



DELEGATION REGISTER 2022/2023

Adopted Date: 21 February 2023



SHIRE OF RAVENSTHORPE

DELEGATED AUTHORITY REGISTER 2022 / 2023

Council Appointments / Delegations / Sub Delegations

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Note 1: All values exclude GST.

Note 2: The Function Delegated is provided as a reference only. Delegates shall only act in full understanding of the delegated statutory power, inclusive of conditions.

Note 3: All documents are kept in accordance with the *Local Government Act 1995*; the Local Government (Administration) Regulations 1996, other relevant legislation and the Shire of Ravensthorpe record keeping policies and procedures.



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DELEGATION TO COMMITTEES OF COUNCIL

1.1 AUDIT COMMITTEE		
Function Delegated:	The authority to meet with the Shire’s Auditor at least once every year.	
Statutory Power Delegated:	Local Government Act 1995: <ul style="list-style-type: none">Section 7.12A(2) Duties of local government with respect to audits.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input checked="" type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.16 Delegation of some powers and duties to certain committees;Section 5.17 Limits on delegation of powers and duties to certain committees;Section 7.1B Delegation of some powers and duties to audit committees.	
Power Delegated to:	Audit Committee.	
Council’s Conditions on Delegation:	Nil. Sub-delegation is prohibited by s.7.1B.	
Compliance Links:	Department of Local Government Guideline No.9 Audit in Local Government; Council Policy G4 Audit Committee Terms of Reference.	
CEO’s Sub-Delegation to:	N/A.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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DELEGATION TO THE CHIEF EXECUTIVE OFFICER (LOCAL GOVERNMENT ACT 1995 / COUNCIL POLICY)

1.2.1 APPOINT AUTHORISED PERSONS		
Function Delegated:		Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <i>Local Government Act 1995</i> .
Statutory Power Delegated:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 3.24 Authorising persons under this subdivision (Part 3, Division 3, Subdivision 2 – Certain provisions about land);Section 9.10 Appointment of authorised persons.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEOSection 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		<i>Local Government Act 1995.</i> <i>Local Government (Functions and General) Regulations 1996:</i> <ul style="list-style-type: none">Regulation 32A Excluded authorisations (Act s.9.2). Shire of Ravensthorpe Local Laws.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.2 ADDITIONAL POWERS WHEN NOTICE IS GIVEN TO THE OWNER OR OCCUPIER OF LAND UNDER SECTION 3.25		
Function Delegated:	Authority to do anything necessary to achieve the purpose for which a notice has been given. [s.3.26(2)]; Authority to recover costs associated with achieving the purpose for which a notice has been given. [s.3.26(3)].	
Statutory Power Delegated:	Local Government Act 1995: <ul style="list-style-type: none">Section 3.26 Additional powers when notices given.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Local Government Act 1995: <ul style="list-style-type: none">Section 3.25 Notices requiring certain things to be done by owner or occupier of land;Schedule 3.1 Powers under notices to owners or occupiers of land.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.3 PARTICULAR THINGS LOCAL GOVERNMENTS CAN DO ON LAND THAT IS NOT LOCAL GOVERNMENT PROPERTY		
Function Delegated:	Authority to do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> .	
Statutory Power Delegated:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 3.27 Particular things local governments can do on land that is not local government property.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEOSection 5.43 Limitations on delegations to the CEO	
Power Delegated to:	Chief Executive Officer.	
Council's Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 3.25 Notices requiring certain things to be done by owner or occupier of land;Schedule 3.2 Particular things local governments can do on land even though it is not local government property.	
CEO's Sub-Delegation to:	Nil.	
CEO's Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.4 POWERS OF ENTRY	
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Enter on to land to perform any function of the local government under the Act.[refers s.3.28]; 2. Give a notice of entry. [s.3.32]; 3. Seek and execute an entry under warrant. [s.3.33]; 4. Execute entry in an emergency. [s.3.34]; and 5. Give notice and effect entry by opening a fence. [s.3.36].
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 3.32 Notice of entry; • Section 3.33 Entry under Warrant; • Section 3.34 Entry in an emergency; • Section 3.36 Opening fences.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Part 3, Division 3, Subdivision 3, Section 3.31.



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CEO's Sub-Delegation to:		Executive Manager Infrastructure Services and Executive Manager Corporate Services.
CEO's Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.5 DISPOSING OF CONFISCATED OR UNCOLLECTED GOODS	
Function Delegated:	<ol style="list-style-type: none"> 1. Refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s.3.46]. 2. Sell or otherwise dispose of confiscated or uncollected goods in accordance with Section 3.58 of the <i>Local Government Act 1995</i>[s.3.47]; and 3. Authority to recover expenses incurred for removing and impounding and in disposing of confiscated or uncollected goods [s.3.48].
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 3.46 Goods may be withheld until costs paid • Section 3.47 Confiscated or uncollected goods, disposal of; • Section 3.48 Impounding expenses, recovery of.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Part 3, Division 3, Subdivision 3; • Section 3.58 Disposing of Property.



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CEO's Sub-Delegation to:	Executive Manager Corporate Services	
CEO's Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.6 DISPOSAL OF SICK OR INJURED ANIMALS		
Function Delegated:	<div>1. Authority to destroy and dispose of an animal that is determined to be too sick or injured to treat.[3.47A(1)].</div> <div>2. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [3.48].</div>	
Statutory Power Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 3.47A(1) Sick or injured animals, disposal of.Section 3.48 Impounding expenses, recovery of	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Part 3, Division 3, Subdivision 3.	
CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services, Works Supervisor and Rangers.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.7 CLOSE THOROUGHFARES TO VEHICLES	
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles [s.3.50(1), (1a) and (2)]. 2. Give public notice, and provide to the Commissioner of Main Roads and consider submissions relevant to road closures for proposed closures of thoroughfares for a period exceeding 4 weeks [s.3.50(4)]. 3. Revoke an order to close a thoroughfare [s.3.50(6)]. 4. Partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have a significant adverse effect on users of the thoroughfare [s.3.50A]. 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private [s.3.51].
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 3.50 Closing certain thoroughfares to vehicles; • Section 3.50A Partial closure of thoroughfare for repairs or maintenance; • Section 3.51 Affected owners to be notified of certain proposals.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.44 CEO may delegate some powers and duties to other employees.



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Compliance Links:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">• Part 3, Division 3, Subdivision 5.	
CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services, Works Supervisor and Engineering Technical Officer	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.8 RESERVES UNDER CONTROL OF LOCAL GOVERNMENT		
Function Delegated:	Authority to do anything for the purposes of controlling and managing land that is vest in or under the management of the Shire.	
Statutory Power Delegated:	Local Government Act 1995: <ul style="list-style-type: none">Section 3.54 Reserves under control of a local government.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Local Government Act 1995 <ul style="list-style-type: none">Section 3.53 Control of certain unvested facilities.	
CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.9 EXPRESSIONS OF INTEREST AND TENDERS

Function Delegated:

Authority to determine:

1. To call tenders [F&G Reg 11] or tender exemption [F&G Reg 11(2)] in accordance with the Shire's Purchasing Policy requirements, where the total consideration under any resulting contract is in accordance with the Council Conditions on Delegation and the expense is included in the adopted Annual Budget.
2. To call tenders for the disposal of impounded goods in accordance with section 3.58 [s.3.47].
3. To invite tenders though not required to do so [F&G Reg 13].
4. In writing, before tenders are called, the criteria, for deciding which tender/s should be accepted [F&G Reg 14(2a)].
5. To vary tender information after public notice of invitation to tender and before the close of tenders [F&G Reg 14(5)].
6. Seek clarification from tenderers in relation to information contained in their tender submission [F&G Reg 18(4a)].
7. To reject all tenders [F&G Reg 18(1),(2), and (4)].
8. To decline any tender [F&G Reg 18(5)].
9. That a variation proposed is minor in context of the total goods and services sought through the invitation, and to make minor variations before entering into a contract [F&G Reg 20].
- 10a. Execution of extension options and variations to contract for the supply of goods or service that does not materially change the scope of the original contract beyond a variation [F&G Reg 21a].



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	<p>10b. To accept another tender where within 6 months of either accepting a tender a contract has not been entered into or the successful tenderer agrees to terminate the contract [F&G Reg 18(6) and (7)].</p> <p>11. When to seek Expressions of Interest and to invite Expressions of Interest to supply goods or services [F&G Reg 21].</p> <p>12. Consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G Reg 23].</p> <p>13. The information that is to be disclosed to those interested in submitting a tender [F&G Reg 14(4)(a)].</p>
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 3.57 Tenders for providing goods or services. • Section 3.47 Confiscated or uncollected goods, disposal of. • Local Government (Functions and General) Regulations 1996: • Regulation 11 When tenders have to be publicly invited. • Regulation 13 Requirements when local government invites tenders though not required to do so • Regulation 14(2a) and (5) Publicly inviting tenders, requirements for. • Regulation 18(2), (4), (4a), (5), (6) and (7) Rejecting and accepting tenders. • Regulation 20 Variation of requirements before entry into contract. • Regulation 21 Limiting who can tender, procedure for. • Regulation 23 Rejecting and accepting expressions of interest to be acceptable tenderer.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<p><input checked="" type="checkbox"/> Operational Efficiency.</p> <p><input type="checkbox"/> Enhanced Customer Service.</p> <p><input checked="" type="checkbox"/> Scalable Decision Making.</p> <p><input checked="" type="checkbox"/> Reduced Red Tape.</p> <p><input type="checkbox"/> Increased Public Safety & Responsiveness.</p>



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Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">• Section 5.42 Delegation of some powers or duties to the CEO.• Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	<p>May only call tenders or expressions of interest where there is an adopted budget for the proposed procurement, with the exception being in the period immediately prior to the adoption of a new Annual Budget where the proposed procurement is required to fulfil a contract of the Shire, with an imminent expiry date or work that must commence within three (3) months of the proposed adoption date of the new Annual budget and the value of the proposed contract has been included in the draft Annual Budget papers.</p> <p>Accept any Tender exempt procurement process under Council Policy F2 Purchasing Policy to the value where there is an adopted budget for the proposed procurement.</p>	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">• Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<p>Local Government (Functions and General) Regulations 1996:</p> <ul style="list-style-type: none">• Part 4, Division 2.• Local Government (Functions and General) Regulations 1996:• Regulation 31 Anti-avoidance provision for Act s. 3.58. <p>F2 Purchasing Policy. F3 Regional Price Preference.</p>	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.10 DISPOSING OF PROPERTY									
Function Delegated:	<ol style="list-style-type: none"> Authority to dispose of property to: <ol style="list-style-type: none"> the highest bidder at public auction [s.3.58(2)(a)]; or 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 [s.3.58(2)(b)]. Authority to dispose of property by direct negotiation only in accordance with section 3.58(3) of the Act. 								
Statutory Power Delegated:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 3.58(2) and (3) Disposing of property. 								
Power Originally Assigned to:	The Local Government.								
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.								
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO. 								
Power Delegated to:	Chief Executive Officer.								
Council's Conditions on Delegation:	<p>Donating minor surplus assets will be subject to the Chief Executive Officer's approval. Where such applications are sought, applications are to be assessed on the following criteria:</p> <ul style="list-style-type: none"> Demonstrated need for the asset; Proposed use for the asset; and Demonstrated benefit to the community. <p>Disposal by Expression of Interest of minor surplus assets to the community shall be in accordance with the below;</p> <table border="0"> <tr> <td>\$20,0001 and above</td><td>Public Auction or Tender Process.</td></tr> <tr> <td>\$10,001 - \$20,000</td><td>Local public notice calling for expressions of interest.</td></tr> <tr> <td>\$1,001 - \$10,000</td><td>Seek three offers (if possible) from likely purchasers.</td></tr> <tr> <td>\$1,000 or less or of no commercial value</td><td>Internal expressions of interest or alternatively, by way of a donation to a not for profit community group.</td></tr> </table>	\$20,0001 and above	Public Auction or Tender Process.	\$10,001 - \$20,000	Local public notice calling for expressions of interest.	\$1,001 - \$10,000	Seek three offers (if possible) from likely purchasers.	\$1,000 or less or of no commercial value	Internal expressions of interest or alternatively, by way of a donation to a not for profit community group.
\$20,0001 and above	Public Auction or Tender Process.								
\$10,001 - \$20,000	Local public notice calling for expressions of interest.								
\$1,001 - \$10,000	Seek three offers (if possible) from likely purchasers.								
\$1,000 or less or of no commercial value	Internal expressions of interest or alternatively, by way of a donation to a not for profit community group.								



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Statutory Power to Sub-delegate:	<ol style="list-style-type: none"> 1. This delegation may only be used where the disposal complies with the requirements of: <ol style="list-style-type: none"> a) Section 3.58 of the <i>Local Government Act 1995</i>; and b) Regulation 30 of the Local Government (Functions and General) Regulations 1996. 2. Authority for the Disposal of land and / or building assets is limited to matters specified in the Annual Budget or Corporate Business Plan and in any other case, requires a specific resolution of Council. 3. The Chief Executive Officer is limited to determining disposals of property (written down assets) for any single project, or where not part of a project a single event, to an aggregated maximum value of \$1,500,000. 4. The Chief Executive Officer is limited to determining disposals of property (freehold land asset), by lease to an aggregated maximum value of \$50,000 per annum subject to no more than a variation of valuation of 10% to market rates. 5. The Chief Executive Officer is limited to determining disposal of art to the value of \$500. 6. The Chief Executive Officer may not dispose of land by sale or absolute transfer. 7. Authority to determine the method of disposal: <ol style="list-style-type: none"> a) Where a public auction is determined as the method of disposal: <ol style="list-style-type: none"> i. a reserve price has been set through independent valuation; ii. where the reserve price is not achieved at auction negotiation may be undertaken to achieve the sale of the property at up to a 10% variation on the set reserve price. b) Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method.
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	<div>c.) Where a direct negotiation is determined [s.3.58(3)] as the method of disposal, authority to:<div><div>i. negotiate the sale of the property up to a 10% variance on the valuation; and</div><div>ii. consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a determination are recorded.</div></div></div> <div>8. Where the material market value of the property is determined as being less than \$20,000 (Reg 30(3) excluded disposal) may be undertaken:<div><div>i. without reference to Council resolution; and</div><div>ii. in any case be undertaken to ensure that best value return is achieved for the Shire however, where the property is determined as having a Nil material market value, then the disposal must ensure the Shire achieves an environmentally responsible disposal.</div></div></div>	
Compliance Links:	<div>Local Government (Functions and General) Regulations 1996:<div><div>• Regulation 30 Dispositions of property excluded from Act s.3.58.</div></div></div> <div>Council Policy F6 Disposal of Minor Surplus Assets.</div>	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.11 SENIOR EMPLOYEES		
Function Delegated:		Authority to advertise the position of a senior employee if the position becomes vacant.
Statutory Power Delegated:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.37 (3) Senior employees.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Local Government (Administration) Regulations 1996: <ul style="list-style-type: none">Regulation 18A Vacancy in position of CEO or senior employee to be advertised (Act s.5.36(4) and 5.37(3));Regulation 18B Contracts of CEOs and senior employees, content of (Act s.5.39(3)(c));Council Policy G14 –Senior Employees.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.12 PAYMENTS FROM MUNICIPAL OR TRUST FUND		
Function Delegated:	Authority to make payments from the municipal or trust fund.	
Statutory Power Delegated:	Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Regulations 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Payments must be in accordance with the approved budget.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Regulations 5 CEO’s duties as to financial management;Regulations 11 Payments, procedures for making etc.	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services, Executive Manager Infrastructure Services and Accountant.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.13 ARTWORK ACQUISITIONS		
Function Delegated:		Authority to determine and purchase works of art for the Shire’s collections.
Statutory Power Delegated:		Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Regulation 12(1)(a) Payments from municipal fund or trust fund, restrictions on making.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Artwork must have relevance to the locality or involve a significant/prominent local artist.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Regulation 5 CEO’s duties as to financial management;Regulation 11 Payments, procedures for making etc.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.14 DETERMINE APPLICATION FOR PAYMENT OF LEGAL REPRESENTATION COSTS	
Function Delegated:	Authority to determine an application for payment of legal representation costs.
Statutory Power Delegated:	Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none"> Regulation 12(1)(a) Payments from municipal fund, restrictions on making.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	The determination of the application must only occur: <ol style="list-style-type: none"> In circumstances where a delay until the next Council Meeting would be detrimental to the rights of the applicant; In accordance with Council Policy G5 - Legal Representation for Council Members and Employees; and For an amount not exceeding \$10,000. The determination must be reported to Council at the next Ordinary Council Meeting.
Statutory Power to Sub-delegate:	Nil.
Compliance Links:	Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none"> Regulation 5 – CEO's duties as to financial management; Regulation 11 – Payments, procedures for making etc. Council Policy G5 Legal Representation for Council Members and Employees.



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CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	Only where the application relates to an application by the Chief Executive Officer.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.15 POWER TO DEFER, GRANT CONCESSIONS, WAIVE OR WRITE OFF DEBTS	
Function Delegated:	<ol style="list-style-type: none"> 1. Waive or grant a concession in relation to any amount of money which is owed to the Shire. 2. Write off any amount of money which is owed to the Shire. 3. Waiving of Fees for Not For Profit / Community / Sporting Organisations. <p>Note: Section 6.12(2) of the <i>Local Government Act 1995</i> does not allow money owed to the Shire in respect of rates and services charges to be waived or for a concession in relation to such money to be granted.</p>
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 6.12 Power to defer, grant discounts, waive or write off debts.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer
Council's Conditions on Delegation:	<p>All necessary measures have been taken to recover the debt.</p> <p>The debt remained unpaid for a period of 90 days after its due date for payment.</p> <p>The Chief Executive Officer is delegated authority and power to write off any amount of money less than \$5,000 owed to the Shire of Ravensthorpe that in his/her opinion is a bad debt.</p> <p>Waiving of Fines cannot be undertaken by the same person who has issued the respective fine.</p>



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Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">• Section 5.44 CEO may delegate some powers and duties to other employees	
Compliance Links:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">• Section 6.12 Power to defer, grant discounts, waive or write off debts Council Policy - G18 Recognition of Volunteers (Waiving of Fees for Not For Profit / Community / Sporting Organisations).	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	The Executive Manager Corporate Services is delegated authority and power to write off any amount of money less than \$2,000 owed to the Shire of Ravensthorpe that in his/her opinion is a bad debt. Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.16 POWER TO INVEST AND MANAGE INVESTMENTS	
Function Delegated:	<ol style="list-style-type: none"> 1. The authority to invest money held in the municipal or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. The authority to establish and document internal control procedures to be followed by employees to ensure control over investments, enabling the identification of the nature and location of all investments and the transactions related to each investment [FM Reg. 19].
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 6.14(1) Power to invest. <p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> • Regulation 19 Investments, control procedures for.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Investments must be in accordance with Council Policy F4 Investments.</p> <p>The Chief Executive Officer is authorised to invest, withdraw or re-invest sums up to \$1,000,000, in accordance with this Policy.</p> <p>The Chief Executive Officer will authorise the Executive Manager Corporate Services to invest, withdraw or re-invest sums up to \$500,000, in accordance with this Policy.</p> <p>A cash flow report is to be monitored by the Executive Manager Corporate Services at least weekly to ensure cash funds are available to meet commitments.</p>



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	<p>Investments will be managed actively as they mature with reviews by the Executive Manager Corporate Services on a monthly basis.</p> <p>For audit purposes, certificates must be obtained from the bank confirming the amounts of investment held on the Shire’s behalf at 30 June each year.</p>	
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<p>Trustees Act 1962:</p> <ul style="list-style-type: none">Part III Investments.	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	To invest, withdraw or re-invest sums up to \$500,000, in accordance with Council Policy F4 - Investments. Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.17 AGREEMENT AS TO PAYMENT OF RATES AND SERVICE CHARGES		
Function Delegated:		Authority to make an agreement with a person for the payment of rates or service charges.
Statutory Power Delegated:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 6.49 Agreement as to payment of rates and service charges.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Agreements must be in accordance with the requirements of Council Policy F7 – Financial Hardship.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Part 6, Division 6, Sub-division 4 Payment of rates and service charges. Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Part 5 Rates and Service Charges. Council Policy F7 – Financial Hardship.
CEO’s Sub-Delegation to:		Executive Manager Corporate Services.
CEO’s Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.18 DETERMINE THE DATE THAT RATES OR SERVICE CHARGES ARE DUE OR PAYABLE		
Function Delegated:		Authority to determine the date on which rates or service charges become due and payable.
Statutory Power Delegated:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 6.50(1) Rates or service charges due and payable.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Part 6, Division 6, Sub-division 4 Payment of rates and service charges. <i>Local Government (Financial Management) Regulations 1996:</i> <ul style="list-style-type: none">Part 5 Rates and Service Charges.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.19 LOCAL GOVERNMENT MAY REQUIRE LESSEE TO PAY RENT	
Function Delegated:	<p>Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge requiring the lessee to pay its rent to the local government [s.6.60(2)].</p> <p>Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with the notice [s.6.60(4)].</p>
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 6.60(2) Local government may require lessee to pay rent. • Section 6.60(4) Local government may recover the amount of the rate or service charge as a debt if rent not paid.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO • Section 5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Part 6, Division 6, Sub-division 4 Payment of rates and service charges. <p>Local Government (Financial Management) Regulations 1996:</p> <ul style="list-style-type: none"> • Part 5 Rates and Service Charges. <p>Council Policy F7 – Financial Hardship.</p>



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CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.20 ACTIONS AGAINST LAND WHERE RATES OR SERVICE CHARGES UNPAID	
Function Delegated:	<p>Authority to take possession of land and hold the land as against a person having an estate or interest in the land where any rates or service charges in respect of the rateable land have been unpaid for at least three years [s.6.64(1)] except where s.6.68(3A) applies.</p> <p>Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)].</p>
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 6.64(1) and (3) Actions to be taken.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Part 6, Division 6, Sub-division 4 Payment of rates and service charges. <p>Local Government (Financial Management) Regulations 1996:</p> <ul style="list-style-type: none"> Part 5 Rates and Service Charges. <p>Council Policy F7 – Financial Hardship.</p>



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CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.21 OBJECTION AND REVIEW – OBJECTION TO RATE RECORD		
Function Delegated:	Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. Authority to consider an objection to a rate record and either allow it or disallow it wholly or in part [s.6.76(5)].	
Statutory Power Delegated:	Local Government Act 1995: <ul style="list-style-type: none">Section 6.76(4) and (5) Grounds of objection.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input checked="" type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Local Government Act 1995: <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Local Government Act 1995: <ul style="list-style-type: none">Part 6, Division 6, Sub-division 4 Payment of rates and service charges. Local Government (Financial Management) Regulations 1996: <ul style="list-style-type: none">Part 5 Rates and Service Charges.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.22 GENERAL REVIEW OF IMPOSITION OF RATE OR SERVICE CHARGE		
Function Delegated:		Authority to refer to the State Administrative Tribunal a question of general interest as to whether a rate or service charge was imposed in accordance with the Act.
Statutory Power Delegated:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 6.82(1) General review of imposition of rate or service charge.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Part 6, Division 6, Sub-division 4 Payment of rates and service charges; <i>Local Government (Financial Management) Regulations 1996:</i> <ul style="list-style-type: none">Part 5 Rates and Service Charges.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.23 DANGEROUS EXCAVATIONS IN OR NEAR PUBLIC THOROUGHFARES	
Function Delegated:	<p>Authority to fill in or fence an excavation, or request the owner or occupier to fill in or fence an excavation, on land that adjoins a thoroughfare if it is considered to be dangerous [ULP Reg 11(1)].</p> <p>Grant permission, and impose conditions as thought fit, to make or make and leave an excavation of specified dimensions and in a specified way in a specified part of a public thoroughfare or on a specified part of land adjoining a public thoroughfare [ULP Reg 11(4), (6), (7) and (8)].</p>
Statutory Power Delegated:	<p>Local Government (Uniform Local Provisions) Regulations 1996:</p> <ul style="list-style-type: none"> Regulation 11 (1), (4), (6) and (7) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO Section 5.43 Limitations on delegations to the CEO
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 3.37 Contraventions that can lead to impounding Local Government (Uniform Local Provisions) Regulations 1996: Regulation 11 Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6.



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Council Appointments / Delegations / Sub Delegations

CEO's Sub-Delegation to:		Executive Manager Infrastructure Services, Executive Manager Corporate Services, Works Supervisor and Engineering Technical Officer.
CEO's Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.24 CROSSING FROM PUBLIC THOROUGHFARE TO PRIVATE LAND OR PRIVATE THOROUGHFARE		
Function Delegated:		Authority to approve the construction of a crossing giving access from a thoroughfare to private land or a private thoroughfare serving the land.
Statutory Power Delegated:		Local Government (Uniform Local Provisions) Regulations 1996: <ul style="list-style-type: none">Regulation 12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch. 9.1 Cl.7(2).
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Local Government (Uniform Local Provisions) Regulations 1996: <ul style="list-style-type: none">Regulation 14(2) Role of Commissioner of Main Roads in some cases – Sch. 9.1 Cl. 7(2).
CEO’s Sub-Delegation to:		Executive Manager Infrastructure Services and Engineering Technical Officer.
CEO’s Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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Council Appointments / Delegations / Sub Delegations

1.2.25 REQUIREMENT TO CONSTRUCT OR REPAIR CROSSING		
Function Delegated:	Authority to issue a notice requiring an owner or occupier to construct, repair a crossing from a public thoroughfare to private land or a private thoroughfare serving that land.	
Statutory Power Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: <ul style="list-style-type: none">Regulation 13(1) and (2) Requirement to construct or repair crossing – Sch. 9.1 Cl. 7(3).	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council's Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Nil.	
CEO's Sub-Delegation to:	Executive Manager Infrastructure Services and Engineering Technical Officer.	
CEO's Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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1.2.26 PRIVATE WORKS ON, OVER OR UNDER PUBLIC PLACES	
Function Delegated:	<p>Authority to grant permission to construct anything on, over, or under a public thoroughfare or other public place that is local government property, subject to any conditions.</p> <p>Authority to grant permission and impose conditions, to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property.</p>
Statutory Power Delegated:	<p>Local Government (Uniform Local Provisions) Regulations 1996:</p> <ul style="list-style-type: none"> Regulation 17 (3) and (5) Private works on, over, or under public places – Sch. 9.1 cl. 8.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Approval is to be granted subject to a bond for work being performed and the payment of costs for trench resurfacing as required.</p> <p>Owners and occupiers of adjoining properties are to be advised of the works.</p> <p>In the case of major infrastructure works, where there may be objections for owners or occupiers of adjoining properties, the matter is to be referred to Council for determination.</p> <p>This Delegation applies to, but is not limited to, the following:</p> <ul style="list-style-type: none"> ground anchors; verandas and awnings; pilings; and signs.



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Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996: <ul style="list-style-type: none">Regulation 17 Private works on, over, or under public places Sch. 9.1 cl. 8.	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services and Executive Manager Infrastructure Services	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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Council Appointments / Delegations / Sub Delegations

1.2.27 SOLE SUPPLIER OF GOODS AND SERVICES	
Function Delegated:	Authority to determine that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier.
Statutory Power Delegated:	Local Government (Functions and General) Regulations 1996: <ul style="list-style-type: none"> Regulation 11(2)(f) When tenders have to be publicly invited.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	The Chief Executive Officer being satisfied that: <ol style="list-style-type: none"> adequate market research has been undertaken to verify that no alternative supplier of the goods or services is available; and sufficient investigation into the use of potential substitute goods or services has been undertaken.
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 3.57 Tenders for providing goods or services. Local Government (Functions and General) Regulations 1996: <ul style="list-style-type: none"> Part 4, Division 2 Tenders for providing goods or services (s.3.57). Council Policy F2 – Purchasing.



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Council Appointments / Delegations / Sub Delegations

CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.28 AFFIX COMMON SEAL TO DOCUMENTS (WITH SHIRE PRESIDENT).	
Function Delegated:	Affix Common Seal to Documents (With Shire President).
Statutory Power Delegated:	s9.49 of the <i>Local Government Act 1995</i> , Execution of documents.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Notwithstanding the provisions of Section 9.49 of the Local Government Act, the Chief Executive Officer is authorised to affix the Common Seal to Documents to be executed by the Shire where such documents are consistent and in accord with a resolution of Council, Council Policy or a delegated power.</p> <p>The CEO is to:</p> <ul style="list-style-type: none"> a) be responsible for the safe custody and proper use of the Common Seal; b) maintain a register of each time the Common Seal is used; and c) provide a report to Elected Members via the Monthly Report listing the documents that the Common Seal has been applied to.
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	s9.49 of the <i>Local Government Act 1995</i> .



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.29 RENEWAL AND ASSIGNMENT OF LEASES/LICENCES.		
Function Delegated:	The Chief Executive Officer is delegated authority to enter into a management licence or lease renewal or assignment of lease/licence for the use of Council owned buildings, facilities, land and reserves.	
Statutory Power Delegated:	S3.58 of the <i>Local Government Act 1995</i> , Disposing of property	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input checked="" type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	The Chief Executive Officer may also assign leases and enter into an option to extend if this option was provided for in the original terms of a lease.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:		
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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1.2.30 COMMUNITY DEVELOPMENT FUND – COMMUNITY DONATIONS		
Function Delegated:		Determination of Community Donations, to a maximum of \$250 as detailed under Council Policy G20 – Community Development Fund.
Statutory Power Delegated:		S2.7(2)(b) of the <i>Local Government Act 1995</i> – Role of Council.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Council Policy G20 – Community Development Fund.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.31 COMMUNITY DEVELOPMENT FUND – EXTENSION OF GRANT ACQUITTAL		
Function Delegated:		Approval to extend acquittal of Minor Community Grant by up to one (1) year as detailed under Council Policy G20 – Community Development Fund.
Statutory Power Delegated:		S2.7(2)(b) of the <i>Local Government Act 1995</i> – Role of Council.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Council Policy G20 – Community Development Fund.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.32 APPOINT ACTING CHIEF EXECUTIVE OFFICER DURING SCHEDULED ABSENCES.		
Function Delegated:		The Chief Executive Officer is delegated authority to appoint a Senior employee/contractor of Council to act in the capacity of Chief Executive Officer during scheduled absences of the Chief Executive Officer.
Statutory Power Delegated:		Section 5.44 of the <i>Local Government Act 1995</i> - CEO may delegate some powers and duties to other employees.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Local Government (Administration) Regulations 1996.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.33 APPROVE SEED COLLECTION AND WILDFLOWER PICKING ON SHIRE CONTROLLED LANDS.	
Function Delegated:	The Chief Executive Officer is delegated authority to approve seed collection and wildflower picking on Council Controlled reserves.
Statutory Power Delegated:	S2.7(2)(b) of the <i>Local Government Act 1995</i> – Role of Council.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<ul style="list-style-type: none"> No activity to take place unless in possession of the appropriate licence from the Department of Biodiversity, Conservation and Attractions or relevant agency. Hi visibility vest or shirt to be worn at all times while collecting within the road reserve; No vehicles to be parked in a location that may prove a hazard or obstruction to traffic; and No activity to be undertaken that may cause damage to any Shire infrastructure.
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	Council Policy - WS8 Conservation of Flora and Fauna.



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Council Appointments / Delegations / Sub Delegations

CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.34 CALLING OF ORDINARY COUNCIL MEETINGS		
Function Delegated:	Calling of Ordinary Council Meeting Dates and Locations.	
Statutory Power Delegated:	s5.3 and 5.4 [Calling Ordinary Council Meetings] of the <i>Local Government Act 1995</i> .	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	<p>The Chief Executive Officer shall in consultation with Councillors set or vary the date, location and time for Ordinary Council Meetings.</p> <p>Local Public Notice is to be undertaken.</p>	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<ul style="list-style-type: none">s5.3 and 5.4 [Calling Ordinary Council Meetings] of the <i>Local Government Act 1995</i>.Regulation 12 [Public Notice of Meetings] of the Local Government (Administration) Regulations 1996.G2 Meetings of Council.Meetings Procedure Local Law 2022.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.35 CALLING OF ELECTORS GENERAL MEETING		
Function Delegated:		Calling of Electors’ General Meeting Date and Location.
Statutory Power Delegated:		s5.27 [Electors’ General Meetings] of the <i>Local Government Act 1995</i> .
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		The Chief Executive Officer shall in consultation with Councillors set the date, location and time for the Annual Electors’ Meeting.
Statutory Power to Sub-delegate:		<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		<ul style="list-style-type: none">s5.27 [Electors’ General Meetings] of the <i>Local Government Act 1995</i>.Council Policy - G2 Meetings of Council.Meetings Procedure Local Law 2022.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.36 CONTRACT EXTENSIONS APPROVALS	
Function Delegated:	Approve Contract Extensions.
Statutory Power Delegated:	s.3.57 [Tenders for providing goods or services] of the <i>Local Government Act 1995</i> .
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Variation after Contract Commencement</p> <p>A request for a variation outside the original terms and conditions and price variation mechanism during the contract term must be approved by the Chief Executive Officer or Council under the appropriate delegation and must not exceed the following requirements:</p> <ol style="list-style-type: none"> Does not alter the nature of the goods and/or services procured; Does not materially alter the specification or structure provided for by the initial tender; Does not extend the contract period beyond the original contract term and any extensions; and Is less than 10% of the contract price. <p>For additional works not outlined in the contract that could result in a variation to the existing contract due to unforeseen circumstances can be tendered for those particular works.</p> <p>Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire must review the purchasing requirements and commence a new competitive purchasing process in accordance with this policy.</p>



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Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	F2 Purchasing Policy. s.3.57 [Tenders for providing goods or services] of the <i>Local Government Act 1995</i> . r11A [Purchasing policies for local governments] of the Local Government (Functions and General) Regulations 1996.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.37 DETERMINATION OF CHRISTMAS / NEW YEAR SHIRE CLOSURE	
Function Delegated:	Determination of the Christmas / New Year Shire Closure.
Statutory Power Delegated:	S2.7(1)(b) [Role of Council] of the <i>Local Government Act 1995</i> .
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none"> Section 5.42 Delegation of some powers or duties to the CEO; Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<ul style="list-style-type: none"> The Chief Executive Officer shall in consultation with Councillors set the dates of closure of facilities and services for the Christmas / New Year Period. Emergency contact and essential services are still required to be operational during the defined closure periods. The focus is to ensure minimising the impact on community members, visitors and stakeholders by way of the closures. Public advertising and promotion of the closures should occur on all appropriate communication channels including the official shire website, social media and the various public noticeboards.
Statutory Power to Sub-delegate:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none"> Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:	Nil.



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Council Appointments / Delegations / Sub Delegations

CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.38 POWER TO INVEST AND MANAGE INVESTMENTS FOR RAVENSTHORPE HOPETOUN FUTURE FUND	
Function Delegated:	<ol style="list-style-type: none"> 1. The authority to invest money held on behalf of the Ravensthorpe Hopetoun Future Fund. 2. The authority to establish and document internal control procedures to be followed by employees to ensure control over investments, enabling the identification of the nature and location of all investments and the transactions related to each investment.
Statutory Power Delegated:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 6.14(1) Power to invest. <p><i>Local Government (Financial Management) Regulations 1996:</i></p> <ul style="list-style-type: none"> • Regulation 19 Investments, control procedures for.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Local Government Act 1995:</i></p> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO; • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>Investments must be aligned with Council Policy F4 Investments.</p> <p>The Chief Executive Officer is authorised to invest, withdraw or re-invest sums up to \$6,000,000 in accordance with this Policy.</p> <p>The Chief Executive Officer will authorise the Executive Manager Corporate Services to invest, withdraw or re-invest sums up to \$6,000,000 in accordance with this Policy.</p> <p>For audit purposes, reports must be presented to each Ravensthorpe Hopetoun Future Fund Board Meeting for acceptance and oversight.</p>



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Council Appointments / Delegations / Sub Delegations

Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<i>Trustees Act 1962:</i> <ul style="list-style-type: none">Part III Investments.	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	<p>To invest, withdraw or re-invest sums up to \$6,000,000 in accordance with Council Policy G21 Support to the Ravensthorpe Hopetoun Future Fund Board.</p> <p>Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.</p>	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.39 DEALINGS WITH RESERVE 29342 - MUNGLINUP		
Function Delegated:	The power to deal with the care, control and management of Reserve 29342 in accordance with Section 46(2) <i>Land Administration Act 1997</i> it is possible to amend the Management Orders to enable a longer term lease with appropriate land uses to all for development.	
Statutory Power Delegated:	Section 46(2) <i>Land Administration Act 1997</i> .	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995</i> : <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	<i>Local Government Act 1995</i> . <i>Land Administration Act 1997</i> . Land Administration Regulations 1998.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	19/11/19 OCM - 129/19	New Delegation refer to Officer Report
2	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
3	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.40 HOPETOUN CARAVAN PARK LEASE ASSIGNMENT.		
Function Delegated:	The Chief Executive Officer is delegated authority to approve the assignment and/or mortgage of the Hopetoun Caravan Park Lease.	
Statutory Power Delegated:	Section 5.44 of the <i>Local Government Act 1995</i> - CEO may delegate some powers and duties to other employees.	
Power Originally Assigned to:	The Local Government	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input checked="" type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council's Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Refer to conditions contained within Council Resolution - 16/20 OCM – 18/02/20 related to Future Lease.	
CEO's Sub-Delegation to:	Nil.	
CEO's Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	18/08/20 OCM - 105/20	New delegation refer to Officer Report
2	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
3	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.41 LAND DEALINGS TO HOUSE FUTURE EAST RAVENSTHORPE BUSHFIRE BRIGADE STATION.		
Function Delegated:	The Chief Executive Officer is delegated authority to action the subsequent land dealings as they relate to Oldfield Location 608, South Coast Highway, Ravensthorpe for the purpose of a future Bushfire Brigade Station.	
Statutory Power Delegated:	Section 5.44 of the <i>Local Government Act 1995</i> - CEO may delegate some powers and duties to other employees.	
Power Originally Assigned to:	The Local Government	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.	
Compliance Links:	Refer to conditions contained within Council Resolution - 163/20 OCM – 14/12/20.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	14/12/20 OCM - 163/20	New delegation refer to Officer Report
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

1.2.42 SALE OF LAND FOR TEACHERS ACCOMMODATION LOT 64 - 17 BUDJAN STREET, MUNGLINUP.		
Function Delegated:		The Chief Executive Officer is delegated authority to the Chief Executive Officer to action the subsequent land dealings as they relate to Lot 64 - 17 Budjan Street Munglinup
Statutory Power Delegated:		Section 5.44 of the <i>Local Government Act 1995</i> - CEO may delegate some powers and duties to other employees.
Power Originally Assigned to:		The Local Government
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.42 Delegation of some powers or duties to the CEO;Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:		Chief Executive Officer.
Council's Conditions on Delegation:		<ul style="list-style-type: none"><i>Excluding any formal approvals that are to be considered by Council.</i><i>Sale of land proceeds for Lot 64 - 17 Budjan Street, Munglinup will be fully transferred to the Building Reserve.</i>
Statutory Power to Sub-delegate:		<i>Local Government Act 1995:</i> <ul style="list-style-type: none">Section 5.44 CEO may delegate some powers and duties to other employees.
Compliance Links:		Refer to conditions contained within Council Resolution - 171/20 OCM – 14/12/20.
CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	14/12/20 OCM - 171/20	New delegation refer to Officer Report
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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Council Appointments / Delegations / Sub Delegations

STATUTORY DELEGATIONS – OTHER LEGISLATION

2.1 BUSH FIRES ACT 1954

2.1.1 APPOINT BUSH FIRE CONTROL OFFICER/S AND FIRE WEATHER OFFICER	
Function Delegated:	<ol style="list-style-type: none"> 1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i>; and <ol style="list-style-type: none"> a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Ravensthorpe [s.38(5A)] 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]. <ol style="list-style-type: none"> a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)].
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div style="display: flex; align-items: flex-start;"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness. </div>



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Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.2 FIREBREAKS	
Function Delegated:	<ol style="list-style-type: none"> Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire of Ravensthorpe: <ol style="list-style-type: none"> clearing of firebreaks as determined necessary and specified in the notice; and act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]. <ol style="list-style-type: none"> Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> s.33 Local government may require occupier of land to plough or clear fire-breaks.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none"> s.48 Delegation by local government.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).
Compliance Links:	Bush Fire Brigades Local Law 2010.



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.3 BURNING GARDEN REFUSE / OPEN AIR FIRES	
Function Delegated:	<ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> a) Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b) Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a) camping or cooking [s.25(1)(a)]. b) conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s.25(1a) and (1b)]. 5. Authority to serve written notice on a person to whom an exemption has been given under s.25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s.25A(5)].
Statutory Power Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> • s.24F Burning garden refuse during limited burning times. • s.24G Minister or local government may further restrict burning of garden refuse. • s.25 No fire to be lit in open air unless certain precautions taken. • s.25A Power of Minister to exempt from provisions of section 25. <p><i>Bush Fires Regulations 1954:</i></p> <ul style="list-style-type: none"> • r.27(3) Permit, issue of
Power Originally Assigned to:	The Local Government.



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Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.4 CONTROL AND EXTINGUISHMENT OF BUSH FIRES		
Function Delegated:	1. Authority to prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s.46(1A)]. a) Where it is proposed that the fire will be lit on land within 3kms of the boundary of forest land, and an authorised CALM Act office is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].	
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.46 Bush fire control officer or forest officer may postpone lighting fire.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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2.1.5 CONTROL OF OPERATIONS LIKELY TO CREATE BUSH FIRE DANGER	
Function Delegated:	<ol style="list-style-type: none"> Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> a person operating a bee smoker device during a prescribed period [r.39CA(5)]. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. a person using explosives [r.39D(2)]. a person using fireworks [r.39E(3)]. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.
Statutory Power Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> s.27D Requirements for carriage and deposit of incendiary material. <p>Bush Fires Regulations 1954:</p> <ul style="list-style-type: none"> r.39C Welding and cutting apparatus, use of in open air. r.39CA Bee smoker devices, use of in restricted or prohibited burning times etc. r.39D Explosives, use of. r.39E Fireworks, use of.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> s.48 Delegation by local government.
Power Delegated to:	<p>Chief Executive Officer.</p> <p>Executive Manager Infrastructure Services.</p>
Council's Conditions on Delegation:	Nil.



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Statutory Power to Sub-delegate:	NIL – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
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2.1.6 MAKE REQUEST TO DFES COMMISSIONER – CONTROL OF FIRE		
Function Delegated:	Authority to request on behalf of the Shire of Ravensthorpe that the DFES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].	
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.13(4) Duties and powers of bush fire liaison officers.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Where possible liaison should take place with the Chief Bush Fire Control Officer and Shire President.	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	<i>Bush Fires Act 1954.</i> Bush Fires Regulations 1954. Bush Fires (Infringement) Regulations 1978. Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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2.1.7 PROHIBITED BURNING TIMES – CONTROL ACTIVITIES

Function Delegated:	<ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Shire of Ravensthorpe or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Statutory Power Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> • s.13(4) Duties and powers of bush fire liaison officers.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.



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Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Decisions under s,17(7) must be undertake jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B).	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	<i>Bush Fires Act 1954.</i> Bush Fires Regulations 1954. Bush Fires (Infringement) Regulations 1978. Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.8 PROHIBITED BURNING TIMES – VARY	
Function Delegated:	Authority, where seasonal conditions warrant it, to determine a variation of the prohibited burning times, after consultation with an authorised CALM Act officer [s.17(7)].
Statutory Power Delegated:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> • s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> • r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. • r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times • r.39B Crop dusters etc., use of in restricted or prohibited burning times
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input checked="" type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Bush Fires Act 1954:</i></p> <ul style="list-style-type: none"> • s.48 Delegation by local government.
Power Delegated to:	Shire President and Chief Bush Fire Control Officer (jointly).
Council's Conditions on Delegation:	Decisions under s.17(7) must be undertake jointly by both the Shire President and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
Statutory Power to Sub-delegate:	NIL – Sub-delegation is prohibited by s.48(3).
Compliance Links:	<p><i>Bush Fires Act 1954.</i> <i>Bush Fires Regulations 1954.</i> <i>Bush Fires (Infringement) Regulations 1978.</i> <i>Bush Fire Brigades Local Law 2010.</i></p>



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.9 RESTRICTED BURNING TIMES – VARY AND CONTROL ACTIVITIES

Function Delegated:	<ol style="list-style-type: none"> 1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)].
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	9. Authority to recover the cost of measures taken by the Shire of Ravensthorpe or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s.28(1) to take all possible measures to extinguish a fire the land they occupy [s.28(4)], including authority to recover expenses in any court of competent jurisdiction [s.28(5)].
Statutory Power Delegated:	<p><i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner</p> <ul style="list-style-type: none"> • s.22(6) and (7) Burning on exempt land and land adjoining exempt land • s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions • s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land <p><i>Bush Fire Regulations 1954:</i></p> <ul style="list-style-type: none"> • r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. • r.15C Local Government may prohibit burning on certain days • r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times • r.39B Crop dusters etc., use of in restricted or prohibited burning times
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.



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Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	<i>Bush Fires Act 1954.</i> Bush Fires Regulations 1954. Bush Fires (Infringement) Regulations 1978. Bush Fire Brigades Local Law 2010.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
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2.1.10 WITHDRAWAL OF INFRINGEMENT NOTICES		
Function Delegated:	Authority to withdraw an infringement notice for an offence against this Act.	
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.59A(5) Alternative procedure – infringement notices.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	An authorised person cannot withdraw an infringement they have issued.	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">s.65 Proof of certain matters.s.66 Proof of ownership or occupancy.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.1.11 PROSECUTION OF OFFENCES		
Function Delegated:	1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].	
Statutory Power Delegated:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.59 Prosecution of offences.• s.59A(2) Alternative procedure – infringement notices.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.48 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Nil – Sub-delegation is prohibited by s.48(3).	
Compliance Links:	<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.65 Proof of certain matters.• s.66 Proof of ownership or occupancy.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
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2.1.12 RECOVERY OF EXPENSES INCURRED THROUGH CONTRAVENTIONS OF THIS ACT		
Function Delegated:		Authority to recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the Shire of Ravensthorpe or those on behalf of the Shire of Ravensthorpe to do.
Statutory Power Delegated:		<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.58 General penalty and recovery of expenses incurred.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.48 Delegation by local government.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		Nil – Sub-delegation is prohibited by s.48(3).
Compliance Links:		<i>Bush Fires Act 1954:</i> <ul style="list-style-type: none">• s.65 Proof of certain matters.• s.66 Proof of ownership or occupancy.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
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2.2 FOOD ACT 2008

2.2.1 PROHIBITION ORDERS	
Function Delegated:	<p>Determine to:</p> <ol style="list-style-type: none"> 1. Serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the <i>Food Act 2008</i> [s65]. 2. Give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s66]. 3. Give written notice to proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s67(4)].
Statutory Power Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> • Section 65(1) Prohibition Order. • Section 66 Certificate of Clearance. • Section 67(4) Request for Re-Inspection.
Power Originally Assigned to:	Enforcement Agency (The Local Government).
Purpose of Delegation	<p><input checked="" type="checkbox"/> Operational Efficiency.</p> <p><input type="checkbox"/> Enhanced Customer Service.</p> <p><input type="checkbox"/> Scalable Decision Making.</p> <p><input type="checkbox"/> Reduced Red Tape.</p> <p><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</p>
Statutory Power of Delegation:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> • Section 118(2)(b) Local government (enforcement agency) may delegate a function conferred on it. • Section 118(3) Delegation subject to conditions [s119] and guidelines adopted [s120]. • Section 118(4) Sub-delegation only permissible if expressly provided in regulations.
Power Delegated to:	<p>Chief Executive Officer</p> <p>Authorised Environmental Health Officer.</p>
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	Nil. The Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	<p><i>Food Act 2008</i></p> <p>Food Regulations 2009</p> <p>Health Local Law 2010</p>



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
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Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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2.2.2 DETERMINE COMPENSATION		
Function Delegated:		Determine to refuse or pay on an application for compensation from a person on whom a prohibition notice has been served, who has suffered loss as a result of the making of the order; and considers that there were insufficient grounds for making the order.
Statutory Power Delegated:		<i>Food Act 2008:</i> <ul style="list-style-type: none">Section 70 (2) and (3) Compensation.
Power Originally Assigned to:		Enforcement Agency (The Local Government).
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Food Act 2008:</i> <ul style="list-style-type: none">Section 118(2)(b) Local government (enforcement agency) may delegate a function conferred on it.Section 118(3) Delegation subject to conditions [s119] and guidelines adopted [s120].Section 118(4) Sub-delegation only permissible if expressly provided in regulations.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		Nil. The Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:		<i>Food Act 2008</i> Food Regulations 2009 Health Local Law 2010
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
2	21/02/23 OCM – Item 12.1.3	2022/2023 Annual Review



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2.2.3 REGISTRATION OF FOOD BUSINESSES	
Function Delegated:	<p>Determine:</p> <ol style="list-style-type: none"> 1. Applications for registration of a food business in respect of any premises for the purposes of Part 9 of the <i>Food Act 2008</i> and issue a certificate of registration [s.110(1)]. 2. After considering an application, to grant (with or without conditions) or refuse the application [s.110(5)]. 3. To vary the conditions cancel the registration of a food business in respect of any premises under Part 9 of the <i>Food Act 2008</i> [s.112(1)].
Statutory Power Delegated:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> • Section 110(1) and (5) Registration of food business. • Section 112 Variation of conditions or cancellation of registration of food businesses.
Power Originally Assigned to:	Enforcement Agency (The Local Government).
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Food Act 2008:</i></p> <ul style="list-style-type: none"> • Section 118(2)(b) Local Government (Enforcement Agency) may delegate a function conferred on it. • Section 118(3) Delegation subject to conditions [s119] and guidelines adopted [s120]. • Section 118(4) Sub-delegation only permissible if expressly provided in regulations.
Power Delegated to:	<p>Chief Executive Officer.</p> <p>Authorised Environmental Health Officer.</p>
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	Nil. The Food Regulations 2009 do not provide for sub-delegation.



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Compliance Links:	Food Act 2008. Food Regulations 2009.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.2.4 APPOINT AUTHORISED OFFICERS	
Function Delegated:	<ol style="list-style-type: none"> 1. Appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122(1)]. 2. Appoint a person to be a Designated Officer for the purposes of the <i>Food Act 2008</i> [s126(p13)]. 3. Appoint an authorised officer to be a designated officer (who is prohibited by s126(13) from also being a designated officer for the purpose of issuing infringements), for the purpose of extending the time for payment modified penalties [s.126(6)] and determining withdrawal on an infringement notice [s126(7)].
Statutory Power Delegated:	<i>Food Act 2008:</i> <ul style="list-style-type: none"> • Section 122(1) Appointment of authorised officers. • Section 126(13) Infringement Notices.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Food Act 2008</i> – Section 118(2)(b).
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	Nil. The Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	<i>Food Act 2008</i> <ul style="list-style-type: none"> • Section 122(3) required the Enforcement Agency to maintain a list of authorised officers appointed by the agency. • Section 123(1) requires the Enforcement Agency to provide each authorised officer with a certificate of authority as an authorised officer. Food Regulations 2009



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.2.5 PROSECUTIONS		
Function Delegated:		Institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].
Statutory Power Delegated:		<i>Food Act 2008:</i> <ul style="list-style-type: none">Section 125 Institution of proceedings.
Power Originally Assigned to:		Enforcement Agency (The Local Government).
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Food Act 2008:</i> <ul style="list-style-type: none">Section 118(2)(b) Local government (enforcement agency) may delegate a function conferred on it.Section 118(3) Delegation subject to conditions [s119] and guidelines adopted [s120].Section 118(4) Sub-delegation only permissible if expressly provided in regulations.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		Nil. The Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:		<i>Food Act 2008.</i> Food Regulations 2009.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3 BUILDING ACT 2011

2.3.1 GRANT OF BUILDING PERMIT	
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Grant a building permit [s.20(1)]. 2. Refuse a building permit [s.20(2)]. 3. Impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)]. 4. Determine approved alternative building solution to meet performance requirement in the Building Code relating to fire detection and early warning [Reg.55]. 5. Determine approval / refusal of battery powered smoke alarm and determine application form [Reg.61].
Statutory Power Delegated:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> • Section 20 Grant of Building Permit. • Section 27 (1) and (3) Impose Conditions on Permit. <p>Building Regulations 2012</p> <ul style="list-style-type: none"> • Regulation 55 (Smoke Alarms) Terms used. • Regulation 61 Local Government approval of battery powered smoke alarms.
Power Originally Assigned to:	Permit Authority (Local Government in accordance with s.6(3)).
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> • Section 127 Delegation: special permit authorities and local governments.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> • Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	Nil.



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.2 GRANT OF DEMOLITION PERMIT	
Function Delegated:	Authority to: <ul style="list-style-type: none"> grant a demolition permit [s.21(1)]. refuse a demolition permit [s.21(2)]. impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)].
Statutory Power Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> Section 21 Grant of Demolition Permit. Section 27 (1) and (3) Impose Conditions on Permit.
Power Originally Assigned to:	Permit Authority (Local Government in accordance with s.6(3)).
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> Section 127 Delegation: special permit authorities and local governments.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none"> Section 22 Further Grounds for Not Granting an Application. <i>Building Services (Complaint Resolution and Administration) Act 2011</i> <ul style="list-style-type: none"> Part 7, Division 2. <i>Building and Construction Industry Training Levy Act 1990.</i> <i>Heritage of Western Australia Act 1990.</i>



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.3 GRANT OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE	
Function Delegated:	<p>Authority to:</p> <ul style="list-style-type: none"> require an applicant to provide any document or information required in order to determine an application [s.55]. grant or modify an occupancy permit or building approval certificate [s.58]. impose, add, vary or revoke conditions on an occupancy permit or building approval certificate [s.62(1) and (3)]. extend the period in which an occupancy permit or modification, or building approval certificate has effect [s.65(4)].
Statutory Power Delegated:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> Section 55 Further Information. Section 58 Grant of Occupancy Permit, Building Approval Certificate. Section 62(1) and (3) Conditions Imposed by Permit Authority. Section 65(4) Extension of Period of Duration.
Power Originally Assigned to:	Permit Authority (Local Government in accordance with s.6(3)).
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> Section 127 Delegation: special permit authorities and local governments
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Compliance Links:	<p><i>Building Services (Registration Act) 2011 – Section 11.</i></p> <p><i>Building Services (Complaint Resolution and Administration) Act 2011.</i></p> <ul style="list-style-type: none"> Part 7, Division 2 Building and Construction Industry Training Levy Act 1990.



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CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.4 DESIGNATE AUTHORISED PERSONS		
Function Delegated:		Authority to designate an employee as an authorised person.
Statutory Power Delegated:		<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 96(3) Authorised Persons
Power Originally Assigned to:		Permit Authority (Local Government in accordance with s.6(3)).
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127 Delegation: special permit authorities and local governments.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:		<i>Building Act 2011.</i>
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.5 BUILDING ORDERS	
Function Delegated:	<p>Authority to:</p> <ol style="list-style-type: none"> 1. Make Building Orders [s.110] in relations to: <ol style="list-style-type: none"> a. Building work, b. Demolition Work, c. An existing building or incidental structure. 2. Give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Revoke a Building Order [s.117]. 4. If there is non-compliance with a building order, cause an authorised person to: <ol style="list-style-type: none"> a. Take any action specified in the order; or b. Commence or complete any work specified in the order; or c. If any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Take court action to recover as a debt, reasonable costs and expenses incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. 6. Initiate a prosecution pursuant to section 133(1) for non compliance with a Building Order made pursuant to section 110 of the <i>Building Act 2011</i>.
Statutory Power Delegated:	<p><i>Building Act 2011:</i></p> <ul style="list-style-type: none"> • Section 110(1) A Permit Authority (Local Government) may make a Building Order. • Section 111(1) Notice of proposed building order other than building order (emergency). • Section 117(1) and (2) A Permit Authority (Local Government) may revoke a Building Order or notify that it remains in effect. • Section 118(2) and (3) Permit authority may give effect to building order if non- compliance. • Section 133(1) A Permit Authority (Local Government) may commence a prosecution for an offence against this Act.



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Power Originally Assigned to:	Permit Authority (Local Government in accordance with s.6(3)).	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127 Delegation: special permit authorities and local governments.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).	
Compliance Links:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 111 Notice of proposed building order other than building order (emergency).Section 112 Content of building order.Section 113 Limitation on effect of building order.Section 114 Service of building order.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.6 INSPECTION AND COPIES OF BUILDING RECORDS		
Function Delegated:	Authority to determine an application from an interest person to inspect and copy a building record.	
Statutory Power Delegated:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 131(2) Inspection, Copies of Building Records.	
Power Originally Assigned to:	Permit Authority (Local Government in accordance with s.6(3)).	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127 Delegation: special permit authorities and local governments.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).	
Compliance Links:	<i>Building Act 2011.</i>	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.3.7 EXTENSION OF PERIOD OF DURATION OF OCCUPANCY PERMIT OR BUILDING APPROVAL CERTIFICATE		
Function Delegated:		To grant an extension to the period in which the occupancy permit or modification or the building approval certificate has effect.
Statutory Power Delegated:		<i>Building Act 2011.</i> <ul style="list-style-type: none">s65(4) Extension of Period of Duration.
Power Originally Assigned to:		Permit Authority (Local Government in accordance with s.6(3)).
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127 Delegation: special permit authorities and local governments
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Building Act 2011:</i> <ul style="list-style-type: none">Section 127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO).
Compliance Links:		<i>Building Act 2011.</i> Building Regulations 2012.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A
Version Control		
Version	Decision Reference	Description
1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.4 PLANNING AND DEVELOPMENT ACT 2005

2.4.1 ILLEGAL DEVELOPMENT	
Function Delegated:	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> a. to remove, pull down, take up, or alter the development; and b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Statutory Power Delegated:	<i>Planning and Development Act 2005:</i> <ul style="list-style-type: none"> • Section 214(2), (3) and (5)
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> • Section 5.42 Delegation of some powers or duties to the CEO. • Section 5.43 Limitations on delegations to the CEO.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.



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Statutory Power to Sub-delegate:	Nil	
Compliance Links:	Part 13 of the <i>Planning and Development Act 2005</i> .	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A	
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2.5 CAT ACT 2011

2.5.1 REGISTRATIONS	
Function Delegated:	<ol style="list-style-type: none"> 1. Grant or refuse to grant the registration of the cat [s.9(1)(a)]. 2. Renew or refuse to renew the registration of the cat [s9(1)(b)]. 3. Require an applicant to provide any additional document or information required to determine the application [s9(5)]. 4. Refuse to consider an application, where the applicant has not complied with a request for information [s9(6)]. 5. Cancel the registration of a cat [s10]. 6. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s11(2)]. 7. Give notice of decisions [s13].
Statutory Power Delegated:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 9 Registration. • Section 11 Registration numbers, certificates and tags • Section 10 Cancellation of registration. • Section 13 Notice to be given of certain decisions made under this Subdivision.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 44 Delegation by local government.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 45 Delegation by CEO of local government
Compliance Links:	Cat Act 2011 • Part 2 Division 1 – Registration and tagging



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CEO's Sub-Delegation to:		Senior Ranger and Ranger / Airport Reporting Officer.
CEO's Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.5.2 BREEDER APPROVALS	
Function Delegated:	<ol style="list-style-type: none"> 1. Grant or refuse to grant an approval for the person to breed cats [s.37(1)(a)]. 2. Renew or refuse to renew an approval for the person to breed cats [s.37(1)(b)]. 3. Require an applicant to provide any document or information required to determine the application [s.37(3)]. 4. Refuse to consider an application, where the applicant has not complied with a request for information [s.37(4)]. 5. Cancel an approval to breed cats [s.38]. 6. Give notice of decisions [s.40].
Statutory Power Delegated:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 37 Approval to breed cats. • Section 38 Cancellation of approval to breed cats. • Section 40 Notice to be given of certain decisions made under this Subdivision.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input checked="" type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 44 Delegation by local government.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	Nil.
Statutory Power to Sub-delegate:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Section 45 Delegation by CEO of local government.
Compliance Links:	<p><i>Cat Act 2011:</i></p> <ul style="list-style-type: none"> • Part 3 Division 4 – Breeding of cats.



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CEO's Sub-Delegation to:		Senior Ranger
CEO's Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.5.3 APPOINT AUTHORISED PERSONS		
Function Delegated:	1. Appoint Persons or classes of persons to be authorised for the purposes of performing particular functions under this Act [s.48(1)]. 2. Determine conditions on any authorisation [s.48(3)]. 3. Cancel or vary an authorisation [s.48(4)].	
Statutory Power Delegated:	Cat Act 2011: • Section 48 Authorised Persons.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input checked="" type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	Cat Act 2011: • Section 44 Delegation by local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	Nil.	
Statutory Power to Sub-delegate:	Cat Act 2011: • Section 45 Delegation by CEO of local government.	
Compliance Links:	Cat Act 2011: • Part 4 Division 3.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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2.5.4 WAIVE OR DISCOUNT REGISTRATION FEES		
Function Delegated:		Waive or discount prescribed fees in relation to registration of cats [Schedule 3 – cl. 1(4)].
Statutory Power Delegated:		Cat Regulations 2011: <ul style="list-style-type: none">Schedule 1 – clause 1: Fees payable.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Cat Act 2011:</i> <ul style="list-style-type: none">Section 44 Delegation by local government.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		Nil.
Statutory Power to Sub-delegate:		<i>Cat Act 2011:</i> <ul style="list-style-type: none">Section 45 Delegation by CEO of local government.
Compliance Links:		<i>Cat Act 2011.</i> <i>Cat Regulations 2012.</i>
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
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2.6 DOG ACT 1976

2.6.1 REGISTRATIONS	
Function Delegated:	<ol style="list-style-type: none"> 1. Direct a registration officer to refuse to effect or renew a registration of a dog or cancel an existing registration [s.16]. 2. Determine that a dog cannot be registered where no application has been made [s.17A]. 3. Determine, for the purposes of assessing whether a dog can be registered or remain registered, that a dog is not, or will not be, appropriately confined [s.16, s.17A]. 4. Determine, for the purposes of assessing whether a dog can be registered or remain registered, that a dog is destructive, unduly mischievous, or to be suffering from an infectious or contagious disease [s.16, 17A].
Statutory Power Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> • Section 16 Registration procedure. • Section 17A If no application for registration made.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> • Section 10AA Delegation of local government powers and duties.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	The Chief Executive Officer may delegate the above powers.
Statutory Power to Sub-delegate:	<i>Local Government Act 1995:</i> <ul style="list-style-type: none"> • Section 5.44 CEO may delegate some powers and duties to other employees.



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Compliance Links:	<i>Dog Act 1976:</i> <ul style="list-style-type: none">• Section 17 Notices of refusal to register inform the owner of the right under section 17(1) to apply to the State Administrative Tribunal for a review of the decision.	
CEO’s Sub-Delegation to:	Executive Manager Corporate Services. Senior Ranger. Ranger / Airport Reporting Officer.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.6.2 WAIVE REGISTRATION FEES		
Function Delegated:		To discount or waive a registration fee for any individual dog or any class of dogs within its district excluding a dangerous dog [s.15(4A), s.15(4B)].
Statutory Power Delegated:		<i>Dog Act 1976:</i> <ul style="list-style-type: none">Section 15(4A) Registration periods and fees.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input checked="" type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Dog Act 1976:</i> <ul style="list-style-type: none">Section 10AA Delegation of local government powers and duties.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		The Chief Executive Officer may delegate the above powers.
Statutory Power to Sub-delegate:		<i>Dog Act 1976:</i> <ul style="list-style-type: none">Section 10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Compliance Links:		<i>Dog Act 1976.</i> Dog Local Law 2010.
CEO’s Sub-Delegation to:		Nil.
CEO’s Conditions on Sub-Delegation:		N/A.
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2.6.3 APPOINT AUTHORISED OFFICERS	
Function Delegated:	<ol style="list-style-type: none"> 1. Appoint a person to be an authorised officer for the purposes of the <i>Dog Act 1976</i> [s.29(1), s.11]. 2. Appoint a person to be a registration officer for the purposes of the <i>Dog Act 1976</i> [s.29(1), s.11(3)].
Statutory Power Delegated:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> • Section 29(1) Power to seize dogs. • Section 11 Staff and services.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.
Statutory Power of Delegation:	<i>Dog Act 1976:</i> <ul style="list-style-type: none"> • Section 10AA Delegation of local government powers and duties.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	The Chief Executive Officer may delegate the above powers.
Statutory Power to Sub-delegate:	<i>Dog Act 1976:</i> Section 10AA(3) The delegation may expressly authorise the delegate to further delegate the power or duty.
Compliance Links:	<i>Dog Act 1976</i> <ul style="list-style-type: none"> • Section 11(3) a person appointed as an authorised officer under this delegation must be provided with a certificate of authorisation and must furnish it when requested in the process of exercising any authority under the Act. <i>Dog Regulations 2013:</i> <ul style="list-style-type: none"> • Section 35(6) a person authorised to issue an infringement cannot withdraw an infringement.



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CEO's Sub-Delegation to:		Nil.
CEO's Conditions on Sub-Delegation:		N/A.
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2.7 GRAFFITI VANDALISM ACT 2016

2.7.1 ISSUE A NOTICE		
Function Delegated:		Issue a notice requiring the removal of graffiti.
Statutory Power Delegated:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">s18(2) Issue notice to the owner or occupier of premises requiring removal of graffiti.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">s16 Local Government may delegate any powers or duties to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		The Chief Executive Officer may delegate the above powers.
Statutory Power to Sub-delegate:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">s17 CEO may delegate any powers or duties to any employee
Compliance Links:		<i>Graffiti Vandalism Act 2016.</i> Local Government (Functions and General) Regulations 1996.
CEO’s Sub-Delegation to:		Executive Manager Infrastructure Services, Executive Manager Corporate Services, Works Supervisor, Engineering Technical Officer, Senior Ranger and Ranger / Airport Reporting Officer.
CEO’s Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
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2.7.2 GIVE EFFECT TO A NOTICE		
Function Delegated:	Give effect to a notice requiring the removal of graffiti where a person fails to comply with the notice.	
Statutory Power Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s19(3) Give effect to a notice to the owner or occupier of premises requiring removal of graffiti.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input type="checkbox"/> Increased Public Safety & Responsiveness.	
Statutory Power of Delegation:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s16 Local Government may delegate any powers or duties to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	The Chief Executive Officer may delegate the above powers.	
Statutory Power to Sub-delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s17 CEO may delegate any powers or duties to any employee	
Compliance Links:	Details of how the Shire gave effect to the notice, including photographs or graffiti removed, to be recorded and registered to Synergy and linked to the relevant customer and property. <i>Graffiti Vandalism Act 2016.</i> Local Government (Functions and General) Regulations 1996.	
CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services, Executive Manager Corporate Services, Senior Ranger and Ranger / Airport Reporting Officer.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
Version Control		
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2.7.3 RECOVER COSTS		
Function Delegated:		Commence proceedings to recover costs incurred in giving effect to a notice requiring the removal of graffiti.
Statutory Power Delegated:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s19(4) Commence proceedings to recover costs incurred in giving effect to a notice requiring the removal of graffiti.
Power Originally Assigned to:		The Local Government.
Purpose of Delegation		<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>
Statutory Power of Delegation:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s16 Local Government may delegate any powers or duties to the CEO.
Power Delegated to:		Chief Executive Officer.
Council’s Conditions on Delegation:		The Chief Executive Officer may delegate the above powers.
Statutory Power to Sub-delegate:		<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s17 CEO may delegate any powers or duties to any employee.
Compliance Links:		Details of how the Shire gave effect to the notice, including photographs or graffiti removed, to be recorded and registered to Synergy and linked to the relevant customer and property. <i>Graffiti Vandalism Act 2016.</i> Local Government (Functions and General) Regulations 1996.
CEO’s Sub-Delegation to:		Executive Manager Infrastructure Services, Executive Manager Corporate Services, Accountant and Rangers.
CEO’s Conditions on Sub-Delegation:		Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.
Version Control		
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2.7.4 REMOVE GRAFFITI		
Function Delegated:	Authorise the removal of graffiti that has been applied without the consent of owner or occupier of property.	
Statutory Power Delegated:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s25(1) Remove graffiti that has been applied without the consent of owner or occupier of property.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input checked="" type="checkbox"/> Reduced Red Tape.</div> <div><input type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s16 Local Government may delegate any powers or duties to the CEO.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	The Chief Executive Officer may delegate the above powers.	
Statutory Power to Sub-delegate:	<i>Graffiti Vandalism Act 2016:</i> <ul style="list-style-type: none">• s17 CEO may delegate any powers or duties to any employee.	
Compliance Links:	<div>Details of how the Shire gave effect to the notice, including photographs or graffiti removed, to be recorded and registered to Synergy and linked to the relevant customer and property.</div> <div><i>Graffiti Vandalism Act 2016.</i></div> <div>Local Government (Functions and General) Regulations 1996.</div>	
CEO’s Sub-Delegation to:	Executive Manager Infrastructure Services, Executive Manager Corporate Services, Works Supervisor and Engineering Technical Officer.	
CEO’s Conditions on Sub-Delegation:	Must inform Chief Executive Officer when Delegation is used and recorded in Monthly Report.	
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2.8 PUBLIC HEALTH ACT 2016

2.8.1 APPOINT AUTHORISED OFFICERS	
Function Delegated:	<ol style="list-style-type: none"> 1. Appoint a qualified person to be an Environmental Health Officer [s.17]. 2. Designate environmental health officers (either as a person or as a class of persons) to be authorised officers for the purposes of the <i>Public Health Act 2016</i> or another specified Act or for the purposes of the specified provisions of this Act or another specified Act [s.24]. 3. Designate a qualified person (either as a person or as a class of persons) who is not an environmental health officer to be an authorised officer for the purposes of the <i>Public Health Act 2016</i> or another specified Act or for the purposes of the specified provisions of this Act or another specified Act [s.24].
Statutory Power Delegated:	<p><i>Public Health Act 2016:</i></p> <ul style="list-style-type: none"> • Section 24 Designation of authorised officers. • Section 17 Appointment of Environmental Health Officers.
Power Originally Assigned to:	The Local Government.
Purpose of Delegation	<div> <input checked="" type="checkbox"/> Operational Efficiency. <input type="checkbox"/> Enhanced Customer Service. <input type="checkbox"/> Scalable Decision Making. <input type="checkbox"/> Reduced Red Tape. <input checked="" type="checkbox"/> Increased Public Safety & Responsiveness. </div>
Statutory Power of Delegation:	<p><i>Public Health Act 2016:</i></p> <ul style="list-style-type: none"> • Section 21 Enforcement agency may delegate.
Power Delegated to:	Chief Executive Officer.
Council's Conditions on Delegation:	<p>The appointer of authorised officers who are not Environmental Health Officers must be satisfied they are suitably qualified for the powers and duties they are authorised for and have regard to any guidelines issues by the Department under s.29(1).</p> <p>A person cannot be appointed as an Environmental Health Officer unless they meet the qualifications determined and published by the Department under s.18.</p>
Statutory Power to Sub-delegate:	Nil.



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Compliance Links:	<i>Public Health Act 2016:</i> <ul style="list-style-type: none">• Section 25 Certain authorised officers required to have qualifications and experience• Section 27 Lists of authorised officers to be maintained.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
Version Control		
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1	17/11/20 OCM – Item 13.1	2020 New Delegated Authority Manual
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2.9 HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911

2.9.1 APPOINT AUTHORISED AND APPROVED PERSONS – HEALTH (ASBESTOS) REGULATIONS 1992		
Function Delegated:	The authority to appoint in writing, persons or classes of persons to be authorised officers or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2.	
Statutory Power Delegated:	Health (Asbestos) Regulations 1992: <ul style="list-style-type: none">Regulation 15D(5) Infringement Notices.	
Power Originally Assigned to:	The Local Government.	
Purpose of Delegation	<div><input checked="" type="checkbox"/> Operational Efficiency.</div> <div><input type="checkbox"/> Enhanced Customer Service.</div> <div><input type="checkbox"/> Scalable Decision Making.</div> <div><input type="checkbox"/> Reduced Red Tape.</div> <div><input checked="" type="checkbox"/> Increased Public Safety & Responsiveness.</div>	
Statutory Power of Delegation:	Health (Asbestos) Regulations 1992: <ul style="list-style-type: none">Regulation 15D(7) Infringement Notices A local government may delegate a power or duty conferred or imposed on it by this regulation to the chief executive officer of the local government.	
Power Delegated to:	Chief Executive Officer.	
Council’s Conditions on Delegation:	An officer authorised to issue an infringement (‘authorised officer’) may not be appointed to withdraw an infringement (‘approved officer’).	
Statutory Power to Sub-delegate:	Nil.	
Compliance Links:	<ul style="list-style-type: none">Health (Asbestos) Regulations 1992 Authorised officers must be issued with card or certificate that advised they are authorised to issue infringements for officers specified under Schedule 1 of these Regulations.Criminal Procedure Act 2004 Part 2.	
CEO’s Sub-Delegation to:	Nil.	
CEO’s Conditions on Sub-Delegation:	N/A.	
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DELEGATED AUTHORITY REGISTER 2022 / 2023

Council Appointments / Delegations / Sub Delegations

2.10 STATUTORY DELEGATIONS TO LOCAL GOVERNMENT FROM EXTERNAL AGENCIES

Environmental Protection Act 1986

NOISE CONTROL – SERVE ENVIRONMENTAL PROTECTION NOTICES (S65(1))

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986

Section 20

Delegation No. 52

Pursuant to section 20 of the Environmental Protection Act 1986, the Chief Executive Officer hereby delegates as follows:

Powers and duties delegated:

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made:

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the Local Government Act 1995.

Pursuant to section 59(1)(e) of the Interpretations Act 1984, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved:

FERDINAND TROMP, A/Chief Executive Officer

Dr JUDY EDWARDS MLA, Minister for the Environment

Extract from Government Gazette dated 19 March 2004; page 919.



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Environmental Protection Act 1986

NOISE CONTROL – NOISE MANAGEMENT PLANTS (s29)

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 112

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

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

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

Dated this 12th day of December 2013.

Approved:

JASON BANKS, A/Chief Executive Officer

JOHN DAY, A/Minister for Environment; Heritage

Extract from Government Gazette dated 20 December 2013; page 6282.



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Environmental Protection Act 1986

NOISE CONTROL – NOISE MANAGEMENT PLANTS (Reg 13)

Associated Delegation:

ENVIRONMENTAL PROTECTION ACT 1986

Delegation No. 119

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department responsible for the administration of the Environmental Protection Act 1986 ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of:

- (a) Chief Executive Officer under the Local Government Act 1995; and
- (b) To any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the Environmental Protection (Noise) Regulations 1997 other than this power of delegation.

Under section 59(1)(e) of the Interpretation Act 1984, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated this 1st day of May 2014.

Approved by:

JASON BANKS, A/Chief Executive Officer

Hon ALBERT JACOBS JP MLA, Minister for Environment; Heritage

Extract from Government Gazette dated 16 May 2014; page 1548



SHIRE OF RAVENSTHORPE

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Planning and Development Act 2005

WESTERN AUSTRALIAN PLANNING COMMISSION

SECTION 25 OF THE STRATA TITLES ACT 1985

Associated Delegation:

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

DEL 2009/03 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the issuing of certificates of approval under section 25 of the Strata Titles Act 1985.

Preamble:

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

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

Resolution under section 16 of the Act (delegation):

On 26 May 2009, pursuant to section 16 of the Act, the WAPC RESOLVED:

A TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 25, of the Strata Titles Act 1985 as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 2 of Schedule 1.

TONY EVANS, Western Australian Planning Commission



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SCHEDULE 1

1. Applications made under section 25 of the Strata Titles Act 1985:

Power to determine applications for the issuing of a certificate of approval under section 25 of the Strata Titles Act 1985 for a plan of subdivision, re-subdivision or consolidation, except those applications that:

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

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

2. Reporting requirements

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

Extract from Government Gazette dated 9 June 2009; page 1937.



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Planning and Development Act 2005

DEVELOPMENT APPLICATIONS MADE UNDER THE AUSPICES OF THE PLANNING AND DEVELOPMENT ACT 2005

Associated Delegation:

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

(DoL FILE 1738/2002v8; 858/2001v9)

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

Dated the 2nd day of June 2016

HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

SCHEDULE

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none">• a reserve managed by the local government pursuant to section 46 of the Land Administration Act 1997 and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or• the land is a road of which the local government has the care, control and management under section 55(2) of the Land Administration Act 1997 and where there is no balcony or other structure	<p>Shire of Ravensthorpe</p>	<p>In accordance with and subject to approved Government. Land policies.</p> <p>Any signature subject to the following endorsement:</p> <p>Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown Land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provisions of the Planning and Development Act</p>



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<p>proposed to be constructed over that road unless that structure comes within the definition of:</p> <ul style="list-style-type: none"> a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 45B), or is a ground anchor, and where the development is consistent with the use of the land as a road, <p>in respect of development applications being made under or referred to in:</p> <ul style="list-style-type: none"> (i) section 99(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a regional Interim development order (as that term, is defined in that Act); (ii) section 103(2) of the Planning and Development Act 2005 in respect of development for which approval is required under a local interim development order (as that term, is defined in that Act); (iii) section 115 of the Planning and Development Act 2005 in respect of development within a planning control area (as that term, is defined in that Act); (iv) section 122A of the Planning and Development Act 2005 in respect of which approval is required under an improvement scheme (as that term is defined in that Act); (v) section 162 of the Planning and Development Act 2005 in respect of developments for which approval is required under a Planning scheme or Interim development order (as those terms are defined in that Act); (vi) section 163 of the Planning and Development Act 2005 in respect of development on land which is comprised within a place entered in the Register maintained by Heritage Council under the Heritage of Western Australia Act 1990, or which such a place forms part; (vii) section 171A of the Planning and Development Act 2005 in respect of a prescribed development application (as that term is defined in that section of the Act). 		<p>2005 (including any planning scheme).</p> <p>The signature does not represent approval or consent for planning purposes.</p> <p>Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>
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HON DONALD TERRENCE REDMAN MLA

MINISTER FOR LANDS