detailed Findings.....	7
4.1 DAP Applications and Meetings	7
4.2 DAP Decisions.....	10
4.3 DAP Decision Making Timeframes.....	13
4.4 DAP Application and Development Outcomes	15
4.5 DAP Application Development Costs	18
Appendix 1 – Development Use Categories	20

Figure 1: Number of determinations by type.....	7
Figure 2: Type of determinations as percentage	8
Figure 3: Number of meetings and applications by type	9
Figure 4: Number of DAP determinations and meetings	9
Figure 5: DA determinations	10
Figure 6: DA determinations as percentage	10
Figure 7: DA RAR approval rate and DAP alignment	11
Figure 8: DA RAR refusal rate and DAP alignment	12
Figure 9: Number of DAP deferrals by RAR recommendation	12
Figure 10: DAP deferrals as percentage.....	13
Figure 11: Average time taken to determine DAs	13
Figure 12: DA timeliness (not including DA D) by 30 day segments	14
Figure 13: Average days to determine DAs by category	15
Figure 14: DAs determined by metropolitan and regional DAPs.....	16
Figure 15: DAP and development use category, 2020-24.....	16
Figure 16: DAP and development use category as percentage, 2020-24	17
Figure 17: Proportional development use category	17
Figure 18: Proportional DA value.....	18
Figure 19: Average DA project value (\$m).....	19

1.0 Introduction

This report is part of a series by the Western Australian Local Government Association (WALGA) that examines the performance of the Development Assessment Panel (DAP) system. Data from all decisions made by a DAP have been collected since establishment of the system in July 2011 until the end of the 2023-24 financial year.

WALGA does not support the continuation of the DAP system in its current form and considers there are reforms to the system are needed to ensure it operates in an efficient, effective, and transparent way, and where matters of local planning context are adequately considered by decision makers.

This report has been developed to inform a review of WALGA's DAP advocacy position in light of the finalisation of the State Government's DAP reforms. The findings of this report will be supported by extensive consultation and engagement with Local Governments to gain a full understanding of how the DAP system is currently performing. A reviewed DAP advocacy position, will sit within the context of WALGA's Planning Principles and Reform advocacy position that supports an efficient and effective planning system guided by legislation, policy, and processes that, *inter alia*,

- facilitates the creation of sustainable and liveable communities and places
- is easy to understand, accessible and transparent
- recognises the diversity of Western Australia and ensures that local environment, context, communities and character are appropriately reflected in planning frameworks and decision making
- ensures decisions are made by the level of government closest to and most impacted by a planning proposal.

Over its 13 years existence, the DAP system has undergone significant reform and modifications. The latest major reform to the DAP system came into effect on 1 March 2024, which included making DAPs an entirely opt-in development pathway, reducing the number of panels from five to three and the employment of full-time specialist DAP members. Given this report only captures four months of data since these reforms were introduced, it is unclear at this stage if these amendments will improve DAP operations.

In November 2024, changes to the *Local Government Act 1995* were also announced that would require all Responsible Authority Reports (RAR) to be submitted by the Chief Executive Officer of the Local Government instead of Council, and clarified that Council was to have no role in DAP functions performed by a Local Government. This change has not come into effect to date and requires the establishment of regulations.

In 2020 the State Government also established a temporary significant development pathway coordinated by the State Development Assessment Unit (SDAU), to encourage major developments as part of its COVID-19 economic recovery program. This was an opt-in pathway for development applications (DAs) that met a minimum monetary threshold of \$20 million in the metropolitan area and \$5 million in regional areas. These applications are assessed by the Department of Planning, Lands and Heritage (DPLH) and determined by the Western Australian Planning Commission (WAPC). A permanent version of this significant development pathway became operational on 1 March 2024, retaining the WAPC as the decision maker.

From its inception in 2020 until the end of the 2023-24 financial year, a total of 38 DAs were determined via the significant development pathway. WALGA will undertake a separate data collection and analysis on the significant development pathway to understand its effectiveness.

1.1 Data Collection Method

The data in this report was collated manually from information contained in the meeting minutes and agendas of the 2,595 DAP meetings held between July 1 2011 and June 30 2024. The meeting minutes and agendas are available on the DPLH's website. Data has been collected consistently, although the reporting methods by the DAP secretariat and responsible authorities have varied over the years. WALGA has adapted its data collection methods to suit these changing reporting techniques.

Data collected for this report and the subsequent analysis relates to individual determinations of DAPs. Decisions are categorised into the following categories:

- DA (development application)
- Form 2 (amendment to a previously approved proposal)
- SAT (reconsideration of a proposal following an appeal to the State Administrative Tribunal)
- DA D (development application deferred by a DAP)
- Form 2 D (Form 2 application deferred by a DAP)
- SAT D (reconsideration of a proposal following an appeal to the State Administrative Tribunal deferred by a DAP).

This categorisation of applications allows for the accurate reporting of the number of items the DAP system has considered over its 13 years of operation, and reduces double counting of determinations when a previously deferred item is presented back to a DAP for a decision. The categorisation also allows a richer level of analysis of DAP determinations based on reliability, efficiency, consistency and complexity.

The following fields have been collected for each determination by a DAP:

- The determining DAP
- The financial year
- The responsible authority
- The proposal's location and description
- The proposal's category (see Appendix 1)
- RAR recommendation
- Number of conditions or reasons for refusal in an RAR
- DAP decision
- Number of conditions or reasons for refusal in a DAP decision
- Number of conditions amended, added, or deleted by a DAP
- If the RAR and DAP decision aligns
- Date proposal lodged
- Date of decision
- Project value.

Verification to remove inconsistencies and irregularities from the data was undertaken in December 2024 and January 2025.

2.0 Key Findings

These headline trends provide a 'snapshot' of the data that is deemed most relevant to highlight the overall performance of the DAP system over the past four years.

2.1 Reliability

- In the 2023-24 reporting period, the average time taken for a DAP to determine a DA was 149 days, a 2% increase since the 2020 report.
- The average processing time for all forms of decisions by a DAP was 152 days, an increase of 6 per cent since the 2020 report.
- The time taken for a DAP to determine an amendment to a DA (i.e. a Form 2) increased from 94 days to 96 days since the 2020 report.
- In the 2023-24 reporting period, the proportion of DAs taking more than 120 days to process increased to 53 per cent, up from 41 per cent from the 2020 report.

2.2 Efficiency

- The number of determinations made by a DAP at each meeting has increased since the 2020 report, from 1.35 to 1.52 determinations.
- The number of deferred applications as a proportion of all determinations peaked at 11 per cent in the 2015-16 reporting period, reducing since this time and is currently sitting around 8 per cent of all determinations.

2.3 Consistency

- Approximately 90 per cent of DAs determined by DAP align with the RAR Report. This figure is consistent with the 2020 report.
- Rates of refusal by DAPs have fallen to 4 per cent, compared to 10 per cent in the 2020 report.
- The number of proposals deferred by a DAP when the RAR recommends approval has decreased from 31 per cent in the 2020 report to 22 per cent in the 2023-24 reporting period.

2.4 Complexity

- The proportion of strategic and significant development proposals decreased significantly following the 2020 report, with DAs below a project value of \$5 million peaking at 47 per cent of all DAs in the 2021-22 reporting period. This has reduced to 32 per cent of DAs determined by DAPs in the 2023-24 reporting period, with 24 per cent having a project value between \$2 million to \$3 million, aligning with the percentages from the 2020 report.
- Childcare related DAs accounted for a high proportion of low value applications since the 2020 report, representing 67 per cent of DAs in the 'community' development category and accounting for 54 per cent of DAs that had a project value of between \$2 million to \$3 million in the 2023-24 reporting period.

3.0 Discussion

In November 2009, the then Minister for Planning, Hon Rita Saffioti MLA, advised Parliament that DAPs were being introduced to Western Australia *"to improve the planning system by providing more transparency, consistency and reliability in decision making on complex development applications."* Subsequent amendments to improve the DAP system were undertaken in 2013, 2015, 2016, 2020 and 2024.

Analysis of the data shows that there has been a slight improvement in consistency DAP decisions over the last four years. Over the same period there has been no significant change in the efficiency of DAP decisions.

Since the establishment of the DAPs system in 2011, the average processing time for DAs, Form 2 applications and deferred DAs (DA Ds) have generally increased. This trend seems to have stabilised, with the average processing time for all forms of decisions by a DAP now standing at 152 days. This is a negligible increase from the 2020 report yet double the average number of days in the first year of the DAP system.

Further, the proportion of DAs that take more than 120 days to determine, which now stands at 53 per cent of determinations compared to 41 per cent in the 2020 report. This is reflected in the rate that DAP applications are determined within statutory timeframes, sitting at mid-70 per cent between 2020 to 2023 and dropping to 66.8 per cent in 2023-24¹.

The rate of alignment for DAs with RAR recommendations has remained consistent since the 2020 report at approximately 90 per cent. When alignment is considered across all categories of determinations, a slight improvement in performance is evident, with this sitting at 16 per cent in the 2023-24 reporting period, down from 19 per cent in the 2020 report.

There has been a notable decrease in the rate of refusal for DAs by DAPs, down from 10 per cent in the 2020 report to 4 per cent in the 2023-24 reporting period. This is the lowest ever percentage for this measure since the inception of DAPs. Rates of DA deferrals remain consistent at approximately 10 per cent. While this in turn means DA approval rates have increased, it still does not compare to the rate at which Local Governments approve DAs, with the Local Government Performance Monitoring Report finding that approximately 99 per cent of all DAs determined by Local Governments are approved².

Given this, WALGA welcomed the DAP reform that became operational on 1 March 2024 that removed the mandatory monetary thresholds, allowing applicants to choose whether to go the DAP pathway or through a Local Government to obtain an approval. Given the timeframe of this report, there is insufficient data to determine if these amendments will result in fewer DAP applications.

A significant change since the 2020 report is the increase in the portion of DAs determined in regional areas, which now represents 26 per cent of all DA determinations. This increase is due to renewable energy related projects, workforce accommodation and 'industrial' developments (including rural land uses) that all received double the number of DAs over the past four years, compared to the nine previously reported years.

This highlights the need for the State Government to adopt a new State Planning Policy for renewable energy facilities, so the planning framework is fit for purpose to guide these

¹ [Department of Planning, Lands and Heritage Annual Report 2023-24](#)

² [Local Government Performance Monitoring Project](#)

developments, and the need for a health check of *State Planning Policy 2.5 Rural Planning*, to ensure it provides contemporary policy guidance.³

With regard to application types, there has been a noticeable increase of determinations in the 'community' category, which along with the 'commercial' category, are the largest two categories that combined account for 44 per cent of all DAP determinations. This has been driven by a high volume of low value DAs, specifically childcare related projects that account for 67 per cent of DAs in the 'community' category. The proliferation of childcare centres since the 2020 report correlates with the Federal Governments increases to the childcare subsidy.

Conversely, the volume of determinations in the 'mixed use' category, that typically include significant developments, has seen a steady decline from the largest development category in the 2020 report at 26 per cent to 14 per cent in the 2023-24 reporting period. This decrease may be reflective of these projects being unviable in a post-COVID environment where construction and labour costs have increased. Analysis of the applications lodged to date through the permanent state significant development pathway indicates that some proposals that would have previously been determined by a DAP are now being lodged through this pathway.

It is concerning that a high portion of DAP applications continue to consist of low value DAs. This is confirmed by the significant increase in the number and proportion of proposals with project values of less than \$5 million, peaking at almost half of the DAs determined in the 2021-22 and 2022-23 reporting periods. Developments with a lower development value are unlikely to be strategic in nature yet are often resource intensive applications as those which are refused or deferred. For example, childcare and service station applications account for 48 per cent of all deferred decisions valued at less than \$5 million and 68 per cent between \$2-3m over the past four years, in comparison to 29 per cent in the 2020 report.

The DAP application cost threshold has not been increased since DAPs were introduced in 2011, and in fact was lowered from \$3 million to \$2 million in 2016. This is despite increasing construction costs, specifically post-COVID, and numerous reforms to the DAP system, including the latest major amendments in 2024. Raising the application cost threshold would divert many low-cost applications back to the Local Government determination pathway, creating a more efficient and strategic DAP system.

Conclusion

Overall, the statistical analysis indicates minor improvements in the DAP system over the last four years, particularly in reliability and consistent decision-making. Concerningly, the DAP threshold hasn't been increased since 2011 and the DAP system continues to determine many low-value applications that lack strategic importance.

³ [WALGA's Advocacy Position 6.17 Renewable Energy Facilities](#)

4.0 Detailed Findings

4.1 DAP Applications and Meetings

Figure 1 below, shows the number of applications by determination type. The number of overall determinations has decreased since it peaked in the 2015-16 reporting period, with total determinations for the 2023-24 reporting period being at its lowest level in a decade. This change has been driven by a marked drop in all forms of determinations.

It is unclear why these have reduced, but it may be due to amendments to the DAP system that came into effect on 1 March 2024, making it an entirely opt-in pathway, the growth in use of the significant development pathway, and/or commercial drivers such as increasing construction costs and lack of available land reducing the number of applications. This trend will be monitored in future DAP reports.

The SDAU only determined 13 applications in the 2023-24 reporting period and thus is unlikely to be the primary driver behind the reduction in determinations. Unfortunately, no publicly available data exists on the number of applications that have been diverted from the DAP system to Local Government. However, WALGA has begun collecting information on opt-out DAs determined by Local Governments. Anecdotally Local Governments report that many proponents are now choosing to have proposals determined by Local Government over a DAP, indicating trust in Local Government decision making processes remain strong.

Figure 1: Number of determinations by type

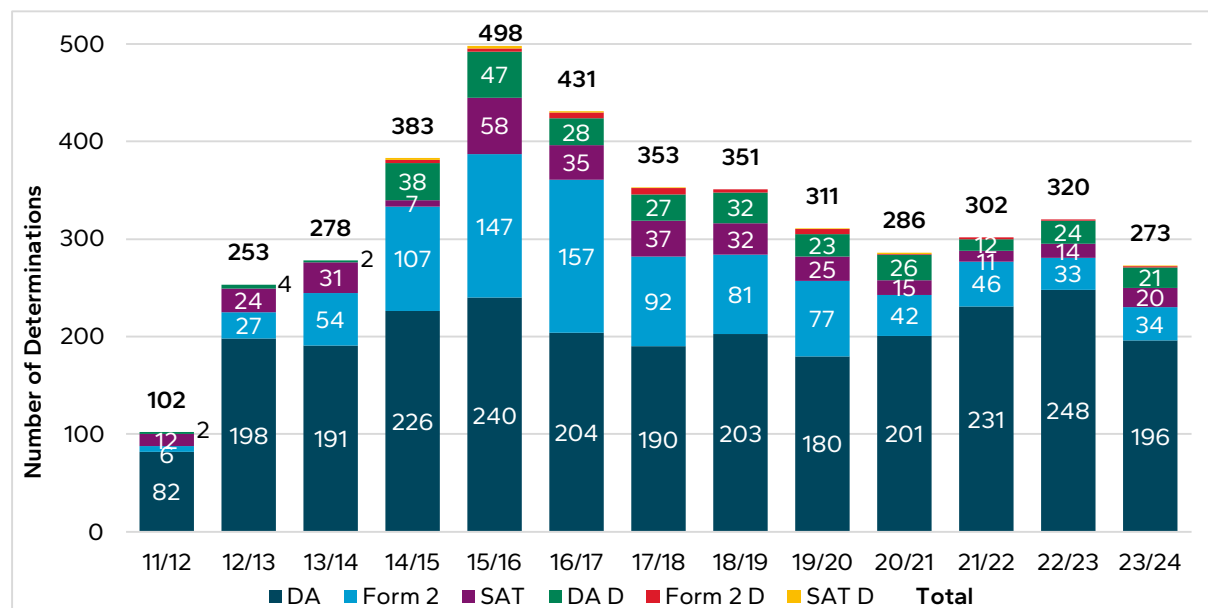
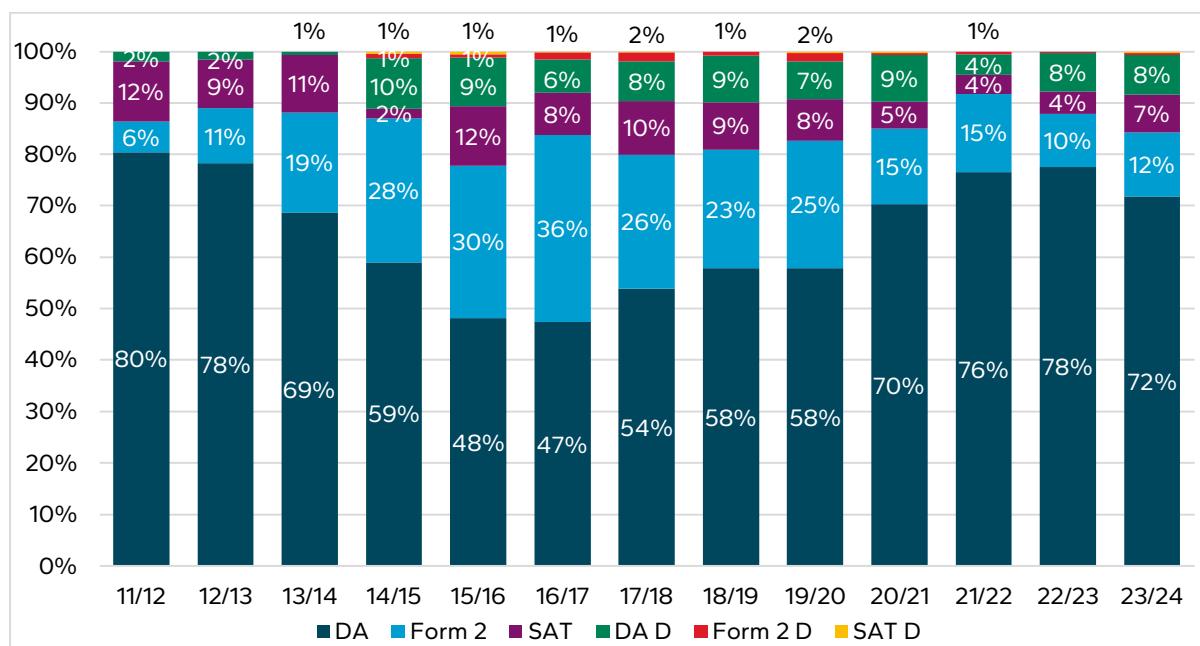


Figure 2 shows the determination type as an overall percentage of application types. From this figure, we can see a common trend beginning to show itself with regards to the proportion of each determination type accounting for total number of applications in each reporting period. There is a correlation with the decrease in total determinations and increase in DAs making up a higher portion of total determinations.

The 2015-16 reporting period recorded the highest number of determinations at 498, with DAs accounting for 48 per cent of all determinations. By the 2020 report, DAs accounted for 58 per cent of all determinations. In the last four years, DAs have accounted for at least 70 per cent of all determinations, peaking at 78 per cent in the 2022-23 reporting period.

Figure 2: Type of determinations as percentage



Conversely, other forms of determinations have reduced over this period. Form 2s peaked in the 2016-17 reporting period at 36 per cent, before dramatically declining when the DAP system changed in 2016, allowing applicants to choose whether to have a Form 2 application determined by a DAP or the Local Government. Form 2 determinations have continued to decline since then.

Prior to the 2020 report, Form 2 determinations accounted for at least 20 per cent of all determinations and these now only account for 12 per cent in the 2023-24 reporting period. This may indicate that applicants are increasingly choosing the Local Government pathway to determine these applications. While no publicly available data exists on the number of Form 2 applications that have been diverted from the DAP system, anecdotal evidence from Local Governments support this hypothesis.

A similar, though less dramatic trend in the data can be observed for deferred DAs. These grew by an astonishing 900 per cent from the 2013-14 to 2014-15 reporting periods, increasing from 1 per cent of all determinations to 10 per cent. However, a gradual decline in percentage of deferred DAs has been observed in subsequent years, stabilising between 4 and 9 per cent of all determinations.

SAT determinations have remained consistently low since the 2020 report, sitting between 4 and 7 per cent of all determinations. The overall small number of SAT determinations, and unique context of each application, limits the ability to draw conclusions and trends from this dataset. However, the overall trend suggests that fewer applications are being reconsidered following an appeal to the SAT, indicating potentially more effective and sound initial decisions.

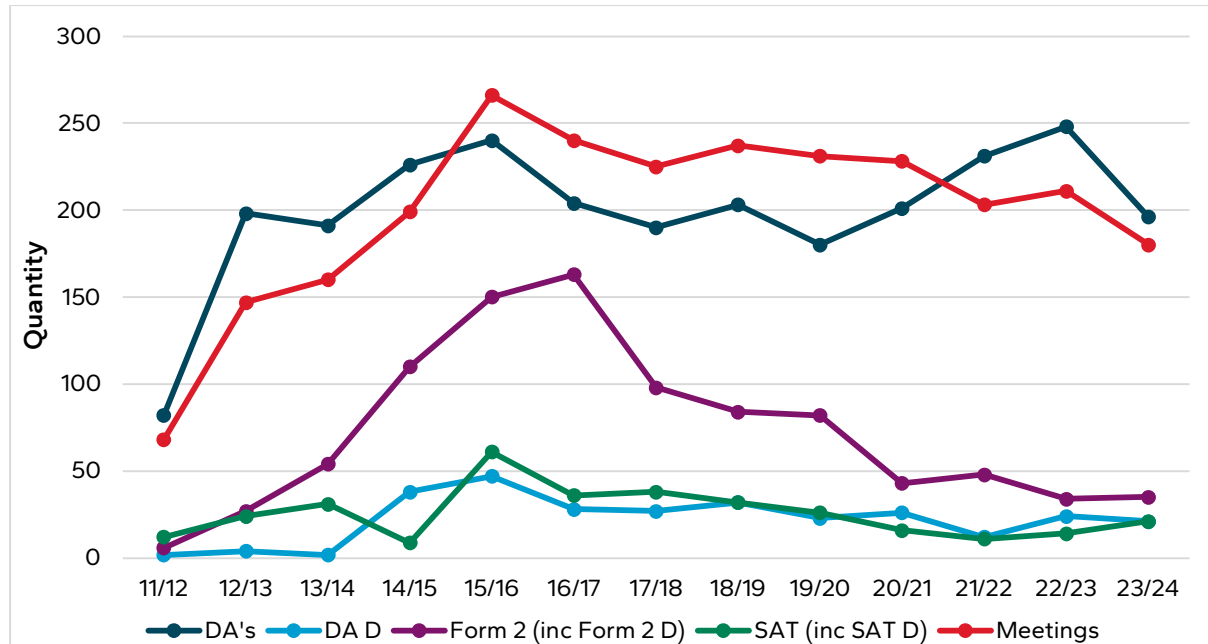
In the first 4 years of the DAP system, the number of determinations made by DAPs per meeting increased, peaking in the 2015-16 reporting period at 1.92 items per meeting, as shown in Table 1. Since the 2020-21 reporting period, the number of items per meeting has increased slightly and stabilised to the current 1.52 determinations per meeting.

Table 1: Number of items per meeting

Items per meeting	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24
	1.50	1.72	1.74	1.92	1.87	1.80	1.57	1.48	1.35	1.25	1.49	1.52	1.52

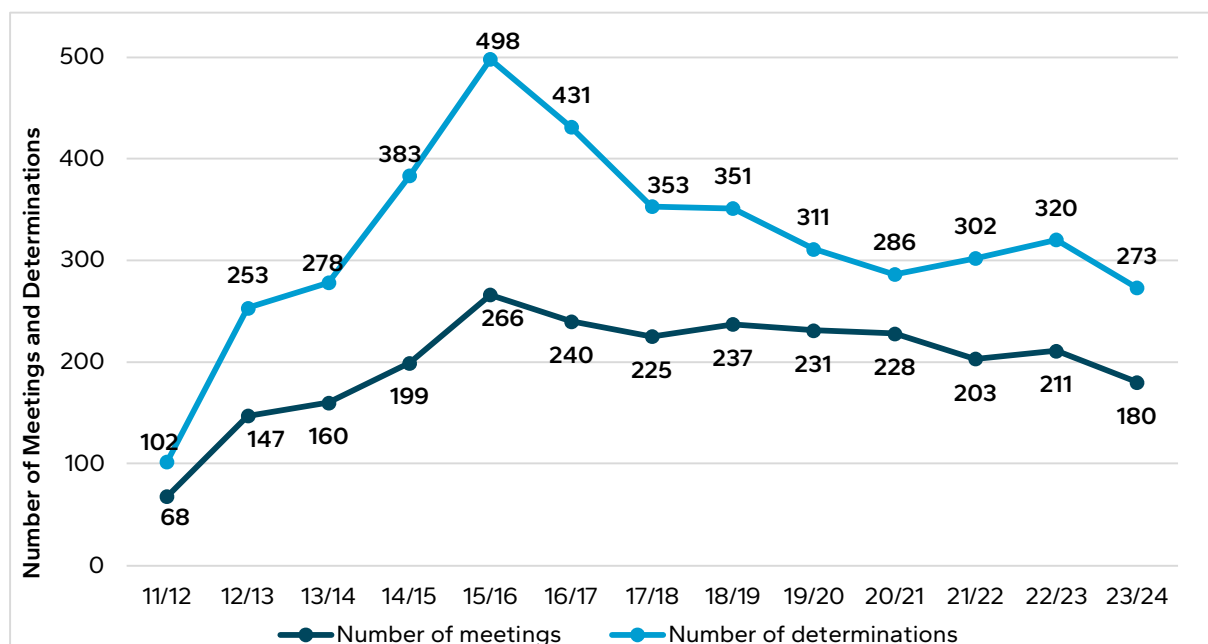
Figure 3 demonstrates that the rise in the number of determinations observed in the first 5 years of the DAP systems was accompanied by an increase in the number of meetings. Such was the growth in the number of DAP meetings that in the 2015-16 reporting period, the number of meetings exceeded the number of DAs determined for the first time. This peak corresponded with the highest volume of determinations per year, which included a high percentage of Form 2 determinations. The increased number of DAs as a total portion of all determinations since the 2021-22 reporting period may also account for the improvement seen in Figure 3.

Figure 3: Number of meetings and applications by type



Within Table 1, there is a clear reduction in efficiency which can be seen between the 2015-16 to 2020-21 reporting periods. Figure 4 shows this reduction in efficiency as the 'gap' between the two series. We can see the 'gap' grow in the years leading up to the 2015-16 reporting period, and then reduces in the subsequent years, to 1.25 in the 2020-21 reporting period, the lowest recorded.

Figure 4: Number of DAP determinations and meetings



It is too early to conclude that the improvement to meeting efficiencies in the 2021-22 reporting period is correlated to the reduction in the number of DAPs from nine to five, which occurred in April 2020. On 1 March 2024, the number of DAPs was further reduced to three panels. Given this report only includes four months of the new three panel system, there is insufficient data at this stage to determine if these amendments have improved DAP meeting efficiency.

4.2 DAP Decisions

Figure 5 provides an overview of all DA determinations by year as whole numbers and Figure 6 shows this as percentages. From this we can see that the percentage of approvals sat below 80 per cent for six years, between the 2014-15 to the 2019-20 reporting periods. Since then, the percentage of approvals have increased to a minimum of 84 per cent, peaking at 90 per cent in the 2021-22 reporting period.

Figure 5: DA determinations

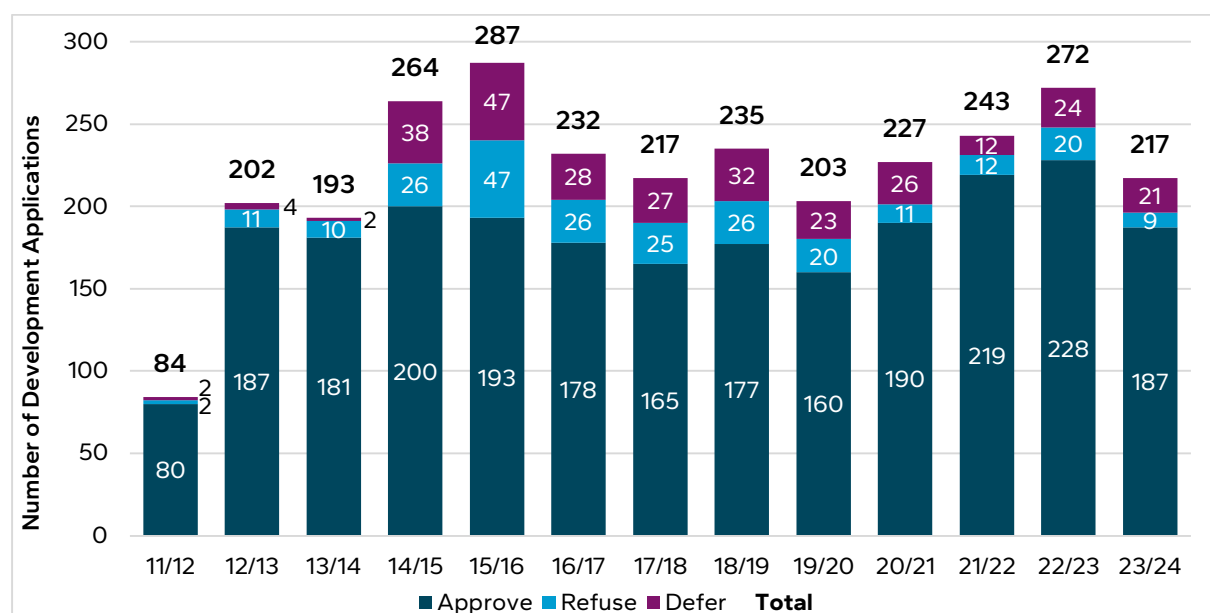
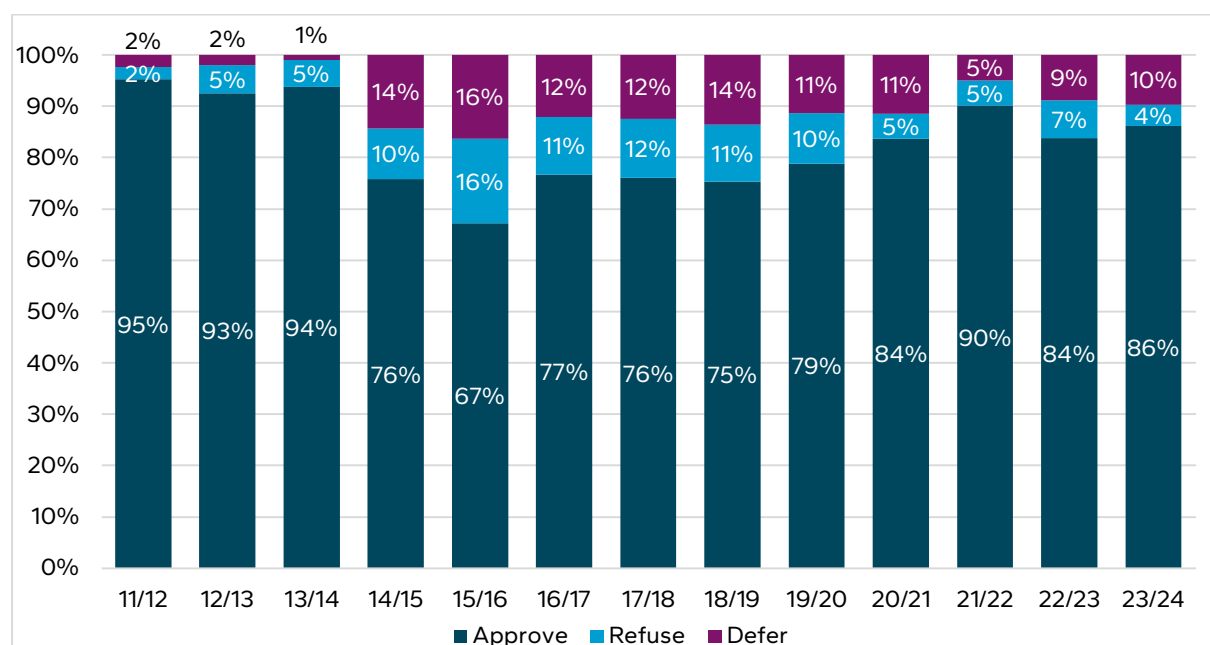


Figure 6: DA determinations as percentage



This in turn means other determinations have reduced over this period. Refusals have significantly dropped as a proportion of decisions, sitting at 4 per cent of all determinations in the 2023-24 reporting period, the lowest percentage since the DAPs were introduced.

Approximately 28 per cent of DAP refused decisions in the last four years related to service station or childcare determinations, all with a low project value of less than \$5 million. Furthermore, 48 per cent of all deferred decisions in the last four years related to service stations or childcare centres valued at less than \$5 million.

As a comparison, the rate that Local Government approve DAs outside the DAP system is a consistent rate of between 98 and 99 per cent over the past eight years⁴. Therefore, although the DAP approval rate has increased, there remains a clear discrepancy between the rate at which Local Governments approve DAs compared to DAPs.

While the final decision of a DAP is important, the recommendation of the responsible authority is another important indicator as to the effectiveness and efficiency of the DAPs system. The DAP alignment rate for all DAP decisions has increased slightly since the 2020 report, with non-alignment at approximately 16 per cent of all determinations, down from an average of 19 per cent in the 2020 report.

Figure 7 below shows the rate at which the RAR recommends that a DAP 'approve' all DAs, as well as the rate that the DAP aligns with the recommendation for approval. The rate at which a DAP supports a recommendation for approval has always been consistently high. Given the higher rates of approval following the 2021-22 reporting period, it is not surprising that this rate has increased even more and remains consistent at 97 per cent.

Figure 7: DA RAR approval rate and DAP alignment

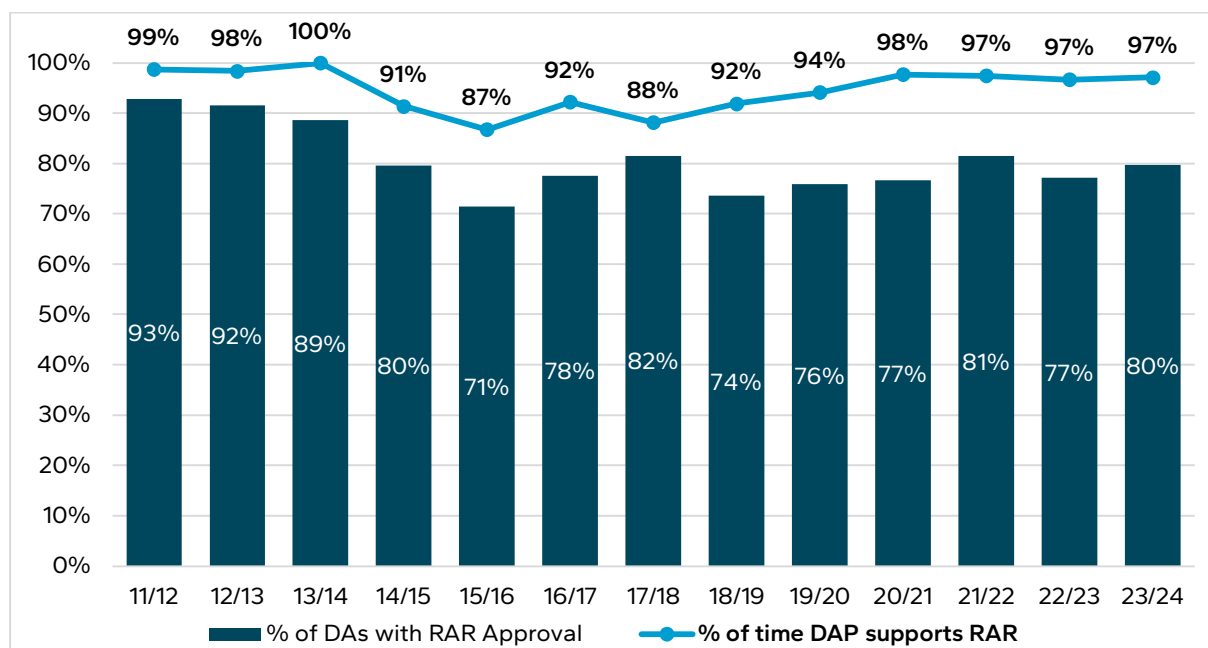


Figure 8 shows that the rate of DAs that the RAR has recommended for refusal has decreased slightly since the 2020 report to less than 20 per cent. However, the percentage of time a DAP supports the RAR recommendation for refusal has also decreased, dropping to a record low of 22 percent alignment in the 2023-24 reporting period.

⁴ [WALGA's Local Government Performance Monitoring Project](#)

Figure 8: DA RAR refusal rate and DAP alignment

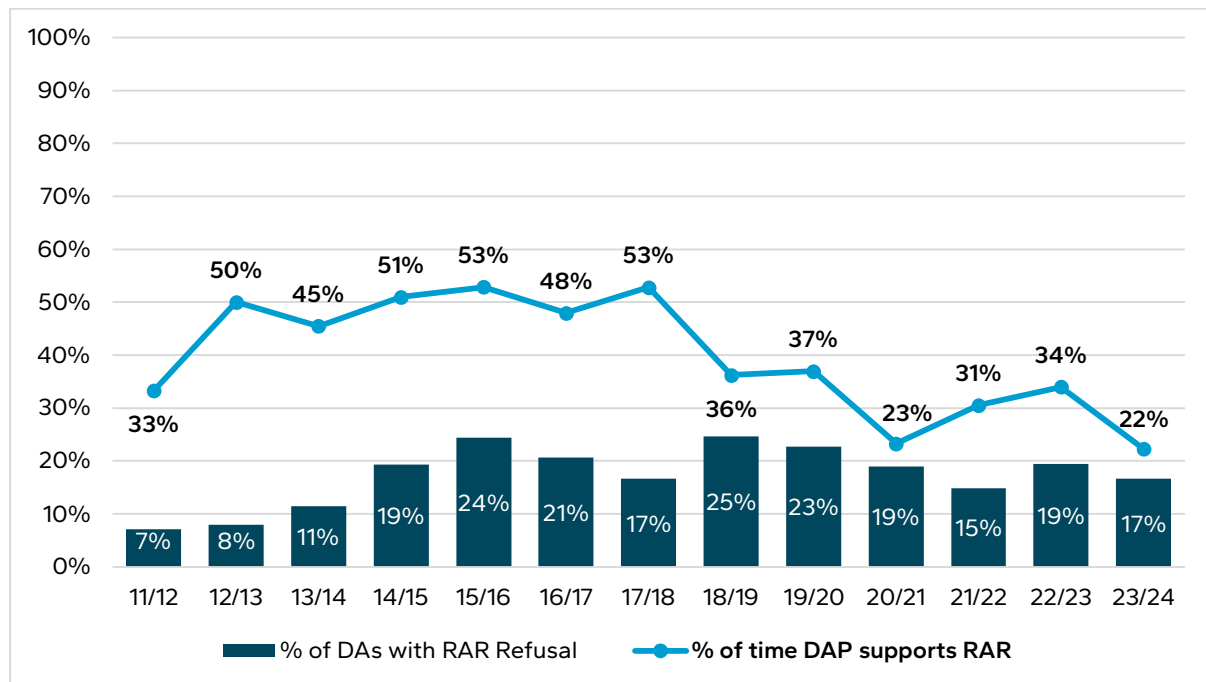


Figure 9 shows the total number of decisions deferred each year, as well as the RAR recommendation, while Figure 10 shows the RAR recommendations of the deferred decisions as a percentage. Interestingly, in the 2020 report, none of the deferral decisions included an RAR deferral recommendation. Since then, there has been a growing trend for the RAR to recommend deferral, with 30 per cent of deferred determinations having an RAR deferral recommendation.

Not surprisingly, the data demonstrates that the highest portion of deferred applications were recommended for refusal, with the number of approval recommendations reducing since the 2020 report and currently sitting at approximately 22 per cent of all deferred determinations.

Figure 9: Number of DAP deferrals by RAR recommendation

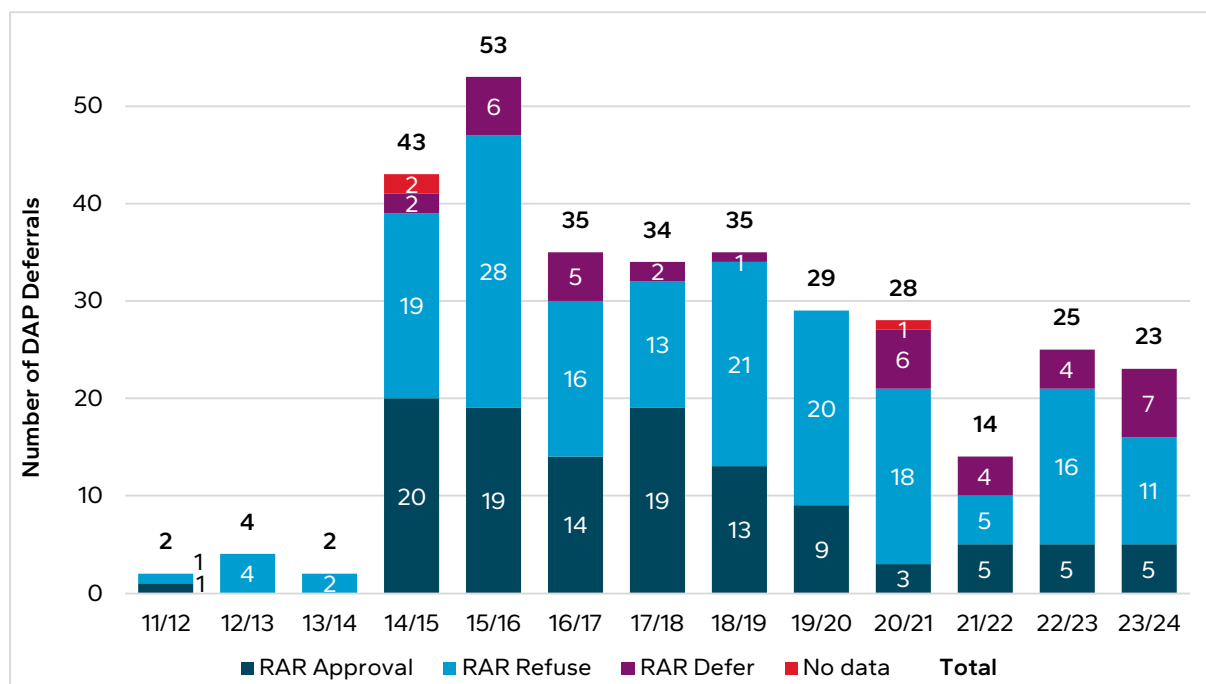
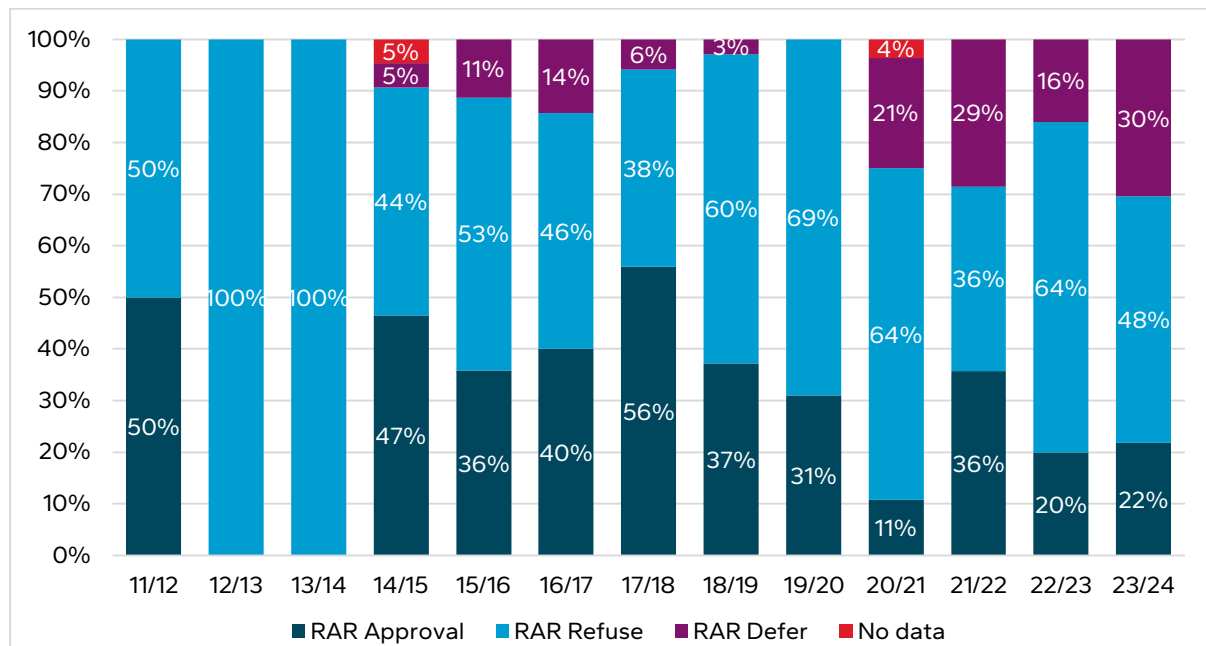


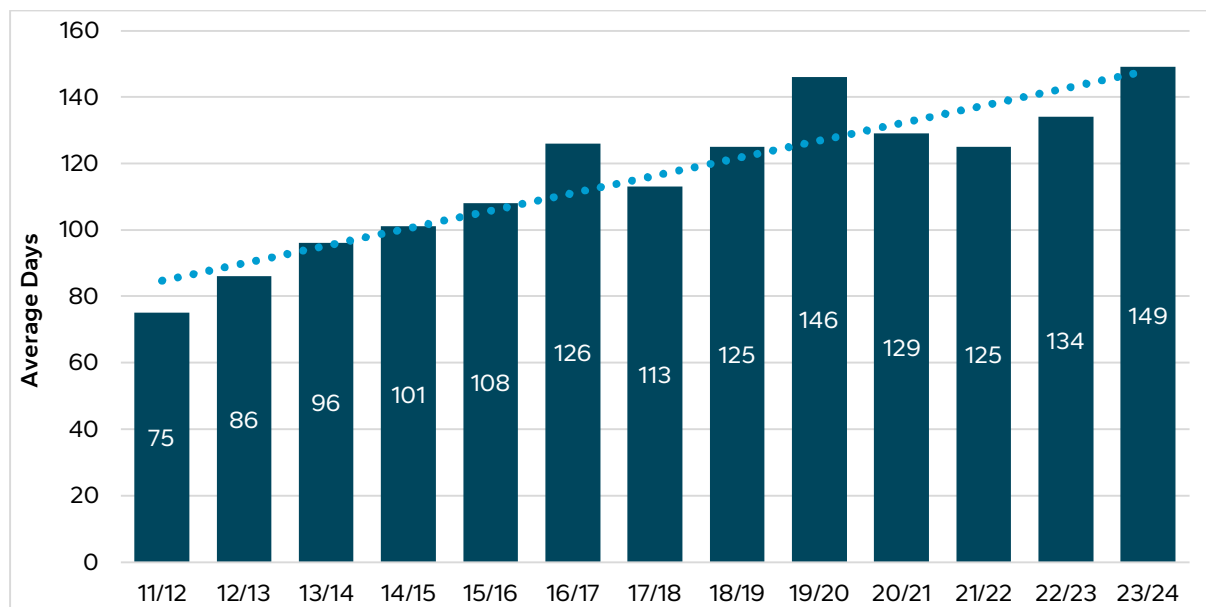
Figure 10: DAP deferrals as percentage



4.3 DAP Decision Making Timeframes

Figure 11 shows that the average time taken to determine a DA reduced in the three years after the 2020 report yet peaked again in the 2023-24 reporting period at 149 days, representing a minor increase of 2 per cent.

Figure 11: Average time taken to determine DAs



The statutory timeframe to determine a DA is 60 days, or 90 days if advertising or referral is required.⁵ Due to the inconsistent manner in which information was historically portrayed in DAP agenda items, it is difficult to draw a direct comparison between average days and the proportion of applications determined within statutory timeframes.

⁵ [Clause 75 Planning and Development \(Local Planning Scheme\) Regulations 2015](#)

Further to this, changes to the *Planning and Development (Local Planning Scheme) Regulations 2015* were introduced in 2021 to include 'stop the clock' provisions which allowed for periods of time to be excluded from the statutory timeframe so applicant's could provide additional information. 'Stop the clock' information has not been provided in a consistent manner in DAP agenda items and thus has not been captured by this Report.

Regardless, Table 2 below outlines the average days it takes to determine an application for DAs, Form 2's and deferred DAs for each year. From this, we can see that decision are trending towards longer decision times, albeit numbers have fluctuated over the last four years of reporting. The higher processing days for the 2023-24 reporting period is unexpected, given the the total number of DAP determinations was at its lowest level in a decade.

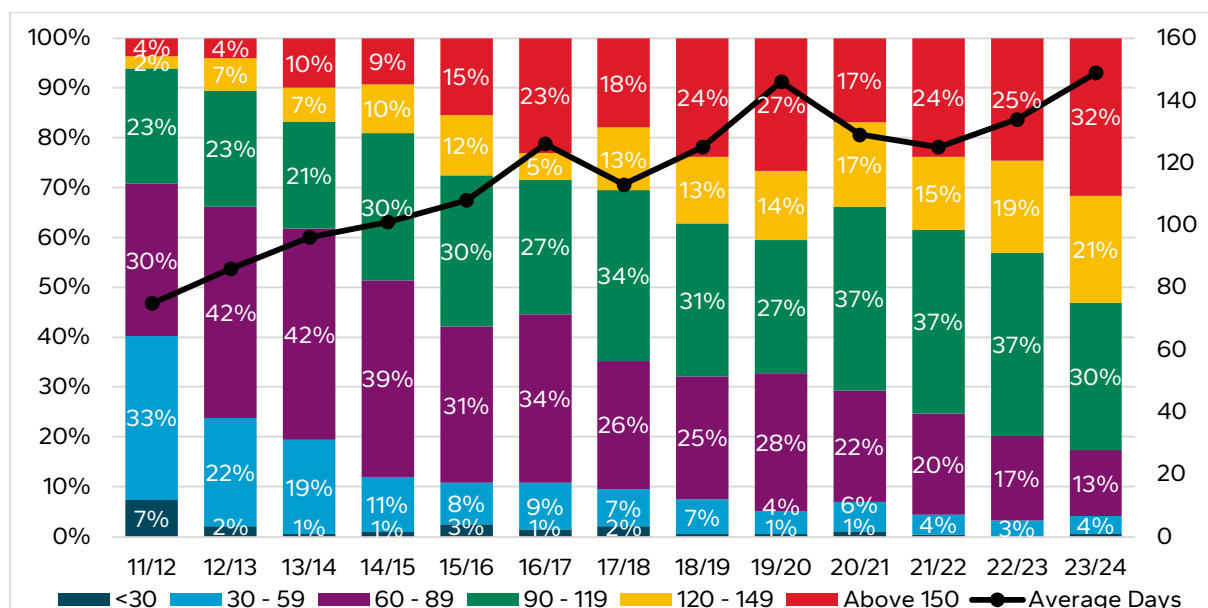
Table 2: Average days by decision type

	11-12	12-13	13-14	14-15	15-16	16-17	17-18	18-19	19-20	20-21	21-22	22-23	23-24
DA	75	86	96	101	108	126	113	125	146	129	125	134	149
Form 2	39	92	80	81	62	75	79	75	95	97	90	79	96
DA D	89	122	95	107	124	163	114	166	148	148	148	158	167

This is reflected in DPLH's Annual Report that noted that only 66.8 per cent of DAP determinations met the statutory timeframe in the 2023-24 reporting period, compared to a rate of approximately 75 per cent in the three years prior. DPLH justified the 2023-24 reporting period figure due to DAP reform changes that became operational on 1 March 2024, the complexity of applications, and the introduction of a regular meeting schedule, noting that the *'majority of delays were less than a week'*⁶. No additional data was included in the report to substantiate these comments.

A further analysis of timeliness data shows that the number of applications taking longer than 120 days is increasing. Figure 12 shows the proportion of all DA determination times in 30 day increments for each year. In the 2020 report, the proportion of DAs that took greater than 120 days to determine was 41 per cent, compared to 53 per cent in the 2023-24 reporting period, including 32 per cent taking longer than than 150 days. Whilst it is noted this is not reflective of statutory timeframes, Figure 12 demonstrates that in general, DAs are taking longer to process.

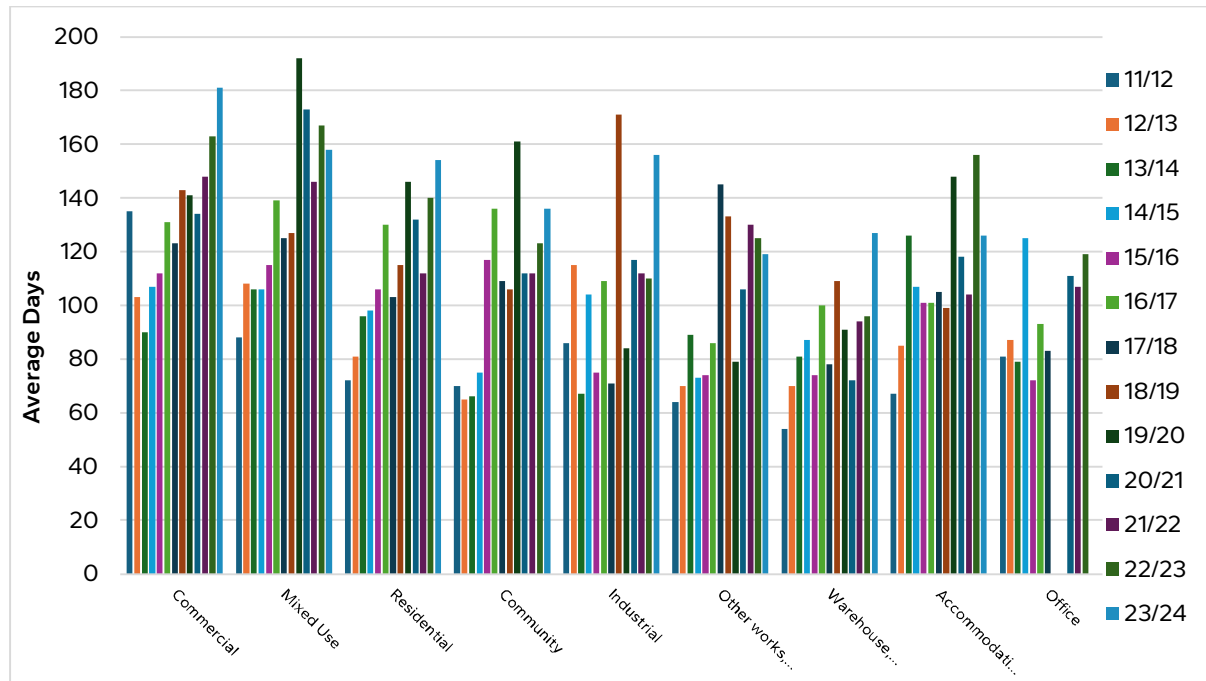
Figure 12: DA timeliness (not including DA D) by 30 day segments



⁶ [Department of Planning, Lands and Heritage Annual Report 2023-24](#)

Figure 13 provides a breakdown for the average days to determine an application for all nine development use categories since DAPs were established. While there exists a range in the average days to determine a DA in the 2023-24 reporting period, there is a general trend towards longer average assessment days for most categories of development.

Figure 13: Average days to determine DAs by category



The time it takes to process Commercial DAs has increased to an average of 181 days, the longest time of all development categories. Mixed Used DAs also remain one of the highest average days per development category at 158 days in the 2023-24 reporting period. However, this is a decline from its peak of 192 days in the 2020 report. This improvement may relate to there being half the number of mixed use DAs in the 2023-24 reporting period than there was in the 2020 report, or an indication that more complex and controversial mixed-use proposals are choosing the significant development pathway over the DAP pathway.

Interestingly, the average days taken to determine an DA in the 'industrial' or 'warehouse, storage and distribution' categories increased dramatically from the 2022-23 to 2023-24 reporting periods by 42 and 32 per cent respectively. This may partly be attributed to three DAs in these categories exceeding 300 processing days. Notwithstanding, the 'warehouse, storage and distribution' development category still has one of the lowest average determination timeframes at 127 days. Conversely, 'industrial' DAs are now taking just as long to process as 'mixed use' and 'residential' applications at 156 days.

4.4 DAP Application and Development Outcomes

Historically, the vast majority of all applications determined by the DAP system are located in the Metropolitan and Peel Regions. In the 2020 report, applications in these regions accounted for approximately 87 per cent of DAs. Figure 14 demonstrates that this number has been trending down over the past several years. This is highlighted in the 2023-24 reporting period, where the Metropolitan and Peel Regions accounted for only 74 per cent of all DAs determined.

This 13 per cent increase of DAs in regional areas can be attributed to an increase in renewable energy related projects, workforce accommodations and the 'industrial' development use category (includes rural development) that all received double the number of DAs in the last four years of the reporting period compared to the previous nine years.

Figure 14: DAs determined by metropolitan and regional DAPs

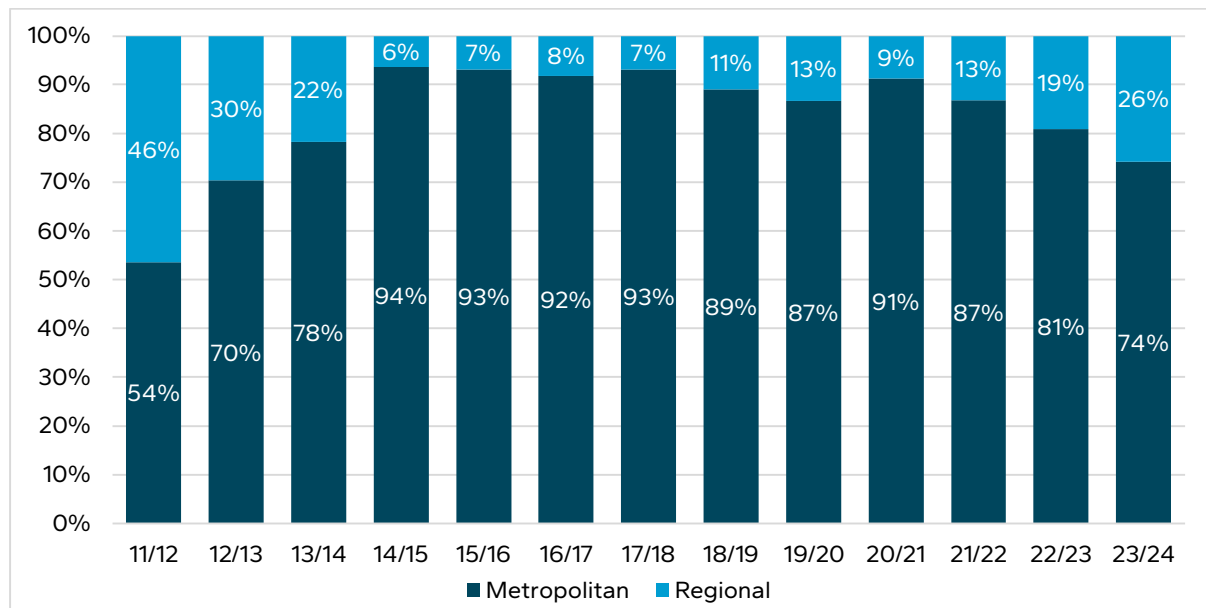


Figure 15 shows the number of determinations and development categories for each of the five DAPs between 2020-21 and 2023-24. This does not include data prior to the 2020 report as there was nine DAPs at this time, or after 1 March 2024 when the DAPs consolidated into three panels.

Metro Outer DAP by far received the most determinations with 447 applications determined in this period, accounting for 41 per cent of all DAP applications. By Local Government area, over the 13 years, the City of Stirling has received the most applications determined by a DAP with 302, followed by the Cities of Vincent and Swan (241), City of Wanneroo (207) and City of Melville (189).

Figure 15: DAP and development use category, 2020-24

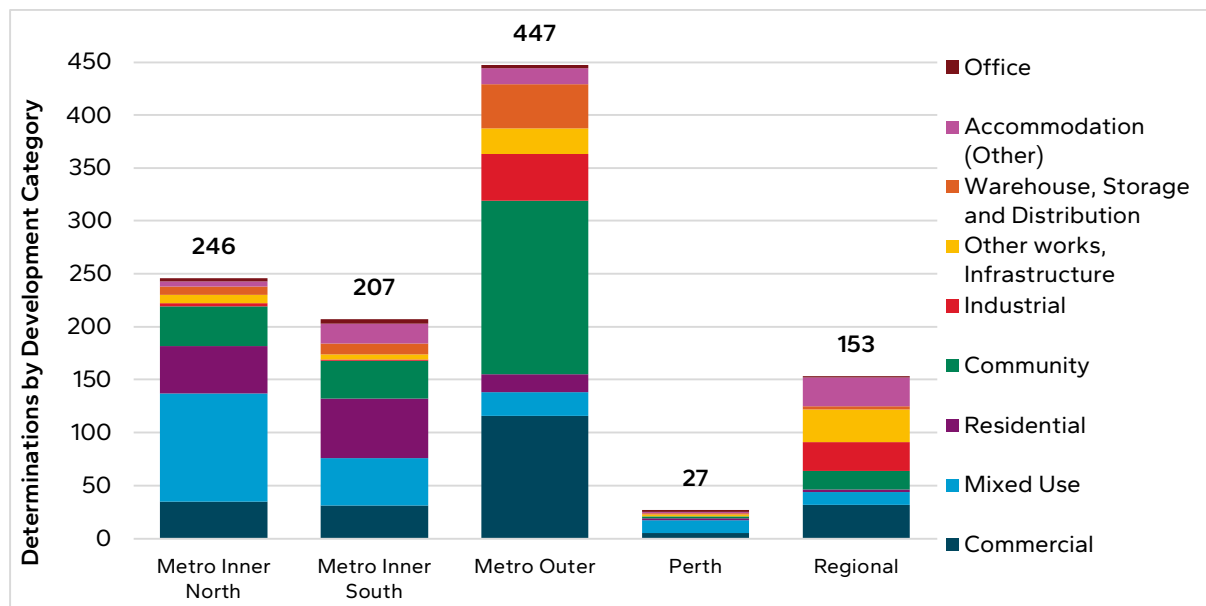


Figure 16 breaks down which DAP panels determined which development use categories via percentage. There are some obvious trends of specific development categories being located within certain regions, such as the majority of 'residential' applications being determined by the Metro Inner North and South DAPs. Unsurprisingly the regional DAP panel approved a large portion of 'accommodation (other)', namely workers accommodation, 'other works, infrastructure', namely renewable energy projects, and 'industrial' which includes rural development.

Figure 16: DAP and development use category as percentage, 2020-24

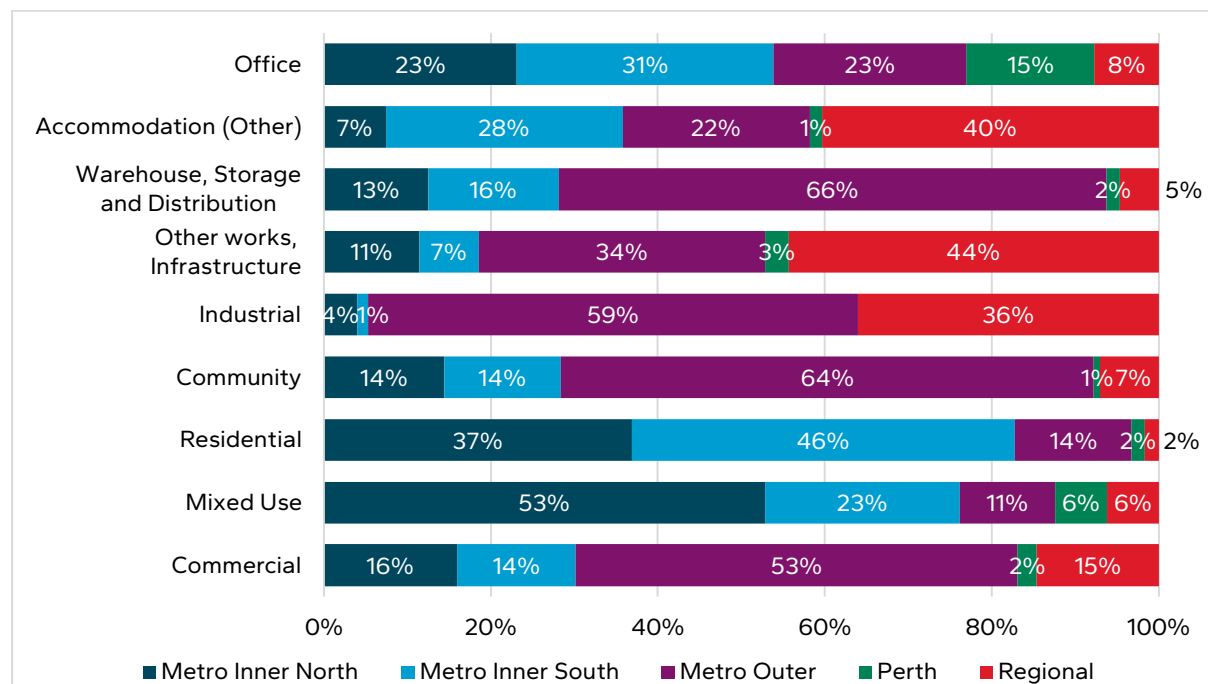
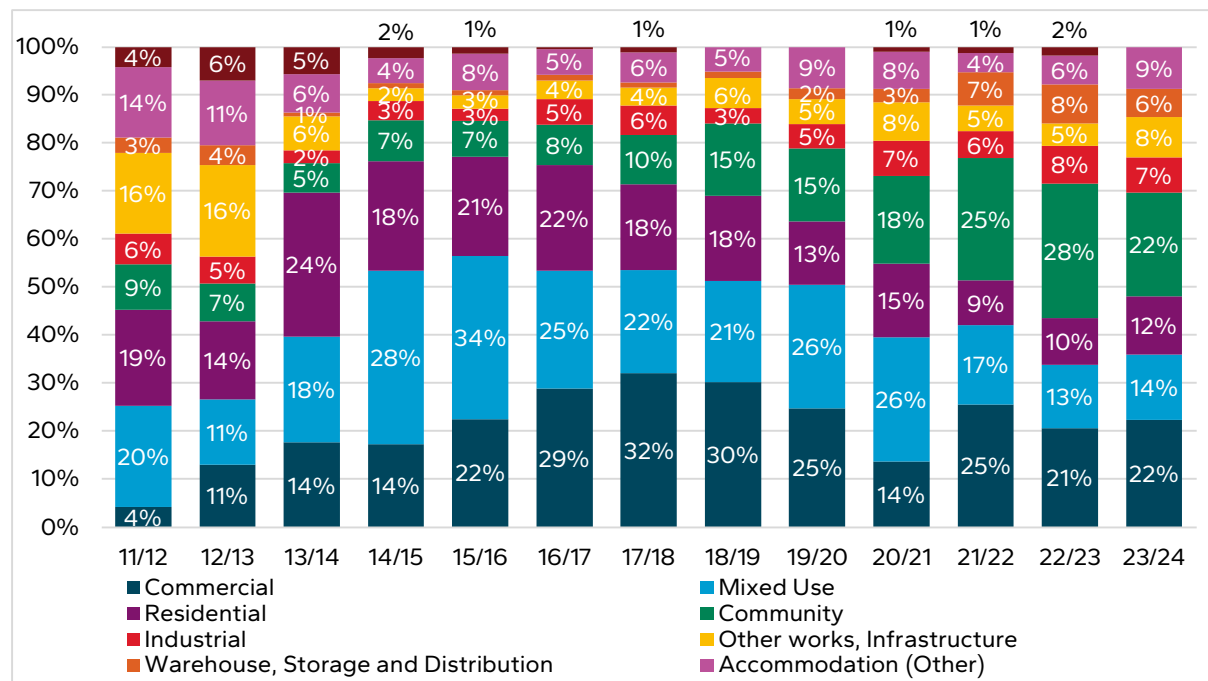


Figure 17 shows that the 'community' development use category has continued to increase since the 2020 report, representing over 20 per cent of all determinations since the 2021-22 reporting period. These applications were disproportionately located in the Metro Outer DAP, accounting for 37 per cent of all their determinations.

In the last four years, childcare related developments accounted for 67 per cent of all DAs in the 'community' category. The number of childcare developments peaked between 2021 to 2023 and have reduced in the 2023-24 reporting period, which is discussed in the section below.

Figure 17: Proportional development use category



Conversely, the number of 'mixed-use' applications have declined significantly since the 2021-22 reporting period and went from the largest land use category in the 2020 report at 26 per cent to only 14 per cent of all determinations in the 2023-24 reporting period. These trends may be a result of post-COVID increases to construction and labour costs.

Interestingly, the number of applications in the 'warehouse, storage and distribution' category has doubled since the 2020-21 reporting period and now sits at 6 per cent of all determinations.

Commercial applications were at a low of 14 per cent in the 2020-21 reporting period and since then has remained consistent at approximately 25 per cent of all determinations, aligning with the 2020 report. In the 2023-24 reporting period, service stations or fast-food outlets accounted for 46 per cent of all DAs in this category.

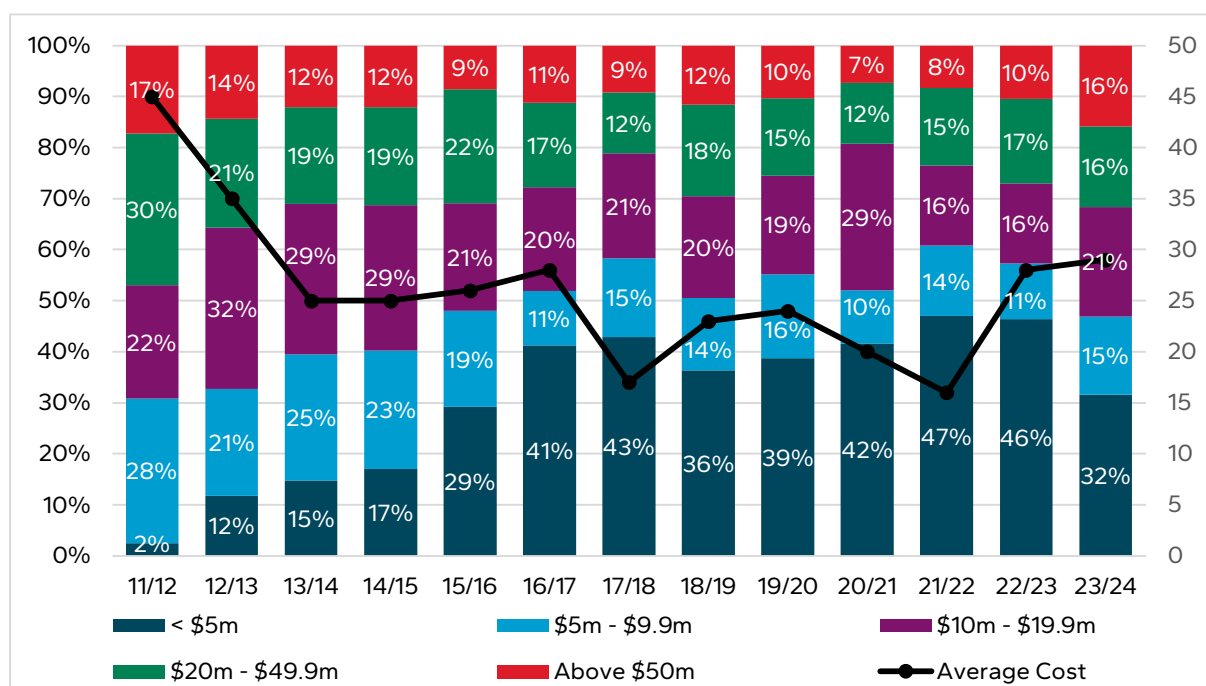
4.5 DAP Application Development Costs

As identified in previous reviews of the DAP system, the decision to reduce the entry threshold from \$3m to \$2m in 2016 saw a range of consequences that continue to impact the effectiveness of the DAP system to achieve its objective, which is to focus on assessing significant and more complex proposals. The DAP thresholds have not increased since this time, despite major DAP reforms in 2024 and increasing development construction costs that have accelerated post-COVID.

What has been observed since 2016 is a steady increase in the number and proportion of low-cost proposals. In the 2015-16 reporting period, 14 and 29 per cent of DAs fell within \$2m-\$3m and <\$2m value brackets respectively. However, by the 2020 report this had increased to 32 and 39 per cent.

Since the 2020 report, this trend has continued, with DAs valued at less than \$5 million hitting 47 per cent in the 2021-22 reporting period, and 46 per cent in the 2022-23 reporting period, shown in Figure 18. Interestingly, in the 2023-24 reporting period, the number of projects valued at less than \$5 million (62 DAs) was almost half the year before (115 DAs). This reduced the proportion of DAs valued at less than \$5 million to 32 per cent of DAs, the lowest percentages since the 2015-16 reporting period.

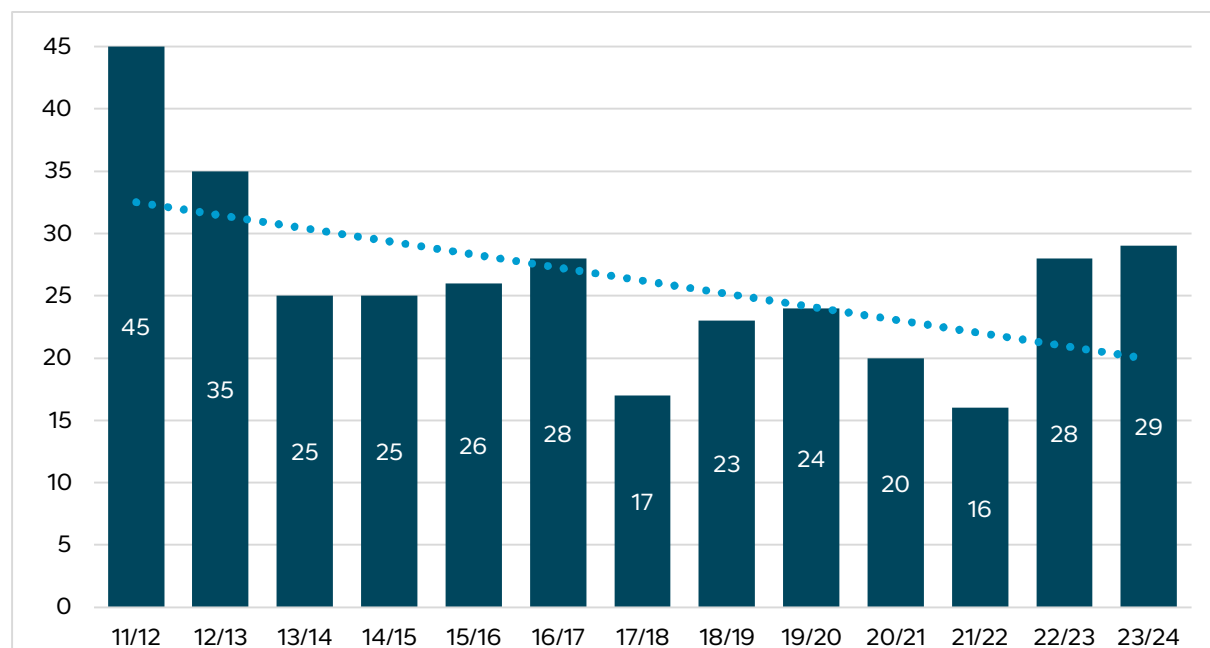
Figure 18: Proportional DA value



This trend correlates with a reduction in low value applications. For example, childcare related DAs peaked at 59 in the 2022-23 reporting period and reduced to 26 in the 2023-24 reporting period. Despite the reduction of 33 childcare DAs in this one year, they still accounted for 54 per cent of all DAs valued at between \$2m-\$3m. As shown in Figure 18, the proportion of DA proposals with a designated value greater than \$20m was 25 per cent in the 2020 report. This number declined in the following two years, and then increased to a total of 32 per cent in the 2023-24 reporting period.

Unsurprisingly, the rise in number of low value applications has led to a general reduction in the average value of DAs as demonstrated in Figure 19 below. Interestingly, the last two reporting period have seen a slight increase in average project value. This could correlate with a reduction of overall DAs, specifically low value DAs in the 2023-24 reporting period and is also indicative of the increasing development construction costs.

Figure 19: Average DA project value (\$m)



Appendix 1 – Development Use Categories

Accommodation (Other)	Aged Care	Serviced Apartments
	Holiday - Tourist Accommodation	Workers Accommodation
	Hotel	
Commercial	Alcohol Licenced Premise (Pub-Bar)	Hired Goods
	Beauty Studios	Restaurant
	Car Wash	Retail
	Cinema	Shopping Centres
	Fast Food	Showroom
	Fuel Filling Station	Vehicle Sales
Community	Airport, Railway, Bus Station	Public Open Space
	Family Day Care	School
	Health - Medical Facility	Sporting Facility
	Library	Veterinary Hospital
	Places Of Worship	
Industrial	Food Production Facility- Abattoir - Mill	Recycling Facility
	Light Industrial	Vehicle Repairs & Dismantling
	Mining Operation	Workshops
	Power Station	
Mixed Use	Any development with multiple components that fall into different development categories	
Office	Office	Television Studio
	Research And Development And Laboratory Facilities	
Other Works, Infrastructure	Additions And Alterations	Miscellaneous Works
	Earthworks	Outbuilding
	Infrastructure Works - Substation - Water Corp Facility etc	Renewable Energy Facility
	Landfill	Vehicle Parking
Residential	Residential Accommodation	
Warehouse, Storage and Distribution	Distribution Facility	Transport Depot
	Storage	Warehousing

Significant Development Pathway

2020 – 2025 Review

April 2025

Table of Contents

1.0 Introduction	2
1.1 Data Collection Method.....	3
2.0 Key Findings 2020-2024.....	5
2.1 Reliability.....	5
2.2 Efficiency	5
2.3 Consistency	5
2.4 Complexity	5
3.0 Discussion	6
4.0 Detailed Findings	8
4.1 Significant Development Applications	8
4.2 Significant Development Application Decisions.....	10
4.3 Significant Development Application Decision-Making Timeframes	11
4.4 Significant Development Applications and Development Outcomes.....	14
4.5 Significant Development Application Costs	17
Appendix 1 – Development Use Categories	19
 Figure 1 - Number of Determinations by Application Type	8
Figure 2 - Number of DA Determinations by Assessment Pathway (2020-21 / 2023-24) ...	9
Figure 3 - DA Determinations through State Assessment Pathways over \$20m (2020-21 / 2023-24)	9
Figure 4 - Undetermined Applications by Status Type	10
Figure 5 - Average Days by Application Type	12
Figure 6 - Average Days to Determine DAs by Financial Year	12
Figure 7 - DA Timeliness by 100 Day Increments.....	13
Figure 8 - DA Timeliness through State Assessment Pathways over \$20m (2020-21 / 2023-24)	13
Figure 9 - Average Days to Determine DAs by Land Use Category	14
Figure 10 - Metropolitan v Regional (Determined and Undetermined DAs).....	15
Figure 11 - Development Use Categories (Determined and Undetermined DAs)	15
Figure 12 - Stage of Building Completion for DA Determinations	16
Figure 13 - Proportional DA Value by Financial Year.....	17
Figure 14 - DA Value of State Government Pathways by Cost Thresholds (2020-21 / 2023-24).....	18
Figure 15 - Value of DA Determinations (2020-21 / 2023-24).....	18

1.0 Introduction

This report, prepared by the Western Australian Local Government Association (WALGA), examines the operation and performance of the significant development pathway (SDP) coordinated by the State Development Assessment Unit (SDAU) within the Department of Planning, Lands and Heritage (DPLH) using data from all SDP decisions and current applications since the commencement of the pathway in 2020 until 1 April 2025.

This report has been developed to inform WALGA's consultation and engagement with Local Governments and development of a revised advocacy position. The revised position will sit within the context of WALGA's [Planning Principles and Reform advocacy position](#), which states that the Local Government sector supports an efficient and effective planning system guided by legislation, policy, and processes, that, amongst other things:

- facilitates the creation of sustainable and liveable communities and places
- is easy to understand, accessible and transparent
- recognises the diversity of Western Australia and ensures that local environment, context, communities and character are appropriately reflected in planning frameworks and decision making
- ensures decisions are made by the level of government closest to and most impacted by a planning proposal.

In 2020 the State Government, via the *Planning and Development Amendment Bill 2020* (2020 Bill), introduced a new temporary 'flexible and streamlined approval pathway' (Part 17) for significant developments that bypassed both the Development Assessment Panels (DAPs) and Local Government assessment pathways, with the aim of streamlining significant development proposals and stimulating economic development to assist in COVID-19 recovery.

This was an opt-in pathway originally proposed for 'significant developments' of \$30 million or more, involving residential development of 100 or more dwellings, or commercial development with the total net lettable area of 20,000 m² or more.¹

The 2020 Bill was passed with a different definition of 'significant development', being developments that met a minimum monetary threshold of \$20 million in the metropolitan area and \$5 million in regional areas. These thresholds remained unchanged.

Part 17 applications are assessed by the SDAU within DPLH, instead of the Local Government, and determined by the Western Australian Planning Commission (WAPC), instead of the Local Government or a DAP.

The Part 17 Pathway has no statutory assessment timeframes and developments can be approved that vary planning instruments including local planning frameworks and controls (e.g. land use permissibility, height controls, floor space ratio, etc.).

WALGA opposed the introduction of the Part 17 pathway, noting:

- that development applications (DAs) are already efficiently processed by Local Governments
- it removed Local Government from decision making, which provided a valuable community perspective on planning proposals

¹ [Planning and Development Amendment Bill 2020 Explanatory Memorandum presented In Legislative Assembly](#)

- there was no evidence to demonstrate it would have a positive effect on the state or local economies.

The pathway closed to new applications on 29 December 2023 but remains open to applications to amend approved developments and process clearances of conditions of approval.

In 2023 the State Government announced major planning reforms that included the introduction of a permanent refined version of the significant development pathway, Part 11B of the Act, via the *Planning and Development Amendment Bill 2023* (2023 Bill).

In response to the announcements, WALGA noted the establishment of the permanent significant development pathway would further erode Local Government's role in providing a valuable community perspective on planning proposals.²

When the 2023 Bill passed WA Parliament in November 2023 the State Government announced that the new permanent significant development pathway would create a '*streamlined, efficient and coordinated pathway for complex proposals*' and that it formed part of broader changes to the planning system that would boost housing supply.³

The pathway became operational on 1 March 2024. Part 11B applications are still processed by the SDAU and are determined by the Statutory Planning Committee (SPC), a committee of the WAPC.

Part 11B retains the ability for the SPC to ignore local planning frameworks but specifies the circumstances in which this can occur. A 120-day statutory timeframe for applications and a mandatory pre-lodgement meeting were also introduced.

1.1 Data Collection Method

The data in this report was collated manually from information contained in the meeting minutes and agendas of the WAPC and SPC meetings held between 2020 and 1 April 2025, and the application status of all SDAU applications. This information was sourced from DPLH's website, with some data directly provided by DPLH

Data collected for this report and the subsequent analysis relates to individual determinations. Decisions are categorised into the following categories:

- DAs (Part 17 and one Part 11B development applications determined)
- Form 17C (WAPC determined amendment to a previously approved Part 17 DA)
- Form 17C del (Delegated determined amendment to a previously approved Part 17 DA)
- SAT (determined reconsideration of a Part 17 DA following an appeal to the State Administrative Tribunal).

Data was also collected for undetermined applications currently with SDAU under the Part 17 and Part 11B pathways as of the 1 April 2025 and recorded in the following categories:

- applications lodged (Part 17 and Part 11B DAs which have not been assessed)
- under assessment (Part 17 and Part 11B DAs currently being assessed)
- amendment application (amendments to approved Part 17 DAs)
- amendment under assessment (amendments to approved Part 17 DAs currently being assessed)
- SAT Review (Part 17 DA currently being reconsidered following an appeal to the State Administrative Tribunal)

² [WALGA Media Release: 18 October 2023](#)

³ [Planning reforms to accelerate housing delivery pass Parliament | Western Australian Government](#)

- open for comment (Part 17 and Part 11B applications which are open to public consultation).

Five application were withdrawn from the pathway and have not been included in the data.

The following fields have been collected for all applications:

- Local Government
- proposal location and description
- proposal category (see Appendix 1)
- project value
- date proposal lodged.

In addition the following fields have been collected for all determined applications:

- financial year
- Local Government recommendation
- SDAU recommendation
- number of conditions in SDAU recommendation
- WAPC decision
- number of conditions in WAPC decision
- number of conditions amended, added, or deleted in WAPC decision
- if the SDAU recommendation and WAPC decision aligned
- if the Local Government recommendation and WAPC decision aligned
- date of decision
- number of dwellings approved (where relevant)
- construction status of proposal.

For current applications the application status has also been recorded.

2.0 Key Findings 2020-2025

These headline trends provide a 'snapshot' of the data considered most relevant to illustrate the overall performance of the significant development pathway since its inception in 2020 until 1 April 2025.

2.1 Reliability

- 44 DAs and a total of 67 applications have been determined through the pathway
- The DAP system is still overwhelmingly the preferred pathway for significant developments; 85.85% of DAs valued at \$20 million or more chose the DAP pathway between 2020-21 – 2023-24
- Six determined DA's have completed construction (13.6%), another 3 DAs related to developments that were already constructed and operating (6.8%), 11 DAs that have commenced works (25.0%) and 24 which have not commenced (54.6%)

2.2 Efficiency

- The average time to determine a DA was 403 days
- The average time taken for the WAPC to determine an amendment to a DA is 177 days.
- The average time to determine a DA amendment under delegation is 103 days
- There are 26 undetermined DAs with the SDAU, including 13 Part 17 DAs which have been in the system since at least December 2023
- DAPs determined 89% of DAs valued at \$20 million or more in less than 200 days. By comparison, only 34% of DAs in the significant development pathway were processed in this timeframe

2.3 Consistency

- All Part 17 DAs were approved by WAPC and one Part 11B DA has been approved by SPC
- Almost all DAs were recommended for approval by the SDAU. There were two instances where the SDAU provided the WAPC the option of refusing or approving the DA with conditions. In both cases the WAPC chose the approval with conditions
- Local Governments broadly supported only 30% of DAs.
- Six applications (13.6% of determined DAs) have been appealed to SAT for reconsideration of conditions of approval

2.4 Complexity

- The average cost of development varies significantly with 50% of determined DAs being in the \$20m - \$50m cost bracket.
- The mixed-use development category recorded the highest proportion of determined DAs, at 45% (20 DAs). There is a clear residential component to these applications, with 85% of all determined mixed-use DAs containing dwellings.
- The approved mixed-use and residential developments account for 2,463 dwellings.
- The total value of DAs determined by the significant development pathway in 2023-24 was \$930.9 million. By comparison the DAP system and Local Government approved DAs valued at a total of \$8.91 billion and \$7.08 billion respectively.⁴

⁴ [Local Government Performance Monitoring Project](#): based off a sample of 49 Local Governments, and thus the total value of DAs approved from all Local Governments would be higher.

3.0 Discussion

In announcing the Part 17 significant development pathway in July 2020, the then Minister for Planning, Hon Rita Saffioti, stated that it was *'a temporary measure that will streamline high-quality significant development proposals that can create jobs and generate investment in the State'*.⁵

In October 2023, the State Government announced that major planning reforms, including a permanent significant development pathway, would be implemented to cut unnecessary red tape and bolster housing supply in WA, with the Minister for Planning commenting that *"A permanent significant pathway is critical for ensuring that we have clear, and streamlined process for major projects, including housing developments in Western Australia"*.⁶

However, analysis of the data shows that the significant development pathway is not achieving these objectives.

Only 44 projects have been approved through the pathway since its inception. When comparing the number of determined DAs within the DAP pathway, it is evident that the significant development pathway is being used sparingly, generating significantly less value. DAPs remain the preferred pathway for complex proposals, determining 85.85% of DAs over \$20 million until the end of 2023-24.

Part 17 DAs are not subject to a statutory timeframe, despite a key intent of the pathway being to streamline and expedite the approval process. The average processing time for determined DAs sits at 403 days.

Although the pathway can consider controversial developments that vary planning frameworks, and therefore may take longer to process and determine applications, the processing days are still significantly higher than the 120-day timeframe that has been introduced for Part 11B DAs. The timeframes are also excessive when compared to the DAP average timeframes for DAs, that sat at 149 days for 2023-24, the highest on record.

More concerning is the number of current DAs in the system that are yet to be determined. This includes 13 Part 17 DAs that were lodged before the end of 2023, when the pathway closed to new applications.

Considering the small number of determined DAs, the lengthy timeframes for their determination, and that over half of these DAs have not commenced construction, even five years post COVID-19, it can be concluded the Part 17 pathway has had a limited impact on the State's economic recovery, particularly when compared to the number and value of DAs determined by the Local Government and DAP pathways.

Regarding the rate of alignment between Local Government, the SDAU and the WAPC, there are two distinguishable trends. The WAPC has approved all determined DAs and for almost all DAs the SDAU has recommended approval. There were two instances where the SDAU provided the option of refusing an application or approving it with conditions. In both cases the WAPC chose to approve with conditions.

The Local Government referral process and the nuance of Local Government comments make it difficult to definitively determine the level of support or objection to a DAs. Regardless, Local

⁵ [Historic planning reforms cut red tape and open WA for business | Western Australian Government](#)

⁶ [Major planning reforms to accelerate housing delivery | Western Australian Government](#)

Governments broadly supported only approximately 30% of DAs. By comparison, Local Governments supported approximately 90% of DAP applications and approximately 99 per cent of all DAs determined by Local Governments are approved.⁷

Local Governments concerns often relate to the broad discretion applicable to Part 17 DAs that can vary the planning framework beyond what could be contemplated by the other development pathways, such as approving prohibited land uses and over height developments. This has led to several proposals becoming contentious, raising concerns about the potential negative impact of approved developments on local communities.

Part 11B pathway retains the capability to alter local planning schemes but introduces specific parameters for when this can occur. Given that only one Part 11B DA has been determined so far, it is not possible to evaluate the impact of these modified provisions.

One of the stated aims of Part 11B pathway is to assist with boosting housing supply to support the National Planning Reform Blueprint.⁸ However only one 11B DA has been approved to date, despite this pathway being operational since 1 March 2024. Further, when reviewing lodged but undetermined Part 11B DAs, only six of these have a residential component that collectively account for a total of 238 dwellings, if approved and constructed. It is therefore reasonable to conclude that the Part 11B pathway has had no discernible positive impact on the delivery of housing in Western Australia to date.

The Part 17 pathway has approved several mixed-use and residential developments, accounting for approximately 2,463 dwellings. While this is a positive outcome from a housing delivery perspective, this represents less than 3% of the roughly 90,000 total dwellings approved in WA from July 2020 to January 2025.⁹ Furthermore, of the 2,463 dwellings approved, only 282 have commenced construction, with only 63 of these completed. There are also 1,308 potential dwellings that could be approved in undetermined Part 17 DAs.

Conclusion

Analysis of the significant development pathway reveals that it is used infrequently and does not process applications efficiently, contrary to its intended purpose. The DAP system determined a significantly greater number of complex DAs in a timelier manner. Additionally, the pathway's other goals, such as driving economic recovery (Part 17) and aiding housing supply (Part 11B), have not been met.

The pathway has only processed 44 projects in total. Although it has approved several mixed-use developments with residential components, it has not had a tangible impact on housing delivery, specifically compared to the DAP and Local Government pathways.

⁷ [WALGA's Local Government Performance Monitoring Project and DAP Monitoring Project](#)

⁸ [National Planning Reform Blueprint | Treasury.gov.au](#)

⁹ [ABS data: Building Permit approvals July 2020 to January 2025](#)

4.0 Detailed Findings

4.1 Significant Development Applications

Figure 1 below, shows the number of applications by determination type. A total of 44 projects have been determined via this pathway to date. All determinations relate to Part 17 applications, except for one Part 11B DA that was determined in March 2025.

2023-24 recorded the highest number of DAs and determinations at 12 and 21 respectively, with all other years determining fewer than 10 DAs. 2024-25 includes data up until 1 April 2025 and additional applications may be determined prior to the end of this financial year. Given only 6 DAs have been determined to date, a greater total than the previous financial years would be unlikely.

Five development applications were withdrawn from the pathway and are not included in the data.

No specific trends have been identified, given the pathway has been operational for a short timeframe and has only determined a small number of projects.

Figure 1 - Number of Determinations by Application Type

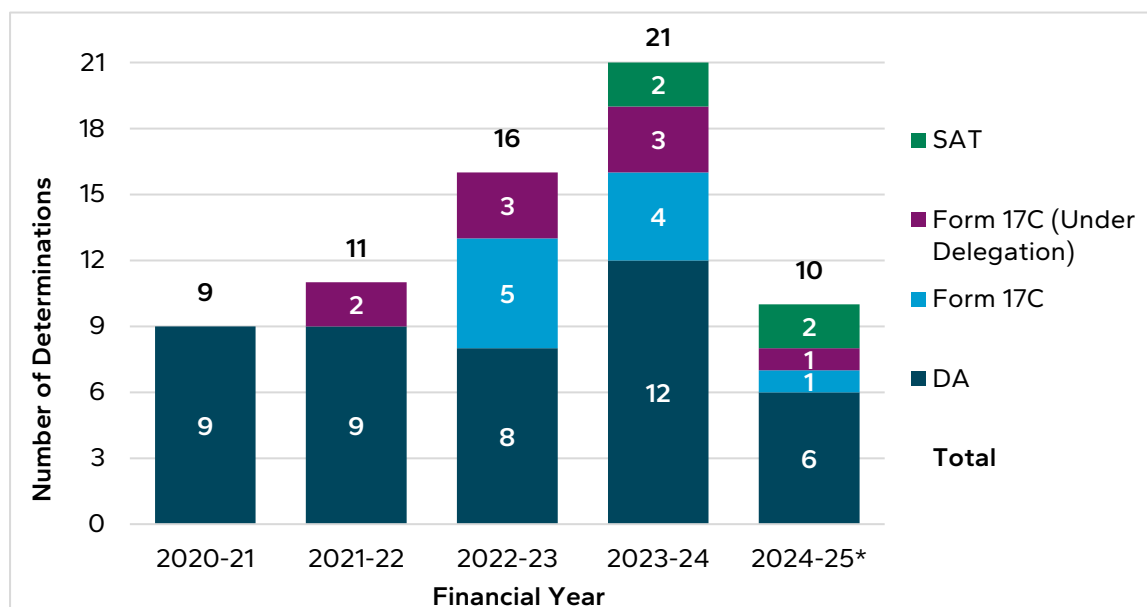


Figure 2 shows that Local Governments continue to determine the vast majority of DAs, while the DAP system remains the preferred pathway for significant development proposals.

This Figure uses data collected from WALGA's Performance Monitoring Project, and WALGA's DAP data collection. WALGA's Performance Monitoring Project currently collects data from 49 Local Governments representing approximately 92% of Western Australia's population and 94% of the State's total population growth. This analysis does not include 2024-25 as DAP or Local Government data for this year have not been collected to date.

As the figure identifies, Local Governments process the overwhelming majority to DAs given there is an entry cost threshold for the other pathways, being \$2 million for DAPs and \$5 (regional) or \$20 (metropolitan) million for the significant development pathway.

Figure 2 - Number of DA Determinations by Assessment Pathway (2020-21 / 2023-24)

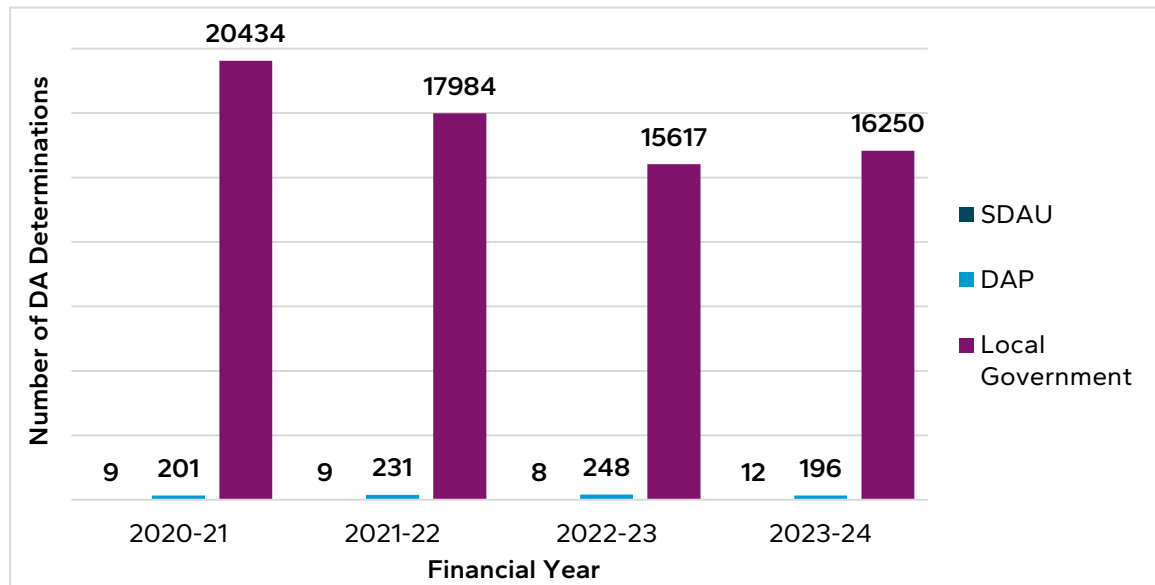


Figure 3, which compares the number of DAs per financial year (up to 2023-24) valued at greater than \$20 million determined under the State development pathways shows the DAP pathway is clearly the preferred choice, accounting for over 80% of DAs within this cost range for each financial year.

Interestingly, this percentage has remained consistent across all four financial years, indicating the significant development pathway has not gained in popularity over its existence.

Although the figure only includes data up until the end of 2023-24 and Part 11B only became operational on 1 March 2024, with only one determined Part 11B DA and 13 current Part 11B DAs, it appears that the permanent pathway has not become a more attractive option for proponents.

Proponent feedback to Local Governments reinforces this finding, with proponents expressing a preference for the Local Government pathway or DAPs over the significant development pathway due to familiar, straightforward processes that allow for a higher level of collaboration and engagement between Local Government assessing officers and proponents

Figure 3 - DA Determinations through State Assessment Pathways over \$20m (2020-21 / 2023-24)

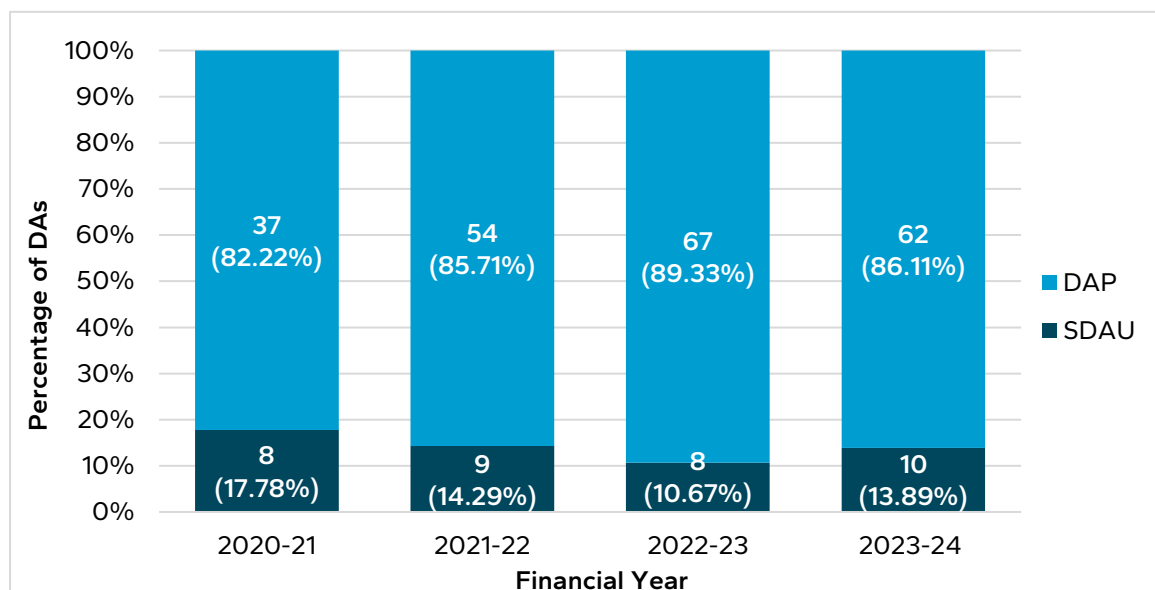


Figure 4 examines the undetermined applications currently in the system, split into Part 17 and Part 11B applications and identifies the status these applications.

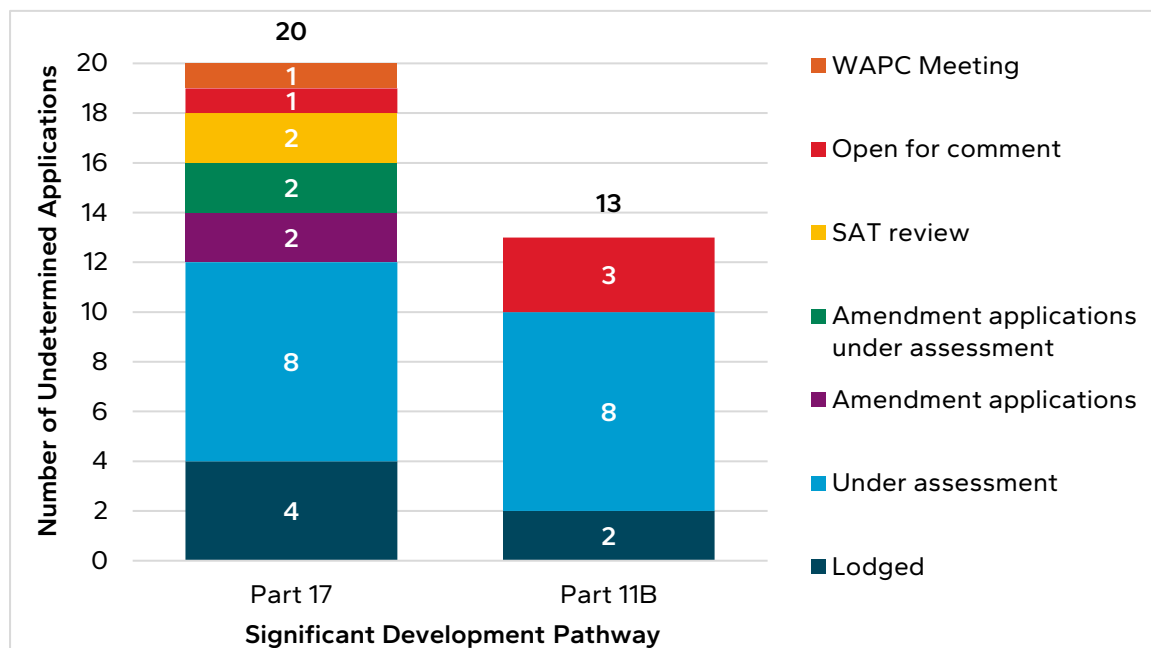
There are 33 current applications, 20 applications for Part 17 and 13 current Part 11B DAs. Among the Part 17 applications, there are 13 DAs. This means 13 projects were submitted through the Part 17 pathway before it closed to new DAs at the end of 2023 and remain undetermined over a year later.

Six DAs, including four Part 17 DAs, are still at the application lodged stage, meaning they are yet to progress to public consultation.

When considering amended DAs (Form 17C), 45% of DAs have sought or currently seeking an amendment and six DAs have sought multiple amendments. This is unsurprising given the pathway is intended to process complex DAs that are often subject to multiple refinements and adjustments.

In relation to SAT applications, six DAs (13.6% of determined DAs) have been appealed to SAT to reconsider approved conditions. Four DAs have been reconsidered by WAPC and two are still with SAT for final determination. The remaining two DAs are currently with SDAU for reconsideration

Figure 4 - Undetermined Applications by Status Type



4.2 Significant Development Application Decisions

The WAPC has approved all Part 17 DAs. The one Part 11B DA that has been determined was approved by the SPC, a subcommittee of the WAPC.

Almost all applications were recommended for approval by the SDAU. There were two instances where the SDAU provided the WAPC the option of refusing a DA or approving it with conditions. In both cases the WAPC chose the latter option.

While the SDAU recommendation and WAPC decision are important, the comments and recommendation of the Local Government is another important indicator as to the effectiveness of the pathway and the value of the decisions.

The Local Government referral process and detailed comments provided by Local Government make it difficult to identify if Local Governments clearly support or do not support a DA.

Local Government comment sometimes provided objection or support for specific elements of a DA or recommend elements of the DA be modified. Further, DAs are often modified following Local Government official referrals comments and subsequent engagement with Local Government has varied.

Regardless, Local Governments broadly supported only approximately 30% of DAs. By comparison, Local Governments supported approximately 90% of DAP applications and approximately 99 per cent of all DAs determined by Local Governments are approved.¹⁰

As Part 17 DAs have largely unfettered discretion to vary planning frameworks Local Government comments often objected to proposed variations to local planning schemes, specifically the consideration of prohibited land uses or significant variations to height limits. Local Government comments often noted that DAs were pre-emptively approving developments rather than following orderly and proper planning process.

It is acknowledged that Part 11B limits the extent of discretion and introduces specific parameters for when local planning frameworks can be varied. Given that only one Part 11B DA has been determined so far, it is too early to evaluate the effectiveness of these modified provisions.

WAPC also approved 10 Form 17C amendment applications, with another 9 Form 17C amendment applications approved under delegation by officers at DPLH.

4.3 Significant Development Application Decision-Making Timeframes

Figure 5 shows the average time taken to determine an application via application type. Figure 6 shows the average time taken to determine a DA by financial year.

There has been an increase in the time taken to determine a DA since the inception of the pathway and for the last three years DAs have taken over 500 days to determine.

Part 17 DAs are not subject to a statutory timeframe. Applications may logically take a significant time to process as the pathway caters for contentious applications, that can vary planning frameworks beyond what is allowed by the Local Government or DAP pathways. Given this, applications are required to be robustly assessed by the SDAU, resulting in often lengthy and comprehensive reports

However, these timeframes are excessive, particularly when compared to the DAP average timeframes for DAs that sat at 149 days for 2023-24, the highest on record.

These timeframes are also substantially greater than the 120-days statutory timeframe allocated for Part 11B DAs or the 60 (no advertising) or 90 days (advertising) statutory timeframes for DAs determined by DAPs or Local Governments, acknowledging these include 'stop the clock' provisions.

More critically, the excessive timeframes fail to meet a key intent of the pathway, that being to provide streamlined and expedited approvals for significant developments.

Concerningly, 13 current Part 17 DAs that were lodged before the end of 2023 are still undetermined.

¹⁰ [WALGA's Local Government Performance Monitoring Project and DAP Monitoring Project](#)

Part 11B applications have a 120-day statutory timeframe, excluding the holiday period days or an agreed extension of time between the applicant and the WAPC (referred to as 'stop the clock'). Part 11B applications are also required to go through a mandatory pre-lodgement process that is not included in the statutory timeframe.

To align with WALGA's reporting on the DAP system and for ease of data collection, timeframes have been calculated as total calendar days by comparing the lodgement date and determination date of a DA. As per this calculation the one determined Part 11B DA took 161 days to process. The SPC agenda item noted that this DA took 130 processing days with agreed extensions.

Figure 5 - Average Days by Application Type

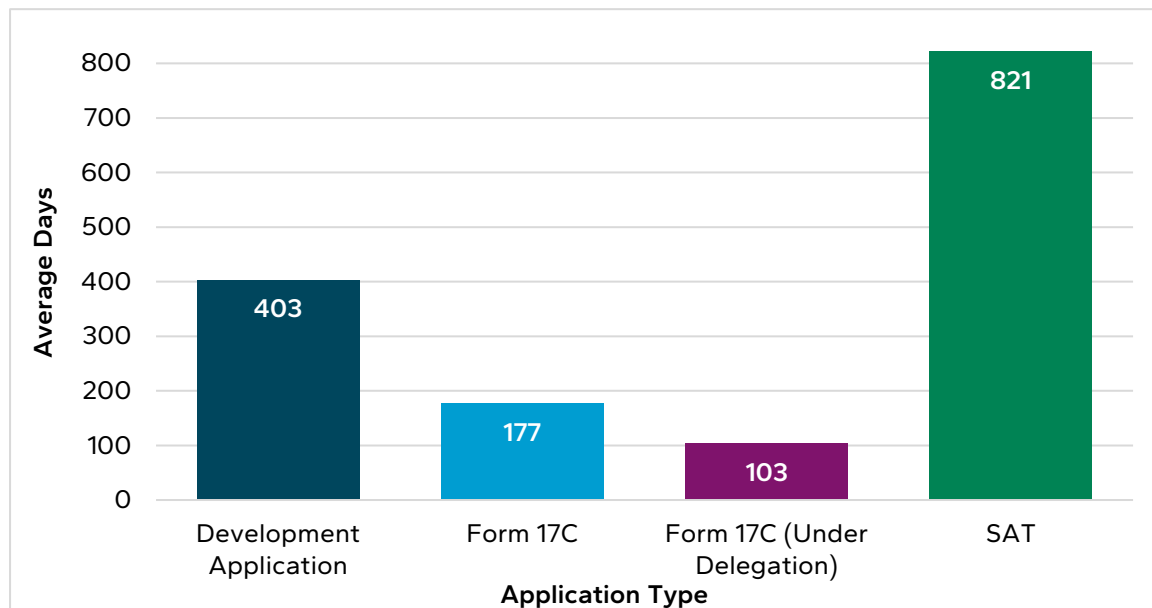


Figure 6 - Average Days to Determine DAs by Financial Year

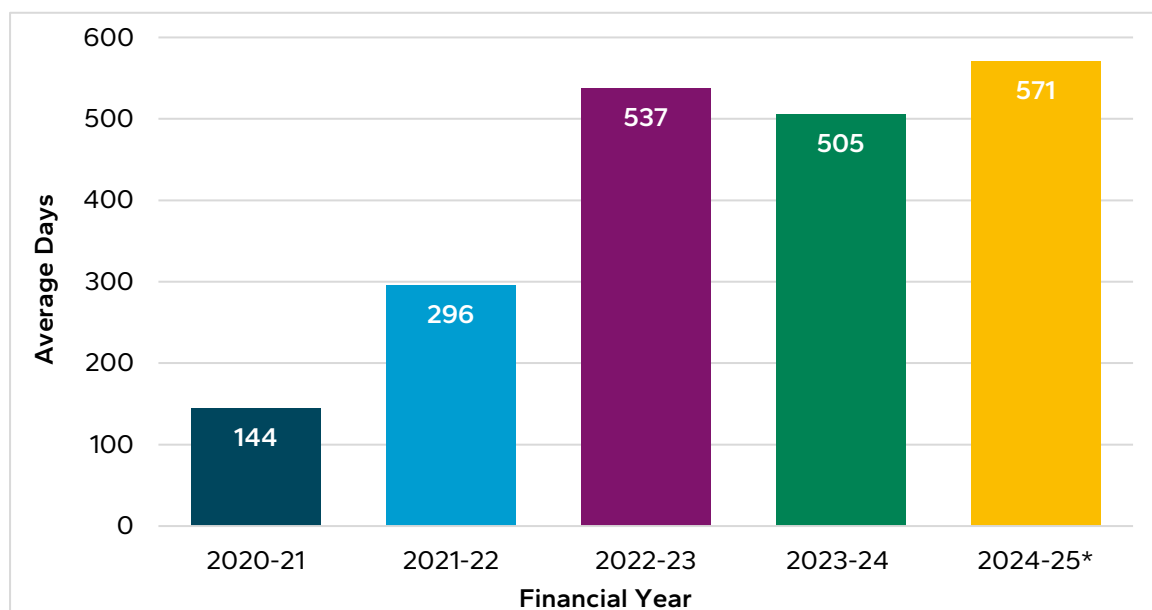


Figure 7 below shows the proportion of DA determination times in 100-day increments. Concerningly, almost half the DAs took greater than 300 days to determine, with just over 30% of DAs taking over 500 days.

Three DAs took over 1000 days to determine, with the longest being 1091 days.

Figure 8 includes DAs valued at \$20 million or greater from 2020-21 to 2023-24, comparing the significant development pathways with the DAP system. The DAP system demonstrates greater efficiency, processing 89% of these DAs in under 200 days, whereas only 34% of DAs in the significant development pathway were processed within this period.

Figure 7 - DA Timeliness by 100 Day Increments

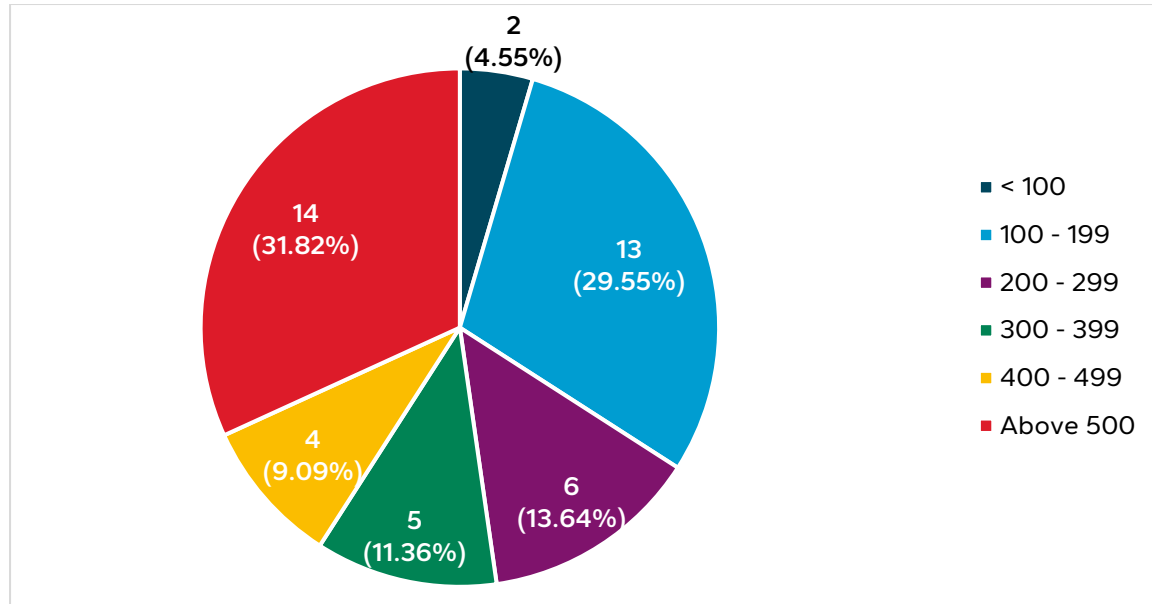


Figure 8 - DA Timeliness through State Assessment Pathways over \$20m (2020-21 / 2023-24)

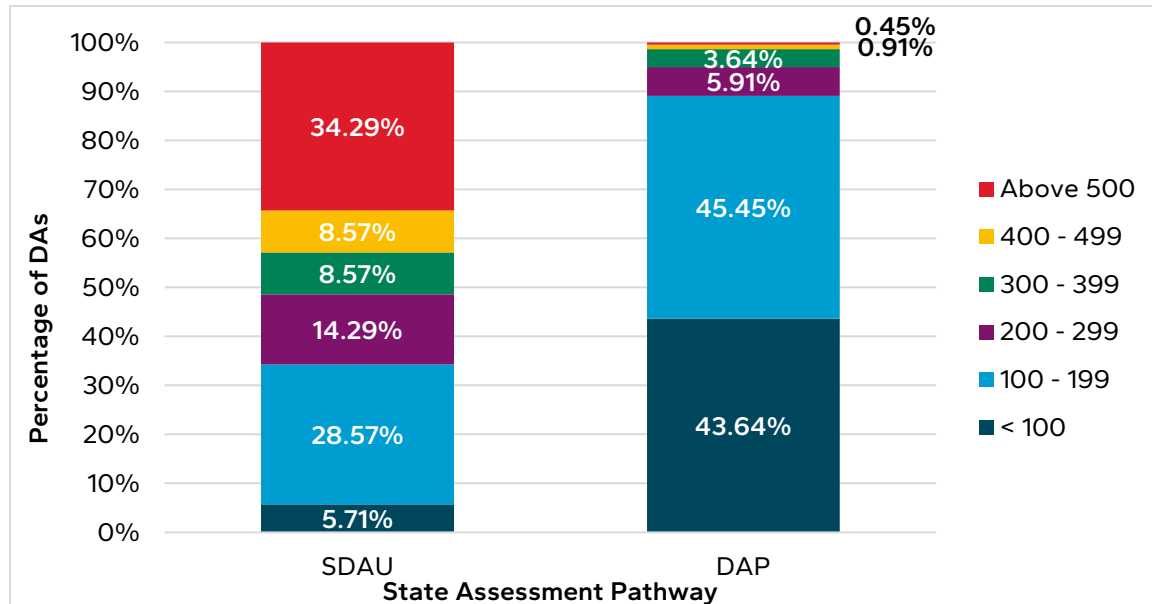


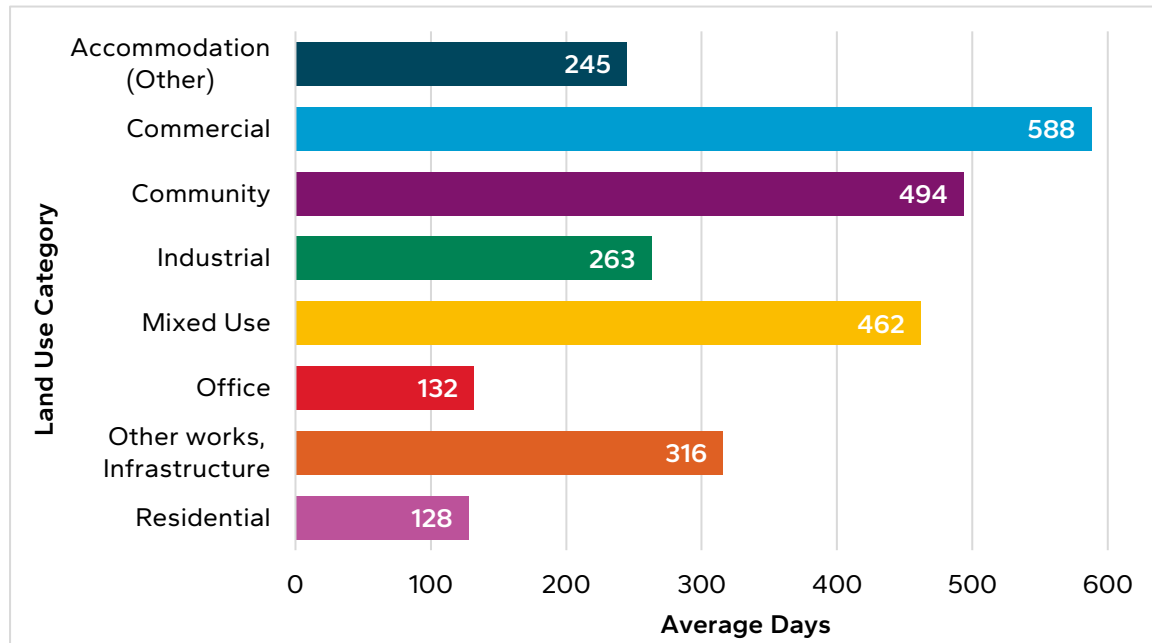
Figure 9 provides a breakdown for the average days to determine an application for each applicable development use category. It is difficult to identify any trends given the overall low number of DAs determined by this pathway. By way of example, the office and residential land use categories only processed one DA each.

The commercial and community categories take the longest to process on average. There were only eight determined DAs across both these categories. Three of these DAs took over 800 days to process, increasing average timeframes.

Unsurprisingly the mixed-use category, the largest category with a total of 20 determined DAs, recorded the third highest average days at 462 days.

Commercial and mixed-use DAs also recorded high average processing days per category in the DAP system. However, these average processing timeframes sat at 181 days and 158 days respectively for 2023-24, substantially less than the significant development pathway timeframes for these categories.

Figure 9 - Average Days to Determine DAs by Land Use Category



4.4 Significant Development Applications and Development Outcomes

Figure 10 shows the DAs breakdown between the metropolitan and regional areas for determined and undetermined DAs. Although most determined DAs are situated in the metropolitan area, the number and proportion of undetermined DAs are increasing in regional areas.

Three of the 5 determined regional DAs relate to gas plants. Undetermined regional DAs include a wider range of developments incorporating tourism, housing and commercial land uses.

Determined metropolitan DAs predominately included mixed-use developments. Residential apartments, including as part of mixed-use developments, were also a key feature of undetermined DAs in the metropolitan area.

Figure 10 - Metropolitan v Regional (Determined and Undetermined DAs)

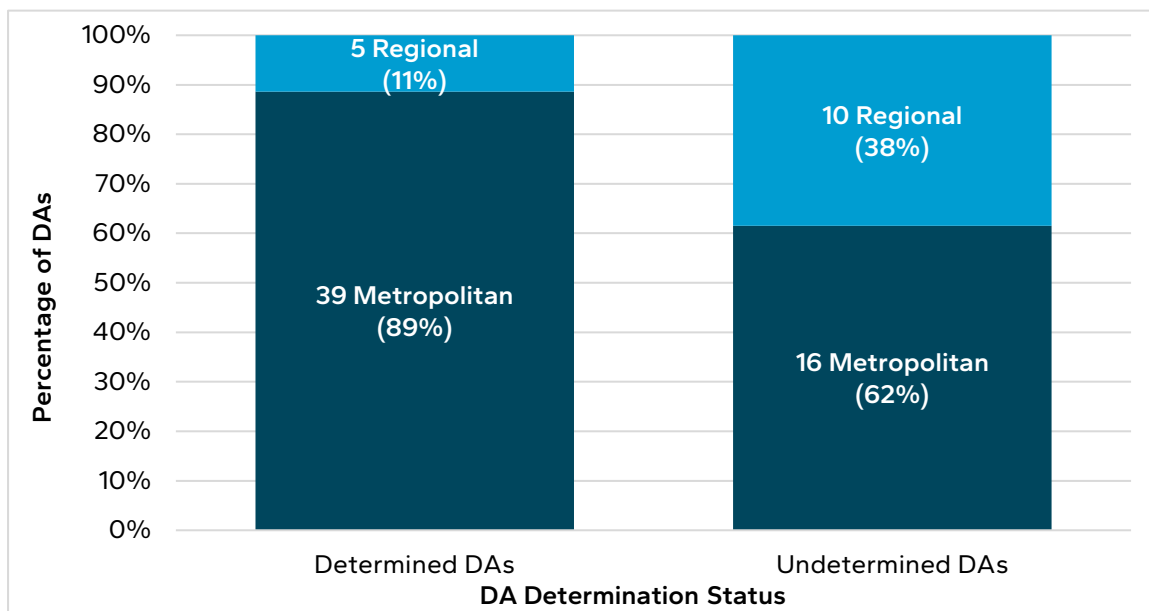
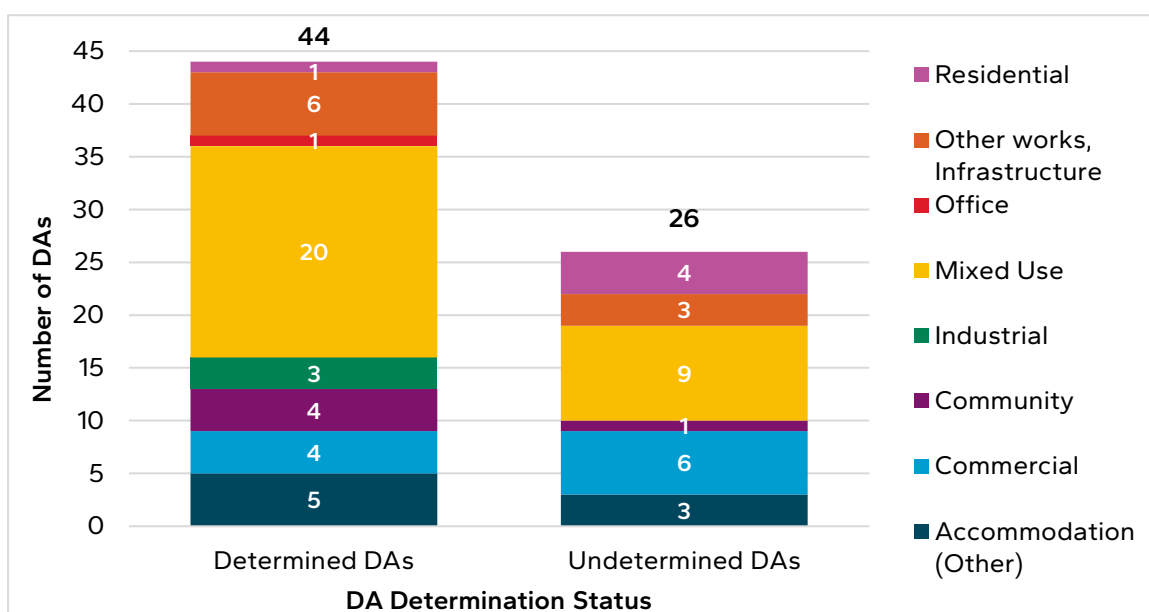


Figure 11 shows the number of determinations per development category for determined and undetermined DAs. The mixed-use development category is clearly the largest development category, accounting for 41% of all determined and undetermined DAs.

Mixed-use applications include a range of development outcomes and land uses. However, there was an obvious residential component to most of these applications, with 17 DAs, representing 85% of all determined mixed-use DAs, containing multiple dwellings.

Interestingly, the number of mixed-use DAs in the DAP system has declined slightly since 2021-22. According to the latest DAP data, 25 mixed-use DAs were determined by DAPs in 2022-23 and 2023-24 combined. Despite this decrease, these DAs still accounted for 71% of all mixed-use DAs in these two years, as the significant development pathway determined only 10 mixed-use DAs in this same timeframe (five each year).

Figure 11 - Development Use Categories (Determined and Undetermined DAs)



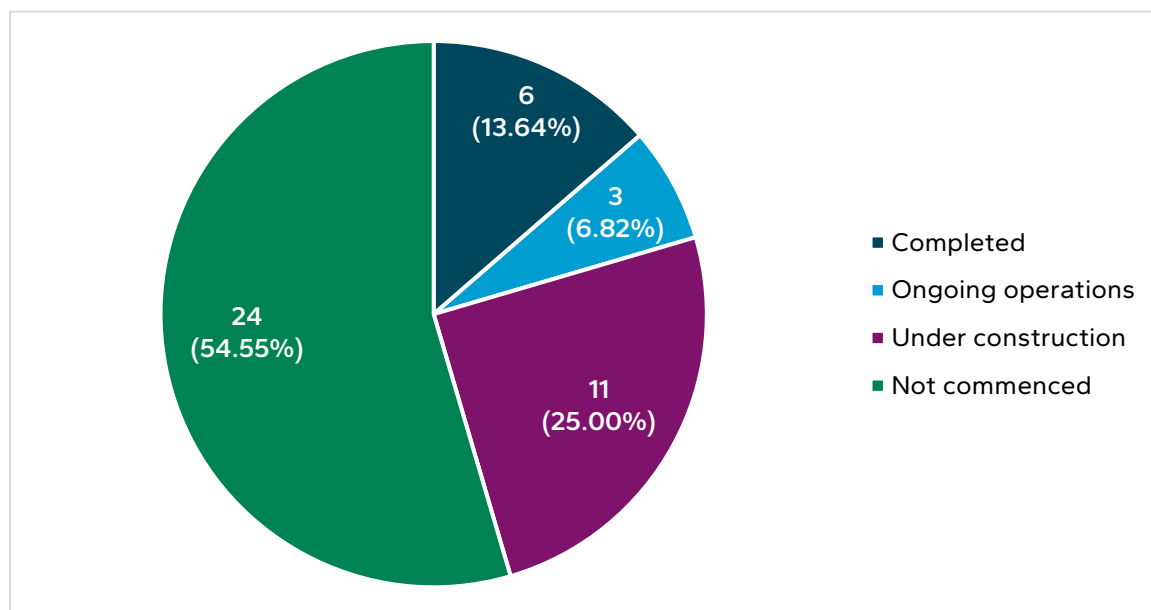
One of the stated key purposes of the Part 17 pathway was to provide for development that could be approved and constructed quickly to stimulate the economy during COVID-19. It was intended that projects would be approved and commence construction and associated activities within 18-months (end 2021) or soon as possible after the pathway was introduced. The need for the projects to be 'shovel-ready' was a requirement for consideration in the Part 17 pathway. This was reflected in the pathway being time-limited and restrictions on the proponents' ability to extend development approvals.¹¹

By the end of 2021-22, only 18 DAs had been determined by the pathway, and as demonstrated in the previous section, were not approved in a timely manner. Further, as demonstrated in Figure 12, over half of all determined DAs have not commenced construction to date.

Regardless, given it has been five years since COVID-19, it is unclear what benefit the 20 projects that have proceeded have provided to the economic recovery of the State, specifically in comparison to other approval pathways.

This also demonstrates that planning processes, while important, have limited influence on actual on-ground development and that other economic drivers such as construction costs, labour shortages, supply constraints and the presence of enabling infrastructure play more critical roles.

Figure 12 - Stage of Building Completion for DA Determinations



The Part 11B pathway was also intended to assist with boosting housing supply to support the National Planning Reform Blueprint.¹² The 11B pathway is yet to deliver on this, given only one DA has been approved under this pathway.

The Part 17 pathway has approved several mixed-use and residential developments, accounting for approximately 2,463 dwellings, mostly multiple dwellings. This is a positive step, but only accounts for a small fraction (2.78%) of the approximately 90,000 dwellings approved from July 2020 to January 2025.¹³ WALGA's review of commenced and completed projects found that of the 2,463 dwellings approved, only 282 have commenced construction, and only 63 of these having been completed.

¹¹[Planning and Development Amendment Bill 2020 Explanatory Memorandum](#)

¹²[National Planning Reform Blueprint | Treasury.gov.au](#)

¹³[ABS data: Building Permit approvals July 2020 to January 2025](#)

Another 1546 dwellings or more dwellings could be approved through the pathway as there are 12 Part 17 and Part 11B undetermined DAs that incorporate residential component. Specifically, the Part 11B pathway has six undetermined DAs with residential component accounting for a total of 238 dwellings if approved. Interestingly, one Part 17 DA proposes 1040 multiple dwellings, accounting for the bulk of the proposed dwellings.

The pathway has also approved two DAs for student accommodation and three DAs for aged care facilities, that will accommodate 809 and 330 beds respectively.

4.5 Significant Development Application Costs

Figure 13 shows the proportional value of DAs per financial year in increments. Given the limited timeframe of the pathway, the small number of DAs and the range of project values, the average cost has fluctuated, and no obvious trends can be identified.

There have been some projects approved by the pathway that have been of very high value, including 5 DAs worth more than \$250 million.

These high valued projects include the St John of God Hospital expansion, the Fremantle Traffic Bridge, a gas processing facility and associated workers accommodation in Mount Horner and shopping centre expansions at Westfield Booragoon and the Cockburn Gateway Shopping Centre, with this Cockburn DA valued at over \$1 billion.

Figure 13 - Proportional DA Value by Financial Year

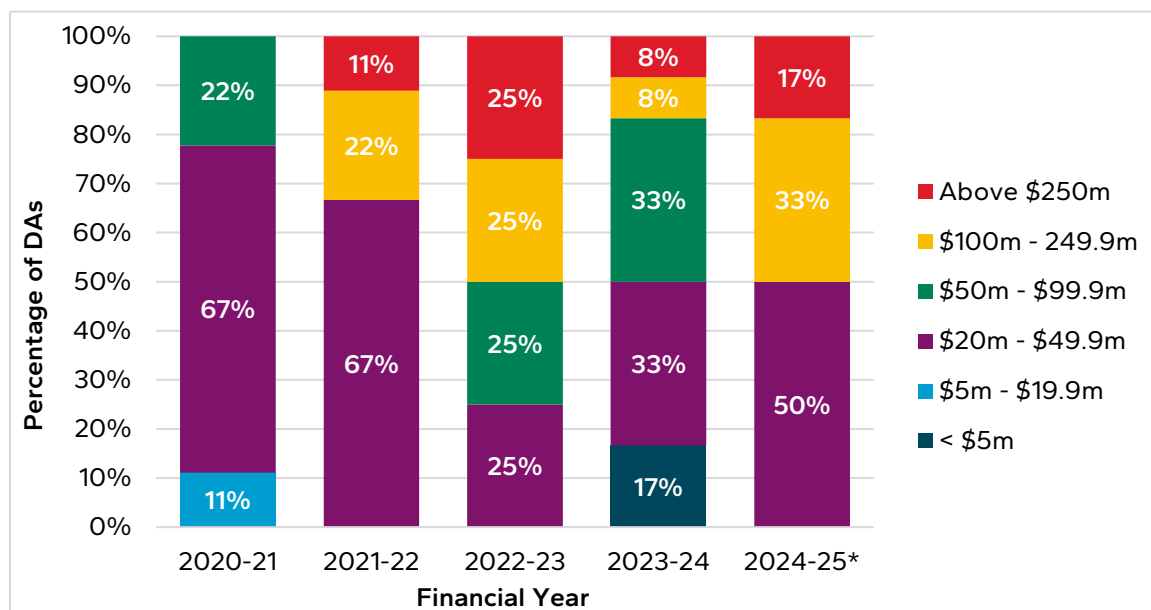
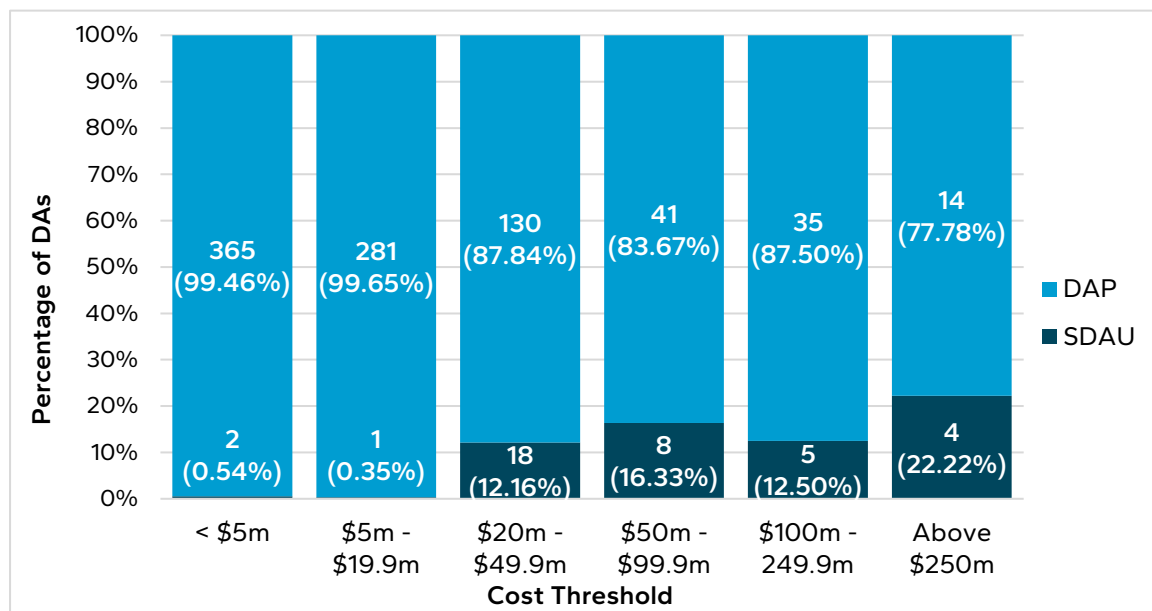


Figure 14 compares the number of projects to the end of 2023-24 that have progressed through the significant development pathway compared to the DAP system by cost thresholds. Given project thresholds for the significant development pathway, DAPs unsurprisingly determined the vast majority of DAs that are valued at less than \$20 million.

Notably, when looking at projects valued at \$20 million or greater, it is evident that the DAP system continues to determine the overwhelming majority of these high-cost DAs, processing 85.85% of these projects. This figure reiterates that the significant development pathway is used infrequently and that DAPs are the preferred pathway for complex applications.

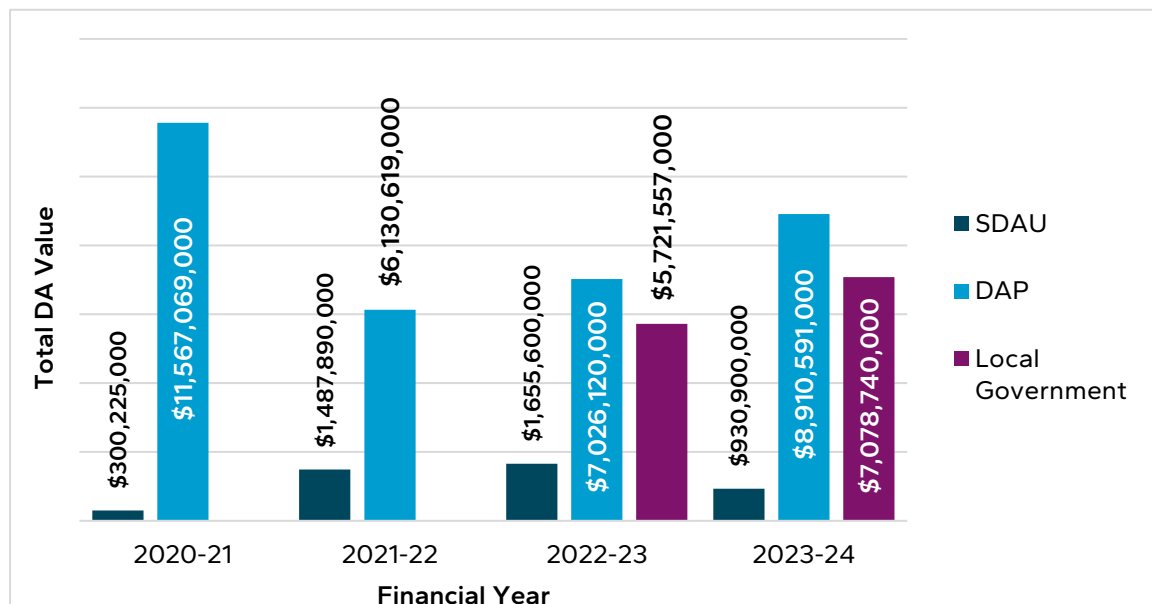
Figure 14 - DA Value of State Government Pathways by Cost Thresholds (2020-21 / 2023-24)



When comparing the value of DAs determined across the different pathways, unsurprisingly, Figure 15 demonstrates the DAP system has the highest value of determinations. This figure also includes the value of all DAs determined by the Local Government pathway for 2022-23 and 2023-24.¹⁴

Direct comparisons between the different pathways are challenging since they each have different entry cost thresholds. Regardless, it does illustrate that both the DAP, particularly in 2020-21, and the Local Government pathway played significantly greater roles in stimulating the economy during and post COVID-19 than the significant development pathways.

Figure 15 - Value of DA Determinations (2020-21 / 2023-24)



¹⁴ [WALGA's Performance Monitoring Project](#)

Appendix 1 – Development Use Categories

Accommodation (Other)	Aged Care	Serviced Apartments
	Holiday - Tourist Accommodation	Workers Accommodation
	Hotel	
Commercial	Alcohol Licenced Premise (Pub-Bar)	Hired Goods
	Beauty Studios	Restaurant
	Car Wash	Retail
	Cinema	Shopping Centres
	Fast Food	Showroom
	Fuel Filling Station	Vehicle Sales
Community	Airport, Railway, Bus Station	Public Open Space
	Family Day Care	School
	Health - Medical Facility	Sporting Facility
	Library	Veterinary Hospital
	Places Of Worship	
Industrial	Food Production Facility- Abattoir - Mill	Recycling Facility
	Light Industrial	Vehicle Repairs & Dismantling
	Mining Operation	Workshops
	Power Station	
Mixed Use	Any development with multiple components that fall into different development categories	
Office	Office	Television Studio
	Research And Development And Laboratory Facilities	
Other Works, Infrastructure	Additions And Alterations	Miscellaneous Works
	Earthworks	Outbuilding
	Infrastructure Works - Substation - Water Corp Facility etc	Renewable Energy Facility
	Landfill	Vehicle Parking
Residential	Residential Accommodation	
Warehouse, Storage and Distribution	Distribution Facility	Transport Depot
	Storage	Warehousing

PART 11B SIGNIFICANT DEVELOPMENT PATHWAY

Assessment Process for Development
Applications under Part 11B of the
Planning and Development Act 2005

APPLICATION GUIDE

March 2024

Introduction

Part 11B of the *Planning and Development Act 2005* provides a tailored assessment pathway directly to the Western Australian Planning Commission (WAPC) for complex and significant development proposals.

The pathway is open to development valued at:

- \$20 million or more in the case of a development for which the Perth Metropolitan or Peel region scheme, or the Swan Valley Planning Scheme applies; or
- \$5 million or more in other parts of the state.

Other projects may be authorised for entry into the pathway by the Premier, on the advice of the Minister, in accordance with the s.171M of the Act.

The Department of Planning, Lands and Heritage (the Department) supports the WAPC in assessing applications for significant development under Part 11B of the Act.

This guide sets out the process and requirements for development applications submitted to the pathway.

The WAPC remains responsible for any approval issued across all stages of the life of the development, including any proposed amendments to the approval.

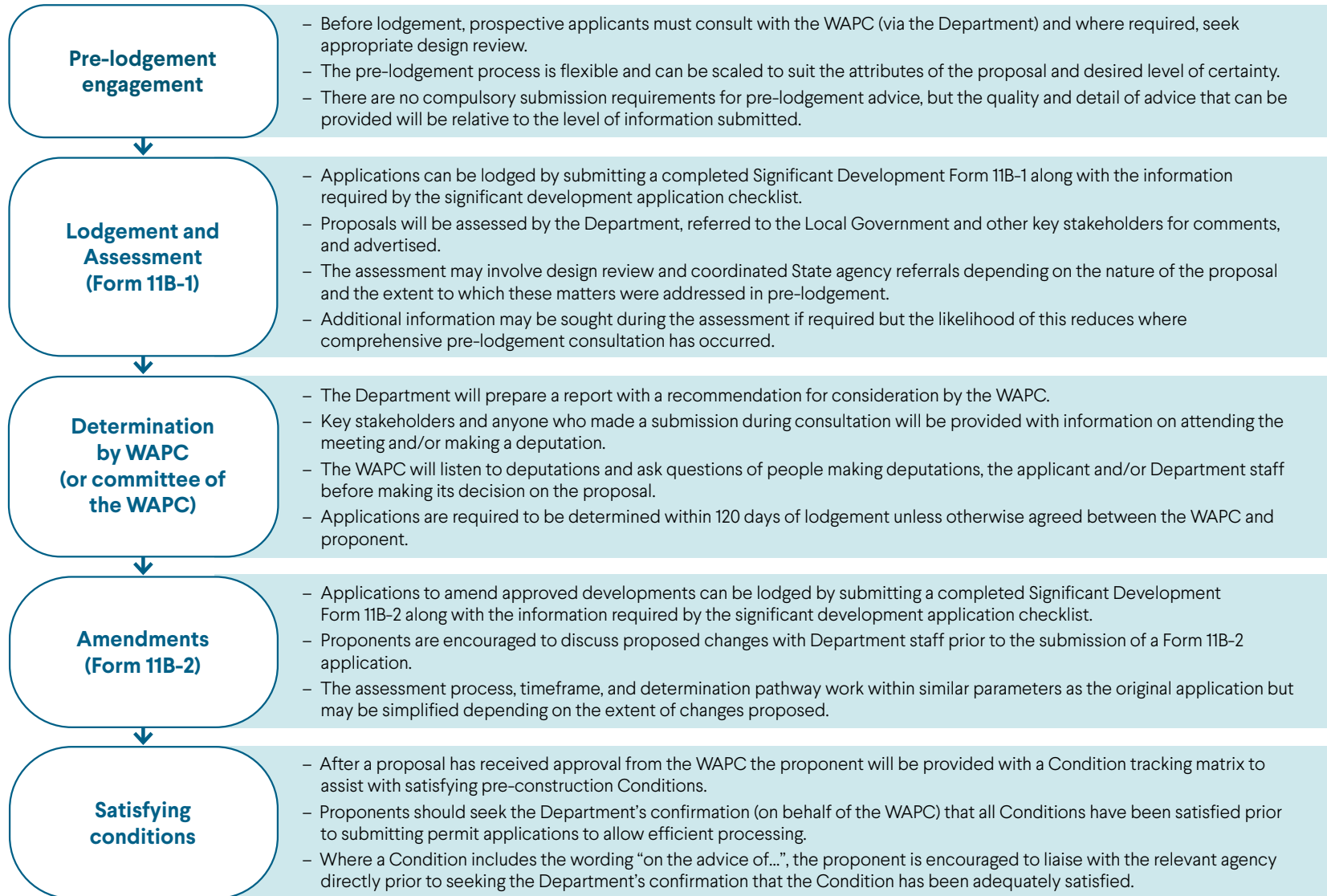
Throughout this Guide, references to sections (s.) are to sections within Part 11B the *Planning and Development Act 2005* and references to regulations (r.) are to regulations within the *Planning and Development (Significant Development) Regulations 2024*.

Contents

1.0	Overview	3
2.0	Pre-lodgement Engagement	4
2.1	Pre-lodgement Meeting	4
2.2	Written Pre-lodgement Advice	4
2.3	Pre-lodgement Submission Requirements	5
2.4	Design Review	6
2.5	Fees	6
3.0	Development Application Requirements (Form 11B-1) (s.171P)	8
3.1	How to Lodge an Application	8
3.2	Application Submission Requirements	8
3.2.1	Standard Submission Requirements	8
3.2.2	Development Application Checklist	9
3.2.3	Completed Application Form	9
3.2.4	Application Fees	10
3.2.5	Plans, Elevations, Drawings, and Illustrations	10
3.2.6	Planning report / statement of planning justification	12
3.2.7	Technical reports	14
3.2.8	Spatial data requirements for 3D modelling and digital twin integration	14
3.3	Assessment and Determination	16
3.3.1	Referrals	16
3.3.2	Design Review	16
3.3.3	Consultation	16
3.3.4	Requests for Information and Assessment of Revised Plans	17
3.3.5	Determination	17
4.0	Application to amend or cancel approval for Significant Development (Form 11B-2) (s.171X)	19
5.0	Satisfying Conditions of Development Approval	20

1.0 Overview

The Significant Development Pathway application process is summarised as follows:



2.0 Pre-lodgement Engagement

The Significant Development Pathway was established to cater for:

- Significant applications presenting issues of State or regional importance benefiting from the technical expertise of the WAPC;
- Complex applications requiring referral to and input from multiple State Government agencies and stakeholders; and
- Applications aligned with State Government policies and priorities which are unreasonably constrained by an out-of-date local planning framework.

These types of applications usually benefit from early engagement with key stakeholders and decision makers and, in some cases, design review. A pre-lodgement service is provided for Part 11B applications, and the service can be tailored to the attributes of the proposal in acknowledgement that the needs of each application will vary. Options include:

- A high-level pre-lodgement meeting;
- Request for more detailed written pre-lodgement advice; and/or
- A bespoke process to address an applicant's request.

Pre-lodgement consultation with the WAPC is required for all applications, including amendments, under r.6(1)(a).

2.1 Pre-lodgement Meeting

A pre-lodgement meeting provides a forum for:

- proponents to outline their concept, known issues and drivers for seeking approval under the pathway;
- the Department (on behalf of the WAPC) to provide preliminary advice of likely planning issues; and

- discussion of whether or not further pre-lodgement advice and / or design review might assist the development of the proposal and submission of a well-resolved application and, if so, what inputs and process might be most constructive.

To initiate the process, contact the [Department](#).

Any accompanying plans and documentation can be submitted through the Department's online lodgment portal (*scheduled to replace the large file transfer in early 2024*). A planning officer will review your submission and be in contact to arrange a date for the meeting (which is typically held within 14 days of submission), and subsequent steps.

The meeting is held with senior planning staff, the Chair of the State Referral Coordination Group¹ and is usually attended by the WAPC Chairman and the Government Architect (or their delegate/s).

At the request of the proponent, the Department can consider facilitating the attendance of other external stakeholder representatives, such as local government, at pre-lodgement meetings where warranted. This may have implications on the ability to hold meetings within 14 days of the request being received due to meeting coordination complexities. The Department will notify the relevant local government when a pre-lodgement meeting request has been received in most instances.

2.2 Written Pre-lodgement Advice

The pre-lodgement advice process is designed to be flexible and responsive to the nature and complexity of different proposals. In requesting pre-lodgement advice, the applicant can seek feedback on specific issues relating to the proposed application. The purpose of the process is to support the streamlined assessment and determination of applications once lodged and, ultimately, improved outcomes for developers and the community alike. Pre-lodgement

¹ The State Referral Coordination Group consists of senior State agency representatives nominated by the respective Director General to attend State Referral Coordination Group meetings.

advice can also be useful to inform proponents when making decisions on whether and how to progress design development of different options for a site.

Where proponents want more comprehensive written advice before proceeding to lodgement, a tailored pre-lodgement service is provided. This involves the Department facilitating early engagement with key stakeholders such as the local government and relevant State Government agencies to provide feedback and identify issues that might need to be addressed in the development application and specific submission requirements. Interagency meetings may be held by the State Referral Coordination Unit² to streamline and reconcile inputs from key stakeholders.

The pre-lodgement advice process is designed to be flexible and responsive to the nature and complexity of different proposals. In requesting pre-lodgement advice, the applicant can seek feedback on specific issues relating to the proposed application. The purpose of the process is to support the streamlined assessment and determination of applications once lodged and, ultimately, improved outcomes for developers and the community alike. It can also be useful to inform proponents making decisions on whether and how to progress design development of different options for a site.

The requirement to consult with the WAPC at r.6(1)(a) will be satisfied upon the provision of responses to the written pre-lodgement advice request. If the WAPC does not respond within the following timeframes, then a proponent may lodge the application for development approval:

- 42 days where no State Referral Coordination Group meeting is required,
- 60 days where a State Referral Coordination Group meeting is required, or
- Another period as agreed to between the applicant and WAPC.

² The State Referral Coordination Unit is a team within the Department that coordinates State agency referrals to provide a single State referral response, representative of the whole of government.

2.3 Pre-lodgement Submission Requirements

There are no compulsory submission requirements for pre-lodgement advice, but the quality and detail of advice that can be provided will be relative to the level of information submitted. Prospective applicants are encouraged to consider the information and degree of confidence that they are seeking from the pre-lodgement advice and prepare an appropriate level of plans and documentation accordingly.

Development Overview & Context

The written pre-lodgement advice request should include a brief overview of the proposed development, including:

- proposed land uses and any concept drawings or plans for the proposed development,
- any relevant contextual information such as history of the site related to previous development applications or design reviews, and
- a site analysis and other relevant technical information (for example, traffic impact assessment, heritage impact statements, environmental impact reports, flora and fauna surveys, coastal erosion studies and visual impact assessments) which may have been prepared to inform the proposal.

Discretion Sought & Response to Part 11B Legislative Requirements

Where a proposed development departs from the local or regional planning requirements (s.171R), the pre-lodgement advice request should also outline:

- the extent of the departure, why/how this is important to the State/region and why/how this is in the public interest.

- how the proposal has regard to:
 - the purpose and intent of the local planning scheme,
 - orderly and proper planning and the preservation of the amenity of the locality,
- alignment with any relevant State planning policies, Planning Codes, and any other policies of the WAPC.

Preliminary Engagement Summary & Responses

It is also helpful for the Department to understand any stakeholder engagement that may have already been undertaken by the proponent and how this has informed the design of the proposal. This includes an outline of which forms of engagement have been undertaken and with whom, and how the design might have evolved since consultation took place.

If the local government or State Government agencies have previously been consulted, proponents should provide a list of all relevant contacts and their contact details as this can streamline subsequent input.

There are no statutory timeframes attached to pre-lodgement advice but typically it should be provided within 42-60 days of submission, depending on whether a meeting of the State Referral Coordination Group or design review is required.

2.4 Design Review

Design review can add value to the pre-lodgement process by highlighting design quality issues early in the process when the design of the proposal is generally more flexible and less resolved. It can also generate advice which assists the decision maker determine the merit of complex proposals, particularly where these involve the exercise of significant discretion. The WAPC can consequently require that a proposal be referred for design review (r.6(1)(b)), and typically makes this decision in consultation with the Government Architect (who chairs the State Design Review Panel) and proponent.

Where a proposal is referred for design review, this can occur in parallel with other pre-lodgement advice requests or referrals. Timing of design review sessions will be discussed during the pre-lodgement process and a proponent may request that it follow receipt of other advice so that any changes which may arise from agency inputs are reflected in the reviewed plans. The most appropriate sequencing will depend on the attributes of the proposal and where the greatest challenges lie, and this is discussed with the proponent.

Design review typically involves two to three sessions with the last usually occurring following lodgement. Design review may be undertaken by:

- the State Design Review Panel (SDRP), or
- the Government Architect.

The process is intentionally flexible and will be tailored to suit each proposal in consultation with the applicant. Local government representatives are typically invited to attend full State Design Review Panel sessions.

It is anticipated that most significant development proposals would require design review however, some may be sufficiently well resolved not to require any review or may not be required by the WAPC due to the nature or scale of the project. The requirement for design review will be confirmed by the WAPC during the pre-lodgement process.

Design review advice generated through review sessions prior to lodgement is provided to the proponent to assist in design development. The final (post-lodgement) design review report forms part of the planning report submitted to the WAPC to aid it in making a statutory determination.

2.5 Fees

Fees for the Significant Development Pathway are set out in the Planning and Development (Part 11B Fees) Notice 2024, available via the [Forms and Fees page](#).

PART 11B
STATE DEVELOPMENT
ASSESSMENT
UNIT

Assessment Process for
Significant Developments
under Part 11B of the
*Planning and Development
Act 2005*

APPLICATION
GUIDE

Fees are charged based on the estimated cost of development (excluding GST) as well as the number and type of design reviews undertaken. The only fees associated with pre-lodgement services are related to the requirement for design review.

Design review fees are determined based on the type of review that is required to be undertaken (SDRP or the Government Architect). The design review fee provides for up to three reviews, with an additional fee being payable for each additional review (if required). The fees are calculated based on the total number of design reviews that occur throughout pre-lodgement and post-lodgement.

A discount is provided for any design review and/or development application fees payable by a registered community housing provider or a registered non-for-profit entity. Refer to the *Planning and Development (Part 11B Fees) Notice 2024* for details.

3.0 Development Application Requirements (Form 11B-1) (s.171P)

Development application requirements are outlined in the Act (s.171N), the *Planning and Development (Significant Development) Regulations 2024* (r.9) and this Guide. It is important that a completed application form, application fees and all plans and supporting documents are submitted at the time of lodgement so that a detailed assessment can be undertaken in a timely manner.

3.1 How to Lodge an Application

All applications are required to be submitted through the DPLH [Planning Online lodgement portal](#). To assist with the lodgement process applicants are required to clearly name and upload each of the documents, appendices and drawing packages individually in one transfer, with the street name and number referenced, for example:

- 140WilliamSt-Proposed Development Plans.pdf
- 140WilliamSt-Applicant Planning Report.pdf
- 140WilliamSt-Applicant Landscape Report.pdf
- 140WilliamSt-Applicant Digital Sign Plans.pdf
- 140WilliamSt-Applicant Transport Impact Assessment.pdf
- 140WilliamSt-Applicant Acoustic Report.pdf
- 140WilliamSt-Applicant Stormwater Management Strategy.pdf
- 140WilliamSt-Applicant Waste Management Plan.pdf
- 140WilliamSt-Applicant Roadworks Plan.pdf
- 140WilliamSt-Applicant Economic Benefit Statement.pdf

All information submitted with the application will be made available on the Department's online Consultation Hub during public consultation except for any copies of Design Review reports, your consultation summary and any sensitive economic or financial information marked 'Commercial in Confidence'.

Any such documents should not be included or referenced as appendices to any planning reports or other documents intended for public consultation purposes.

Once an application has been received the applicant will be provided with fee payment details and payment can be made online through B-Point. Additional fees such as for SDRP design review may be paid within a time specified by the WAPC.

If an application is incomplete, the applicant will be advised of the additional information required within seven days of fees being paid (r.9(1)). Your application will not be deemed lodged until all relevant fees have been paid and submission requirements received (s.171ZC(2)).

3.2 Application Submission Requirements

In addition to the standard submission requirements (below), specific requirements for each application will vary with the nature of the proposal and its complexity and location (e.g. whether it is in a Bushfire Prone Area or subject to transport noise). Submission requirements are defined in detail in written pre-lodgement advice. If written pre-lodgement advice was not sought, the applicant is encouraged to consider common requirements listed on the Significant Development Application Checklist and to contact the Department prior to submitting your application to confirm what is likely to be needed.

3.2.1 Standard Submission Requirements

Submission requirements which apply to all applications include:

- Completed Development Application Form (11B-1).
- Completed Part 11B Significant Development Application Checklist.
- Application fee.
- Current copy of properties Certificate/s of Title.
- Detailed plans, elevations, drawings, and illustrations.

- A Planning Report / statement of justification and associated technical studies and supporting information.

3.2.2 Development Application Checklist

A [checklist](#) has been prepared to assist applicants compile the information required for a Part 11B development application.

3.2.3 Completed Application Form

Application Signatures

Form 11B-1 must be signed by the registered proprietor/s as shown on the Certificate/s of Title. Where the landowner/s cannot sign, an authorised agent can sign and attach evidence of the authority.

If the subject land is owned by a company, it must be confirmed whether it is a sole proprietorship company and state the full name/s and position/s of the company signatory/ies.

Appropriate company signatory/ies include one director and the company seal, two directors, or one director and one secretary.

E.g.:

John F. Smith – Director
Smith Pty Ltd

Peta S James – Director
Smith Pty Ltd

Or

John F. Smith –
Sole Director Smith Pty Ltd

If the land is subject to a strata scheme and strata company, consent can be signed by the strata company secretary or by an elected person of the strata company providing proof of authority either by letter of delegated authority, signed by all strata owners, or minutes showing delegated authority.

If the land is subject to a community titles scheme, consent can be signed by an appropriate person authorised under the corporation's scheme by-laws.

Certificate of Title

Ensure the Certificate/s of Title is/are current (no older than six months) and provide copies with the application, as well as details and/or documentation relating to any relevant limitations, interests, encumbrances, or notifications listed on the Certificate/s of Title.

Change of name

Applications made by people or companies that have changed names from that depicted on the Certificate of Title, must provide supporting documentation showing the change of name such as:

- a transfer of land document that incorporates a lodgement receipt
- a company search from the Australian Securities and Investment Commission
- a marriage certificate or
- a change of name certificate.

Contact Details

A contact name, phone number and email address for the application are essential, in case additional information is required and to issue correspondence relating to the WAPC's decision.

Contracts of sale

Where the land is subject to a contract of sale or offer and acceptance, evidence of the landowner's consent must be provided. Relevant evidence may include:

- an express provision of consent by the vendor on the contract of sale or offer and acceptance
- a letter of consent from the registered proprietor/s giving the prospective purchaser/s consent to lodge the application or
- a copy of the transfer of land document that incorporates a lodgement receipt.

Crown land

Where the land is registered in the name of the Crown, the application form must be signed by an authorised officer of the Department of Planning, Lands and Heritage stating their name and position. Alternatively, a letter of consent from an authorised Crown land officer may be provided. Where the Crown land has been vested in another body (such as a local government), the application form must be signed by an authorised officer of that body.

Deceased estates

Where the land is registered in joint tenants, one of whom is deceased, a copy of the death certificate of that person must be provided. Where the land is registered in tenants in common, a copy of the grant of probate or endorsed enduring power of attorney must be provided.

Government agencies

Where the land is registered in the name of a government authority, the application form must be signed by an authorised officer of the relevant authority, stating the name and position of the signatory/ies. Alternatively, a letter of consent signed by an authorised officer may be provided.

3.2.4 Application Fees

In accordance with the *Planning and Development (Part 11B Fees) Notice 2024*, fees are charged based on the estimated cost of development (excluding GST) as well as the number and type of design reviews undertaken.

The Department will advise applicants of the fee payable and B-Point details upon lodgement of applications (and can provide a pre-lodgement estimate upon request).

Refer to the current [fee schedule](#).

3.2.5 Plans, Elevations, Drawings, and Illustrations

Site plan(s)

Plans are to be drawn at an appropriate scale to enable printing at A3 and are to show (where applicable):

- the location of the site including street names, lot numbers, north point, and the dimensions of the site and adjoining properties
- the existing and proposed ground levels over the whole of the land that is the subject of the application
- the location, height and type of all existing structures and environmental features, including watercourses, wetlands and native vegetation on the site, and details of whether they are to be retained or removed
- existing buildings and structures to be demolished and new buildings and structures to be erected on site
- the existing and proposed means of access for pedestrians, and vehicles to and from the site
- the location, number, dimensions, and layout of all car parking spaces intended to be provided, and the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or

- commodities to and from the site and the means of access to and from those areas
- the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the open storage or trade display area
- the nature and extent of any open space and landscaping proposed for the site
- proposed external lighting and signage
- the location and access points of all services to and within the site (including power, water, sewer, gas, telecommunications etc)
- details of infrastructure, services, and treatments in the adjacent road reserve (including street trees).

Floor plans

These should include:

- a plan of every storey of the proposed development showing floor levels
- internal layout showing rooms, windows, and doors
- roof/eave lines
- total floor areas in square metres
- setbacks to all boundaries on all sides
- cone of vision from major openings as they relate to adjoining properties
- A separate set of plans showing plot ratio areas (inclusions and exclusions) and calculations

Elevations

These should include:

- elevations and perspectives of each side of the proposed development, and internal elevations where relevant

- natural and proposed ground and finished floor levels (relative to nominated datum point of AHD)
- wall heights and roof heights
- proposed materials, colours and finishes of the exterior of the building
- proposed locations of all services including fire booster cabinets, fire hydrants, kitchen exhaust ducting, air conditioner units and pipe work and associated details are to be provided on the drawings submitted.

Sections

Sections through the most typical building volumes, and through both the length and width of the development, are to be provided, including floor to ceiling heights and any proposed basement levels. These should extend to communicate the interface of the proposal with adjacent buildings and topography.

Context plans

These should include:

- a local context plan comprising plan(s) and photographs of the existing features of the wider context of the proposed development, including adjoining properties and the other side of the street, that show:
 - pattern of buildings, proposed building envelopes and heights, setbacks, and subdivision pattern
 - streetscape including land use, building typologies, overall height, and important parapet/datum lines of adjacent buildings
 - movement and access for vehicles, servicing, pedestrians, and cyclists
 - topography, landscape, open spaces, and vegetation
 - significant views to and from the site

PART 11B STATE DEVELOPMENT ASSESSMENT UNIT

Assessment Process for
Significant Developments
under Part 11B of the
*Planning and Development
Act 2005*

APPLICATION GUIDE

- any sources of nuisance emissions near the site such as noise, light and odour that may have a bearing on the residential proposal, particularly vehicular traffic, train, aircraft, and industrial noise
- location of relevant heritage items, areas of environmental significance and elements of cultural significance.
- a wider context plan that identifies the site in relation to retail and commercial areas, community facilities, public open space, transport, and other major public destinations within a 10-minute walk (400m radius) of the site. This plan should also identify the climate zone of the site.

Streetscape elevations

Provide photographs or drawings of the site in relation to the streetscape and along both sides of any street that the development fronts, that show:

- overall height (storeys, metres) and important parapet/datum lines of adjacent buildings
- patterns of building frontage, street setbacks and side setbacks and
- permitted heights under the local planning scheme.

Overshadowing plan

To ascertain the overshadowing impacts of the proposed development, diagrams must be provided indicating the shadow cast by the development at 9am, noon and 3pm on 21 June, 22 August, 22 September, and 22 October. (A variation to these standard hours may be requested depending on the nature of the project.)

The shadows cast by any adjacent or nearby buildings are to be identified separately and the cadastral boundaries, streets, and the outline of the surrounding buildings, including the location of openings, are required to be included in the diagram.

Where an application includes building heights and/or setbacks that depart from the local planning scheme requirements, the overshadowing diagrams shall also include the shadow cast by a 'compliant' built form compared to the shadow cast by the proposed development.

Photomontage and/or coloured perspectives

A coloured photomontage or coloured perspective, or both, of the proposed development must be submitted, showing the proposal in context to the existing streetscape from a pedestrian viewpoint. Other key views or relevant images may be required where considered helpful for assessing the proposal.

Landscape details

Landscape details must be submitted indicating the location, dimensions and design of any proposed landscaping areas including plant types/species and the materials and finishes for any hard landscaping elements. This can be provided separately or included as part of the site or ground plans.

3.2.6 Planning report / statement of planning justification

Each application must be accompanied by a planning report which includes a clear outline of the project and rationale of its approval. The planning report should provide information on the following aspects:

Site description and context

A description of the existing situation including:

- location
- property and tenure
- the current uses of the site
- the current buildings located on the site
- an analysis of existing site conditions

- site context
- any history relating to the development of the site to date or details of any heritage significance and listings of the buildings or place
- site opportunities and constraints.

Proposed development

An outline of the nature and details of the proposed development, including:

- Land uses and floor areas
- The design principles, concepts and context response that have informed the proposed development

Planning considerations, policies and development control

An outline of how the proposal addresses the purpose and intent of relevant planning instruments including, where appropriate, any development requirements and standards. These might include:

- region planning scheme
- local planning schemes
- Swan Valley Planning Scheme
- local planning policies and development guidelines
- relevant structure or precinct plan(s)
- any relevant local government-adopted planning study
- relevant strategies
- any relevant State planning policies or Planning Code (including the R Codes).

Where the proposal varies the usual development requirements or standards of these instruments, justification for this should be provided: the WAPC's draft guidance on the use and application of discretion may provide useful information in this regard.

Extraordinary Discretion

The Part 11B pathway includes the capacity for the WAPC to approve proposals which would not normally be approvable under the local planning framework (s.171R). This power is distinct and additional to that to vary development standards and exercise discretion which is available to local governments and development assessment panels through those more common pathways.

Proposals which seek use of this 'extraordinary discretion' should demonstrate that:

- the conflict is of a minor nature and the proposal is aligned with relevant State planning policies, planning codes, region planning scheme and any current local planning strategy; or
- the planning framework has not been maintained in accordance with the statutory requirement and is no longer contemporary.
- The proposal raises issues of State or regional importance and determination is demonstrably in the public interest; and
- Any proposal seeking 'extraordinary discretion' must demonstrate how it ensures orderly and proper planning and preserves the amenity of the locality.

The WAPC is preparing further guidance on this unique aspect of the pathway.

Response to Pre-Lodgement Advice and / or Design Review

If the proposal has been through a pre-lodgement process and / or design review, details of how the proposal has responded to the preliminary advice is to be provided.

3.2.7 Technical reports

Other supporting reports providing technical advice on relevant matters such as:

- bushfire assessment
- traffic impacts and parking management
- noise impacts
- heritage impact
- environmental management
- visual landscape impact
- urban design
- sustainability, water sensitive and energy efficient design
- contaminated sites
- waste management
- stormwater
- servicing (e.g. water, wastewater, drainage, electricity, gas)
- other reports as required by the Department.

Written pre-lodgement advice (where sought) will have identified the specific supporting information and material (including specialist reports) required to be submitted with the application, thereby minimising the likelihood of additional information requests.

3.2.8 Spatial data requirements for 3D modelling and digital twin integration

Digital spatial information is required to be submitted with Form 11B-1 applications that allows for the modelling of the proposed development in three dimensions.

Minimum Level Information

All applications require submission of a digital design file that clearly identifies the proposed building shape and mass. The building needs to be identifiable within the design in reference to a horizontal and vertical datum. The horizontal datum must be displayed in reference to a defined horizontal coordinate system or in reference to the related cadastral parcel. All heights specified within the design must be defined in reference to an accepted Australian height datum, being either the Australian Height Datum (AHD) or the Australian Vertical Working Surface (AVWS).

Where a local government has established a 3D Model (such as the City of Perth), additional specifications may apply to accommodate integration with that model. This specification may also be extended to other areas where 3D models have been or are being developed. Where relevant, the Department will provide the digital data submitted with the application to the relevant local government for inclusion in its 3D model.

Data Format Specifications

All data and models must adhere to the following common requirements:

- Accurate and true representation of the proposed development.
- Entire development must be modelled up to the property boundary.
- Only the external elements (except floor slabs) are required.
- Model must include correct ground level fall across the site.
- Units must be in metres.

It is the applicant's responsibility to ensure that the model is complete and represents the proposed development accurately. Best practice modelling techniques, object naming, and layering standards should be applied.

If the design of the development is revised during the assessment process, an updated file must be submitted. If amendments are made to the development after an approval has been issued, an updated 3D digital model incorporating all approved modifications may be requested.

Outside City of Perth boundaries

For applications outside of the boundaries of the City of Perth (where no 3D model exists), spatial data can be provided in the format of a computer-aided design (CAD) package or a GIS format as a minimum, within a defined horizontal coordinate system and with heights of surfaces clearly identified by their elevation in relation to the AHD or AVWS height datums.

Acceptable formats for CAD and GIS formats include: DWG, DXF, DGN, DWF, OBJ, SHP

Inside the City of Perth boundaries

All 3D Models are to be supplied in one of the following formats: Autodesk FBX, DWG, MAX, 3DS, DAE, OBJ or SKP.

In addition to the common data requirements:

- Only standard material types will be accepted (No materials which are specialised for professional rendering software, e.g. Mental Ray, Vray).
- If no textures are supplied, then colours MUST be added.
- Textures to be in JPEG, TIFF or PNG formats.
- All redundant Lines, Splines, Helpers, Dummy objects, Cameras, Trees, Shrubs, Vehicles, Casework, Furniture, and minor fixings must be removed.

Additional Specific Software Guidance:

Autodesk 3DS Max

- Use diffuse colours or textures in JPEG; TIFF or PNG formats.
- Opacity maps can be used, PNG format only.
- Export model in FBX format with 'Embed Media' option enabled.

Autodesk Revit

- Use diffuse colours or textures in JPEG, TIFF or PNG formats.
- Opacity maps can be used, PNG format only.
- Export model in FBX format with 'Embed Media' option enabled.

Autodesk AutoCAD

- Ensure objects have appropriate colour assigned per object layer (material assignments will not export correctly).
- Delete/purge all nonessential items and layers.
- Provide model in native DWG format.

Graphisoft Archicad

- Turn off or delete non-required objects within a 3D view and set scale to 1:1.
- Export model in 3DS format.
- DWG is acceptable only if correct colours have been assigned to objects.
- Include any textures with the delivered model folder.

Google SketchUp

- Remove/delete ALL furniture, fixtures, entourage, and other unrequired objects.
- Use standard colours or materials in JPEG or PNG formats.

- Opacity maps can be used (preferably PNG).
- Provide clean model in native SKP 8.0 format.

3.3 Assessment and Determination

Applications will be assessed by the Department on behalf of the WAPC following conformance of the application. The assessment will generally follow a similar process to applications processed by local government and involve:

- Referrals, including to:
 - Local government
 - State agencies (via State Referral Coordination Unit)
 - Minister for Planning
- Design review (if required)
- Community/public consultation
- Requests for further information (if required)
- Assessment and reporting for determination.

The allocated planning officer will be in regular communication with the applicant. A robust pre-lodgement process should significantly reduce the likelihood of unexpected issues arising.

3.3.1 Referrals

Referrals to stakeholders will be undertaken in accordance with r.13 and r.14 and this Guide.

The relevant local government/s will generally be given:

- 21 days to provide initial without prejudice comments from technical officers (such as engineering, environmental health, and building), to assist with the coordinated State agency referral process, and
- 60 days to make a submission on significant development applications.

Submissions should always provide the final comments from technical officers and without prejudice conditions, and may provide a recommendation on planning grounds.

The State Referral Coordination Unit will manage the State agency referral process and work closely with referral bodies on providing a single State referral response, representative of the whole of government. The State Referral Coordination Unit can help identify and resolve potential conflicts early in the planning process.

3.3.2 Design Review

The WAPC may request that a design review of the development be undertaken at any time after the application has been made (r.12). As referenced in the 'Pre-lodgement Engagement' section of this guide, the extent and focus of design review during the formal development assessment stage will reflect the comprehensiveness of the pre-lodgement process undertaken and the extent to which the proposal may have been modified between pre-lodgement advice and lodgement.

3.3.3 Consultation

Consultation will occur in accordance with r.13(5) and this Guide and will generally follow the 'complex applications' processes set out in the Planning and Development (Local Planning Schemes) Regulations 2015 which involves a public consultation period of at least 28 days, including letters to nearby property owners and occupants, sign/s on site and public notice.

After the consultation period has closed the Department will provide the applicant with a summary of the key themes that were raised in the submissions received and an opportunity to provide a response. Applicants may request or agree to additional time to address submissions received during consultation or any other issues identified through the assessment process, but this is at their discretion. The summary of key themes and the applicant's response will be included as an attachment to the officer's report to the

WAPC, the WAPC will also separately be provided with a copy of all submissions received for their information. Personal or identifying information of individual submitters will not be provided to an applicant.

The WAPC must give due regard to any submissions made or advice given by stakeholders during the application process. As with any statutory planning process, the assessment will be framed by the parameters established in Part 11B of the Act and revolve around the criteria and considerations this sets (and which the Application Submission Requirements invite information on).

3.3.4 Requests for Information and Assessment of Revised Plans

The WAPC may request further information and/or revised plans be provided by the applicant to address issues identified through the preliminary assessment, referrals, design review and consultation processes (r.10). The applicant can either provide the response or request that the application is determined on the current information and plans (r.11).

When further information and/or revised plans are provided, the Department will review the information and previous assessment to determine the extent to which issues have been resolved and identify any other issues that may arise. This review will also confirm whether additional referral and/or consultation processes are warranted. When considering whether further consultation is required consideration will be given to:

- Whether new or significantly greater levels of discretion are sought.
- The potential for new or significantly greater impacts on the amenity of the locality.
- The extent to which the amended plans address matters raised in submission/s and are changes that might reasonably be expected by a submitter.

- Whether amended plans result in a fundamentally different proposal to that which was previously advertised.

Referral of additional information and/or revised plans to the local government will generally seek targeted comments from officers on specific technical matters to supplement the submission made in relation to the initial proposal.

Where these processes are warranted, the response timeframes and methods used may be reduced proportionate to the changes that have been made to the proposal. This will be determined on a case-by-case basis but in any case, the response timeframe will generally not be less than 14 days.

Notwithstanding the above, where an applicant chooses to submit amended plans, consideration will also be given to the statutory timeframe for determination and whether an extension by mutual agreement to that timeframe is required.

3.3.5 Determination

Determination of applications under Part 11B are to be made within 120 days of conformance (or a longer period where agreed between the applicant and the WAPC) (r.16). Where an application has not been determined within this timeframe the applicant has a right of review (appeal) to the State Administrative Tribunal.

In accordance with s.171P and s.171R, the WAPC must determine Part 11B applications in accordance with the provisions of the 'applicable planning instrument' (such as a local planning scheme). However, the Commission MAY determine an application in a manner that conflicts with provisions of the 'applicable planning instrument' if the Commission is of the opinion that:

- The proposal raises issues of State or regional importance and the decision would be in the public interest (s.171R(1)(a));
- The local planning scheme has not been reviewed in accordance with legislative requirements (s.171R(1)(b)); or

PART 11B
STATE DEVELOPMENT
ASSESSMENT
UNIT

Assessment Process for
Significant Developments
under Part 11B of the
*Planning and Development
Act 2005*

APPLICATION
GUIDE

- The conflict with the planning instrument is considered to be minor and the decision would be consistent with State Planning Policy, State Planning Codes, the relevant region scheme, and the relevant local planning strategy (s.171R(1)(c)).

When making a decision that would conflict with the 'applicable planning instrument', the WAPC must have due regard to the principles of orderly and proper planning and the preservation of the amenity of the locality (s.171R(2)).

Other planning instruments such as the Residential Design Codes, Structure Plans and Local Planning Policies are given the same consideration by the WAPC in determining Part 11B applications as with other development assessment pathways, including any discretion available within the instrument.

Most applications will be determined by the WAPC or a committee of the WAPC at a public meeting. Opportunities to make a deputation to the WAPC prior to it making a decision may be available in accordance with the WAPC's [Meeting Procedures](#).

The WAPC will then consider the information presented to it through a technical officer report and any deputations before making a decision. The WAPC must provide reasons for all determinations made on significant development applications (s.171S(4)).

The applicant may appeal the WAPC's decision (including any conditions imposed by the decision) to the State Administrative Tribunal.

4.0 Application to amend or cancel approval for Significant Development (Form 11B-2) (s.171X)

Applicants with approved applications can submit a Form 11B-2 to amend any part of the approval (including conditions relating to the duration of the approval).

Justification submitted with amendment applications should include the reasons why the amendment/s are proposed and provide detail about the impacts the proposed amendment/s on the original points of justification submitted with the application and key issues raised in assessment.

Amendments cannot substantially modify the approval or result in it no longer meeting the threshold for application to the pathway.

The general assessment process, timeframes and determination pathway are the same as the original application, the key exception being that consultation and advertising requirements may be varied or waived where the amendment(s) are minor (r.17). When determining whether an amendment is minor the Department (on behalf of the WAPC) will consider:

- The extent to which the relevant planning framework has changed and whether new or greater levels of discretion are being sought.
- The potential for new or greater impacts on the amenity of adjoining properties or the surrounding area.
- Whether the application results in a significantly different proposal to that which was previously advertised.

As is the case for Form 11B-1 applications, the applicant must consult with the WAPC prior to submitting a [Form 11B-2 application](#). The level of pre-lodgement consultation undertaken should be proportionate to the extent and nature of amendments proposed.

5.0 Satisfying Conditions of Development Approval

Where a condition of approval requires additional information or detail to be submitted and / or approved prior to another stage in the development delivery process (such as lodgement for a Building Permit, substantial commencement, or occupancy), the Department, on behalf of the WAPC, is responsible for confirming that it has been satisfied. This confirmation should be obtained before applying for subsequent approvals.

To streamline the process, recipients of approvals will be provided with a Condition Tracking Matrix. This should be populated by the applicant and submitted with relevant drawings and documentations to demonstrate compliance. In submitting additional information / drawings, any variations from the approved plans must be clearly identified on the submission. A blank copy of the matrix can be found on the [Part 11B Forms and Fees](#) page.

Where a condition includes "on the advice of", the applicant is strongly encouraged to engage with the relevant agency or local government directly when preparing any required documentation, prior to seeking the Department's confirmation that the condition has been adequately met. Applicants are also encouraged to arrange a meeting with the Department (refer to contact information in the decision letter) to discuss the satisfaction of conditions prior to seeking formal written confirmation as this often streamlines the overall process.

Where works and/or building permits are proposed to be staged, the Department may agree to a staged 'clearance' of working drawings and associated conditions of approval. In such cases, the Matrix will need to identify which conditions are relevant to each of the stages of development, as agreed in consultation with the Department. Where further information / documentation is to be provided at a later date, documentation should identify the time or stage for the delivery of the final documents and/or plans.

Requests for confirmation that conditions have been satisfied can be submitted electronically using the Department's Planning Online lodgement portal, under the ["Other Lodgements"](#) tab.

The Department will usually seek advice from referral agencies in considering whether conditions have been satisfied. Once the Department is satisfied that the conditions have been addressed, it will confirm this in writing to the applicant, any relevant agencies, and local governments. For staged developments, the written confirmation will relate only to the conditions that are relevant to that stage.

Any documents and/or plans that are deemed to be acceptable for the purposes of satisfying Conditions will then form part of the development approval and may be published on the Department's website.

The Department aims to provide a response within 30 days of receipt of the request and associated information, or sooner where possible.

Enquiries

For further information see [Significant Development Pathway](#).

For any enquiries and to contact the State Development Assessment Unit, please email SDAU@dplh.wa.gov.au or call 6551 9450.

The Western Australian Planning Commission recognises the diversity of the Aboriginal peoples of Western Australia and acknowledges the Traditional Owners and custodians and their connection to this land and its waterways. We pay our respect to Elders past and present and those who will follow in their footsteps.

Disclaimer

This document has been produced by the Department of Planning, Lands and Heritage for the Western Australian Planning Commission. Any representation, statement, opinion or advice expressed or implied in this publication is made in good faith and on the basis that the Government, its employees and agents are not liable for any damage or loss whatsoever which may occur as a result of action taken or not taken, as the case may be, in respect of any representation, statement, opinion or advice referred to herein. Professional advice should be obtained before applying the information contained in this document to particular circumstances.

© State of Western Australia
Published by the
Western Australian Planning Commission
Gordon Stephenson House
140 William Street
Perth WA 6000
Locked Bag 2506
Perth WA 6001
Published date: February 2024

website: www.dplh.wa.gov.au
email: info@dplh.wa.gov.au
tel: 08 6551 8002
fax: 08 6551 9001
National Relay Service: 13 36 77

This document is available in alternative formats on application to the Department of Planning, Lands and Heritage Communications Branch.



SHIRE OF KULIN - USER FEES & CHARGES

For the financial year ending 30 June 2026

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
GENERAL PURPOSE FUNDING	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
RATES							
Penalty interest	LGA s6.51 FM 70	I030141	T		11.0%	11.0%	
Instalment interest	LGA s6.45 (3) FM 68	I030140	T		5.5%	5.5%	
Instalment administration fee	LGA s6.45 (3) FM 67	I030142	F	per instalment	11.60	12.00	
Payment plan administration fee		I030142	F	per assessment	no charge	no charge	
Legal costs for recovery of rates	LGA s6.56				Actual cost	Actual cost	
Reprint of Rate Notice		I030160	C	each	8.50	8.50	
OWNERSHIP ENQUIRY FEE	LGA s6.16						
Statement of rates (financial) - written		I030160	C		75.00	75.00	
Confirmation of orders & requisitions - written		I030160	C		120.00	135.00	
Combined statement & confirmation		I030160	C		195.00	200.00	
Rate book - electronic copy		I030160	C		75.00	75.00	
<i>Note: Before purchase of rate book a statutory declaration must be completed declaring that the information will not be used for a commercial purpose.</i>							
GOVERNANCE	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
ELECTORAL ROLL - Owners & Occupiers for candidates							
Copy of roll - electronic copy		I041040	F	each	50.00	50.00	
Copy of roll - hard copy		I041040	F	each	80.00	80.00	
ELECTION NOMINATION FEE	LG (Elections) Regs 26.1	I041041	F	per nomination	80.00	80.00	
COUNCIL PUBLICATIONS							
All agendas, minutes and public documents are available for download at kulin.wa.gov.au If you require a printed copy the Shire will charge for printing at the rates outlined in the Economic Services section of this Booklet.							
FREEDOM OF INFORMATION	FOI Act 1992						
Application fee	s12(1)(e)	I041045	F	Per application	30.00	30.00	
Labour Charges Relating to Freedom of Information Applications (including supervision)	s16 (1)	I041045	F	per hour	35.00	50.00	Adjusted to reflect what is included in our FOI statement
Photocopying per page	s16 (1)	I041045	F	per page			To be charged at rates per Community Resource Centre photocopying charges in Economic Services Section of this booklet.
Delivery, packaging & postage		I041045	C	per parcel	Actual cost	Actual cost	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
LAW, ORDER & PUBLIC SAFETY	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
FIRE PREVENTION	Bush Fire Act 1954						
Fire Break Penalty	Bush Fires (Infringements) Regulations 1978	I051400	F		250.00	250.00	
All other penalties	Bush Fires (Infringements) Regulations 1978	I051400	F		Refer to regulations	Refer to regulations	
ANIMAL CONTROL							
Dog Registration Sterilised Dog							
Normal Fee - 1 year	Dog Regulations 2013 s17	I052420	F	per dog	20.00	20.00	
Registration after 31 May each year (for first year of registration only)					10.00	10.00	
Dangerous Dog - 1 year	Dog Regulations 2013 s17	I052420	F	per dog	50.00	50.00	
Normal Fee - 3 year	Dog Regulations 2013 s17	I052420	F	per dog	42.50	42.50	
Normal Fee - Lifetime	Dog Regulations 2013 s17	I052420	F	per dog	100.00	100.00	
Pensioner Concession	Dog Regulations 2013 s17	I052420	F	per dog	50% of fee	50% of fee	
Working Dog	Dog Act 1976 s15 (5)	I052420	F	per dog	25% of fee	25% of fee	
Dog Registration Unsterilised Dog							
Normal Fee - 1 year	Dog Regulations 2013 s17	I052420	F	per dog	50.00	50.00	
Registration after 31 May each year (for first year of registration only)					25.00	25.00	
Normal Fee - 3 year	Dog Regulations 2013 s17	I052420	F	per dog	120.00	120.00	
Normal Fee - Lifetime	Dog Regulations 2013 s17	I052420	F	per dog	250.00	250.00	
Pensioner Concession	Dog Regulations 2013 s17	I052420	F	per dog	50% of fee	50% of fee	
Working Dog	Dog Act 1976 s15 (5)	I052420	F	per dog	25% of fee	25% of fee	
Cat Registration	All cats must be microchipped & sterilised.						
Normal Fee - 1 year	Cat Regulations 2012 Sch 3	I052430	F	per cat	20.00	20.00	
Registration after 31 May each year (for first year of registration only)		I052430	F	per cat	10.00	10.00	
Normal Fee - 3 year	Cat Regulations 2012 Sch 3	I052430	F	per cat	42.50	42.50	
Normal Fee - Lifetime	Cat Regulations 2012 Sch 3	I052430	F	per cat	100.00	100.00	
Pensioner Concession	Cat Regulations 2012 Sch 3	I052430	F	per cat	50% of fee	50% of fee	
Replacement Dog/Cat Tags		I052420/430	C	per cat	2.70	2.70	
Dog Pound Charges							
Impounding Fees		I052400	F	per day	65.00	65.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
LAW, ORDER & PUBLIC SAFETY	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
Infringements							
Failing to provide means for effectively confining a dog	Dogs Local Law 2020	I052400	F		200.00	200.00	
Failing to provide means for effectively confining a dangerous dog	Dogs Local Law 2020	I052400	F	Per regulations	Per regulations		
Failure to comply with conditions of approval to keep additional dogs	Dogs Local Law 2020	I052400	F		200.00	200.00	
Failure to comply with conditions of approval to keep additional dangerous dogs	Dogs Local Law 2020	I052400	F		500.00	500.00	
Failure to comply with the conditions of a licence	Dogs Local Law 2020	I052400	F		200.00	200.00	
Dog excreting in a prohibited place	Dogs Local Law 2020	I052400	F		100.00	100.00	
Other infringements will be issued as per the penalty prescribed in the Dogs Local Law 2020; Dog Act 1976 and relevant Regulations.		I052400	F				
Destruction of dog		I052400	C	per dog	Actual cost	Actual cost	CEO's discretion
Cat Traps							
Hire Fee					No Fee	No Fee	
Bond		hold	No		50.00	50.00	If bond not refunded then GST applicable
Animals, Environment & Nuisance							
Infringements will be issued as per the penalty prescribed in the Animals, Environment & Nuisance Local Law 2016	Animals, Environment & Nuisance Local Law 2016	I052400	F				

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
HOUSING	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
RESIDENTIAL	Residential Tenancies Act 1987						
Staff Rentals - Deducted through payroll							
Level 1 - Housing (As defined in APOG)		see EMFS	T	per week	125.00	125.00	Unless negotiated in employment agreement
Level 2 - Housing (As defined in APOG)		see EMFS	T	per week	115.00	118.00	
Level 3 - Housing (As defined in APOG)		see EMFS	T	per week	85.00	87.00	
Level 4 - Housing (As defined in APOG)		see EMFS	T	per week	82.00	84.00	
Private Rentals (current market rental rates)							
Level 1							
38 Day Street		I092100	T	per week	310.00	315.00	
6 Bowey Way		I092100	T	per week	310.00	315.00	
17 McInnes Street		I092100	T	per week	310.00	315.00	
Level 2							
5 Bowey Way		I092100	T	per week	273.00	280.00	
10 Ellson Street		I092100		per week	273.00	280.00	
Level 3							
1/21 Ellson Street		I092100	T	per week	207.00	212.00	
19 McInnes Street		I092100	T	per week	207.00	212.00	
21 Bull Street		I092100		per week	207.00	212.00	
81 Johnston Street		I092100		per week	207.00	212.00	
Level 4							
Johnston Street Units (Joint Venture)		I092150	T	per week	197.00	202.00	
Johnston Street Unit - fully furnished		I092150	T	per week	250.00	250.00	
19 Wright Street (Joint Venture)		I092150	T	per week	197.00	202.00	
3 Bull Street (Joint Venture)		I092150	T	per week	197.00	202.00	
14 Stewart Street		I092100		per week	197.00	202.00	
Other private rentals		see EMFS	T	per week	see EMFS		
Bonds							
Staff Rentals		Trust	N		800.00	800.00	
Private Rentals		Trust	N		4 weeks rent	4 weeks rent	
Pet Bond		Trust	N		200.00	200.00	
VEHICLE CONTRIBUTIONS - Deducted through payroll							
CEO		I042045	No	per week	55.00	57.00	
Executive Managers (allocated Shire vehicles with unrestricted private use)		I042045	No	per week	55.00	57.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
HEALTH SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
EFFLUENT / WASTE WATER DISPOSAL							
Application for the approval of an apparatus for the treatment of sewage (s4)	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 s4	1074410	F	per apparatus	118.00	118.00	
Issuing permit to use an apparatus for the treatment of sewage (s4)	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 s4	1074410	F	per apparatus	118.00	118.00	
Application for the approval of an apparatus by the Chief Health Officer with a local government report (s4A)	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 s4A	1074410	F	per apparatus	93.00	93.00	
Application for the approval of an apparatus by the Chief Health Officer without a local government report (s4A)	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 s4A	1074410	F	per apparatus	110.00	110.00	
ITINERENT FOOD VENDOR	LGA s6.16						
Per Day		1074410	F	Per day	50.00	50.00	
Per Day (Community group)		1074410	F		-	-	
Annual Permit		1074410	F	per year	300.00	300.00	
OTHER HEALTH FEES							
Sampling - food / water / asbestos		1074410	C		At cost	At cost	
EHO hourly rate		1074410	C	per hour	95.00	95.00	
EHO hourly rate will be applied to any application process where it has been determined that the amount of time take to obtain required information and conduct inspections has been deemed excessive to normal time provisions							
Registration of Offensive Trades	Health (Offenisve Trades Fees) Regulations 1976	1074410	F	per premises	Per regulations	Per regulations	
Inspection - Public Buildings	LG Act s6.16	1074410	F	per premises	100.00	120.00	
Inspection - Food Businesses	LG Act s6.16	1074410	F	per premises	60.00	60.00	
Registration - Food Businesses	Food Act 2008; LG Act s6.16	1074410	F	per premises	180.00	180.00	
Registration - Lodging House (And Renewal)	Health Local Law	1074410	F	per year	180.00	180.00	
Offences and penalties for breach of Health Local Law					Per local law	Per local law	
EDUCATION & WELFARE	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
KULIN CHILD CARE CENTRE							
Full Day		1084010	F	Per child	135.00	142.00	
Half Day (morning)		1084010	F	Per child	100.00	105.00	
Half Day (afternoon)		1084010	F	Per child	105.00	110.00	
Before School		1084010	F	Per child			No longer offered
After School (Wednesday)		1084010	F	Per child	45.00	48.00	
After School (M, T, T, F)		1084010	F	Per child	35.00	37.00	
Short Notice		1084010	F	Per child	30.00	30.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
COMMUNITY AMENITIES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST Code	Per	2024-25	2025-26	Comment
PUBLIC CEMETERIES	Cemeteries Act 1986 s53						
All interments in Grave		I107400	C	per interment	846.00	846.00	
Re-Opening of an ordinary grave - as for interment		I107400	C	per interment	846.00	846.00	
Re-Opening of an ordinary grave - as for exhumation		I107400	C	per exhumation	846.00	846.00	
Interment of Ashes in family grave		I107400	C	per interment	212.00	212.00	
Permission to erect Headstone		I107400	F	per application	85.00	85.00	
Interment in Niche Wall - single		I107400	C	per interment	106.00	106.00	
Interment in Niche Wall - double		I107400	C	per interment	212.00	212.00	
Niche Wall Reservation Fee		I107400	F	per reservation	53.00	53.00	
Annual Funeral Director Licence Fee		I107400	F	each	106.00	106.00	
Reservation Fee		I107400	F	per reservation	53.00	53.00	
TOWN PLANNING							
Planning Application Fees based on the cost of development	Planning & Development Act Part 17						
not more than \$50,000	Planning & Development Regulations 2009 Sch 2	I106110	F	per application	147.00	147.00	
value > \$50,000 and or = \$500,000	Planning & Development Regulations 2009 Sch 2	I106110	F	per application			0.32% of the estimated cost of development
value > \$500,000 and < or = \$2.5M	Planning & Development Regulations 2009 Sch 2	I106110	F	per application	1,700.00	1,700.00	plus 0.257% for every \$1 in excess of \$500,000
value > \$2.5M and < or = \$5M	Planning & Development Regulations 2009 Sch 2	I106110	F	per application	7,161.00	7,161.00	plus 0.206% for every \$1 in excess of \$2.5M
Providing written planning advice	Planning & Development Regulations 2009 Sch 2	I106610	F	per application	73.00	73.00	
Zoning certificate (including permitted land use, setbacks etc.)	Planning & Development Regulations 2009 Sch 2	I106110	F	per application	73.00	73.00	
All other fees		I106110	F	per application			As per the Planning and Development Regulations 2009 Schedule 2
RUBBISH SERVICE CHARGES	Waste Avoidance & Resource Recovery Act 2007 s67						
Domestic bin charges		I101400	F	per bin	294.00	301.00	
Commercial bin charges		I102410	F	per bin	294.00	301.00	
Recycling bin charges		I101400	F	per bin	173.00	177.00	
Recycle Bin charge (non-townsite residents only)		I102410	C	per bin	5.00	5.00	
Bendering Waste Site (Corrigin Shire Charges)	LGA S6.16						
Bulk Commerical/Industrial waste			C	per tonne			As per Shire of Corrigin Fees & Charges
Bulk demolition waste			C	per tonne			As per Shire of Corrigin Fees & Charges
Wrapped asbestos waste			C	per cubic metre			As per Shire of Corrigin Fees & Charges
Contaminated waste soil			C	per tonne			As per Shire of Corrigin Fees & Charges
Plus asbestos mobilisation/treatment fee (Cost price + 30% whichever is greater)			C	once only			As per Shire of Corrigin Fees & Charges
Refuse Delivery - Skip Bins 3m ³			C	per bin			As per Shire of Corrigin Fees & Charges
Refuse Delivery - Skip Bins 4.5m ³			C	per bin			As per Shire of Corrigin Fees & Charges
Refuse Delivery - Hook Bins 10m ³			C	per bin			As per Shire of Corrigin Fees & Charges
Refuse Delivery - Hook Bins 12m ³			C	per bin			As per Shire of Corrigin Fees & Charges
Refuse Delivery - Hook Bins 15m ³			C	per bin			As per Shire of Corrigin Fees & Charges
Admin/supervision fee			C	per hour			As per Shire of Corrigin Fees & Charges

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
RECREATION & CULTURE	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
PUBLIC HALLS	LGA s6.16						
Memorial Hall Office Hire		I111022	C	per month	158.00	162.00	Ian Bailey - Invoiced six monthly
Memorial Hall Room Hire		I111022	C	per week	70.00	72.00	
AQUATIC CENTRE ENTRY FEES	LGA s6.16						
Adult		I112405	C	per day	4.50	4.50	
Concession		I112405	C	per day	2.50	2.50	A person who can prove at the time of purchase they are a holder of a Seniors or Health Care Card
Child		I112410	C	per day	2.50	2.50	
Child under 6				per day	-	-	
Slide		I112450	C	per day	10.00	10.00	
School Carnivals		I112410	C	per day	2.50	2.50	Faction carnivals free entry, interschool carnivals competitors and staff free, spectators \$2.50
Spectators		I112410	C	per day	2.50	2.50	
Opening of pool out of normal opening hours including Shire of Kulin slide attendants		I112600	C	per hour	150.00	155.00	
Opening of pool out of normal opening hours to use slide supplying own qualified slide attendants.		I112600	C	per hour	100.00	105.00	
AQUATIC CENTRE SEASON PASS	LGA s6.16						
Not including slide							
Adult		I112480	C	per season	90.00	90.00	Season tickets half price after 31 January
Concession		I112480	C	per season	55.00	55.00	Season tickets half price after 31 January. A person who can prove at the time of purchase they are a holder of a Seniors or Health Care Card
Child		I112480	C	per season	55.00	55.00	Season tickets half price after 31 January
Family (2 Adults & 2 Children or 1 Adult & 3 Children)		I112480	C	per season	165.00	170.00	Season tickets half price after 31 January
Each Additional Child		I112480	C	per season	55.00	55.00	Season tickets half price after 31 January
Summer Holiday Family Season Pass		I112480	C	per season	100.00	100.00	Last day of term 4 to first day of term 1 the following year
Each Additional Child		I112480	C	per season	27.00	27.00	
Including Slide						-	
Adult		I112480	C	per season	185.00	190.00	Season tickets half price after 31 January
Concession		I112480	C	per season	115.00	115.00	Season tickets half price after 31 January. A person who can prove at the time of purchase they are a holder of a Seniors or Health Care Card
Child		I112480	C	per season	115.00	115.00	Season tickets half price after 31 January
Family (2 Adults & 2 Children or 1 Adult & 3 Children)		I112480	C	per season	320.00	325.00	Season tickets half price after 31 January
Each Additional Child		I112480	C	per season	115.00	115.00	Season tickets half price after 31 January
Summer Holiday Family Season Pass		I112480	C	per season	195.00	200.00	Last day of term 4 to first day of term 1 the following year
Each Additional Child		I112480	C	per season	65.00	65.00	

SHIRE OF KULIN FEES & CHARGES									
For the financial year ending 30 June 2026									
RECREATION & CULTURE - FRC	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25 Member	2024-25 Non Member	2025-26 Member	2025-26 Non Member	Comments
MEMBERSHIP	LGA s6.16								
Corporate Member		I113050	C	Annual	130.00		130.00		
Ordinary Member		I113100	C	Annual	80.00		80.00		
Junior Member (over 13 yrs)		I113110	C	Annual	25.00		25.00		
Temporary Member		I113130	C	3 months or less	45.00		45.00		
Social Member		I113120	C	Annual	35.00		35.00		
FRC HIRE CHARGES	LGA s6.16								
Kath Freebairn Room		I113390	C	Per Hour	25.00	50.00	25.00	50.00	
Kath Freebairn Room		I113390	C	Half Day	40.00	80.00	50.00	100.00	
Kath Freebairn Room		I113390	C	Full Day	60.00	120.00	75.00	160.00	
Phil Freebairn Room		I113390	C	Per Hour	35.00	70.00	35.00	70.00	
Phil Freebairn Room		I113390	C	Half Day	55.00	110.00	65.00	130.00	
Phil Freebairn Room		I113390	C	Full Day (up to 100 pax)	85.00	170.00	90.00	180.00	
Phil Freebairn Room		I113390	C	Full Day (more than 100 pax)	85.00	170.00	155.00	235.00	
Hire of Indoor Courts		I113300	C	Per hour	75.00	110.00	75.00	110.00	
Hire of Indoor Courts		I113300	C	Per person/per hr	3.00	N/A	3.00	N/A	Only available to corporate members who book the courts to run coaching, classes or similar
Hire of Indoor Courts		I113300	C	Full Day	160.00	215.00	160.00	215.00	
Hire of FRC Pilates Room		I113400	C	Per hour	20.00	40.00	25.00	50.00	
Hire of FRC Pilates Room		I113400	C	Half Day	30.00	60.00	30.00	60.00	
Hire of FRC Pilates Room		I113400	C	Full Day	50.00	100.00	50.00	100.00	
BBQ Hire only		I113320	C	Per day	10.00	20.00	10.00	20.00	
Plastic chair hire		I113150	C	Each	-	2.00	-	2.00	No charge for members if chairs are picked up & returned
Event Set up fee		I113150	C	per hour		Cost +10%		Cost +10%	Includes carpet laying and lifting
Labour rate for use of FRC Audio Visual Equipment		I113336	C	Per Hour	60.00	85.00	60.00	85.00	
FRC KITCHEN HIRE	LGA s6.16								Including funerals
Sports training / canteen prep		I113320	C		20.00	N/A	20.00	N/A	
1/2 Day		I113320	C		75.00	115.00	75.00	115.00	Function - coffee, tea, sugar, salt, pepper and 4L milk included. Additional milk requirements to be purchased by persons hiring the kitchen
Full Day		I113320	C		115.00	150.00	115.00	150.00	Coffee, tea, sugar and 4L milk included. No kitchen hire.
Tea & Coffee (for functions - no kitchen hire)		I113320	C		18.00	30.00	18.00	30.00	
OTHER HIRE CHARGES	LGA s6.16								
Extended Liquor License Application - additional		I113510	F	Per licence	0.00	POA	0.00	POA	Price on Application - dependent on type of Liquor Licence required.
Pool Table		I113394	C	Per game	1.00	1.00	1.00	1.00	
Bowling Green		I113340	C	Per Person	NA	11.00	NA	11.00	
Bowling Green		I113340	C	Per Group	NA	55.00	NA	55.00	
Gymnasium - Personal Training		I113393	C	Per Hour	55.00	NA	55.00	NA	
Oval		I113370	C	Per Session	NA	140.00	NA	140.00	
Golf Course		I113350	C	Per Person	NA	11.00	NA	11.00	
Golf Course		I113350	C	Per Group	NA	55.00	NA	55.00	
Tennis Courts		I113351	C	Per Person	NA	11.00	NA	11.00	
Tennis Courts		I113351	C	Per Group	NA	55.00	NA	55.00	
Tennis Clubhouse		I113380	C	Half day	30.00	60.00	50.00	100.00	
Tennis Clubhouse		I113380	C	Full Day	50.00	100.00	90.00	150.00	
Tennis Clubhouse		I113380	C		POA	POA	15.00	30.00	Only available for hire if FRC booked
Overflow camping fee		132410	C	Per person			12.00		

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
STANDPIPE WATER							
Standpipe water access cards		I136010	C	per card	25.00	25.00	Including lessees leasing property in the Kulin Shire Cost/kilolitre by Water Corp to be passed on to user
Non-ratepayer additional charge (per kilolitre)		I136010	F	per kilolitre	1.00	1.00	
Fotheringham Rd		I136010	F	per kilolitre			
Yealering Kulin Rd		I136010	F	per kilolitre			
Dandagin Rd		I136010	F	per kilolitre			
Pederah Rd		I136010	F	per kilolitre			
Dudinin		I136010	F	per kilolitre			
High St Kulin		I136010	F	per kilolitre			
Kulin-Lake Grace Rd		I136010	F	per kilolitre			
Commonwealth Rd		I136010	F	per kilolitre			
Eighty Six Gate Rd		I136010	F	per kilolitre			
Luke Price St Pingaring		I136010	F	per kilolitre			
Williams Kondinin Rd		I136010	F	per kilolitre			
FUEL FACILITY	LGA s6.16						
Margin on fuel (determining the price of fuel)		I139010	C	per litre			Cost plus margin as per Council APOG Manual - Policy A13a
LEASE OF CROPPING LAND	LGA s6.16						
Airport Land		I136115	C	per hectare	10.00	10.00	
Prouds Land		I136115	C	per hectare	10.00	10.00	
CARAVAN PARK	LGA s6.16						
Camp site powered - 2 People own van/tent (TOURISTS) for a maximum of five nights		I132410	C	per day	Pay what you think	NA	
Powered site (caravans) - 2 people				per day		35.00	
Unpowered site (caravans) - 2 people				per day		25.00	
Powered site (caravans) - 2 people				per day		25.00	
Additional people		I132410	C	per day	35.00	11.00	
Vans Parked / Stored (Unpowered)		I132410	C	per week	30.00	30.00	On request - Only if there are spare bays
Vans Parked / Stored (Powered)		I132410	C	per week	90.00	95.00	On request - Only if there are spare bays
Use of showers at Caravan Park		I132410	C	per wash	11.00	11.00	
HOSTEL	LGA s6.16						
Per Night without linen		I132409	C	per person	30.00	30.00	Minimum 10 people (guests provide linen)
First Night with linen		I132409	C	per person	45.00	45.00	Minimum 10 people (linen provided)
Subsequent nights with linen		I132409	C	per person	30.00	30.00	
School groups per Night		I132409	C	per person	25.00	25.00	
Hire of common room (as meeting room)		I132409	C	per half day	60.00	60.00	
Hire of common room (as meeting room)		I132409	C	per day	100.00	100.00	
Laundry - Washer & Dryer		I132409	C	per wash	3.00	3.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
BUILDING / ROOM HIRE	LGA s6.16						
Meeting Room (Administrative fees may be charged if AV Equipment setup is required)							
Per day		I134170	C		100.00	105.00	
Per half day		I134170	C		60.00	65.00	
Evening (only with a senior staff member present)		I134170	C		60.00	65.00	
Student Exams (Per Hour)		I134170	C		85.00	90.00	Higher per hour charge as a staff member is required to attend and is unable to complete work throughout the exam.
1 hour		I134170	C		40.00	40.00	
Council Chambers (Administrative fees may be charged if AV Equipment setup is required)							
Per day		I134170	C		125.00	130.00	
Per half day		I134170	C		65.00	70.00	
Evening (only with a senior staff member present)		I134170	C		65.00	65.00	
1 hour		I134170	C		40.00	40.00	
Visitors Centre							
Full Day for elections		I134170	C		200.00	200.00	
Old Shire Admin Building Offices							
Month		I137010	C		500.00	550.00	2 * offices
BUILDING FEES	As per Building Regulations 2012						
Building Permits							
Certified or Uncertified Building Permit - Minimum fee		I133410	F	per permit	110.00	110.00	
Uncertified Building Permit (BA2)		I133410	F	per permit	0.32%	0.32%	of the estimated value of the building work
Certified Building Permit - Class 1 or Class 10 (BA1)		I133410	F	per permit	0.19%	0.19%	of the estimated value of the building work
Certified Building Permit - Class 2 to 9 (BA1)		I133410	F	per permit	0.09%	0.09%	of the estimated value of the building work
Demolition Permits							
Permit - Class 1 or Class 10 (BA5)		I133410	F	per permit	110.00	110.00	
Permit - Class 2 to 9 (BA5)		I133410	F	each storey	110.00	110.00	
Application to extend building or demolition permit (BA22)		I133410	F	per permit	110.00	110.00	
Occupancy Permits							
Completed Building		I133410	F	per permit	110.00	110.00	
Temporary for incomplete building		I133410	F	per permit	110.00	110.00	
Modification of permit for additional use		I133410	F	per permit	110.00	110.00	
Replacement of permit for permanent change		I133410	F	per permit	110.00	110.00	
For a building in respect of which unauthorised work has been done		I133410	F	per permit	0.18%	0.18%	of the estimated value of the unauthorised work as determined by the relevant permit authority (min \$110)
Replace permit for an existing building		I133410	F	per permit	110.00	110.00	
Application for extension of time		I133410	F	per permit	110.00	110.00	
Building Approval Certificate							
Where unauthorised work has been done - Minimum fee (BA13)		I133410	F		110.00	110.00	
Where unauthorised work has been done (BA13)		I133410	F	per permit	0.38%	0.38%	
Application for extension of time		I133410	F	per permit	110.00	110.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
Building Surveyor fees	LGA s6.16						
Building Surveyor per hour		I133410	C	Per hour	165.00	165.00	Cost recovery
Admin fee - processing building applications		I133410	C	Per hour	-	75.00	
Building Inspection Fee - Kulin townsite & 10km radius		I133410	C	per inspection		165.00	
Building Inspection Fee - outside 10km radius of Kulin		I133410	C	per inspection		165.00	Plus Travel
Building Inspection Travel - outside 10km radius of Kulin		I133410	C	per km	0.93	0.93	
Building Services Levy	As per Building Regulations 2012						
Building Permit		I133425	F		61.65	61.65	\$45,000 or less
Building Permit		I133425	F		0.137%	0.137%	of the value of the work (if over \$45,000)
Demolition Permit		I133425	F		61.65	61.65	\$45,000 or less
Demolition Permit		I133425	F		0.137%	0.137%	of the value of the work (if over \$45,000)
Occupancy Permit for approved building work		I133425	F		61.65	61.65	
Building Approval Certificate for approved building work		I133425	F		61.65	61.65	
Occupancy Permit for Unauthorised Building Work		I133425	F		123.30	123.30	\$45,000 or less
Building Approval Certificate for Unauthorised Building Work		I133425	F		123.30	123.30	\$45,000 or less
Occupancy Permit for Unauthorised Building Work		I133425	F		0.274%	0.274%	of the value of the work (if over \$45,000)
Building Approval Certificate for Unauthorised Building Work		I133425	F		0.274%	0.274%	of the value of the work (if over \$45,000)
Building Construction Industry Training Fund							
BCITF Levy		I133420	F		0.2%	0.2%	of the total value of construction, for all works value at >\$20,000.

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
COMMUNITY RESOURCE CENTRE	LGA s6.16						
PHOTOCOPYING/PRINTING	**LARGE PROJECTS WILL ATTRACT A LABOUR CHARGE**						
Paper 80gsm							
A4 single sided - black & white		I134070	C	Per page	0.40	0.40	
A4 double sided - black & white		I134070	C	Per page	0.60	0.60	
A4 single sided - colour		I134070	C	Per page	0.60	1.00	
A4 double sided - colour		I134070	C	Per page	0.80	1.80	
A3 single sided - black & white		I134070	C	Per page	0.50	0.50	
A3 double sided - black & white		I134070	C	Per page	0.80	0.80	
A3 single sided - colour		I134070	C	Per page	1.20	2.00	
A3 double sided - colour		I134070	C	Per page	1.60	2.80	
A4 single sided own paper supplied - black & white		I134070	C	Per page	0.30	0.35	
A4 double sided own paper supplied - black & white		I134070	C	Per page	0.50	0.55	
A4 single sided own paper supplied - colour		I134070	C	Per page	0.30	0.95	
A4 double sided own paper supplied - colour		I134070	C	Per page	0.60	1.75	
<i>10% Discount for continuous printing over 50 pages</i>							
<i>40% Discount for sporting/community groups for booklet printing over 10 pages</i>							
Card paper 200gsm							
A4 single sided - black & white		I134070	C	Per page	1.00	1.00	
A4 double sided - black & white		I134070	C	Per page	1.10	1.20	
A4 single sided - colour		I134070	C	Per page	1.30	1.90	
A4 double sided - colour		I134070	C	Per page	1.40	2.10	
LAMINATING							
A4		I134140	C	Per page	3.00	3.50	
A3		I134140	C	Per page	5.00	5.50	
Large (per metre)		I134140	C		25.00	25.00	
BINDING							
Plastic combs up to 20 pages		I134220	C	each	4.00	4.00	
Plastic combs 20-50 pages		I134220	C	each	6.00	6.00	
Plastic combs 50-100 pages		I134220	C	each	8.00	8.00	
Plastic combs 100+ pages		I134220	C	each	10.00	10.00	
EQUIPMENT HIRE							
LCD Projector & Screen - 1 day		I134150	C	per day	53.00	55.00	
Projector screen only		I134150	C	per day	32.00	35.00	
CRC MEMBERSHIPS							Entitles Members to 20% discount on
Business & Organisations		I134010	C	per year	50.00	50.00	CRC charges above and Kulin Update

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
Kulin Community & Sporting Clubs		I134010	C	per year	25.00	25.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
KULIN UPDATE ADVERTISING							Advertising only, content and notices (such as AGM) for local groups is free.
Quarter Page		I134130	C	per edition	20.00	20.00	
Half Page		I134130	C	per edition	25.00	25.00	
Half page (Colour)						50.00	
Full page BW		I134130	C	per edition	40.00	50.00	
Full page Colour		I134130	C	per edition	80.00	80.00	
Front or Back page		I134130	C	per edition	100.00	100.00	
Classified advertisements					-	2.00	
Advertising Package (0-6 months)		I134130	C	per edition	5% discount	-	
Advertising Package (6-12 months)		I134130	C	per edition	10% discount	-	
LABOUR CHARGE							
Send e-mail		I134120	C	Per e-mail	4.00	4.00	
Scan document & send e-mail		I134120	C	Per e-mail	4.00	4.00	
Administrative/secretarial (computer assistance, phone calls, typing, scanning, folding, cutting, collating etc.)							
- 5 minutes (minimum charge)		I134120	C		7.00	7.00	
- 15 minutes		I134120	C		17.00	17.00	
- 30 minutes		I134120	C		32.00	32.00	
- per hour		I134120	C		53.00	53.00	
INTERNET/COMPUTER USAGE							
15 minutes		I134100	C		2.00	2.00	
30 minutes		I134100	C		4.00	4.00	
Per hour		I134100	C		7.00	8.00	
Seniors		I134100	C		2.00	Free	
Hotspot access - 1/2 hour		I134100	C		2.00	2.00	
Hotspot access - 1 hour		I134100	C		2.00	4.00	
KULIN PHONE DIRECTORY							
A4 Colour		I134160	C	each	20.00	20.00	
A4 B&W		I134160	C	each	15.00	15.00	
A5 Colour		I134160	C	each	15.00	15.00	
A5 B&W		I134160	C	each	10.00	10.00	
Business listing		I134160	C	each		10.00	
Half page advert & business listing		I134160	C	each		50.00	
Full page listing & business advert		I134160	C	each		100.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
ECONOMIC SERVICES	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
MERCHANDISE							
Magnet		I132430	C	each	1.00	1.00	
Magnet - small		I132430	C	each	3.00	2.00	
Postcard		I132430	C	each	2.00	2.00	
Pen		I132430	C	each	3.00	3.00	
Key ring		I132430	C	each	5.00	5.00	
Stickers		I132430	C	each	1.00	1.00	
Hat pin		I132430	C	each	5.00	5.00	
Colouring book		I132430	C	each	5.00		
Wrapping paper		I132430	C	each	3.00		
History Book (Soft cover)		I132430	C	each	21.00	21.00	
Much More Than Metal Book		I132430	C	each	11.00	11.00	
Fly & mosquito net		I132430	C	each	5.00	5.00	
Bucket hat		I132430	C	each	30.00	30.00	
Beanie		I132430	C	each	20.00	20.00	
POSTAGE					At cost	At cost	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
PRIVATE WORKS	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
PLANT HIRE	LGA s6.16						
Bulldozer		I141410	C	per hour	275.00	286.00	
Pushing Gravel – Dozer		I141410	C	per m³	3.00	3.08	
Grader		I141410	C	per hour	188.00	198.00	
Prime Mover with one trailer		I141410	C	per hour	195.00	198.00	
Low Loader- alternative long haul rate		I141410	C	per km	6.80	6.82	
Road Train		I141410	C	per hour	210.00	253.00	
Truck 10T		I141410	C	per hour	160.00	160.00	
Truck 3T		I141410	C	per hour	135.00	132.00	
Roller		I141410	C	per hour	130.00	137.50	
Loader		I141410	C	per hour	185.00	187.00	
Backhoe		I141410	C	per hour	170.00	170.50	
Bobcat		I141410	C	per hour	130.00	132.00	
Mini excavator		I141410	C	per hour	130.00	132.00	
Tractor & attachment		I141410	C	per hour	130.00	132.00	
Oval mower (with driver)		I141410	C	per hour	100.00	110.00	
Fence panels		I141410	C	per panel per day	2.00	3.30	
VMS Trailer		I141410	C	per week	-	550.00	
Posi-Track & Mulcher		I141410	C	per hour	-	275.00	
Dynapac 2.6t Footpath Roller		I141410	C	per hour	-	275.00	
LABOUR CHARGE							
Mechanical repairs labour		I141410	C	per hour	120.00	125.00	
Labour - plant operator		I141410	C	per hour	-	85.00	
Labour - gardening & town maintenance		I141410	C	per hour	70.00	75.00	
Labour - overtime (first 2 hours)		I141410	C		-	150% of hourly rate	
Labour - overtime (more than 2 hours)		I141410	C		-	200% of hourly rate	
Labour - overtime (public holidays)		I141410	C		-	250% of hourly rate	
Leading hand labour		I141410	C	per hour	95.00	100.00	
Cleaner		I141410	C	per hour	70.00	75.00	
COMMUNITY BUS HIRE					Commercial Hire: does not include fuel. Bus to be returned with full tank of fuel.		
Bus Hire		I142100	C	c/km	1.30	1.40	Community Use: fuel reimbursed on provision of receipts
Trailer		I142100	C	per day	65.00	65.00	

SHIRE OF KULIN FEES & CHARGES							
For the financial year ending 30 June 2026							
PRIVATE WORKS	Reference (Act, Regulation, Local Law, Policy)	GL Code	GST code	Per	2024-25	2025-26	Comment
MATERIALS (excluding delivery)							
Sand/Gravel		I141410	C	m3	10.00	10.00	
Blue Metal		I141410	C	m3	85.00	85.00	
Blue Metal 2nd's		I141410	C	m3	65.00	65.00	
Mulch		I141410	C	m3	Cost plus10%	Cost plus10%	Check availability with Works Manager
Woodchips		I141410	C	m3	Cost plus10%	Cost plus10%	Check availability with Works Manager
Woodchips - delivered		I141410	C	m3	Cost plus10%	Cost plus10%	Check availability with Works Manager

GENERAL COMPLIANCE CHECKLIST APRIL 2025

Class	Task	Date	Frequency	Detail	Yes/No
Governance	Freedom of Information Statement	1/04/2025	Annual	Freedom of Information Statement to be published annually in Update	Yes
Governance	Policy Manual review	30/06/2025	Annual	Annual Policy manual review	Yes
CEO	Performance Review	1/04/2025	Annual	Report to Council following surveys of Councillors & Exec Managers	Yes
CEO	Staff Performance Reviews	30/06/2025	6 monthly	Administration staff, EMFS and Managers.	June
CEO	Adjust KRA's for Senior staff and Managers	30/06/2025	6 monthly	Administration staff, EMFS and Managers.	June
EMFS	Conduct staff performance reviews report to CEO	30/06/2025	6 monthly		June
EMFS	FBT Return Due	April	Annual	Due in May	Yes
EMFS	Interim Audit	April	Annual	Confirm Interim Audit	Yes
EMFS	Fuel Facility Audit	April	Annual	Fuel Facility Audit - determine each year if required	In progress
EMCGR	Rents, Fees & Charges Review	1/04/2025	Annual	Fees and charges are to be reviewed at least annually. If fees and charges are set after the Budget is struck, advertising is required before implementing	Yes
EMFS/MESS	Reserve Price of Vacant Land Report	April	Biannual	Agenda item April & October each year to adopt the Reserve Price of Vacant Land Report	Yes
EMFS	Review of IT access levels	April	Annual	SynergySoft and O:Drive	Yes
Finance	Rates - Pensioners	1/04/2025	Annual	Letters to pensioners with unpaid rates reminding of rebate option which will expire on 30 June	Yes
Finance	Review of Portable & Attractive Asset Register	30/04/2025	Annual	Annual Review to be undertaken	June
CSO	Outstanding BA7 Notice of Completion Forms	30/04/2025	Annual	Annual review of outstanding BA7 Notice of Completion Forms - send reminders	Yes
MESS	Key to Kulin reimbursement		Quarterly	Reimburse via payroll	Yes
EMW	R2R Draft Budget Inclusions	April	Annual	Identify R2R projects for inclusion in draft Budget	Yes
EMW	R2R Projects	April	Annual	Prepare submissions for RRG - list of projects due July	Yes
EMW	Road Construction & Maintenance Review	01/04/2025	Monthly	Review previous month road construction and maintenance - complete recoups, MRD line marking requests, MRD Form 8 etc. as required - Advise EMFS of invoices required for MRD and private works recovery - complete report to CEO/Council	Yes
EMW	Spray Water Catchments	April	Biennial	As required to improve run-off	Yes
EMW	Occupational Health & Safety	April	Tri-annual	Hold committee meeting and toolbox meeting	Yes
EMW	Spray caltrop golf course	Summer rain		As required	Yes
EMW	Varley Airstrip	31/05/2025	Monthly	Is the strip in good condition? Note last date it was checked and report.	Yes
OHS	Administration Building Monthly Inspection	30/04/2025	Monthly	Foops	Yes
EHO	Waste Water Recycling Scheme		Monthly	If scheme is in use into May	
SPM	Swimming Pool Water Sampling		Oct>Apr	due once a month in opening season	N/A
Build Mtce	Smoke Detector Batteries	1/04/2025	Annual	Reminder to tenants to replace batteries (included with housing inspection letter)	Yes



Code of Conduct - Staff

Table of Contents

Section 1 - Understanding the Code of Conduct

A Message from the Chief Executive Officer	3
What is the Code of Conduct	3
Who Does the Code Apply to?	3
Breaches of the Code	3
Ethical Principles & Organisational Values	4
Reflection	4

Section 2 - Governance

Conflicts of Interest	5
Disclosure	5
Gifts	6
Fraud, Corruption & Misconduct	7

Section 3 - Staff

Personal Behaviour	8
Workplace Health & Safety	8
Respect, Harrassment & Bullying	9
Cultural Awareness	9
Drugs, Alcohol & Smoke Free Environment	10
Procurement	10
Record Keeping	11
Secondary Employment	11
Use of Public Resources	12

Section 4 - Community

Serving Our Community	13
Interacting with Young People	13
Professional, Personal & Social Media Communications	13

Section 5 - Enforcement, Legislation & Definitions

Reporting breaches and suspected breaches of the Code	14
Dealing with Breaches	14
Corruption, Crime & Misconduct Act 2003	14
Legislation & Definitions	15

Section 6 - Forms & Declarations

Code of Conduct Complaint Form - Alleged Breach by an Employee	18
Code of Conduct Declaration Form	19

A Message from the Chief Executive Officer

As employees of the Shire of Kulin it is our responsibility to uphold the highest standards of ethical conduct, integrity, and compliance in all we do. The Shire of Kulin's Code of Conduct reflects our commitment to these values and serves as a guide for every decision we make.

Every employee, volunteer, contractor, and consultant plays a vital role in shaping our workplace culture and serving our community. The Code outlines the expected standards of behaviour and provides guidance for making the right decisions, even in challenging situations. By adhering to this Code, we uphold our commitment to excellence, protect the integrity of our public service, and ensure that we treat each other, and those we serve, with fairness and respect.

We encourage everyone to familiarise themselves with the Code of Conduct, live by its principles, and hold each other accountable. Together, we can ensure that the Shire of Kulin continues to operate with the highest ethical standards, delivering exceptional service to our community.

What is the Code of Conduct?

The Shire of Kulin Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the Local Government Act 1995 (the Act) and associated regulations, which incorporate four fundamental aims:

- better decision-making by local governments;
- greater community participation in the decisions and affairs of local governments;
- greater accountability of local governments to their communities; and
- more efficient and effective local government.

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the Local Government (Administration) Regulations 1996.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

Who does the code apply to?

For the purposes of the Code, the term employees includes persons employed by the Shire or engaged by the Shire under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities. Clause 3.15 of this Code (Gifts), does not apply to the CEO.

Breaches of the Code

Breaches of our Code of Conduct will be taken seriously. Each employee is responsible for adhering to the code, not tolerating behaviours that breach it, and reporting any suspected breaches.

Employees can report these concerns to their direct supervisor, any Executive Manager, or the CEO, following the Shire's Grievance Policy (HR6).

Breaches of the Code

All reported breaches will be investigated in line with the principles of natural justice and human resource management practices. If a staff member is found to have violated the Code, the CEO will address the matter.

Should the CEO breach the Code, the Council will handle the situation according to established Industrial Relations procedures. All aspects of a report of a breach of this Code of Conduct must be kept strictly confidential by both the person making the report and the person in receipt of the report

Ethical Principles and Organisational Values

Integrity & Accountability

- Demonstrate moral behaviour free from corruption
- Take responsibility for roles and deliver to the best of one's abilities
- Adhere to corporate policies, procedures, and legislative requirements
- Hold others accountable for performance and behaviour

Customer Service

- Act in the community's best interest
- Provide accurate and consistent information
- Strive to maintain a consistently high standard of customer service
- Ensure timely, efficient, and accurate responses to customer and stakeholder

Teamwork, Collaboration & Respect

- Treat others with respect and value individual backgrounds, experiences, and opinions
- Engage and consult with others appropriately
- Share resources, ideas, and information
- Ensure each other's safety

Leadership & Improvement

- Create opportunities for consultation with the broad community
- Demonstrate leadership by promoting Council and community teamwork
- Lead by example, inspire others, and adapt to the ever-changing workplace environment
- Listen to feedback and maintain transparency in decision-making and communication

Reflection

If you believe that a behaviour, decision, or action does not align with our code and its values, it is your responsibility to voice that concern. You don't have to be directly impacted by an issue to raise it. If you're uncertain about how to interpret the code, please discuss these matters in person with your manager.

Use checklist below to support employees in case they are unsure of what to do or unsure if they need to speak up. If you answer yes to any of the following speak to your direct supervisor, an executive manager or the CEO.

- Does this action or behaviour fit with the Shire's values?
- Could the action or behaviour directly or indirectly endanger someone, cause an injury, or create an unsafe environment?
- Is the action or behaviour legal and in line with the Shire's policies, procedures and guidelines?
- Does the action or behaviour fit with my personal values?
- How would I feel if this became public knowledge?
- What does my gut tell me? Do I feel comfortable with my decision, or do I feel uneasy?

Conflicts of Interest

The community expects that the Shire's employees will perform their official duties in the public-interest and not improperly use their positions or authority for personal gain or to cause detriment to others.

A conflict of interest is a situation in which an employee of the Shire also has a personal or financial interest with another party that may impact their role or decision-making ability for the Shire. Actual, potential and perceived conflicts of interest can arise from several sources, including friends, relatives, close associates, financial investments, personal circumstances and past employment.

Your responsibilities:

- Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire, without first disclosing the interest to the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire, or which may otherwise conflict with the Local Government's functions (other than purchasing the principal place of residence).
- Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons.
- Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

Disclosure

The Local Government Act 1995 requires council employees to disclose conflicts of interest. You must:

- Disclose any interest you may have in a matter to be presented at a Council Meeting, whether through advice you provide at the meeting or through advice that you will present in a report to the meeting, to the CEO in writing, either before the meeting, at the time the advice is given, or at the meeting immediately before the matter is discussed
- Declare any changes to your conflict of interest situation as soon as you become aware of it.

Gifts

Employees of the Shire must not receive prohibited gifts from any persons associated with the Shire.

‘Prohibited gifts’ refers to any gift worth \$300 or more; or receiving several gifts from the same person or organisation within a 12-month period that are worth more than \$300 in total.

An ‘associated person’ is someone who is either undertaking, or seeking to undertake, an activity or business dealing with the Shire, or, who it is reasonable to believe is intending to undertake an activity with the Shire. Schedule One of this Code (Appendix one) provides further details on the specific requirements of the Local Government Act and Regulations on this important area of the Code.

Accepting gifts from an external organization, contractor, or supplier can create the impression that it might influence your decisions or actions, even if that isn't your or the donor's intention. Perception matters in these situations. Gifts can include free or discounted items, hospitality, services, or benefits provided by someone outside the Shire of Kulin. Examples include meals, drinks, event tickets, conference fees, airline tickets or upgrades, accommodation, and gift baskets, as well as prizes won while conducting Shire of Kulin business. In general, it's usually best to politely refuse such offers.

In accordance with Regulation 19AF of the Local Government (Administration) Regulations 1996 the CEO has determined that a gift between \$50 and \$300 is a reportable gift and a gift over \$300 is a prohibited gift.

Your responsibilities:

- Employees must not accept a prohibited gift from an associated person.
- Employees of the Shire may be able to accept a gift if it is not a prohibited gift. The Shire asks all employees to carefully consider the appropriateness of accepting any gifts. For a gift worth less than \$50, such as a hat, pen or chocolates, there is no requirement for this to be reported.
- For a gift worth between \$50 and \$300, employees are required to notify the Chief Executive Officer (CEO) of the details of the gift within 10 days of the acceptance of the gift

Fraud, Corruption and Misconduct

The Shire considers fraud, corruption and misconduct to be serious matters. Such behaviours are unacceptable and the Shire adopts a zero tolerance approach towards such behaviour. All allegations of fraudulent and corrupt conduct will be investigated and may result in disciplinary action including possible dismissal.

Fraud is any intentional act of deception, dishonesty, or misrepresentation carried out by an individual or group to unlawfully obtain money, property, or an advantage. Examples of fraud may include:

- falsifying documents,
- manipulating procurement processes,
- misusing public resources (including both financial and property resources),
- submitting false invoices or expense reports for reimbursement,
- claiming for or being paid for hours not worked,
- incorrectly claiming sick leave.

Corruption is the abuse of power or position by officials for personal gain or the benefit of others, typically through dishonest or unethical actions usually for self-benefit. Examples of corruption include:

- accepting money or gifts from individuals or companies in exchange for favourable treatment, such as approving permits, contracts, or zoning changes,
- favouring relatives or friends in hiring practices, promotions, or awarding contracts, regardless of qualifications,
- contractors providing a portion of their earnings back to employees in exchange for securing government contracts or favourable terms,
- using your position to improperly influence tender or grant decisions.

Misconduct is inappropriate, unethical, or unlawful behaviour by an employee that violates established policies, procedures, or legal requirements.

Your responsibilities:

- Employees must not engage in fraudulent, corrupt or criminal conduct
- Employees must report any suspected fraudulent, corrupt or criminal conduct

Disclosures of suspected fraudulent, corrupt or criminal conduct can be made verbally or in writing to:

- Your direct supervisor
- Any Executive Manager
- The CEO
- Public Sector Commission for minor misconduct
- Corruption and Crime Commission for serious misconduct.
- Ombudsman Western Australia for matters governing administration affecting individuals.

Personal Behaviour

Employees at the Shire of Kulin are expected to uphold high standards of behaviour by acting with honesty, integrity, and impartiality in all aspects of their professional duties and personal conduct.

Employees will:

- act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies and directives of the Shire;
- perform their duties impartially and in the best interests of the Shire, uninfluenced by fear or favour;
- maintain the confidentiality of all sensitive information obtained through their employment, ensuring that such information is not disclosed to unauthorised persons both during and after their employment with the Shire of Kulin,
- act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire and the community;
- make no allegations which are improper or derogatory (unless true and in the public interest);
- refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment;
- always act in accordance with their obligation of fidelity to the Shire.
- observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- be frank and honest in their official dealing with each other;
- report any dishonesty or possible dishonesty on the part of any other employee to their Line Manager or the CEO in accordance with this Code and the Shire's
- While on duty, employees will give their whole time and attention to the Shire's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.
- Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Line Manager, Manager or the CEO.
- Employees will give effect to the lawful decisions and policies of the Shire, whether or not they agree with or approve of them.
- Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the Shire's relevant policies and procedures.

Workplace Health & Safety

The Shire has a duty of care to ensure a safe and healthy work environment for all. Employee wellbeing is everyone's responsibility. We endeavour to create an all-inclusive culture where our people can thrive. We are committed to establishing a workplace environment that is safe and free of health risks. Workplace health and safety (WHS) includes both physical and mental health.

Your responsibilities:

- Employees have a duty to take care of their own health and safety and we expect them to take all relevant safety precautions in the execution of their work. This includes attending all relevant training and being fit to perform all duties in their position.
- Employees must be fit for work when you perform your duties at the Shire of Kulin.
- Employees must take reasonable care for the health and safety of others who may be affected by your actions.

Employees should always wear protective clothing and safety equipment to ensure the safety of all, and report any hazards or incidents in accordance with the Shire's incident reporting procedure.

Respect, Harassment and Bullying

The Shire expects all employees to foster an inclusive, supportive, and collaborative environment. Employees should consider how their actions may affect others and ensure their behaviour aligns with the Code.

Harassment, which involves conduct that offends, humiliates, or intimidates someone based on attributes such as age, race, religion, gender, or sexual orientation, is unacceptable and will not be tolerated.

Any employee experiencing inappropriate behaviour is encouraged to report the issue to their Manager, Grievance Officer or CEO.

Your responsibilities:

- Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- Employees must be aware of, and comply with their obligations under relevant law and the Shire's policies regarding workplace behaviour and occupational safety and health
- Employee behaviour should reflect the Shire's values and contribute towards creating and maintaining a safe and supportive workplace.
- Employees will treat all members of the community with respect, courtesy and professionalism.
- All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

Cultural Awareness

The Shire is committed to fostering an inclusive workplace where cultural diversity is respected and celebrated. Employees are expected to demonstrate cultural awareness in all interactions.

Cultural awareness means being sensitive to the differences and similarities between two cultures when communicating or interacting with members of other cultural groups. Cultural sensitivity involves instilling values, attitudes, and knowledge that display openness and respect for different cultures, religions, languages, manner of dress, and communication styles.

Your responsibilities:

- Treat all colleagues, clients, and stakeholders with dignity and respect, regardless of their cultural background, ethnicity, religion, or beliefs.
- Avoid discriminatory, prejudiced, or culturally insensitive language or behaviour
- Use respectful and inclusive language in all forms of communication.
- Be mindful of cultural differences in communication styles and body language.
- Avoid stereotypes, assumptions, or generalisations about individuals or groups.
- Be open to different perspectives and approaches during team discussions or projects.
- Address cultural misunderstandings respectfully and constructively.
- Reflect cultural awareness and sensitivity in interactions with external stakeholders, clients, and the community.
- Employees are required to participate in cultural awareness and diversity training to enhance their understanding and ability to work inclusively.

Drugs, Alcohol and smoke-free environment

Employee wellbeing is most important to us. We expect that everyone working for and at the Shire will be fit for work. Employees must function at acceptable levels and not be affected by alcohol, drugs or other substances. If employees are affected by alcohol or drugs, they should not be at work, with no exceptions. At times, employees are invited to attend Shire-sponsored and external events where alcohol is served. Employees must not return to work if they have consumed alcohol.

If alcohol is consumed at these events, employees must conduct themselves in accordance with this Code of Conduct.

Providing a safe and healthy workplace includes providing a smoke-free environment which means all Shire buildings, facilities and vehicles are smoke-free up to and including five metres of any entry point.

Your responsibilities:

- If you are affected by alcohol or drugs, you must not be at work.
- If you are in attendance of a Shire of Kulin event where alcohol is served responsible alcohol consumption is expected. The Shire has a zero-tolerance policy for excessive or disruptive behaviour caused by intoxication.

Do not smoke or use an e-cigarette within any of the Shire of Kulin's premises or vehicles, or within five metres of any entry point to the Shire's premises and vehicles.

Procurement

The Shire of Kulin employees understand that the money we spend on behalf of the Shire is money which belongs to the public. Those exercising their authority to purchase must conform to the purchasing threshold requirements detailed in the Procurement Policy and always seek best value for money from suppliers. We expect that employees will build trusted and honest relationships with suppliers and that all business conduct will be managed in a fair and equitable manner.

Your responsibilities:

- Employees exercising purchasing authority will read and comply with the Shire's Purchasing Policy, and the systems and procedures established.
- Employees will use Shire finances only within the scope of their authority, as defined in their position description and Shire policies, procedures and administrative practices.
- Employees will act with care, skill, diligence, honesty and integrity when using the Shire's finances
- Ensure that all procurement decisions and actions are documented and justifiable. Employees involved in purchasing must be accountable for their actions and decisions.
- Officers must provide purchase orders, adhere to budget allocations and ensure invoices are verified and forwarded for payment in a timely manner.
- Treat all suppliers and contractors equally, providing them with the same information and opportunities to compete.
- Assess and mitigate risks associated with the procurement activity, including financial, legal, and reputational risks, to protect the Shire's interests.
- Ensure the use of a Shire issued credit card is for Shire related expenditure and in accordance with the Shire's credit card policy.

Record Keeping

Effective records management is essential for accountability, compliance, efficiency, preservation of history, disaster recovery, and improved service delivery. Our employees have a legal obligation to maintain and protect the Shire's records and must ensure they manage information in accordance with the Shire's Recordkeeping Plan.

Your responsibilities:

- Read the recordkeeping plan and be aware of your recordkeeping responsibilities and the recordkeeping system. Seek assistance and clarification if required.
- Identify significant records in all formats and ensure these are registered in the records system.
- Not destroy an official record of the Shire of Kulin.
- Not access or use information that is not required for me to do my role.
- Not falsify, destroy, alter or damage records or back date information.
- Comply with our record keeping plan and the State Records Act 2000.

Secondary Employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

Working for another employer might create situations where personal interests conflict with official duties. In addition to this, secondary employment can detract from the time and energy needed to effectively perform primary job responsibilities. Fatigue or divided attention may lead to decreased productivity and poor job performance in your Shire of Kulin role.

In some cases, secondary employment might involve access to confidential or sensitive information. There's a risk that this information could be unintentionally shared or misused in the second job, breaching confidentiality agreements and legal obligations. Even if no wrongdoing occurs and the employee has good intentions, engaging in secondary employment may give the public or other Shire of Kulin employees the perception of bias, favouritism, or conflicting priorities.

Your responsibilities:

- It is your responsibility to avoid and appropriately resolve any conflict or incompatibility between your private or personal interests and the impartial performance of your public or professional duties.
- If seeking secondary employment, the following needs to be considered before asking for approval:
 - If the organisation, company or person you will be working with is in a contractual relationship with the Shire.
 - If the Shire is in a regulatory relationship with the organisation, company or person you will be working with.
 - Whether the hours of work conflict with your duties at the shire or your health and safety.
 - Sufficient rest time is available away from both forms of work to enable you to present to work fit and alert, and able to work efficiently and to the standard required.
 - Whether your duties in the secondary employment require release of confidential information which is known to you, but not available to the general public.
 - Whether there is any other conflict of interest, or potential conflict of interest between your duties at the Shire and your duties at the secondary employment.

Use of Public Resources

The Shire provides us the tools and equipment we need to do our jobs effectively. Job-related assets can include both physical and non-physical property. It may consist of the office space, facilities and buildings that we work in; the technology, such as software; hardware such as desktops, laptops, mobile phones or other devices; Shire vehicles, machinery and equipment; and credit cards, office supplies and money. It may also include intellectual property, such as the ideas we create individually and collectively.

Your responsibilities:

Assets:

- Employees must be honest in your use of the Shire's resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- Employees must use the Shire's resources entrusted to you effectively, economically, in the course of your duties and in accordance with relevant policies and procedures; and
- Employees must not use the Shire's resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).
- The use of all Shire vehicles is subject to the MV Policy. Anyone who uses Shire property for any purpose other than to complete their job, without the appropriate authorisation or consent, will be in breach of this Code.

Finances:

- Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire's finances.
- Employees will use Shire finances only within the scope of their authority, as defined in [position descriptions, policies and procedures, administrative practices].
- Employees with financial management responsibilities will comply with the requirements of the Local Government (Financial Management) Regulations 1996.
- Employees exercising purchasing authority will comply with the Shire's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the Local Government (Financial Management) Regulations 1996.
- Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- Employees will ensure that any use of Shire's finances is appropriately documented in accordance with the relevant policy and procedure, including the Shire's Recordkeeping Plan.

Serving our Community

Our community is the reason why we are here. It is the reason why we do what we do. As Shire employees, we must live our values and follow this Code every day when serving members of the public and delivering our services. It is our role to make it easier for people to interact with the Shire and deliver services in a way that is expected of us and maintains the Shire's reputation, while maximising value for our customers.

Your responsibilities:

- Employees will treat all members of the community with respect, courtesy and professionalism.
- Be open, honest, and transparent with members of our community.
- Be inclusive of all members of the community by removing or reducing barriers to participation.
- As required, interact with children and young people in an age-appropriate and respectful manner, maintaining the highest levels of standard and professional conduct in all interactions.
- All Shire services must be delivered in accordance with relevant policies and procedures, and any issues resolved promptly, fairly and equitably.

Interacting with children and young people

In the context of this Code, 'child' refers to a person who is under the age of 18. The Shire expects all employees to interact with children in an age-appropriate and respectful manner.

The Shire determines whether a particular position or placement requires a Working with Children Check (WWCC). Employees in these positions must obtain and maintain a valid WWCC to work in these positions. Any allegations or incidents of child abuse will be treated seriously and in accordance with the law. Our employees must maintain the highest standards of professional conduct in their interactions with children and young people. Our behaviour must be in the best interest of the child.

Your responsibilities:

- Employees must maintain the highest standards of professional conduct in their interactions with children and young people. Our behaviour must be in the best interest of the child
- As required, interact with children and young people in an age-appropriate and respectful manner, maintaining the highest levels of standard and professional conduct in all interactions.

Professional, Personal and Social Media Communications

As a public-facing organisation, the Shire must maintain transparency while protecting confidentiality. Only the President or CEO are authorised to deliver key messages to the media on the Shire's behalf, unless they delegate this responsibility to another employee or Elected Member. This policy applies to all forms of media, including traditional outlets, online platforms, and interactions with journalists.

Employees are prohibited from making any public comments about the Shire, whether through the media or social media, and are not permitted to discuss the Shire's activities, plans, or opinions.

Your responsibilities:

- Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
- Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments or engage in communication activities about or on behalf of the Shire, its Council Members, employees or contractors, which breach this Code.
- All aspects of communication by employees (including verbal, written and electronic), involving the Shire's activities should reflect the status, values and objectives of the Shire.
- Communications should be accurate, polite and professional.

Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the Corruption, Crime and Misconduct Act 2003.

Reporting breaches and suspected breaches of the Code

A person may, if they become aware of any conduct by a staff member which they reasonably believe involves a breach of the Code of Conduct, make written complaint to that effect to a Director or the CEO, or in the case of the CEO to the Shire President.

All aspects of a report of a breach of this Code of Conduct must be kept strictly confidential by both the person making the report and the person in receipt of the report.

Responsibilities

Breaches of this Code of Conduct will be investigated and handled within the principles of natural justice and human resources management principles.

If a staff member breaches the Code of Conduct this will be dealt with by the CEO.

If the CEO breaches the Code of Conduct it will be dealt with by Council in accordance with accepted Industrial Relations processes.

Dealing with Breaches

Alleged breaches of this Code of Conduct will be investigated and handled in a manner which is consistent with the principles of the presumption of innocence, procedural fairness and natural justice.

A breach of the Code of Conduct by a staff member, if investigated and proven, shall be dealt with in accordance with best practice industrial relations processes. A counselling session shall be convened and appropriate disciplinary action will be taken:

- a) In the case of a staff member, by the CEO or Manager acting on behalf of the CEO.
- b) In the case of the CEO by the Shire President.

The CEO is to ensure that staff who report unacceptable or illegal behaviour of Council members or staff (that is, whistleblowers) are not in any way disadvantaged or victimised because of their actions.

Staff are encouraged to, in the first instance, report unacceptable or illegal behaviour to the relevant Supervisor or Manager. Behaviour of a serious nature must be reported directly to the CEO.

In cases where investigation gives rise to reasonable suspicions that the breach constitutes serious improper conduct including corruption or theft, then the matter will be forwarded for further investigation by the Corruption and Crime Commission or Public Sector Commission, and the WA Police Service.

Corruption, Crime and Misconduct Act 2003

The CEO has a mandatory requirement to report any reasonable suspicions of serious misconduct, on the part of Councillors or employees to the Corruption and Crime Commission (CCC). Minor misconduct, which is the type of misconduct that should be so significant that, if proven, could reasonably lead to termination of a person's employment, is to be reported to the Public Sector Commission.

It is the responsibility of the CEO to make informed decisions about whether a suspected misconduct on the part of employees should be treated as a serious or minor matter, and reported to the Corruption and Crime Commission or the Public Sector Commission respectively.

An elected member, officer or any other person may report any reasonable suspicions of serious misconduct on the part of Councillors or employees directly to the CCC, or minor misconduct on the part of employees directly to the PSC.

Legislation

Provided below are extracts from the Local Government (Administration) Regulations 1996 Part 4A relevant to the detail provided in this Employee Code of Conduct.

Role of Employees

The role of employees in local government is determined by the functions of the CEO as set out in Section 5.41 of the Act.

5.41. Functions of CEO

The CEO's functions are to:

- a) advise the council in relation to the functions of a local government under this Act and other written laws;
- b) ensure that advice and information is available to the council so that informed decisions can be made;
- c) cause council decisions to be implemented;
- d) manage the day to day operations of the local government;
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions;
- f) speak on behalf of the local government if the mayor or president agrees;
- g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

Local Government Act 1995

Principles affecting employment by the Shire of Kulin

The principles set out in Section 5.40 of the Act apply to the employment of the Shire's employees:

5.40. Principles affecting employment by local governments

The following principles apply to a local government in respect of its employees -

- a) employees are to be selected and promoted in accordance with the principles of merit and equity; and
- b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and
- c) employees are to be treated fairly and consistently; and
- d) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and
- e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and
- f) such other principles, not inconsistent with this Division, as may be prescribed.

Local Government Act 1995

Gifts

This clause does not apply to the CEO

Definitions:

activity involving a local government discretion means an activity -

- a) that cannot be undertaken without an authorisation from the local government; or
- b) by way of a commercial dealing with the local government

[r.19AA of the Local Government (Administration) Regulations 1996]

associated person means a person who -

- a) is undertaking or seeking to undertake an activity involving a local government discretion; or
- b) it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

[r.19AA of the Local Government (Administration) Regulations 1996]

gift -

- a) has the meaning given in section 5.57 [of the Local Government Act 1995]; but
- b) does not include –
 - i a gift from a relative as defined in section 5.74(1); or
 - ii a gift that must be disclosed under the Local Government (Elections) Regulations 1997 regulation 30B; or
 - iii a gift a gift from a statutory authority, government instrumentality or non profit association for professional training; or
 - iv a gift from WALGA, the Australian Local Government Association Limited (ABN 31 008 613 876), the Local Government Professionals Australia WA (ABN 91 208 607 072) or the LG Professionals Australia (ABN 85 004 221 818);

[r.19AA of the Local Government (Administration) Regulations 1996]

gift means -

- a) conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- b) a travel contribution

travel includes accommodation incidental to a journey;**travel contribution** means a financial or other contribution made by 1 person to travel undertaken by another person.

[Section 5.57 of the Local Government Act 1995]

relative, in relation to a relevant person, means any of the following -

- a) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner;
- b) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (a), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law;

[Section 5.74(1) of the Local Government Act 1995]

prohibited gift, in relation to a local government employee, means -

- a) a gift worth the threshold amount or more; or
- b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more;

[r.19AA of the Local Government (Administration) Regulations 1996]

reportable gift means -

- a) a gift worth more than \$[50 but less than \$300]; or
- b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than \$50 but less than \$300].

threshold amount has the meaning given to it in the Local Government (Administration) Regulations 1996, subject to the CEO's determination under subclause (c);**threshold amount, for a prohibited gift, means -**

- a) a gift worth the threshold amount or more; or
- b) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more.

[r.19AA of the Local Government (Administration) Regulations 1996]

Disclosure of Financial Interest

- a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

Disclosure of Interests Relating to Impartiality

Interest -

- a) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
- b) includes an interest arising from kinship, friendship or membership of an association.

[r.19AA of the Local Government (Administration) Regulations 1996]

Use of Shire of Kulin Resources

In this clause -

Shire of Kulin resources includes local government property and services provided or paid for by the Shire of Kulin;

local government property has the meaning given to it in the Act.

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control or management of, the local government.

[Section 1.4 of the Local Government Act 1995]



Code of Conduct Complaint Form - Alleged Breach by an Employee

This form is to be used by employees who wish to formally report an alleged breach of the Employee Code of Conduct. The Shire is committed to maintaining a respectful, fair, and ethical workplace and encourages staff to report concerns in a timely and constructive manner.

All complaints will be treated seriously and in line with the Shire’s grievance and disciplinary procedures.

Please complete all sections of this form to the best of your ability. If you require assistance completing the form, please contact

Name of employee/s who you believe has breached the code of conduct:

Section of the Code of Conduct do you believe has been breached:

When the breach happened:

Details of the breach: (please attach additional pages if required)

Were there any witnesses to the breach?

Yes

No

Are the witnesses willing to provide information to assist in resolving the complaint?

Yes

No

If so, please provide details of witnesses below:

Name:

Ph No:

Name:

Ph No:

Are you providing any additional information with your complaint form? If yes, details:

Yes

No

Your details:

Name:

Ph No:

Sign:

Date:

Code of Conduct - Employee Declaration

Your details:

Full Name:

Job Title:

Date of Declaration:

Declaration Statement

I confirm that I have received and read the Shire’s Employee Code of Conduct. Yes ☐ No ☐

I understand the standards of behaviour expected of me and agree to abide by the principles, responsibilities, and requirements set out in the document. I understand that any breach of this Code may result in disciplinary action, up to and including termination of employment, in accordance with applicable policies and procedures. Yes ☐ No ☐

I acknowledge that I have had the opportunity to ask questions and seek clarification about any parts of the Code of Conduct that I do not understand. Yes ☐ No ☐

Signatures

Employee Signature:

Manager Signature:

Manager Name:

Date:



38 Johnston Street, Kulin WA 6365
PO Box 125, Kulin WA 6365
T:08 9880 1204
E: enquiries@kulin.wa.gov.au
W: www.kulin.wa.gov.au



SHIRE OF KULIN

POLICY MANUAL

Created	June 2017
Reviewed	June 2018
Reviewed	June 2019
Reviewed	June 2020
Reviewed	June 2021
Reviewed	June 2022
Reviewed	June 2023
New Policy Added A12 (Temp CEO)	September 2023
New Policy Added A13 (Elected Members Records)	May 2024
Reviewed	May 2024
Policy Amendment – A11 (Procurement, Purchasing & Tenders)	September 2024

INTRODUCTION

This Shire of Kulin Policy Manual has been prepared to assist Council and staff to administer the Shire.

The manual is a compilation of policy on subject matters that form the basis of administrative decision making without the need to refer matters to the Council for a decision, before it can be enacted. It also enables Councillors and staff to readily answer questions raised by electors, the public and stakeholders about the usual business of the Shire.

As new policies are adopted, or existing policies are amended, the Manual is updated, maintaining the Shire's most recent view on how it will conduct business. Obviously, time changes the need for and relevance of policy responses. The Policy Manual framework allows the Council to design, recreate or update policy, without being overly influenced by current hot topics as it develops the best Shire response to matters at a policy level.

The use of policy in Local Government (LG) sits between statute and legislative requirements or the 'must do's and must comply' elements of its business and the operational procedures that provide a guide on the best way to conduct the operations. Therefore, in some ways it can sometimes be an expression of principle, culture and process and not a direct account of what the Council believes must be the order of the day.

Policy sometimes can be misinterpreted as having firm legal status like a statute or local law but this is not the case. More accurately, it is a stated combination of the what/how/where and when that the Council would like to see in its business practice and whilst case law may apply to some of these elements, policy is only a past resolution of the Council. Whilst having the status of a Council resolution, the effect of such can be changed by a new resolution or revision motion.

Policy's true purpose is to provide an outline and guidance of the Council expectation and response so that consistency of decision making can be achieved.

If the interpretation of policy identifies that the matter cannot be accurately understood or addressed, or that the policy takes away from the cultural or principled positions of the Council – then at those times review is required to again clarify what the Council's intent would be in those circumstances.

The Policy Manual therefore is reviewed annually by the Council and tested against live examples and current trends to ensure that the policies are still consistent with Council's current stance and preference.

Chief Executive Officer
May 2025

INDEX

Table of Contents

A1	CODE OF CONDUCT – ELECTED MEMBERS	5
A2	COMMON SEAL – AFFIXING OF	11
A3	CORPORATE PURCHASING CARDS.....	12
A4	DISABILITY ACCESS AND INCLUSION.....	14
A5	EQUAL OPPORTUNITY and HARASSMENT	15
A6	LEGAL ADVICE, REPRESENTATION & COST REIMBURSEMENT	16
A7	OCCUPATIONAL SAFETY & HEALTH POLICY	18
A8	PRIMARY DOCUMENTS	20
A9	PUBLIC INTEREST DISCLOSURE.....	22
A10	REGIONAL PRICE PREFERENCE POLICY.....	23
A11	PROCUREMENT PURCHASING AND TENDERS	24
A12	TEMPORARY EMPLOYMENT OR APPOINTMENT OF AN ACTING CEO	31
A13	ELECTED MEMBERS RECORDS – CAPTURE AND MANAGEMENT.....	32
HR1	TERMINATION PAYMENTS – SEVERANCE PAYMENTS	33
HR2	STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION	35

A1 CODE OF CONDUCT – ELECTED MEMBERS

Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates

Policy Purpose:

This Policy is adopted in accordance with section 5.104 of the Local Government Act 1995.

Division 1 — Preliminary provisions

1. Citation

This is the Shire of Kulin Code of Conduct for Council Members, Committee Members and Candidates.

2. Terms used

(1) In this code —

Act means the Local Government Act 1995;

candidate means a candidate for election as a council member;

complaint means a complaint made under clause 11(1);

publish includes to publish on a social media platform.

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

Division 2 — General principles

3. Overview of Division

This Division sets out general principles to guide the behaviour of council members, committee members and candidates.

4. Personal integrity

(1) A council member, committee member or candidate should —

(a) act with reasonable care and diligence; and

(b) act with honesty and integrity; and

(c) act lawfully; and

(d) identify and appropriately manage any conflict of interest; and

(e) avoid damage to the reputation of the local government.

(2) A council member or committee member should —

(a) act in accordance with the trust placed in council members and committee members; and

(b) participate in decision making in an honest, fair, impartial and timely manner; and

(c) actively seek out and engage in training and development opportunities to improve the performance of their role; and

(d) attend and participate in briefings, workshops and training sessions provided or arranged by the local government in relation to the performance of their role.

5. Relationship with others

(1) A council member, committee member or candidate should —

(a) treat others with respect, courtesy and fairness; and

(b) respect and value diversity in the community.

(2) A council member or committee member should maintain and contribute to a harmonious, safe and productive work environment.

6. Accountability

A council member or committee member should —

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

Division 3 — Behaviour

7. Overview of Division

This Division sets out —

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

8. Personal integrity

(1) A council member, committee member or candidate —

- (a) must ensure that their use of social media and other forms of communication complies with this code; and
- (b) must only publish material that is factually correct.

(2) A council member or committee member —

- (a) must not be impaired by alcohol or drugs in the performance of their official duties; and
- (b) must comply with all policies, procedures and resolutions of the local government.

9. Relationship with others

A council member, committee member or candidate —

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

10. Council or committee meetings

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

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

- (f) must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.

11. Complaint about alleged breach

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

12. Dealing with complaint

- (1) After considering a complaint, the local government must, unless it dismisses the complaint under clause 13 or the complaint is withdrawn under clause 14(1), make a finding as to whether the alleged breach the subject of the complaint has occurred.
- (2) Before making a finding in relation to the complaint, the local government must give the person to whom the complaint relates a reasonable opportunity to be heard.
- (3) A finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.
- (4) If the local government makes a finding that the alleged breach has occurred, the local government may —
 - (a) take no further action; or
 - (b) prepare and implement a plan to address the behaviour of the person to whom the complaint relates.
- (5) When preparing a plan under subclause (4)(b), the local government must consult with the person to whom the complaint relates.
- (6) A plan under subclause (4)(b) may include a requirement for the person to whom the complaint relates to do 1 or more of the following —
 - (a) engage in mediation;
 - (b) undertake counselling;
 - (c) undertake training;
 - (d) take other action the local government considers appropriate.
- (7) If the local government makes a finding in relation to the complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of —
 - (a) its finding and the reasons for its finding; and
 - (b) if its finding is that the alleged breach has occurred — its decision under subclause (4).

13. Dismissal of complaint

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

- (2) If the local government dismisses a complaint, the local government must give the complainant, and the person to whom the complaint relates, written notice of its decision and the reasons for its decision.

14. Withdrawal of complaint

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

15. Other provisions about complaints

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

Division 4 — Rules of conduct

Notes for this Division:

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

16. Overview of Division

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

17. Misuse of local government resources

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

18. Securing personal advantage or disadvantaging others

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

19. Prohibition against involvement in administration

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

20. Relationship with local government employees

- (1) In this clause —
local government employee means a person —
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

21. Disclosure of information

- (1) In this clause —
closed meeting means a council or committee meeting, or a part of a council or committee meeting, that is closed to members of the public under section 5.23(2) of the Act;
confidential document means a document marked by the CEO, or by a person authorised by the CEO, to clearly show that the information in the document is not to be disclosed;
document includes a part of a document;
non confidential document means a document that is not a confidential document.
- (2) A council member must not disclose information that the council member —
 - (a) derived from a confidential document; or
 - (b) acquired at a closed meeting other than information derived from a non confidential document.
- (3) Subclause (2) does not prevent a council member from disclosing information —
 - (a) at a closed meeting; or
 - (b) to the extent specified by the council and subject to such other conditions as the council determines; or
 - (c) that is already in the public domain; or
 - (d) to an officer of the Department; or

- (e) to the Minister; or
- (f) to a legal practitioner for the purpose of obtaining legal advice; or
- (g) if the disclosure is required or permitted by law.

22. Disclosure of interests

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

23. Compliance with plan requirement

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

A2 COMMON SEAL – AFFIXING OF

Administration

PREAMBLE: Numerous agreements and contracts require the affixing of the Common Seal. This Policy and delegation to the CEO and the Shire President apply the affixing of the Common Seal as and when required.

OBJECTIVE: The Policy sets out the conditions that apply to the use of the Common Seal.

POLICY: The Shire President and Chief Executive Officer are authorised, when the situation demands, to sign and affix the Common Seal of the Shire of Kulin to documents. Where the contract or agreement is a continuation of an existing arrangement or previous Council resolution, Council's prior resolution is not required. Where a matter has not been before the Council on any previous occasion, Council resolution to affix the Common Seal is required.

All uses of the Common Seal including contracts or agreements of any nature are to be recorded in the Delegations Register and reported monthly to Council in the Compliance - Delegations Exercised Report.

PROCESS: Prior to the Common Seal being used for the first time on a contract or agreement, Council is to have resolved to enter into a contract or agreement.

The CEO is charged with the care of the Common Seal and is only to apply the Common Seal to documents at the same time and sitting as the Shire President.

Details of when the Common Seal has been used are to be recorded in the Delegation Register, and the Compliance - Delegations Exercised Report submitted for information monthly to the Council.

HEAD OF POWER: Local Government Act 1995 Section 9.49A

DELEGATION: To the CEO to permit the affixing of the Common Seal when required.

A3 CORPORATE PURCHASING CARDS

Administration

PREAMBLE: Corporate purchasing cards (including credit cards and fuel cards) are being used within Government as a purchasing resource. They can however expose the Shire to significant risk if not properly controlled and managed.

OBJECTIVE: To ensure the proper use and control of Corporate Credit and to comply with s6.5 (a) Local Government Act 1995 and regulation 11 (1) (a) of the Local Government (Financial Management) Regulations.

POLICY: The use of corporate purchasing cards is at the Chief Executive Officer's discretion and shall not be used as a means to supersede the Shire's purchasing system and procedures; use of credit is a complimentary function of purchasing. All purchases made on the Shire's corporate purchasing cards shall be for Shire business purposes only.

Corporate purchasing cards shall only be used for purchasing goods or services where expediency and processes do not allow the normal purchasing practices to apply e.g. over the phone purchases, payment for goods where seller requests immediate payment. In the case of purchases where it is still appropriate to issue a Shire order to record details of the purchase this should also be undertaken – indicating that payment has already been made by credit card.

Is not used for cash advances, including withdrawals of cash from a branch, ATM or merchant.

Corporate purchasing cards will not be used for personal purchases, and if this occasion arises by error, immediate repayment is required.

Corporate purchasing cards will only be issued with the approval of the Chief Executive Officer. Executive Managers and other staff may be authorised as cardholders at the CEO's discretion. All cardholders must sign the Shire's Purchasing Card Agreement, acknowledging their understanding and acceptance of the terms of use. The agreement must also be signed by the Chief Executive Officer.

Corporate purchasing cards may only be used for the purchase of food and beverages where the expenditure is directly related to official Shire business, such as staff meetings, official functions, travel, or approved community engagement activities, and must be supported by appropriate documentation and prior approval where required.

A "non-reward" business credit card shall be the preferred option offered by the Shire's banker, and if rewards are offered, all rewards remain the property of the Shire.

Cardholders are responsible for the physical and information security of the card in their possession and in the case of a lost, damaged or where fraudulent transaction appear as a transaction, the cardholder shall notify the Bank and the Executive Manager of Financial Services immediately. The card will be immediately cancelled and a new one issued as soon as practicable.

In the event that a cardholder resigns, takes extended leave, or transfers to a role where a corporate purchasing card is no longer required, the cardholder must notify the Executive Manager of Finance at least two (2) weeks prior to their departure or change in role. This allows sufficient time for cancellation of the card and reconciliation of all outstanding transactions and receipts.

All expenditure on corporate credit cards shall comply with delegation limits for Shire officers and GST Invoices and receipts of transactions shall be obtained by the card holder for monthly acquittal.

PROCESS: Upon receipt of monthly corporate purchasing card statements, the cardholder will acquit all expenditure made by producing all receipts. It is the responsibility of the cardholder to obtain documentation to acquit the corporate purchasing card transactions.

A register of card purchases shall be maintained by the cardholder and submitted with monthly receipts.

As part of the monthly accounts for payment processes, the Executive Manager of Financial Services will present the Purchasing Card Statements detailing acquittal transactions and balances to the Council as part of the monthly meeting Agenda.

Non-compliance with the intent, principles and acquittal of this policy will result in withdrawal of the purchasing card and, at the discretion of the Chief Executive Officer, disciplinary action.

HEAD OF POWER: Local Government Act 1995, Section 2.7(2) (a) & (b) and Section 6.5(a). Local Government (Financial Management) Regulations 11(1) (a).

A4 DISABILITY ACCESS AND INCLUSION

Administration

PREAMBLE: The Shire of Kulin is committed to ensuring that the community is accessible for and inclusive of people with disability, their families and carers. Having an adopted Disability Access and Inclusion Plan (DAIP) of action forms part of this commitment.

OBJECTIVE: The Shire of Kulin interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in house and contracted) are open, available and accessible to people with disability, providing them with the same opportunities, rights and responsibilities as other people in the community.

POLICY: The Shire of Kulin:

- recognises that people with disability are valued members of the community who make a variety of contributions to local, social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all its members makes for a richer community life;
- believes that people with disability, their families and carers who live in country areas should be supported to remain in the community of their choice;
- is committed to consulting with people with disability, their families and carers and where required, disability organisations to ensure that barriers to access are addressed appropriately;
- will ensure its agents and contractors work towards the desired outcomes in the DAIP;
- is committed to supporting local community groups and businesses to provide access and inclusion of people with disability.

PROCESS: The Shire of Kulin is also committed to achieving the seven desired outcomes of its DAIP. These are:

1. People with disability have the same opportunities as other people to access the services of, and any event by a public authority;
2. People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority;
3. People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it;
4. People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority;
5. People with disability have the same opportunities as other people to make complaints to a public authority;
6. People with disability have the same opportunities as other people to participate in any public consultation by a public authority;
7. People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

The CEO is authorised to review the DAIP and implement those actions that support the principles outlined and accommodate annual actions in the Budget and operational strategies of the Shire.

HEAD OF POWER: Local Government Act 1995; Disability Services Act 1993 and Shire of Kulin Disability Access and Inclusion Plan (DAIP) 2020 – 2025.

A5 EQUAL OPPORTUNITY and HARASSMENT

Administration

PREAMBLE: The WA Equal Opportunity Act 1984 requires all local government authorities to prepare and implement an Equal Opportunity Management Plan in order to achieve the objects of the Equal Opportunity Act.

OBJECTIVE: To set out procedures through which the Shire of Kulin achieves compliance with Equal Opportunity legislation.

PRACTICE: The Shire of Kulin recognises its legal obligations under the Equal Opportunity Act 1984, and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on the grounds of race, sex, age, marital status, pregnancy, impairment or disability, mental health status, religious or political convictions, family responsibilities and family status or gender history and sexual orientation.

The Shire of Kulin will not tolerate harassment within its workplace. Harassment is defined as any unwelcome, offensive action or remark concerning a person's race, colour, age, language, ethnicity, political or religious convictions, sex, marital status, impairment or other unwarranted comment.

The Shire will constantly review policies, practices and guidelines to ensure that administrative behaviour does not result in the discrimination or harassment of its employees. Shire Plans will be assessed to ensure that strategic and operational outcomes do not limit the Shire's ability to remain committed to EEO ideals.

Shire staff have the established grievance procedure processes from which to lodge an EEO or harassment complaint and Shire stakeholders are able to lodge complaint under complaint handling processes.

PROCESS: The Shire will promote change and application by;

- All employment training will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability meet the minimum requirements of such training.
- All promotional policies and opportunities will be directed towards providing equal opportunity to all employees provided their relevant experience, skills and ability to meet the minimum requirements for such promotion.
- All offers of employment will be directed towards providing equal opportunity to prospective employees provided their relevant experience, skills and ability meet the minimum requirements of engagement.

HEAD OF POWER: Local Government Act 1995

The WA Equal Opportunity Act 1984

- The Racial Discrimination Act (Cth) 1976
- The Sex Discrimination Act (Cth) 1984
- The Human Rights and Equal Opportunity Commission Act (Cth) 1987
- The Disability Discrimination Act (Cth) 1992

A6 LEGAL ADVICE, REPRESENTATION & COST REIMBURSEMENT

Administration

PREAMBLE: This policy is designed to protect the interests of Council, members and employees (including past members and former employees) where they become involved in civil legal proceedings because of their official functions. In most situations the local government may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to those proceedings.

In each case it will be necessary to determine whether assistance with legal costs and other liabilities is justified for the good government of the district. This policy applies in that respect.

OBJECTIVE: To provide security, that in the event of legal proceedings or claims being taken against a Council member or staff member in the legal conduct of their duty, Council will financially support their response to the claims and or proceedings.

POLICY: General Principles

The Chief Executive Officer is authorised to obtain from Solicitors such legal advice and opinions as deemed necessary to enable the proper legal administration of Council's business. The CEO is delegated under the Local Government Act 1995, section 5.42 the authority to engage solicitors following consultation with the Shire President an authorisation to the value of \$5000 for legal advice in relation to the proper legal administration of the Shire.

The Shire may provide financial assistance to members and employees in connection with the performance of their duties provided that the member or employee has acted reasonably and has not acted illegally, dishonestly or against the interests of the local government and/or in bad faith.

The local government may provide such assistance in the following types of legal proceedings:

1. Proceedings brought by members and employees to enable them to carry out their local government functions (e.g. where a member or employee seeks a restraining order against a person using threatening behaviour);
2. Proceedings brought against members or employees, this could be in relation to a decision of Council or an employee which aggrieves another person (e.g. refusing a development application) or where the conduct of a member or employee in carrying out his or her functions is considered detrimental to the person (e.g. defending defamation actions); and
3. Statutory or other inquiries where representation of members or employees is justified.

The local government will not support any defamation actions seeking the payment of damages for individual members or employees in regard to comments or criticisms levelled at their conduct in their respective roles. Members or employees are not precluded, however, from taking their own private action. Further, the local government may seek its own advice on any aspect relating to such comments and criticisms of relevance to it.

The legal services the subject of assistance under this policy will usually be provided by the local government's solicitors. Where this is not appropriate for practical reasons or because of a conflict of interest then the service may be provided by other solicitors approved by the local government.

Repayment of Assistance

Any amount recovered by a member or employee in proceedings, whether for costs or damages, will be off set against any moneys paid or payable by the local government.

Assistance will be withdrawn where the Council determines, upon legal advice, that a person has acted unreasonably, illegally, dishonestly, against the interests of the local government or otherwise in bad faith; or where information from the person is shown to have been false or misleading.

Where assistance is so withdrawn, the person who obtained financial support is to repay any moneys already provided. The local government may take action to recover any such moneys in a court of competent jurisdiction.

PROCESS:

Applications for Financial Assistance

Decisions as to financial assistance under this policy are to be made by the Council.

A member or employee requesting financial support for legal services under this policy is to make an application in writing, where possible in advance, to the Council providing full details of the circumstances of the matter and the legal services required.

Applications for financial support to the Council are to be accompanied by an assessment of the request along with a recommendation which has been prepared by, or on behalf of, the Chief Executive Officer (CEO).

A member or employee requesting financial support for legal services, or any other person who might have a financial interest in the matter, should take care to ensure compliance with the financial interest provisions of the Local Government Act 1995.

Where there is a need for the provision of urgent legal services before an application for financial assistance can be considered by Council, the CEO is delegated under the Local Government Act 1995, section 5.42 the authority to engage solicitors following consultation with the Shire President (and in the case of the Shire President seeking the financial support – the Deputy Shire President) an authorisation to the value of \$5000.

Where it is the CEO who is seeking urgent financial support for legal services the Council shall deal with the application.

HEAD OF POWER: Shire of Kulin - Local Government Act 1995 Financial Provisions,

DELEGATION: To the CEO under LGA Section 5.42, authorisation (with conditions) to seek legal advice in connection with the proper legal administration of the Shire and to support urgent responses to claims for financial assistance to members and staff, advice to the value of \$5000, without reference to Council.

A7 OCCUPATIONAL SAFETY & HEALTH POLICY

Administration

PREAMBLE: The Shire of Kulin Occupational Safety and Health Manual provides the physical collection of processes, practice and procedures relating to health and safety at the Shire. As a governance commitment, the Council's adopted Shire Safety & Health Policy Statement details its obligation and duties towards Shire employees from the highest level in the organisation.

OBJECTIVE: To detail the Shire of Kulin Occupational Safety and Health Policy commitment and performance.

POLICY: The following statement forms the Shire of Kulin policy.

SAFETY AND HEALTH POLICY STATEMENT

The Shire of Kulin acknowledges its moral and legal responsibility to provide and maintain a work environment in which employees, contractors, customers and visitors are not exposed to hazards. This commitment extends to ensuring that the organisation's operations do not place the local community and visitors at risk of injury, illness or property damage.

The Shire of Kulin will:

- *Provide and maintain safe workplaces, safe plant and safe systems of work;*
- *Provide written procedures and instructions to ensure safe systems of work;*
- *Provide information, instruction, training and supervision to employees, contractors and customers to ensure that they are not exposed to hazards;*
- *Ensure compliance with legislative requirements and current industry standards;*

- *Provide support and assistance to employees.*

All levels of management are accountable for implementing this policy in their area of responsibility and implementation of this policy will be measured by annual performance reviews.

Management responsibilities include the following:

- *The provision and maintenance of the workplace in a safe condition.*
- *Involvement in the development, promotion and implementation of safety and health policies and procedures with regular reviews of these.*
- *Training employees in the safe performance of assigned tasks.*
- *The provision of resources to meet the safety and health commitment.*

Employees are to:

- *Follow all safety and health policies and procedures and acknowledge their duty of care to themselves, their co-workers and the general public.*
- *Ensure Shire procedures for accident and incident reporting are followed, reporting potential and actual hazards/accidents/incidents to your supervisor and elected safety and health representatives.*

This policy is applicable to contractors and employees in all its operations and functions including those situations where employees are required to work off site.

PROCESS: The Shire of Kulin Occupational Safety and Health Manual provides information on processes, reporting requirements, inspection schedules and review mechanisms.

The Occupational Safety & Health Manual is provided to all employees of the Shire and as a working document will receive formal review every two years as a minimum.

Specific sections of the Manual shall be updated and reviewed as required.

The processes allow for immediate amendment of the Manual if identified shortcomings require such, or as the 2-yearly review of the Occupational Safety & Health Manual takes place, under the authorisation of the CEO.

HEAD OF POWER: Local Government Act 1995, Occupational Health and Safety Act 1984

A8 PRIMARY DOCUMENTS

Administration

PREAMBLE: To detail the primary source documents of the Administrative Guidelines and Operational Practices used by the Shire in the conduct of its business.

OBJECTIVE: To provide accurate reference to the documents and their updates, changes and reviews, presented in a concise accurate listing of the operationally preferred processes of the Shire. To have Council support and awareness for the majority of processes used by staff.

PRACTICE: The Primary Documents are to be regarded as the operational rules, administrative procedure, staff instructions, guidelines and reference material that apply to the conduct of Shire business. Whilst not backed with the direct authority of adoption as would Shire policy, the Primary Documents do have the standing of authority of the Council, having passed a resolution accepting the documents as working materials.

The Primary Documents impose procedural and administrative intent and requirements on the Shire staff, Shire residents, contractors and stakeholders alike, and may also contain reference to other legal obligations, applicable statutes, Shire policy, adopted Codes, Circulars and case law decisions.

The Primary Documents for the Shire of Kulin are;

Shire of Kulin Administrative Procedures and Operational Guidelines (APOG) Manual
Shire of Kulin Employee Induction

It is not the intention that the Primary Documents policy captures all operational and support documentation that applies to the business of the Shire as many additional documents are generated under other statutes. E.g. Town Planning Scheme No 2, Shire of Kulin Health Local Law.

Nothing in this policy prevents the Primary Documents from being amended, updated, altered, added to or changed as requirements of law may in fact require such. Any change must be consistent with the intent of producing sufficient documentation to allow staff to legally perform their duties and for the Council to express their desired operational approach.

Changes proposed that deliver consequences that vary from the general thrust of the Primary Documents, require reference to Council for approval.

PROCESS: The Shire of Kulin will table the Primary Documents every two years in June for the Council to adopt. The noted delegations and the detailed authorities would then be confirmed via the adoption by Council resolution of the Delegation Register.

NOTE: The CEO will maintain a listing of all Primary and Secondary Documents that impact on the operations of the Shire and table this at Policy Review.

HEAD OF POWER: Local Government Act 1995

POLICY MANUAL PRIMARY AND SECONDARY DOCUMENTS LISTING

PRIMARY DOCUMENTS - SHIRE OF KULIN

Shire of Kulin Policy Manual 2017 - adopted 14th June 2017, reviewed May 2023

Shire of Kulin Administrative Procedures & Operational Guidelines (APOG) Manual 14th June 2017, reviewed May 2023

Shire of Kulin Community Strategic Plan 2017 ed. Review February 2022

Shire of Kulin Corporate Business Plan 2017 ed. Review February 2022

Shire of Kulin Employee Induction Checklist created February 2024

SECONDARY DOCUMENTS – SHIRE OF KULIN

Shire of Kulin Workforce Plan.

Shire of Kulin Asset Management Plan

Shire of Kulin Long Term Financial Plan.

Shire of Kulin Contracts and Legal Documents Register

Shire of Kulin Complaints Register

Shire of Kulin Corporate Style Guide

Shire of Kulin Customer Service Charter

Shire of Kulin Delegation Register

Shire of Kulin Disability Access and Inclusion Plan (DAIP)

Shire of Kulin Equal Employment Opportunity Plan

Shire of Kulin Freedom of Information Statement

Shire of Kulin Gifts Register

Shire of Kulin Induction and Training Procedure ed

Shire of Kulin Management Orders (Landholdings) & Vesting Orders Register

Shire of Kulin Pecuniary Interest Register

Shire of Kulin Recordkeeping Management Plan

Shire of Kulin Safe Work Method Statements (as listed) 108, 109, 110.

Shire of Kulin Town Planning Scheme No 2

Shire of Kulin Classification Guide

Kulin Child Care Management Committee Policies & Procedures

Freebairn Recreation Centre Club Policy Manual & Constitution

Kulin Community Resource Centre Australia Day Event Procedure

OPSSC Public Interest Disclosure Act 2003 Guidelines

A9 PUBLIC INTEREST DISCLOSURE

Administration

PREAMBLE: The Shire of Kulin is committed to the aims and objectives of the Public Interest Disclosure Act 2003. To support Staff who make Public Interest Disclosures the Shire has both Policy and Practice adopted to encompass its commitment to the Act.

OBJECTIVE:

The object of the Act is to:

- facilitate the disclosure of public interest information;
- provide protection for those who make disclosures; and
- provide protection for those who are the subject of a disclosure.

This is achieved by:

- protecting the person making the disclosure from legal or other action;
- providing for the confidentiality of the identity of the person making the disclosure and a person who is the subject of a disclosure.

POLICY:

The Shire of Kulin does not tolerate corrupt or other improper conduct, including mismanagement of public resources, in the exercise of the public functions of the Shire of Kulin and its officers, employees and contractors.

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

The Shire of Kulin will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure. The Shire of Kulin does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

The Shire has adopted internal procedures to provide for the manner in which the Shire of Kulin will comply with its obligations under the Public Interest Disclosure Act 2003. They provide for the manner in which:

- disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer should be a senior officer within the Shire of Kulin).
- the PID Officer shall investigate the information disclosed, or cause that information to be investigated.
- the PID Officer may take action following the completion of the investigation.
- the PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence.
- the confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained.
- records as to public interest disclosures shall be maintained and reporting obligations complied with.
- providing remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

The rights and obligations created by the PID Act are described in the Shire of Kulin Public Interest Disclosure Procedures document detailed in the Primary Document policy.

Note: PID Act procedure manual can be found in the Primary and Secondary Documents listing.

HEAD OF POWER: Local Government Act 1995

A10 REGIONAL PRICE PREFERENCE POLICY

Administration

PREAMBLE: To provide for a price preference framework for the purchase of goods and services from local Shire of Kulin suppliers.

OBJECTIVE: The policy aims to deliver a higher than average take-up of local supply, by detailing the extent of consideration the local suppliers will receive as opposed to non-local supply.

In terms of definition; local versus non-local can be determined from the originating source of the goods or service, as opposed to the Shire of Kulin based supplier of such goods and service.

PRACTICE:

General Purchasing (other than Tenders)

When officers seek quotations or purchase goods or services, quotes must be obtained from businesses (if in existence) that could provide the goods or services required that are located within the Shire of Kulin.

Tenders – Regional Price Preference

That a Regional Price Preference will be provided to businesses operating within the boundary of the Shire of Kulin for all goods and services in accordance with Regulation 24D of the Local Government (Function and General) Regulations 1996.

- Up to 10%-where the contract is for goods and services, up to a maximum reduction of \$50,000 on total cost.
- Up to 5%-where the contract is for construction (building) services, up to a maximum price reduction of \$50,000, or
- Up to 10% where the contract is for goods or services (including construction services), up to a maximum price reduction of \$500,000 if the Local Government is seeking tenders for the first time, due to goods or services previously being undertaken by the Shire of Kulin.

A copy of this policy must be supplied with each tender document.

The Regional Price Preference Policy will apply to all tenders unless otherwise resolved by Council and information that outlines the power of the Council to make that decision is to be included in the Tender advertising and specifications. (i.e. the lowest or any Tender not necessarily accepted)

Other

When the provision of goods or services is not being sought by tender the following preference will be provided to local suppliers whose business is based within the Shire of Kulin and the product quality is comparable.

5% for any purchase up to \$3,000

2% for any purchase between \$3,001 and \$49,999

HEAD OF POWER: Local Government Act 1995, Regulation 24D of the Local Government (Function and General) Regulations 1996.

Note: Regional Price Preference Policy was advertised in the Narrogin Observer in July 2017 accordance with the requirements of the Local Government Act 1995 and formally adopted by resolution 12/0917.

A11 PROCUREMENT PURCHASING AND TENDERS

Policy originally A21 in APOG Manual

Administration

PREAMBLE: The Shire of Kulin is committed to setting up efficient, effective, economical and sustainable procedures in all purchasing activities. This practice statement provides the Shire of Kulin with a more effective way of purchasing goods and services, ensures that purchasing transactions are carried out in a fair and equitable manner and strengthens integrity and confidence in the purchasing system.

The practice should deliver value for money, compliance, heightened governance, environmental impact analysis and when followed offer a degree of risk minimisation via sound probity principles.

OBJECTIVE: Firstly, to provide compliance with the Local Government Act 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007) and to deliver a best practice approach and procedures to internal purchasing for the Shire of Kulin.

PRACTICE: ETHICS & INTEGRITY

All officers and employees of the Shire of Kulin shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire of Kulin.

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

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

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire of Kulin. It is important to note that compliance with the specification is more important than obtaining the lowest price, particularly taking into account user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

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

- all relevant whole-of-life costs and benefits whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- the technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.

Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

SUSTAINABLE PROCUREMENT

Sustainable Procurement is defined as the procurement of goods and services that have less environmental and social impacts than competing products and services.

The Shire of Kulin is committed to sustainable procurement and where appropriate shall endeavour to design quotations and tenders to provide an advantage to goods, services and/or processes that minimise environmental and negative social impacts. Sustainable considerations must be balanced against value for money outcomes in accordance with the Shire of Kulin sustainability objectives.

Practically, sustainable procurement means the Shire of Kulin shall endeavour at all times to identify and procure products and services that:

- have been determined as necessary;
- demonstrate environmental best practice in energy efficiency / and or consumption which can be demonstrated through suitable rating systems and eco-labelling;
- demonstrate environmental best practice in water efficiency;
- are environmentally sound in manufacture, use, and disposal with a specific preference for products made using the minimum amount of raw materials from a sustainable resource, that are free of toxic or polluting materials and that consume minimal energy during the production stage;
- products that can be refurbished, reused, recycled or reclaimed shall be given priority, and those that are designed for ease of recycling, re-manufacture or otherwise to minimise waste.

For motor vehicles – select vehicles featuring the highest fuel efficiency available, based on vehicle type and within the designated price range;

For new buildings and refurbishments – where available use renewable energy and technologies.

PROCESS:

Where the value of procurement (excluding GST) for the value of the contract over the full contract period (including options to extend) is, or is expected to be:-

Amount of Purchase	Model Policy
Up to \$5,000	Direct purchase from suppliers not requiring any quotations, although one verbal quote could be obtained in most instances.
\$5,001 - \$19,999	At least one written quote is required.
\$20,000 - \$49,999	Obtain at least two written quotations but where suppliers/contractors are available a minimum of three is required.
\$50,000 - \$249,999	Obtain at least three written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$250,000 and above	Conduct a public tender process.

* Note: For purchase of specific plant and machinery parts up to value of \$5,000 refer to “Sole Source of Supply” criteria.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for Contracts of less than \$250,000, a Request for Tender process that entails all the procedures for tendering outlined in this policy must be followed in full.

Up to \$5,000

Goods and services valued at up to \$5,000 do not require the conduct of a competitive process, although one verbal quote could be obtained in most instances, and the purchase must represent value for money.

However, it is recommended to use professional discretion and occasionally undertake market testing with a greater number or more formal forms of quotation to ensure best value is maintained.

This purchasing method is suitable where the purchase is relatively small and low risk.

Record keeping requirements must be maintained in accordance with record keeping policies. The Local Government Purchasing and Tender Guide contains a sample form for recording verbal quotations.

\$5,001 to \$19,999

This category is for the procurement of goods or services where the value of such procurement ranges between \$5,001 and \$19,999. At least one written quote is required.

The general principles for obtaining the quotation are:

- ensure that the requirement / specification is clearly understood by the Shire of Kulin employee seeking the quotations;
- ensure that the requirement / specification is clearly, accurately and consistently communicated in writing to each of the suppliers being invited to quote;
- where only one written quote is obtained both an Executive Manager and the CEO must sign the purchase order.

Record keeping requirements must be maintained in accordance with record keeping policies.

\$20,000 to \$49,999

For the procurement of goods or services where the value exceeds \$20,000 but is less than \$49,999, it is required to obtain at least three written quotes (commonly a sufficient number of quotes would be sought according to the type and nature of purchase). Where sufficient suppliers or contractors are unavailable the requirement shall be two written quotations.

The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements. Record keeping requirements must be maintained in accordance with record keeping policies.

NOTES: The general principles relating to written quotations are;

- an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion;
- the request for written quotation should include as a minimum:
 - Written Specification/Scope of Work;
 - Selection Criteria to be applied;
 - Price Schedule;
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Note: The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.

\$50,000 to \$249,999+

For the procurement of goods or services where the value exceeds \$50,000 but is less than \$249,999, it is required to obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased.

Record keeping requirements must be maintained in accordance with record keeping policies.

For this procurement range, the selection should not be based on price alone, and it is strongly recommended to consider some of the qualitative factors such as quality, stock availability, accreditation, time for completion or delivery, warranty conditions, technology, maintenance requirements, organisation's capability, previous relevant experience and any other relevant factors as part of the assessment of the quote.

NOTES: The general principles relating to written quotations are;

- an appropriately detailed specification should communicate requirement(s) in a clear, concise and logical fashion;
- the request for written quotation should include as a minimum:
 - Written Specification/Scope of Work;
 - Selection Criteria to be applied;
 - Price Schedule;
 - Conditions of responding
 - Validity period of offer
- Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- Respondents should be advised in writing as soon as possible after the final determination is made and approved.

Note: *The Local Government Purchasing and Tender Guide produced by the Western Australian Local Government Association (WALGA) should be consulted for further details and guidance.*

Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- an emergency situation as defined by the Local Government Act 1995;
- the purchase from a prequalified panel of suppliers, a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- the purchase is under auction which has been authorised by Council;
- the contract is for petrol, oil, or other liquid or gas used for internal combustion engines;

Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations provided that there must genuinely be only one source of supply. Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit.

Note: The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

Anti-Avoidance

The Shire of Kulin shall not enter two or more contracts of a similar nature for the purpose of splitting the value of the contracts to take the value of consideration below the level of \$250,000 thereby avoiding the need to publicly tender.

Tender Criteria

The Shire of Kulin shall, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.

Advertising Tenders

Tenders are to be advertised in a state wide publication e.g. "The West Australian" newspaper, Local Government Tenders section, preferably on a Wednesday or Saturday.

The tender must remain open for at least 14 days after the date the tender is advertised. Care must be taken to ensure that 14 full days are provided as a minimum.

The notice must include;

- a brief description of the goods or services required;
- information as to where and how tenders may be submitted;
- the date and time after which tenders cannot be submitted;
- particulars identifying a person from who more detailed information as to tendering may be obtained;

Detailed information shall include;

- such information as the Shire of Kulin decides should be disclosed to those interested in submitting a tender;
- detailed specifications of the goods or services required;
- the criteria for deciding which tender should be accepted;
- whether or not the Shire of Kulin has decided to submit a tender; and
- whether or not tenders can be submitted by facsimile or other electronic means, and if so, how tenders may so be submitted.

Issuing Tender Documentation

Tenders will not be made available (counter, mail, internet, referral, or other means) without a robust process to ensure the recording of details of all parties who acquire the documentation.

This is essential as if clarifications, addendums or further communication is required prior to the close of tenders, all potential tenderers must have equal access to this information in order for the Shire of Kulin not to compromise its duty to be fair.

Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

Opening of Tenders

No tenders are to be removed from the tender box, or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and preferably at least one other Shire Officer. The details of all tenders received and opened shall be recorded in the Tenders Register.

Tenders are to be opened in accordance with the advertised time and place. There is no obligation to disclose or record tendered prices at the tender opening, and price information should be regarded as commercial-in-confidence to the Shire of Kulin. Members of the public are entitled to be present.

The Tenderer's Offer form, Price Schedule and other appropriate pages from each tender shall be date stamped and initialled by at least two Shire of Kulin Officers present at the opening of tenders.

No Tenders Received

Where the Shire of Kulin has invited tenders, however no compliant submissions have been received; direct purchases can be arranged on the basis of the following:

- a sufficient number of quotations are obtained;
- the process follows the guidelines for seeking quotations between \$50,000 & \$250,000 (listed above);
- the specification for goods and/or services remains unchanged;
- purchasing is arranged within 6 months of the closing date of the lapsed tender.

Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire of Kulin by means of a written evaluation against the pre-determined criteria. The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire of Kulin may vary the initial information by taking reasonable steps to give each person who has sought copies of the tender documents notice of the variation.

Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire of Kulin and tenderer have entered into a Contract, a minor variation may be made by the Shire of Kulin

A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

Notification of Outcome

Each tenderer shall be notified of the outcome of the tender following Council resolution. Notification shall include:

- the name of the successful tenderer
- the total value of consideration of the winning offer
- the details and total value of consideration for the winning offer must also be entered into the Tenders Register at the conclusion of the tender process.

Records Management

All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:

- tender documentation;
- internal documentation;
- evaluation documentation;
- enquiry and response documentation;
- notification and award documentation.

For a direct purchasing process this includes:

- quotation documentation;
- internal documentation;
- order forms and requisitions.

Record retention shall be in accordance with the minimum requirements of the State Records Act, and the Shire of Kulin internal records management policy.

HEAD OF POWER:

Local Government Act, 1995 and the Local Government Act (Functions and General) Regulations, 1996 (as amended in March 2007).

SHIRE OF Shire of Kulin		
VERBAL & WRITTEN QUOTATION FORM (\$5,000 - \$19,999)		
Action REQUIRED		
Procurement Description Description of purchase/service _____		
Project Number (If applicable): _____		
Quotation and Evaluation Selection Criteria (Note – at this level, it may be sufficient to just quote ‘value for money’) _____ _____		
The following suppliers were asked to quote as per Shire policy		
Date	Company/Contact Name/Contact Number	Amount Quoted
		\$
		\$
		\$
		\$
The recommended quote is from _____ For an amount of \$ _____		
Justification: _____		
Signed _____ Date / /		
Name / Title Contract Officer / s		
Contract Award		
Purchase Order Issued. (Goods/minor services only) or Purchase Order Number: _____		
Letter of Appointment (Services) Acknowledged by Contractor & filed) or Yes <input type="checkbox"/>		
Letter of Engagement (Consultancy) (Acknowledged by Consultant & filed). Yes <input type="checkbox"/>		
Is the Contractor a small business? (i.e. employs less than 20 people) Yes/No		
Other _____		
Signed _____ Date / /		
Approving Officer		

A12 TEMPORARY EMPLOYMENT OR APPOINTMENT OF AN ACTING CEO

Administration

PREAMBLE: When the Chief Executive Officer takes up to four weeks annual or other leave the Chief Executive Officer is to appoint a member of the Executive Management team as Acting Chief Executive Officer.

OBJECTIVE: To ensure the Shire has an appropriate officer at all times to be acting in the legal position of CEO, taking into account the differing workload and availability of each member of the Executive Management team during the period of absence.

PRACTICE: That the CEO ensure that the position of Acting CEO be filled as judiciously as possible when a known absence will occur.

That the authority to appoint either:

- (a) Executive Manager of Financial Services
- (b) Executive Manager of Community Services
- (c) Executive Manager of Works
- (d) Executive Manager of Corporate Governance & Risk

to be Acting Chief Executive Officer during the absence of the Chief Executive Officer on leave or other extended periods of up to four weeks be delegated to the CEO for times when there is no Ordinary Council meeting prior to the period of leave to seek Council's resolution for this appointment.

For the purposes of Section 5.36 (2) of the Local Government Act 1995, the Council has determined that employees that are appointed in one of the above positions are suitably qualified to be appointed as Acting CEO by the CEO, from time to time, when the CEO is on periods of leave.

When exercising the delegation, the Shire President is to be consulted and Council is to be provided with notice of the Acting appointment as soon as possible, or practicable.

For periods of planned or unplanned leave greater than four weeks, but less than 12 months, appoint a CEO as follows:

1. Appoint one Executive Manager, or multiple Executive Managers for separate defined periods, as Acting CEO; or
2. Conduct an external recruitment process to appoint a temporary Acting CEO.

PROCESS: Appointment of an Acting CEO by the CEO or Council is to be in writing.

DELEGATION: To CEO to appoint Executive Manager of Financial Services as Acting CEO during period of absence.

HEAD OF POWER: Local Government Act 1995 5.36, 5.39C and 5.42

A13 ELECTED MEMBERS RECORDS – CAPTURE AND MANAGEMENT

PREAMBLE: State Records Office policy imposes the obligation on elected members and the Shire of Kulin under the State Records Act in relation to the recordkeeping requirements of local government elected members.

OBJECTIVE: To assist elected members to manage the official records created or received in the course of their role as an elected member with the Shire of Kulin. It aims to assist them to meet obligations with regard to the capture and management of records.

PRACTICE: Each elected member is responsible for determining which records are required for capture and management, and submission of the record to the CEO for storage.

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

“communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of business”

In effect, any form of record which may affect the accountability or contribute to a decision or action made as an elected member must be retained. These records may be:-

- Physical – letter, handwritten note, photo, complaint
- Electronic – email, document sent as an attachment, digital photo
- Audio – message left on phone

The records are not only those received but those created:-

- a note of a conversation where someone asked you to pursue a matter
- a letter written in your capacity as elected member
- an email sent in your capacity as an elected member

The Shire of Kulin to enable the facilitation of this will:-

- Provide a collection point readily accessible to each elected member to deposit the required materials
- Materials collected will be separated according to elected member and financial year
- For electronic records (emails, digital photos etc) a storage device suitable for backup of all electronic records will be provided annually
- Where a copy of the record is to be retained by the elected member, photocopying or other duplication will be provided without charge.

Access to the records created may be required, and is to be facilitated by the CEO:-

- As permitted under various legislation
- By order of an authorised body such as the Standards Panel
- By a representative of an authorised body

HEAD OF POWER: Local Government Act 1995 State Records Office Policy

HR1 TERMINATION PAYMENTS – SEVERANCE PAYMENTS

Human Resources

PREAMBLE: Section 5.50(1) of the Local Government Act 1995, requires that a Council prepare a policy in relation to employees whose employment with the local government is finishing.

The policy is to set out:

- a) the circumstances in which the Shire of Kulin will pay an employee an amount in addition to any amount which the employee is entitled under a contract of employment or award relating to the employee; and
- b) the manner of assessment of the additional amount.

OBJECTIVE: As required under Section 5.50(1) of the Local Government Act 1995 this severance payment policy outlines the circumstances and manner of assessment upon which the Shire of Kulin will pay an employee an amount (severance payment) in addition to any amount to which the employee is entitled under a contract of employment, award, industrial agreement, or order by a Court or Tribunal.

PRACTICE:

This policy applies to all employees of the Shire of Kulin.

Decisions under this policy are to be made;

- a) By Council where decision involves a severance payment to the CEO;
- b) By the CEO where the decision involves a severance payment to any other employee of the Shire of Kulin.

Circumstances for Severance Payment

The Shire of Kulin may pay a severance payment in the following circumstances;

- a) Redundancy.
- b) Local Government boundary change and amalgamations.
- c) Any other termination matter that does not relate to an employee being made redundant (e.g. dismissal).

Exclusions

A severance payment will not be made to an employee who;

- a) Is redeployed within the Shire of Kulin;
- b) Is dismissed for misconduct;
- c) Is employed on either a temporary or casual basis;
- d) Is under probation.

STAFF RETIREMENT (also included in APOG)

In recognition of length of service staff members will be paid by the Shire a gratuity on their retirement. The amount of the gratuity is determined by the length of service:

0 – 5 years	Nil
6 – 9 years	\$25 per year
10+ years	\$50 per year

Settlements and other terminations

For the purposes of determining the amount of severance payment in respect of settling a matter under this policy, the following may be taken into account;

- a) advice of an industrial advocate or legal practitioner on the strength of the case of respective parties in any litigation or claim in an industrial tribunal;
- b) the cost of any industrial advocate or legal advice support;
- c) the general costs associated with the hearing including witness fees, travel costs;
- d) disruption to operations.

Additional Payment

Council may pay to an employee whose employment with the Shire of Kulin is finishing an additional severance payment over and above that prescribed in this policy to the maximum severance payment made allowable under the Local Government Act 1995.

19A. Payments to employee in addition to contract or award s. 5.50(3)

(1) The value of a payment or payments made under section 5.50(1) and

(2) to an employee whose employment with a local government finishes after 1 January 2010 is not to exceed in total;

(a) if the person accepts voluntary severance by resigning as an employee, the value of the person's final annual remuneration; or

(b) in all other cases, \$5 000.

An additional payment made under clause 4.3 will require local public notice to be made in relation to this payment.

HEAD OF POWER: Local Government Act 1995 and Shire of Kulin policy.

HR2 STANDARDS FOR CEO RECRUITMENT, PERFORMANCE AND TERMINATION

Policy Purpose:

This Policy is adopted in accordance with section 5.39B of the *Local Government Act 1995*.

Division 1 — Preliminary provisions

1. Citation

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

2. Terms used

(1) In these standards —

Act means the Local Government Act 1995;

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

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

contract of employment means the written contract, as referred to in section 5.39 of the Act, that governs the employment of the CEO;

contractual performance criteria means the performance criteria specified in the CEO's contract of employment as referred to in section 5.39(3)(b) of the Act;

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

local government means the *Shire of Kulin*;

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

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

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

Division 2 — Standards for recruitment of CEOs

3. Overview of Division

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

4. Application of Division

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

(2) This Division does not apply —

(a) if it is proposed that the position of CEO be filled by a person in a class prescribed for the purposes of section 5.36(5A) of the Act; or

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

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

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

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

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

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

6. Advertising requirements

- (1) If the position of CEO is vacant, the local government must ensure it complies with section 5.36(4) of the Act and the *Local Government (Administration) Regulations 1996* regulation 18A.
- (2) If clause 13 applies, the local government must advertise the position of CEO in the manner referred to in the *Local Government (Administration) Regulations 1996* regulation 18A as if the position was vacant.

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

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

- (a) inform the person of the website address referred to in the Local Government (Administration) Regulations 1996 regulation 18A(2)(da); or
- (b) if the person advises the local government that the person is unable to access that website address —
 - (i) email a copy of the job description form to an email address provided by the person; or
 - (ii) mail a copy of the job description form to a postal address provided by the person.

8. Establishment of selection panel for employment of CEO

- (1) In this clause —

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

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

9. Recommendation by selection panel

- (1) Each applicant's knowledge, experience, qualifications and skills must be assessed against the selection criteria by or on behalf of the selection panel.
- (2) Following the assessment referred to in subclause (1), the selection panel must provide to the local government —
 - (a) a summary of the selection panel's assessment of each applicant; and
 - (b) unless subclause (3) applies, the selection panel's recommendation as to which applicant or applicants are suitable to be employed in the position of CEO.
- (3) If the selection panel considers that none of the applicants are suitable to be employed in the position of CEO, the selection panel must recommend to the local government —
 - (a) that a new recruitment and selection process for the position be carried out in accordance with these standards; and
 - (b) the changes (if any) that the selection panel considers should be made to the duties and responsibilities of the position or the selection criteria.
- (4) The selection panel must act under subclauses (1), (2) and (3) —
 - (a) in an impartial and transparent manner; and

- (b) in accordance with the principles set out in section 5.40 of the Act.
- (5) The selection panel must not recommend an applicant to the local government under subclause (2)(b) unless the selection panel has —
 - (a) assessed the applicant as having demonstrated that the applicant's knowledge, experience, qualifications and skills meet the selection criteria; and
 - (b) verified any academic, or other tertiary level, qualifications the applicant claims to hold; and
 - (c) whether by contacting referees provided by the applicant or making any other inquiries the selection panel considers appropriate, verified the applicant's character, work history, skills, performance and any other claims made by the applicant.
- (6) The local government must have regard to, but is not bound to accept, a recommendation made by the selection panel under this clause.

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

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

11. Offer of employment in position of CEO

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

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

12. Variations to proposed terms of contract of employment

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

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

- (1) In this clause —
commencement day means the day on which the *Local Government (Administration) Amendment Regulations 2021* regulation 6 comes into operation.
- (2) This clause applies if —
 - (a) upon the expiry of the contract of employment of the person (the incumbent CEO) who holds the position of CEO —

- (i) the incumbent CEO will have held the position for a period of 10 or more consecutive years, whether that period commenced before, on or after commencement day; and
 - (ii) a period of 10 or more consecutive years has elapsed since a recruitment and selection process for the position was carried out, whether that process was carried out before, on or after commencement day; and
- (b) the incumbent CEO has notified the local government that they wish to have their contract of employment renewed upon its expiry.
- (3) Before the expiry of the incumbent CEO's contract of employment, the local government must carry out a recruitment and selection process in accordance with these standards to select a person to be employed in the position of CEO after the expiry of the incumbent CEO's contract of employment.
- (4) This clause does not prevent the incumbent CEO's contract of employment from being renewed upon its expiry if the incumbent CEO is selected in the recruitment and selection process referred to in subclause (3) to be employed in the position of CEO.

14. Confidentiality of information

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

Division 3 — Standards for review of performance of CEOs

15. Overview of Division

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

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

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

17. Carrying out a performance review

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

18. Endorsement of performance review by local government

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

19. CEO to be notified of results of performance review

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

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

Division 4 — Standards for termination of employment of CEOs

20. Overview of Division

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

21. General principles applying to any termination

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

22. Additional principles applying to termination for performance related reasons

- (1) This clause applies if the local government proposes to terminate the employment of a CEO for reasons related to the CEO's performance.
- (2) The local government must not terminate the CEO's employment unless the local government has —
 - (a) in the course of carrying out the review of the CEO's performance referred to in subclause (3) or any other review of the CEO's performance, identified any issues (the performance issues) related to the performance of the CEO; and
 - (b) informed the CEO of the performance issues; and
 - (c) given the CEO a reasonable opportunity to address, and implement a plan to remedy, the performance issues; and
 - (d) determined that the CEO has not remedied the performance issues to the satisfaction of the local government.
- (3) The local government must not terminate the CEO's employment unless the local government has, within the preceding 12 month period, reviewed the performance of the CEO under section 5.38(1) of the Act.

23. Decision to terminate

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

24. Notice of termination of employment

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



Shire of Kulin Register of Delegations

Adopted at the Ordinary Meeting of Council held on 16 June 2024
For Annual Review at the Ordinary Meeting of Council held on 21 May
2025

REVIEW

Reviewed by	Date approved	References
Council	17 May 2023	OCM 17 May 2023
Council	21 May 2025	OCM 21 May 2025

DRAFT

TABLE OF CONTENTS

INTRODUCTION	5
Introduction	5
DELEGATIONS	6
01 Administration	6
A.1 - Acting Chief Executive Officer	6
A.2 - Agreements for Payments of Debts to Council	7
A.3 - Casual Hirers Liability	8
A.4 - Complaint Handling	9
A.5 - Fees & Charges - Discounts	10
A.6 - Investment of Surplus Funds	11
A.7 - IT & Social Media – Use Of	12
A.8 - Legal Advice, Representation & Cost Reimbursement	13
A.9 - Payments from Municipal and Trust Funds [DRAFT]	14
A.10 - Use of Common Seal	16
A.11 - Writing Off Debts	17
A.12 - Housing	18
A.13 - Recovery of Rates and Other Debts	19
A.14 - Sale of Land and Housing [DRAFT]	20
A.15 - Fuel Sale Price Setting	21
A.16 - Operation of Closed Circuit Television (CCTV)	22
A.17 - Disposal of ICT Assets	23
A.18 - Disposal of Plant, Equipment and Light Vehicles	24
A.19 - Discount on Rates [DRAFT]	25
A.19 - Discounts - Rates	26
02 Governance	27
G.1 - Applications for Planning Consent	27
G.2 - Building Licences and Swimming Pools	28
G.3 - Cemeteries Act 1986	29
G.4 - Public Health Act 2016 [DRAFT]	30
G.5 - Various Acts and Local Laws	31
03 Human Resources	32
H.1 - Grievance Procedures [DRAFT]	32
04 Community Resources	33
C.1 - Bushfire Control – Shire Plant Use Including Adjoining Shires	33
C.2 - Bushfire Administration	34
C.3 - Bushfire Prohibited/Restricted Burning Periods – Changes to	35
C.4 - Bushfire Training Administration	36
C.5 - Cat Ownership Limit – Cat Control	37
C.6 - Dog Control - Attacks	38

C.7 - Dog Ownership Limit – Dog Control	39
C.8 - Sea Containers Use Of – Town Planning	40
C.9 - Second Hand Dwellings – Use of – Building Control	41
C.10 - Temporary Accommodation	42
C.11 - Unauthorised Structures – Building Control	43
C.13 - Freebairn Recreation Centre Club Committee	44
C.15 - General – Community Services Practices	45
C.16 - Bushfire Control – Confirmation Appointment of Dual Fire Control Officers	46
C.17 - Seed Collection – Issue of Approval to Collect Seeds	47
C.18 - Kulin Caravan Park Operation	48
05 Works	49
W.1 - Gravel Supplies	49
W.2 - Roads - Clearing	50
W.3 - Roads – Damage To	51
W.4 - Roads – Roadside Markers – Management Of	52
W.5 - Stormwater Drainage	53
W.6 - Street Trees	54
W.7 - Streetscape – Improvements	55
W.8 - Roadside Vegetation Management	56
W.9 - Temporary Road Closures	57
W.10 - General – Works Practices [DRAFT]	58
W.11 - Use of Depot and Use of Plant	59
W.12 - Restricted Access Vehicles (RAV)	60
AMENDMENTS	61

INTRODUCTION

Introduction

The *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act. All delegations made by the Council must be by absolute majority decision. The following are functions 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 government's powers under Sections 5.98, 5.99 and 5.100 of the Act relating to the payment of fees to council members; borrowing money on behalf of the local government;
- hearing or determining an objection of a kind referred to in Section 9.5;
- any power or duty that requires the approval of the Minister or Governor; or
- such other duties or powers that may be prescribed by the Act.

The Act allows for the Chief Executive Officer to delegate any of his 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 he desires.

A register of delegations 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.

DRAFT

DELEGATIONS

01 Administration

Delegation	A.1 Acting Chief Executive Officer
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer to appoint the Executive Manager of Financial Services, or if unavailable, then appoint either the Executive Manager of Corporate Governance & Risk, Executive Manager of Works or the Executive Manager of Community Services as Acting CEO during a period of absence.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> section 5.36 and 5.42
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	A.2 Agreements for Payments of Debts to Council
Category	01 Administration
Delegator	Council
Function	The CEO is authorised to make agreements with debtors for the re-payment of debts to Council, including rates and other debts.
Delegates	CEO
Subdelegates	Executive Manager Financial Services
Statutory framework	<i>Local Government Act 1995</i> section 6.49
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.3 Casual Hirers Liability
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer, Executive Manager of Financial Services, the Executive Manager of Corporate Governance & Risk, the Executive Manager of Works, the Executive Manager of Community Services and the Freebairn Recreation Centre Manager to ensure hirers of Shire facilities carry adequate insurance before hire takes place.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> section 2.7 (2) (b)
Date adopted	24 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.4 Complaint Handling
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer to seek legal advice in respect to the implications of suspected malicious, frivolous, unreasonable, persistent or vexatious complaint.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.5 Fees & Charges - Discounts
Category	01 Administration
Delegator	Council
Function	<p>That Council delegate authority to the Chief Executive Officer to offer up to a 30% reduction of the hire fee or charge without reference to Council.</p> <p>The CEO then delegates authority to Executive Manager of Financial Services, Executive Manager of Corporate Governance & Risk, Executive Manager of Works, Executive Manager of Community Services and the Freebairn Recreation Centre Manager to offer a 10% discount on the fees and charges applicable to their services, as a direct response to a request by the payee, correcting a service or expectation requirement.</p>
Delegates	CEO
Subdelegates	Executive Manager Community Services Executive Manager Corporate Governance and Risk Executive Manager Financial Services Executive Manager of Works & Services Freebairn Recreation Centre Manager
Subdelegate conditions	<p>The Executive Manager of Financial Services, Executive Manager of Governance & Risk, Executive Manager of Works & Executive Manager of Community Services and the FRC Manager be permitted to offer up to a 10% reduction of the hire fee or charge without reference to the CEO; as a direct response to a request by the payee, correcting a service or expectation requirement;</p> <p>All delegations exercised to be recorded.</p>
Statutory framework	<i>Local Government Act 1995</i>
Policy	APOG A13 Fees & Charges - Discounts
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

Delegation	A.6 Investment of Surplus Funds
Category	01 Administration
Delegator	Council
Function	The Chief Executive Officer and the Executive Manager of Financial Services are authorised to invest money held in any Council fund that is not required for immediate use, in an approved investment as defined by the Trustees Act, Part III, provided that sufficient working funds are retained at all times. Where possible, preference is to be given to investing in local bank branches.
Delegates	CEO
Subdelegates	Executive Manager Financial Services
Statutory framework	<i>Local Government Act 1995, section 6.14. Financial Management Regulations Section 19c</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	A.7 IT & Social Media - Use Of
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer to authorise officers of the Council to access and maintain social media sites.
Delegates	CEO
Subdelegates	Executive Manager Community Services Executive Manager Financial Services Manager Executive Support Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.8 Legal Advice, Representation & Cost Reimbursement
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer (with conditions) to seek legal advice in connection with the proper legal administration of the Shire and to support urgent responses to claims for financial assistance to members and staff, advice to the value of \$5,000, without reference to Council.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> Section 5.42
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.9 Payments from Municipal and Trust Funds [DRAFT]
Category	01 Administration
Delegator	Council
Function	The CEO is authorised to make payments from the Municipal and Trust Funds. This includes the authority to sign cheques and permit EFT payments.
Delegates	CEO
Conditions	<ol style="list-style-type: none"> 1. That an order be issued for the purchase of goods and services except in the case of small purchases from Petty Cash; 2. That where feasible and practical, a price be negotiated in advance of purchase and recorded on the order form; 3. That invoices, where practicable, be certified by the person who placed the order so as to indicate; <ol style="list-style-type: none"> a. That the purchase was under an authority delegated to that person b. That the goods and services were received in a satisfactory condition, or to a satisfactory standard, and the price and computations are correct; 4. That the Chief Executive Officer continue to place a list of creditors before the Council on a monthly basis together with vouchers and invoices; <ol style="list-style-type: none"> a. For the recording in the minutes after payment for those accounts paid by the Chief Executive Officer under delegated authority. 5. That at least two (2) signatories be required on all cheques or online authorisations; <p>For those paid by the Chief Executive Officer under delegated authority either the CEO, Executive Manager of Financial Services, jointly with either the Manager of Executive Support Services or Accounts Payable Officer.</p>
Subdelegates	<p>Aquatic Centre Manager Environmental Health Officer Executive Manager Community Services Executive Manager Corporate Governance and Risk Executive Manager Financial Services Executive Manager of Works & Services Freebairn Recreation Centre Manager Manager Executive Support Services Plant Mechanic Technical Officer Town Mtce Supervisor / BMO Works Supervisor</p>

Subdelegate conditions	<p>The authority to issue Municipal Fund purchase orders only. As follows;</p> <p>Executive Manager of Financial Services (including trust) \$50,000 Executive Manager of Works \$50,000 Executive Manager of Corporate Governance & Risk \$50,000 Executive Manager of Community Services \$50,000 Manager of Executive Support Services \$5,000 Plant Mechanic \$5,000 Freebairn Recreation Centre Manager \$5,000 Aquatic Centre Manager \$5,000 Works Supervisor \$5,000 Technical Officer \$1,000 Environmental Health Officer \$1,000 Building Maintenance Officer \$1,000</p> <p><i>*Orders for items of a capital nature, or major operational items such as fuel that have been dealt with at a Council level (e.g. tenders) may be signed /authorised by an Executive Manager in excess of the purchase orders limit.</i></p>
Statutory framework	<p><i>Local Government (Financial Management) Regulations 1996, Regulation 12</i></p>

DRAFT

Delegation	A.10 Use of Common Seal
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer to permit the affixing of the Common Seal when required.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> section 9.49A (4)
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.11 Writing Off Debts
Category	01 Administration
Delegator	Council
Function	That Council delegate authority to the Chief Executive Officer to write off debts where the individual debt is not more than \$100. In exercising this authority, the Chief Executive Officer is to take into consideration Council Policy and the prospects of recovering the debt.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> section 6.12
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.12 Housing
Category	01 Administration
Delegator	Council
Function	<p>To the Chief Executive Officer to;</p> <ul style="list-style-type: none"> • to recover from bonds the cost of damage repair, cleaning and carpet cleaning from tenants if they fail to do such; • take action to recover costs of water usage if other reduction remedies have failed to reduce consumption; • determine applications from tenants to allow a pet in the residence; • determine applications from staff to receive the "own your own residence" allowance;
Delegates	CEO
Subdelegates	Executive Manager Financial Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	A.13 Recovery of Rates and Other Debts
Category	01 Administration
Delegator	Council
Function	To the Chief Executive Officer to determine the granting of an extension of time to pay rates.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	A.14 Sale of Land and Housing [DRAFT]
Category	01 Administration
Delegator	Council
Function	Disposal of vacant land can be sold without reference to Council where the market value of the property to be disposed of is ascertained <u>to</u> be a value contained in the Reserve Price of Vacant Land Report where the valuations are less than 6 months old.
Delegates	CEO
Statutory framework	Section 3.58(3) of the Local Government Act 1995
Policy	APOG A14A Sale of Land and Housing

DRAFT

Delegation	A.15 Fuel Sale Price Setting
Category	01 Administration
Delegator	Council
Function	That Council delegate the authority in setting the fuel sale price on the appropriate margin to add to the cost of fuel.
Delegates	CEO Executive Manager Financial Services
Policy	APOG A13a
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

Delegation	A.16 Operation of Closed Circuit Television (CCTV)
Category	01 Administration
Delegator	Council
Function	To provide approval to any media organisation, journalist, individual or group to access images retained in the Shire of Kulin's CCTV.
Delegates	CEO
Subdelegates	Executive Manager Financial Services
Policy	APOG A29 Closed Circuit Television (CCTV) Operations Policy
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

Delegation	A.17 Disposal of ICT Assets
Category	01 Administration
Delegator	Council
Function	Council delegates authority to the Chief Executive Officer to dispose of information and communication technology assets eg. laptop computers, desktop computers and mobile phones.
Delegates	CEO
Conditions	Details of the disposal, including officer responsible for the asset, evidence of removal of software & data and who the disposal has been made to, must be reported to the Executive Manager of Financial Services and documented on the Portable and Attractive Assets Register.
Policy	APOG A31 Disposal of ICT Assets
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

Delegation	A.18 Disposal of Plant, Equipment and Light Vehicles
Category	01 Administration
Delegator	Council
Function	The CEO is authorised to dispose of plant, equipment and light vehicles that might otherwise be sold privately rather than traded as part of a changeover with a dealer.
Delegates	CEO
Conditions	<p>The private sale price must exceed the trade price.</p> <p>Where available the Chief Executive Officer shall obtain market value or trade value of item to be disposed of i.e. (Redbook Certificate or Dealership Appraisal).</p> <p>Prescribed value for Disposal of Plant and Equipment under this delegation is from \$20,000 to \$200,000.</p> <p>Any Plant and Equipment to be disposed of must be included in the relevant financial year adopted budget of the Shire.</p>
Statutory framework	<p>Local Government Act 1995</p> <p>Disposing of property – Section 3.58 and Section 5.43</p>
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

Delegation	A.19 Discount on Rates [DRAFT]
Category	01 Administration
Delegator	Council
Express power or duty delegated	To apply the early payment discount to Interim Rates notices sent in accordance with policy A32 - Discounts - Rates
Function	To apply the discount percentage adopted in the Annual Budget to properties subject to an interim rates adjustment prior to 30 June of the preceding year and up to the due date of full year rates notices. The discount will be offered on the rates portion on the interim rates notice.
Delegates	CEO
Statutory framework	LGA 1995
Policy	A32

DRAFT

Delegation	A.19 Discounts - Rates
Category	01 Administration
Delegator	Council
Express power or duty delegated	To apply the early payment discount to Interim Rates notices sent in accordance with APOG Policy A32
Function	The CEO is able to apply the discount percentage adopted in the Annual Budget to properties subject to an interim rates adjustment prior to 30 June and up to the due date of full year rates notices. The discount will be offered on the rates portion on the interim rates notice.
Delegates	CEO
Conditions	For properties subject to interim rates adjustments between 26 May and the due date of full year rates notices.
Statutory framework	Local Government Act 1995
Policy	A32 Discounts - Rates
Date adopted	18 September 2024
Adoption references	Council Resolution 11/0924 OCM 18 September 2024
Last reviewed	21 May 2025

02 Governance

Delegation	G.1 Applications for Planning Consent
Category	02 Governance
Delegator	Council
Function	<p>The CEO is authorised to issue planning consent for development applications that fully comply with all requirements. The CEO is authorised to reduce or waive development application fees where:</p> <ul style="list-style-type: none"> • the development has a perceived benefit to the community, and • the application is of such a nature that very little investigate work is required prior to the application being submitted to Council for consideration. <p>Compliance with the Town Planning Scheme, Regulations and Codes, and Council's Planning Policies, is mandatory. Any application not complying is to be referred to Council for decision.</p>
Delegates	CEO
Conditions	No officer other than the CEO is permitted to authorise expenditure by outside agencies for development applications.
Statutory framework	Town Planning Development Act and Town Planning Scheme No 2, 2017
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	G.2 Building Licences and Swimming Pools
Category	02 Governance
Delegator	Council
Function	The CEO is authorised to approve or not approve plans submitted and issue building licences. This includes the authority to conduct inspections and issue orders for private swimming pools.
Delegates	CEO
Conditions	The authority does not include approval of development applications as required under Council's Town Planning Scheme, nor the expenditure of money prior to consultation with the CEO. All building applications must conform with the Building Code of Australia and all other relevant legislation.
Subdelegates	Environmental Health Officer
Statutory framework	<i>Local Government (Miscellaneous Provisions) Act 1960 section 374</i>
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

Delegation	G.3 Cemeteries Act 1986
Category	02 Governance
Delegator	Council
Function	The CEO is authorised to carry out all of the powers and duties conferred to Council by section 6 of the <i>Cemeteries Act 1986</i> and carry out in accordance with this section, when required, the exhumation of a body buried in the Kulin, Dudinin or Pingaring cemeteries and the reburial of the body in the Kulin, Dudinin or Pingaring cemeteries.
Delegates	CEO
Statutory framework	<i>Cemeteries Act 1986</i> sections 6 and 59
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	G.4 Public Health Act 2016 [DRAFT]
Category	02 Governance
Delegator	Council
Function	<p>1. Delegation to the Chief Executive Officer for the appointment of 'authorised officer/s' under section 9.10(1) including the authority to the giving of infringement notice/s under section 9.16 by the authorised officer/s pursuant to the <i>Local Government Act 1995</i> for the purpose of the administration of the Shire of Kulin Animal Environment and Nuisance Local law 2016;</p> <p>2. That pursuant to the <i>Local Government Act 1995</i> Subdivision 2 - Infringement notices, the Shire of Kulin appoints the Chief Executive Officer as an authorised officer for the functions of:</p> <ul style="list-style-type: none"> i. Section 9.17. Notice, content of – to authorise persons for the purposes of receiving payment of modified penalties; ii. Section 9.19. Extension of time; and iii. Section 9.20. Withdrawal of notice. <p>This appointment is to be affected by instrument in writing and signed by the Shire President</p> <p>3. Delegation to the Chief Executive Officer for the purpose of designating authorised officers, appointing environmental health officers and the appointment of authorised officers to issue infringement notices pursuant to the Health (Asbestos) Regulations 1992; and</p> <p>4. The appointment of the Chief Executive Officer as an 'approved officer' pursuant to Regulation 15D(5) of the <i>Health (Asbestos) Regulations 1992</i> for the purposes of Part 2 of the <i>Criminal Procedure Act 2004</i> as the person authorised to extend the period to pay or withdraw an infringement notice. This appointment is to be affected by instrument in writing and signed by the Shire President. (Note: Adopted by Council resolution 11/0217)</p>
Delegates	CEO
Subdelegates	Environmental Health Officer
Statutory framework	<i>Public Health Act 2016, Health (Miscellaneous Provisions) Act 1911, Health (asbestos) Regulations 1994</i> 1994 <i>1992, Food Act 2008</i>

Delegation	G.5 Various Acts and Local Laws
Category	02 Governance
Delegator	Council
Function	<p>To the Chief Executive Officer for the appointment of 'authorised officer/s' required by the Shire of Kulin under;</p> <ul style="list-style-type: none"> • Local Government Act (Miscellaneous Provisions) 1960, Part XX (Ranger/Pound Keeper); • Local Government Act 1995, Part 3, Subdivision 4 and part 9 Division 2 – Executive Functions of Local Government and Part 9 Miscellaneous Provisions; • s. 17(1) <i>Caravan Parks and Camping Grounds Act 1995</i>; • s. 29 (1) <i>Dog Act 1976</i> and Regulations; • s. 48 <i>Cat Act 2011</i> and Regulations; • s. 59(3) <i>Bush Fires Act 1954</i> and Regulations; • s. 26 of the <i>Litter Act 1979</i> and Regulations; • s. 38(3) <i>Control of Vehicles (Off Road Areas) Act 1978</i> and Regulations; • All Shire of Kulin Local Laws. • All appointments to be advertised annually in the Government Gazette or by local circulation for interim or part year appointments
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> and Various Acts as detailed
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

03 Human Resources

Delegation	H.1 Grievance Procedures [DRAFT]
Category	03 Human Resources
Delegator	Council
Function	To the Chief Executive Officer to engage a competent human resource professional to hear and determine a grievance against the CEO or where a grievance requires specialist mediation or assistance because the topic is outside the knowledge or capacities of Shire staff.
Delegates	CEO
Statutory framework	Local Government <u>Local Government</u> Act 1995

DRAFT

04 Community Resources

Delegation	C.1 Bushfire Control - Shire Plant Use Including Adjoining Shires
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer to spend up to \$5,000 to hire plant or equipment (above positioning and mobilisation costs) if and when a bushfire cannot be effectively controlled by other means, or where it is considered necessary to engage additional resources to protect life or property.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	Local Government Act sections 5.42 and 5.44 Bush Fires Act section 38 (3) (4) (5)
Policy	APOG CS3 Bushfire Control - Plant Use for Adjoining Shires APOG CS4 Bushfire Control - Shire Plant for Use of
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

Delegation	C.2 Bushfire Administration
Category	04 Community Resources
Delegator	Council
Function	The Chief Executive Officer is granted the authority to confirm the appointment of Dual Fire Control Officer applications from neighbouring Shires without reference to Council.
Delegates	CEO
Statutory framework	Local Government Act sections 5.42 and 5.44 Bush Fires Act section 48 (1)
Policy	APOG CS1 Bushfire Administration
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

Delegation	C.3 Bushfire Prohibited/Restricted Burning Periods - Changes to
Category	04 Community Resources
Delegator	Council
Function	<p>In accordance with Section 17(10) of the <i>Bush Fires Act 1954</i> (as amended), Council delegate it's power to the Chief Executive Officer, who will consult with the Chief Bush Fire Control Officer to vary the "Prohibited Burning Period".</p> <p>In accordance with the <i>Bush Fires Act 1954</i> (as amended), the Chief Bush Fire Control Officer and the Chief Executive Officer are delegated authority to vary the "Restricted Burning Period".</p>
Delegates	CEO Chief Bush Fire Control Officer
Statutory framework	<i>Local Government Act 1995 & Bush Fires Act 1954</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.4 Bushfire Training Administration
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer and the Bush Fire Brigades Advisory Committee to incur expenditure for the planning and development of training opportunities without reference to Council for volunteers, Fire Control Officers and Captains. Costs associated with training programs to be allocated to Council's Emergency Services Levy.
Delegates	Bush Fire Brigades Advisory Committee CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.5 Cat Ownership Limit - Cat Control
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer to determine applications to keep cats under the Cat Foster Carer provision as per Council policy.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> <i>Cat Act 2011 and Cat Regulations 2012</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.6 Dog Control - Attacks
Category	04 Community Resources
Delegator	Council
Function	Without reference to the Council the Chief Executive Officer is delegated authority to instigate legal and/or infringement proceedings against the owner of a dog involved in a dog attack on a person or other animal.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> <i>Dog Act 1976</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.7 Dog Ownership Limit - Dog Control
Category	04 Community Resources
Delegator	Council
Function	Without reference to the Council the Chief Executive Officer is delegated authority to determine applications in the first instance.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> <i>Dog Act 1976</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.8 Sea Containers Use Of - Town Planning
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer for the approval of applications for the use of sea containers.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> Shire of Kulin Town Planning Scheme No. 2 Shire Policy
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.9 Second Hand Dwellings - Use of - Building Control
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer to approve Development Applications for the use of second hand relocated or transportable dwellings.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.10 Temporary Accommodation
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer to approve applications for temporary accommodation in caravans that meet the guideline conditions.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> <i>Caravan and Camping Ground Regulations 1997: Regulation 6 and 11(2)(a)</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.11 Unauthorised Structures - Building Control
Category	04 Community Resources
Delegator	Council
Function	To the Chief Executive Officer to seek legal advice or to prepare a "Stop Work" order where Notice to the owner fails to illicit any response or results in the hastening of action to complete the structure.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i> <i>Building Regulations 1989</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.13 Freebairn Recreation Centre Club Committee
Category	04 Community Resources
Delegator	Council
Function	That Council delegate authority to the Freebairn Recreation Centre Club Committee to manage all aspects of the Freebairn Recreation Centre on behalf of Council, subject to budget constraints and under the constraints imposed by the <i>Local Government Act 1995</i> and other relevant legislation.
Delegates	Freebairn Recreation Club Committee
Conditions	<p>The following areas remain the responsibility of Council:</p> <ul style="list-style-type: none"> • Staffing • Liquor licence • Capital Expenditure Purchases • Sale of Assets • Waiver of Hire Charges
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	C.15 General - Community Services Practices
Category	04 Community Resources
Delegator	Council
Function	<p>To the Chief Executive Officer to;</p> <ul style="list-style-type: none"> • appoint officers for the purpose of infringement notices and administration of; <ul style="list-style-type: none"> ◦ the Shire of Kulin Animal Environment and Nuisance Local Law; Health (Asbestos) regulation 1992. • appoint officers for the purposes of the Caravan and Camping Grounds Act 1995; <ul style="list-style-type: none"> ◦ Power of Entry and inspection and, ◦ The issue of Infringement Notices. <p>approve or reject applications to consume liquor in Shire buildings or on Shire controlled reserves.</p> <p>approve applications to hire the Kulin Bush Races facility in accordance with terms and conditions.</p>
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	19 June 2024
Adoption references	OCM 090624
Last reviewed	21 May 2025

Delegation	C.16 Bushfire Control - Confirmation Appointment of Dual Fire Control Officers
Category	04 Community Resources
Delegator	Council
Function	That Council delegate to the Chief Executive Officer that following receipt of correspondence or a written email request from a neighbouring Shire, the Chief Executive Officer under delegation made possible by the <i>Bush Fires Act 1954</i> , S.48 (1) is granted the authority to confirm the appointment of Dual Fire Control Officer applications from neighbouring Shires without reference to Council.
Delegates	CEO
Statutory framework	Local Government Act sections 5.42 and 5.44 Bush Fires Act section 48 (1)
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.17 Seed Collection - Issue of Approval to Collect Seeds
Category	04 Community Resources
Delegator	Council
Function	That Council delegate to the Chief Executive Officer approval to determine requests to collect seeds from Shire of Kulin managed and controlled land without reference to Council in accordance with the guidelines of APOG CS20.
Delegates	CEO
Statutory framework	Local Government Act
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	C.18 Kulin Caravan Park Operation
Category	04 Community Resources
Delegator	Council
Function	Council delegates to the Chief Executive Officer to approve applications for extended periods of stay at the Kulin Caravan Park.
Delegates	CEO
Statutory framework	Caravan and Camping Ground Regulations 1997: Regulation 6 and 11(2)(a)
Policy	APOG CS21 Kulin Caravan Park Operation
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

05 Works

Delegation	W.1 Gravel Supplies
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer and the Executive Manager of Works & Services to negotiate the supply of gravel with landholders, which may incur a quid pro quo cost to the Shire and to initiate the resumption of land for the purpose of obtaining gravel where no alternate suitable supplies exist.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	W.2 Roads - Clearing
Category	05 Works
Delegator	Council
Function	<p>To the Chief Executive Officer the power to;</p> <ul style="list-style-type: none"> • consider and authorise the removal of vegetation from fence lines; • to issue approval to service authorities to remove vegetation on Shire roads in relation to their works; • to determine the suitability of roadside vegetation planting applications submitted by community groups or individuals.
Delegates	CEO
Statutory framework	<p> <i>Local Government Act 1995</i> <i>Soil and Land Conservation Act 1945 (Agriculture WA)</i> <i>Wildlife Conservation Act 1950 – 1979</i> <i>Aboriginal Heritage Act 1972</i> <i>Agriculture and Related Resources Protection Act 1976</i> <i>Bush Fires Act 1954</i> <i>Conservation and Land Management Act 1984</i> <i>Environmental Protection and Biodiversity Conservation Act 1999</i> <i>Environmental Protection Act 1986</i> <i>Heritage of WA Act 1990</i> <i>Land Act 1933</i> <i>Main Roads Act 1930</i> <i>Mining Act 1978</i> <i>State Energy Commission Supply Act 1979</i> <i>Water Authority Act 1987</i> </p>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

Delegation	W.3 Roads - Damage To
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to take action to recover the cost of damage to a Shire road or verge asset and issue Notice to request the return of the road or verge to a clean and tidy condition.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.4 Roads - Roadside Markers - Management Of
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to determine roadside markers applications.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.5 Stormwater Drainage
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to approve applications for connection to the Shire stormwater drainage from landowners on advice from the Executive Manager of Works & Services.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.6 Street Trees
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to determine applications for approval to plant street trees in accordance with this guideline.
Delegates	CEO
Statutory framework	<i>Local Government Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.7 Streetscape - Improvements
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to approve streetscape improvements.
Delegates	CEO
Statutory framework	<i>LocalGovernment Act 1995</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.8 Roadside Vegetation Management
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer for the burning or spraying of road verges following agreement of the Executive Manager of Works & Services in accordance with the listed conditions.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995</i> <i>Bush Fires Act 1954 25</i> <i>Occupational Health & Safety</i> <i>Road Traffic Act 1974</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.9 Temporary Road Closures
Category	05 Works
Delegator	Council
Function	The Chief Executive Officer is authorised to temporarily close thoroughfares to vehicles.
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Statutory framework	<i>Local Government Act 1995 section 3.50</i> <i>Bush Fires Act 1954 25</i> <i>Occupational Health & Safety</i> <i>Road Traffic Act 1974</i>
Date adopted	17 May 2023
Adoption references	OCM 17 May 2023
Last reviewed	21 May 2025

DRAFT

Delegation	W.10 General - Works Practices [DRAFT]
Category	05 Works
Delegator	Council
Function	<p>To the Chief Executive Officer to;</p> <ul style="list-style-type: none"> • Determine applications to beautify grave sites at Shire Cemetery's; • Approve Niche Wall plaque design and placement; • Approve the use of the depot for the servicing of private vehicles and equipment; • Determine requests from local Clubs and Organisations to use Shire plant;
Delegates	CEO
Subdelegates	Executive Manager of Works & Services
Subdelegate conditions	<p>To the Deputy Chief Executive Officer to;</p> <ul style="list-style-type: none"> • Approve the use of the depot for the servicing of private vehicles and equipment; • Determine requests from local Clubs and Organisations to use Shire plant; <p>To the Executive Manager of Works & Services to;</p> <ul style="list-style-type: none"> • Approve the use of the depot for the servicing of private vehicles and equipment; • Determine requests from local Clubs and Organisations to use Shire plant;
Statutory framework	<i>Local Government Act 1995</i>

Delegation	W.11 Use of Depot and Use of Plant
Category	05 Works
Delegator	Council
Function	CEO can delegate the approval of the use of the depot for the servicing and maintenance of private vehicles and equipment; and CEO can delegate the authority to approve requests from clubs and community organisations to use Shire plant. The plant must be operated by a Shire employee with the club or organisation being responsible for payment of wages (if required) to the employee for time worked.
Delegates	CEO Executive Manager Financial Services Executive Manager of Works & Services
Policy	APOG W1 General - Works Practices
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

Delegation	W.12 Restricted Access Vehicles (RAV)
Category	05 Works
Delegator	Council
Function	To the Chief Executive Officer to determine Restricted Access Vehicle categorisation of Shire of Kulin Roads.
Delegates	CEO
Policy	APOG W10 Restricted Access Vehicles
Date adopted	19 June 2024
Adoption references	OCM 190624
Last reviewed	21 May 2025

DRAFT

AMENDMENTS

There are no amendments to display

DRAFT