

Shire of East Pilbara  
Register of Delegated Authority

## REVIEW

<b>Reviewed by</b>	<b>Date approved</b>	<b>References</b>
Council	26 Jul 2024	OCM 26 July 2024

## TABLE OF CONTENTS

INTRODUCTION .....	7
DELEGATIONS .....	8
1.2.1 - Appoint Authorised Persons .....	8
1.2.2 - Performing Functions outside the District .....	9
1.2.3 - Compensation for Damage Incurred when Performing Executive Functions .....	10
1.2.4 - Powers of Entry .....	11
1.2.5 - Declare Vehicle is Abandoned Vehicle Wreck .....	13
1.2.6 - Remove and Impound any goods and abandoned Vehicle .....	14
1.2.7 - Confiscated or Uncollected Goods .....	15
1.2.8 - Disposal of Sick or Injured Animals other than Dogs and Cats .....	17
1.2.9 - Close Thoroughfares to Vehicles .....	18
1.2.10 - Control Reserves and Certain Unvested Facilities .....	20
1.2.11 - Obstruction of Footpaths and Thoroughfares .....	21
1.2.12 - Gates across Public Thoroughfares .....	23
1.2.13 - Public Thoroughfare – Dangerous Excavations .....	24
1.2.14 - Crossing – Construction, Repair and Removal .....	26
1.2.15 - Private Works on, over or under Public Places .....	27
1.2.15 - Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift .....	29
1.2.16 - Expressions of Interest for Goods and Services .....	30
1.2.17 - Tenders for Goods and Services .....	31
1.2.18 - Disposal of Property .....	35
1.2.19 - Payments from the Municipal or Trust Funds .....	37
1.2.20 - Defer, Grant Discounts, Waive or Write Off Debts .....	38
1.2.21 - Power to Invest and Manage Investments .....	40
1.2.22 - Rate Record Amendment .....	41
1.2.23 - Agreement as to Payment of Rates and Service Charges .....	42
1.2.24 - Recovery of Rates or Service Charges .....	43
1.2.25 - Recover a Fee or Charge (Excluding Rates) .....	44
1.2.26 - Recovery of Rates Debts – Require Lessee to Pay Rent .....	45
1.2.27 - Rate Record – Objections .....	46
1.2.28 - Authority to Commence Prosecutions under the Local Government Act and Local Laws .....	47
1.2.29 - Execute Documents and Contract Formalities .....	48
1.2.30 - Grants and Sponsorship Allocations .....	50
1.2.31 - Payments to Australian Taxation Office, Superannuation Funds and Authorised Deposit Taking Institutions .....	51
1.3.1 - Determine if an Emergency for Emergency Powers of Entry .....	52
1.3.2 - Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare .....	53
1.3.3 - Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares.....	54
1.3.4 - Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places .....	55

1.3.5 - Electoral Enrolment Eligibility Claims and Electoral Roll .....	56
1.3.6 - Destruction of Electoral Papers .....	58
1.3.7 - Financial Management Systems and Procedures .....	59
1.3.8 - Infringement Notices .....	60
1.3.9 - Acting Chief Executive Officer .....	61
1.3.10 - Complaints Officer (For Council Members, Committee Members and Candidates) .....	62
1.3.11 - Making Payments to Employees in Addition to Contract or Award .....	63
2.1.1 - Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area .....	64
3.1.1 - Decisions Made Under the Freedom of Information Act 1992 .....	65
4.1.1 - Public Interest Disclosure Officers .....	66
5.1.1 - Grant a Building Permit .....	67
5.1.2 - Demolition Permits .....	69
5.1.3 - Occupancy Permits or Building Approval Certificates .....	71
5.1.4 - Authorised Persons (Building) .....	72
5.1.5 - Authorised Persons (Swimming Pool Inspectors) .....	73
5.1.6 - Building Orders .....	74
5.1.7 - Inspection and Copies of Building Records .....	76
5.1.8 - Referrals and Issuing Certificates .....	77
5.1.9 - Private Pool Barrier – Alternative and Performance Solutions .....	78
5.1.10 - Smoke Alarms – Alternative Solutions .....	79
5.1.11 - Appointment of approved officers and authorised officers .....	80
5.1.12 - Applications for building or demolition permits – Landowner’s consent .....	81
6.1.1 - Powers, Duties and Functions of a Local Government .....	82
6.2.1 - Make Request to FES Commissioner – Control of Fire .....	83
6.2.2 - Prohibited Burning Times – Control Activities .....	84
6.2.3 - Prohibited Burning Times - Vary .....	86
6.2.4 - Restricted Burning Times – Vary and Control Activities .....	87
6.2.5 - Prosecution of Offences .....	89
6.2.5 - Control of Operations Likely to Create Bush Fire Danger .....	90
6.2.6 - Burning Garden Refuse / Open Air Fires .....	91
6.2.7 - Firebreaks .....	93
6.2.8 - Appoint Bush Fire Control Officer/s and Fire Weather Officer .....	94
6.2.9 - Control and Extinguishment of Bush Fires .....	95
6.2.10 - Apply for Declaration as an Approved Area .....	96
6.2.11 - Recovery of Expenses Incurred through Contraventions of this Act .....	97
6.2.13 - Withdrawal of Infringement Notices .....	98
7.1.1 - Cat Registrations .....	99
7.1.2 - Cat Control Notices .....	101
7.1.3 - Approval to Breed Cats .....	102
7.1.4 - Appoint Authorised Persons .....	103
7.1.5 - Recovery of Costs – Destruction of Cats .....	104

7.1.6 - Applications to Keep Additional Cats .....	105
7.2.1 - Infringement Notices – Extensions and Withdrawals .....	106
8.1.1 - Dog Registrations .....	107
8.1.2 - Appoint Authorised Persons .....	109
8.1.4 - Recovery of Moneys due under this Act .....	111
8.1.5 - Dispose of or Sell Dogs Liable to be Destroyed .....	112
8.1.6 - Declare Dangerous Dog .....	113
8.1.7 - Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke .....	114
8.1.8 - Determine Recoverable Expenses for Dangerous Dog Declaration .....	115
8.1.9 - Determine Applications to Keep Dogs .....	116
9.1.1 - General Inspector .....	117
10.1.1 - Prohibition Orders .....	118
10.1.2 - Food Business Registrations .....	119
10.1.3 - Appoint Authorised Officers and Designated Officers .....	120
10.1.4 - Authorised Persons .....	121
10.1.5 - Designated Officers and Infringement Notices .....	122
10.1.6 - Debt Recovery and Prosecutions .....	123
10.1.7 - Food Businesses List – Public Access .....	124
11.1.1 - Give Notice Requiring Obliteration of Graffiti .....	125
11.1.2 - Notices – Deal with Objections and Give Effect to Notices .....	126
11.1.3 - Obliterate Graffiti on Private Property .....	127
11.1.4 - Powers of Entry .....	128
12.1.1 - Register and Withdraw Infringement Notices .....	129
13.1.1 - Authorised Officers .....	130
14.1.1 - Authorised Officers .....	131
15.1.1 - Compliance Certificates .....	132
16.1.1 - Enforcement Agency Reports to the Chief Health Officer .....	133
16.1.2 - Designate Authorised Officers .....	134
16.1.3 - Determine Compensation for Seized Items .....	135
16.1.4 - Commence Proceedings .....	136
17.1.1 - Functions of Authorised Persons .....	137
18.1.1 - Grant of Licence .....	139
18.1.2 - Appointment of Authorised Persons .....	140
18.1.3 - Infringement Notices .....	141
18.1.4 - Camping other than at Caravan Park or Camping Ground .....	142
19.1.1 - Illegal Development .....	143
19.1.2 - Subdivision .....	144
19.1.3 - Enforcement Powers .....	145
19.1.4 - Reports to the Development Assessment Panel .....	146
19.1.5 - Authorised Person – Infringement Notices and Enforcement Powers .....	147
19.2.1 - Development Applications .....	148

19.2.2 - Development applications – Landowner’s consent .....	149
20.2.1 - Instrument of Authorisation - Sign Development Applications for Crown Land as Owner .....	150
20.2.2 - WA Planning Commission – Section 25 of the Strata Titles Act 1985 .....	151
21.1.1 - Native Title Act 1993 – Registration of Interest .....	152
22.1 - Employment of Person by the Local Government .....	153
22.1.1 - Authorised Signs .....	157
22.1.2 - Parking .....	158
22.1.3 - Parking Facilities .....	159
22.1.4 - Obstruction of Public Place or Thoroughfare .....	160
22.1.5 - Infringements for Prescribed Offences as Per Schedule 2 .....	161
22.2 - Discharge of CEO Operational Matters, Decisions and Expenditures during CEO Absence from Office .....	162
22.2.1 - Disagreements .....	163
22.3 - Procurement Financial Limits (Goods and Services) .....	164
22.3.1 - Determinations .....	167
22.3.2 - Activities Requiring a Licence .....	168
22.3.3 - Use of Local Government Property .....	169
22.3.4 - Authorised Officers (Direction to leave and refuse entry powers) .....	170
22.3.5 - Thoroughfares – General .....	173
22.3.6 - Grant Licence for Commercial Activity .....	175
22.3.7 - Prescribed Offences – Schedule 5 .....	177
22.4 - Legal Services .....	178
22.4.1 - General Powers .....	179
22.4.2 - Authorised Officers .....	182
22.4.3 - Prescribed Offences .....	183
22.5 - Liquor Consumption on Council Property .....	184
22.5.1 - Various Powers .....	185
22.5.2 - Authorised Person .....	186
22.6 - Credit Card Holders .....	187
22.6.1 - Various Powers .....	188
22.7 - Credit Notes .....	192
22.7.1 - Various Powers .....	193
22.9 - Shire of East Pilbara Identity Cards .....	194
22.10 - Shire of East Pilbara Credit Applications .....	196
22.11 - Shire of East Pilbara Access to Australian Business Register (ABR) Explorer .....	198
22.12 - Shire of East Pilbara Usage of Electronic Signature .....	200
AMENDMENTS .....	201

## INTRODUCTION

## DELEGATIONS

<b>Delegation</b>	<b>1.2.1 Appoint Authorised Persons</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p>Local Government (Financial Management) Regulations 1996 r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <i>Local Government Act 1995</i> and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the <i>Local Government Act 1995</i>. [s.3.24 and s.9.10].</li> <li>2. Authority to appoint authorised person for the purposes of the Graffiti Vandalism Act 2016, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power [s.15 of the <i>Graffiti Vandalism Act 2016</i>].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. A register of Authorised Persons is to be maintained as a Local Government Record.</li> <li>b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons.</li> </ol>
<b>Express power to subdelegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021



<b>Delegation</b>	<b>1.2.2 Performing Functions outside the District</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.20(1) Performing functions outside district</p>
<b>Function</b>	Determine the circumstances where it is appropriate for the Local Government's functions to be performed outside the District and prior to implementing such a decision, obtain the consent of the landowner/s and occupier/s and any other person that has control or management of the land impacted by the performance of the function [s.3.20(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	A decision to undertake a function outside the District, can only be made under this delegation where there is a relevant allocation within the Annual Budget and the performance of the functions does not adversely impact service levels within the District. Where these conditions are not met the matter must be referred to Council for determination.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services</p>
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 adopted July 2022

<b>Delegation</b>	<b>1.2.3 Compensation for Damage Incurred when Performing Executive Functions</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)].</li> <li>2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Delegation is limited to settlements which do not exceed a material value of \$20,000.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Corporate Services Director Infrastructure Services</p>
<b>Subdelegate conditions</b>	Sub-delegation is limited to settlements which do not exceed a material value of \$5,000.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 adopted in July 2022

<b>Delegation</b>	<b>1.2.4 Powers of Entry</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in emergency s.3.36 Opening fences</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28].</li> <li>2. Authority to give notice of entry [s.3.32].</li> <li>3. Authority to seek and execute an entry under warrant [s.3.33].</li> <li>4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]</li> <li>5. Authority to give notice and effect entry by opening a fence [s.3.36].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer Manager Community Safety Park Ranger - Cape Keraudren Ranger</p>
<b>Subdelegate conditions</b>	<p>Director Regulatory Services (Function 1, 2, 3, 4, 5) Director Infrastructure Services (Function 1, 2, 3, 4, 5) Manager Community Safety (Function 1, 2, 3, 4, 5) Coordinator Environmental Health Services (Function 2) Environmental Health Officer (Function 2) Park Ranger – Cape Keraudren (Function 1, 4) Ranger(s) (Function 1, 4)</p>
<b>Date adopted</b>	26 July 2024

<b>Adoption references</b>	Item 11.2.4 adoption in July 2022
----------------------------	-----------------------------------

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Jul 2022	New delegation	Swimming Pool Inspector	---
22 Jul 2022	New delegation	Swimming Pool Inspectors	

<b>Delegation</b>	<b>1.2.5 Declare Vehicle is Abandoned Vehicle Wreck</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken</p>
<b>Function</b>	Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with Delegated Authority 1.2.6 Disposing of Confiscated or Uncollected Goods or alternatively, referred for Council decision.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 adopted in July 2022

<b>Delegation</b>	<b>1.2.6 Remove and Impound any goods and abandoned Vehicle</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.39 Power to remove and impound s.3.40(1) Vehicle may be removed if goods to be impounded are in or on vehicle s.3.40A Abandoned vehicle wreck may be taken</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)].</li> <li>2. Remove and impound any goods that are in or on a vehicle and authority to enter the vehicle for the purpose of removing it to a place where the goods may be conveniently unloaded and impounded [s.3.40(1)].</li> <li>3. Remove and impound a vehicle that, in the opinion of the local government, is an abandoned vehicle wreck [s.3.40A(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.7 Confiscated or Uncollected Goods</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.39 Power to remove and impound s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to 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].</li> <li>2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47].</li> <li>3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Corporate Services Director Regulatory Services Manager Community Safety</p>
<b>Subdelegate conditions</b>	<p>Manager Community Safety (Function 2) Director Corporate Services Director Regulatory Services</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Jul 2022	New delegation	Director Corporate Services Manager Corporate Services Manager Governance, Risk and Procurement	---



<b>Delegation</b>	<b>1.2.8 Disposal of Sick or Injured Animals other than Dogs and Cats</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO Local Government (Administration) Regulations 1996 r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
<b>Function</b>	1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.9 Close Thoroughfares to Vehicles</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO Local Government (Administration) Regulations 1996 r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)].</li> <li>2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ol style="list-style-type: none"> <li>i. give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and</li> <li>ii. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)].</li> </ol> </li> <li>3. Authority to revoke an order to close a thoroughfare [s.3.50(6)].</li> <li>4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A].</li> <li>5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)].
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Services Manager Operations
<b>Subdelegate conditions</b>	Director Infrastructure Services (Function 1, 2, 3, 4, 5) Manager Operations (Function 1, 2, 3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>1.2.10 Control Reserves and Certain Unvested Facilities</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)].</li> <li>2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Shire that the Shire could do under s.5 of the <i>Parks and Reserves Act 1895</i>. [s.3.54(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services</p>
<b>Subdelegate conditions</b>	<p>Director Corporate Services (Function 1) Director Aviation and Regulatory Services (Function 1) Director Infrastructure Services (Function 1, 2) Director Community Experience (Function 1)</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.11 Obstruction of Footpaths and Thoroughfares</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.25(1) Notices requiring certain things to be done by owner or occupier of land</p> <p><i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice [s.3.25(1)].</li> <li>2. Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> <li>i. prevent damage to the footpath; or</li> <li>ii. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)].</li> </ol> </li> <li>3. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)].</li> <li>4. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)].</li> <li>5. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].</li> <li>6. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].</li> </ol>
<b>Delegates</b>	CEO

<b>Conditions</b>	<p>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</p> <p>b. Permission may only be granted where, the proponent has:</p> <ul style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ul>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Infrastructure Services Director Regulatory Services Manager Community Safety Manager Operations Ranger</p>
<b>Subdelegate conditions</b>	<p>Director Regulatory Services Services (Function 1, 2, 3, 4, 5, 6) Director Infrastructure Services (Function 1, 2, 3, 4, 5, 6) Manager Operations (Function 1, 2, 3, 4, 5, 6) Manager Community Safety (Function 1,2,3,4 5,6) Ranger(s) (Function 5,6)</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.12 Gates across Public Thoroughfares</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)].</li> <li>2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.9(4)].</li> <li>4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)].</li> <li>5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Each approval provided must be recorded in the Shire's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8.</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services Manager Operations
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.13 Public Thoroughfare – Dangerous Excavations</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) and (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)].</li> <li>2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)].</li> <li>3. Authority to impose conditions on granting permission [ULP r.11(6)].</li> <li>4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	<p>Director Infrastructure Services  Director Regulatory Services  Manager Building Approvals and Compliance  Manager Operations  Work, Health and Safety Advisor</p>



<b>Subdelegate conditions</b>	Director Corporate Services (Function 1) Work, Health and Safety Advisor (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.14 Crossing – Construction, Repair and Removal</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO  <i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)].</li> <li>2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)].</li> <li>3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)].</li> <li>4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services Manager Building Approvals and Compliance Manager Engineering Manager Operations Manager Strategic and Statutory Planning
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.15 Private Works on, over or under Public Places</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO  <i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)].</li> <li>2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> <li>b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> <li>i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works.</li> <li>ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works.</li> <li>iii. Provided evidence of sufficient Public Liability Insurance.</li> <li>iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.</li> </ol> </li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services Manager Development Services Manager Operations
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>1.2.15 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO  <i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12
<b>Function</b>	Authority to give notice to an owner / occupier of land if it is considered that clearing the owner / occupier's land might cause local government land having a common boundary, will be adversely affected by wind erosion or sand drift [ULP r.21(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services Manager Building Approvals and Compliance Manager Community Safety
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/o7/2022

<b>Delegation</b>	<b>1.2.16 Expressions of Interest for Goods and Services</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services</p> <p><i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&amp;G r.21].</li> <li>2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&amp;G r.23].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services</p>
<b>Subdelegate conditions</b>	All exercise of power must be consistent with Procurement and Tender Procedures Policy
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.17 Tenders for Goods and Services</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i>  s.5.42 Delegation of some powers or duties to the CEO  s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i>  r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i>  s.3.57 Tenders for providing goods or services</p> <p><i>Local Government (Functions and General) Regulations 1996:</i>  r.11 When tenders have to be publicly invited  r.13 Requirements when local government invites tenders though not required to do so  r.14 Publicly inviting tenders, requirements for  r.18 Rejecting and accepting tenders  r.20 Variation of requirements before entry into contract  r.21A Varying a contract for the supply of goods or services</p>

<p><b>Function</b></p>	<ol style="list-style-type: none"> <li>1. Authority to call tenders [F&amp;G r.11(1)] up to and including \$499,999 ex GST value.</li> <li>2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&amp;G r.11(2)(f)].</li> <li>3. Authority to undertake tender exempt procurement, in accordance with the Procurement and Tender Procedures Policy requirements, where the total consideration is included in the adopted Annual Budget [F&amp;G.r.11(2)].</li> <li>4. Authority to invite tenders although not required to do so [F&amp;G r.13].</li> <li>5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&amp;G r.14(2a)].</li> <li>6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&amp;G r.14(4)(a)].</li> <li>7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&amp;G r.14 (5)].</li> <li>8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&amp;G r.18(4)].</li> <li>9. Authority to accept, or reject an RFx, up to and including \$499,999 ex GST value detailed as a condition on this Delegation, and in accordance with the requirements of the Functions and General Regulations [F&amp;G r.18(2) and (4)].</li> <li>10. Authority to approve a variation up to an amount of 10% of the original purchasing value of the total goods or services sought through the RFx, and to then negotiate minor variations (up to an amount of 10% of the original purchasing value) with the successful tenderer before entering into a contract [F&amp;G r.20(1) and (3)].</li> <li>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&amp;G r.18(4a)].</li> <li>12. Authority to decline any tender [F&amp;G r.18(5)].</li> <li>13. If the chosen tenderer is unable or unwilling to form a contract or the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&amp;G r.20(2)].</li> <li>14. Authority to: <ol style="list-style-type: none"> <li>i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract and is limited to a 10% tolerance of the original purchasing value; and</li> <li>ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&amp;G r.21A].</li> </ol> </li> <li>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into or the successful tenderer agrees to terminate the contract [F&amp;G r.18(6) and (7)], unless the tender was awarded by Council.</li> </ol>
<p><b>Delegates</b></p>	<p>CEO</p>



<p><b>Conditions</b></p>	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> <li>i. A detailed specification;</li> <li>ii. The outcomes of market testing of the specification;</li> <li>iii. The reasons why market testing has not met the requirements of the specification; and</li> <li>iv. Rationale for why the supply is unique and cannot be sourced through other suppliers.</li> </ul> <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> <li>i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government;</li> <li>ii. current supply contract expiry is imminent;</li> <li>iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption; and</li> <li>iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council.</li> </ul> <p>c. In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget.</p> <p>d. All above delegations must be in accordance with the Procurement and Tender Procedures Policy</p>
<p><b>Express power to subdelegate</b></p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p><b>Subdelegates</b></p>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services</p>

<b>Subdelegate conditions</b>	<p>Director Corporate Services (Function 1, 3, 4, 5, 6, 7, 8, 9*, 10, 11, 12, 15*)          Director Regulatory Services (Function 1, 3, 4, 5, 6, 7, 8, 9*, 10, 11, 12, 15*)          Director Infrastructure Services (Function 1, 3, 4, 5, 6, 7, 8, 9*, 10, 11, 12, 15*)          Director Community Experience (Function 1, 3, 4, 5, 6, 7, 8, 9*, 10, 11, 12, 15*)</p> <p>a. In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget.</p> <p>b. * Directors are authorised to accept tenders under function 9 and 15 up to \$150,000 excluding GST within their Directorate only.</p> <p>c. All above sub-delegations must be in accordance with the Procurement and Tender Procedures Policy</p> <p>d. Directors exercising this function must provide a memorandum to the CEO (for calling of tenders)</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Jul 2022	New delegation	Deputy CEO/ Director Organisational Development	---
22 Jul 2022	New delegation	Deputy CEO/ Director Organisational Development	

<b>Delegation</b>	<b>1.2.18 Disposal of Property</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.58(2) and (3) Disposing of Property
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to dispose of property to: <ol style="list-style-type: none"> <li>i. to the highest bidder at public auction [s.3.58(2)(a)]; and</li> <li>ii. to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)].</li> </ol> </li> <li>2. Authority to dispose of property by private treaty only in accordance with section 3.58 (3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].</li> <li>3. Authority to dispose of property to a person or body that is an exempt disposition pursuant to r. 30 of the Local Government (Functions and General) Regulations 1996.</li> </ol>
<b>Delegates</b>	CEO

<p><b>Conditions</b></p>	<p>a. When determining the method of disposal:</p> <p>i. Where a public auction is determined as the method of disposal:</p> <ul style="list-style-type: none"> <li>• Reserve price has been set by independent valuation; and</li> <li>• Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price;</li> </ul> <p>ii. Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method; and</p> <p>iii. Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to:</p> <ul style="list-style-type: none"> <li>• Negotiate the sale of the property up to a -10% variance on the valuation; and</li> <li>• Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded.</li> </ul> <p>b. Where the market value of the property is determined as being less than \$20,000 (F&amp;G r.30(3) excluded disposal) may be undertaken:</p> <p>i. Without reference to Council for resolution; and</p> <p>ii. In any case, be undertaken to ensure that the best value return is achieved by gifting, donating, or destruction (including recycling or reusing) a property (not exceeding \$5,000).</p>
<p><b>Express power to subdelegate</b></p>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<p><b>Subdelegate conditions</b></p>	<p>Nil.</p>
<p><b>Date adopted</b></p>	<p>26 July 2024</p>
<p><b>Adoption references</b></p>	<p>Item 11.2.4 OCM 22/07/2022</p>

<b>Delegation</b>	<b>1.2.19 Payments from the Municipal or Trust Funds</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
<b>Function</b>	Authority to make payments from the municipal or trust funds [r.12(1)(a)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services Manager Corporate Services Manager Governance, Risk and Procurement</p>
<b>Subdelegate conditions</b>	<p>a. Sub-Delegates must comply with finance procedures approved by the CEO (Financial Management Regulation 5)</p> <p>b. The Municipal Fund and Trust Fund is to be signed by two (2) of the abovementioned officers.</p> <p><i>* Note – payments for investments are specifically outlined under section 1.2.24 and are not included in this section</i></p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.20 Defer, Grant Discounts, Waive or Write Off Debts</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Waive a debt which is owed to the Shire [s.6.12(1)(b)]</li> <li>2. Grant a concession in relation to money which is owed to the Shire [s.6.12(1)(b)].</li> <li>3. Write off an amount of money which is owed to the Shire [s.6.12(1)(c)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<p><u>Waiver of Fee or Charge:</u></p> <p>-</p> <ol style="list-style-type: none"> <li>1. The Chief Executive Officer may waive fees and charges, up to a maximum value of \$3,000 (ex GST) per customer within a financial year;</li> <li>2. The Chief Executive Officer, may waive fees and charges for amounts up to \$3,000 (ex GST) for any fee or charge whose imposition is inequitable during circumstances where the State Government has declared either an 'emergency situation' or 'state of emergency' pursuant to the Emergency Management Act 2005, or a 'public health emergency' declaration under the Public Health Act 2016, and in accordance with a prior Council resolution.</li> </ol> <p><u>Grant a Concession:</u></p> <ol style="list-style-type: none"> <li>3. The Chief Executive Officer may provide a concession, in relation to money which is owed to the Shire [s.6.12(1)(b)], related to their operational responsibilities, where such concession is either to: <ol style="list-style-type: none"> <li>i. a value up to \$3000 (ex GST) per customer within a financial year; or</li> <li>ii. assist a not for profit community group or charitable entity, or where appropriate, up to \$3,000 (ex GST) at the discretion of the Chief Executive Officer, in fulfilling a service, social or cultural outcome, within the Shire.</li> </ol> </li> </ol> <p><u>Write off Debts:</u></p> <ol style="list-style-type: none"> <li>4. The Chief Executive Officer may only write off debts, excluding rates, limited to a value up to \$3,000 (ex GST) per debtor within a financial year.</li> </ol> <p>The Chief Executive Officer has discretion to determine any conditions applicable to use of sub-delegated powers or duties.</p>

<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services
<b>Subdelegate conditions</b>	<p>Director Corporate Services (Function 1, 2, 3, 4) Director Regulatory Services (Function 1, 2, 3) Director Infrastructure Services (Function 1, 2, 3) Director Organisational Development</p> <p>A \$10,000 annual limit is imposed on Directors of Community Experience, Regulatory Services, and Infrastructure Services and \$20,000 for Corporate Services Director.</p> <p>Fee waivers and concessions may only be granted by a Director with respect to their Directorate.</p> <p>Waiver of Fee or Charge:</p> <ol style="list-style-type: none"> <li>1. Each Director may waive fees and charges related to their operational responsibilities, where such waiver is to a value up to \$3,000 (ex GST) per customer within a financial year;</li> <li>2. Each Director may waive fees and charges for amounts up to \$3,000 (ex GST) for any fee or charge whose imposition is inequitable during circumstances where the State Government has declared either an 'emergency situation' or 'state of emergency' pursuant to the Emergency Management Act 2005, or a 'public health emergency' declaration under the Public Health Act 2016, and in accordance with a prior Council resolution.</li> </ol> <p>Grant a Concession:</p> <ol style="list-style-type: none"> <li>3. Each Director may provide a concession, in relation to money which is owed to the Shire [s.6.12(1)(b)], related to their operational responsibilities, where such concession is either to: <ol style="list-style-type: none"> <li>i. a value up to \$3,000 (ex GST) per customer within a financial year; or</li> <li>ii. assist a not for profit community group or charitable entity, or where appropriate, up to \$3,000 (ex GST) at the discretion of the Director, in fulfilling a service, social or cultural outcome, within the Shire.</li> </ol> </li> <li>4. The Director Corporate Services may only write off debts, excluding rates, limited to a value up to \$3,000 (ex GST) per debtor within a financial year.</li> </ol>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.21 Power to Invest and Manage Investments</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.6.14 Power to invest</p> <p><i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)].</li> <li>2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. All investment activity must comply with the Financial Management Regulation 19C and Council's Investment Policy.</li> <li>b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports.</li> <li>c. The placement or redemption of all investments requires dual authorisation by the Chief Executive Officer and a Director.</li> </ol>
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Corporate Services
<b>Subdelegate conditions</b>	Two (2) authorised signatories are required
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>1.2.22 Rate Record Amendment</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.6.39(1) Rate record s.6.39(2)(b) Rate record s.6.40(1) and (2) Effect of amendment of rate record s.6.41 Service of rate notice</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to compile rate record, at the time and in the form and manner prescribed, for that financial year after Council resolve to impose rates [6.39(1)].</li> <li>2. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].</li> <li>3. Authority to reassess the rates payable on the land and to give notice to the owner of the land of any change in the amount of rates payable on the land [6.40(1) and (2)].</li> <li>4. Authority to provide the owner of rateable land a dated notice accompanied by the details and particulars described [6.41(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	Director Corporate Services Manager Corporate Services Rates Revenue Finance Officer
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.23 Agreement as to Payment of Rates and Service Charges</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges</p>
<b>Function</b>	Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
<b>Delegates</b>	CEO
<b>Conditions</b>	Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied.
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Corporate Services Management Accountant Manager Corporate Services Rates Revenue Finance Officer Senior Finance Officer</p>
<b>Subdelegate conditions</b>	Payments of rates and service charges to be made in accordance with policy and procedures.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.24 Recovery of Rates or Service Charges</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.6.55 Rates or service charges recovery s.6.56 Rates or service charges recoverable in court</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to recover rates or service charges on land [s.6.55]</li> <li>2. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	Director Corporate Services Manager Corporate Services Rates Revenue Finance Officer
<b>Subdelegate conditions</b>	Rates Revenue Finance Officer (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>1.2.25 Recover a Fee or Charge (Excluding Rates)</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.16 Imposition of fees and charges
<b>Function</b>	The power to recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed under Part 6, Division 5 of the <i>Local Government Act 1995</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Corporate Services Rates Revenue Finance Officer
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Jul 2022	Amended delegation	Rates Revenue Finance Officer	

<b>Delegation</b>	<b>1.2.26 Recovery of Rates Debts – Require Lessee to Pay Rent</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the Shire [s.6.60(2)].</li> <li>2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services Manager Corporate Services Rates Revenue Finance Officer
<b>Subdelegate conditions</b>	Payments of rates and service charges to be made in accordance with policy and procedure .
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.27 Rate Record – Objections</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)].</li> <li>2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Corporate Services
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.28 Authority to Commence Prosecutions under the Local Government Act and Local Laws</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.4.97 Prosecutions s.9.24 Prosecutions, commencing</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. The power to commence a prosecution for an offence against the Local Government Act 1995 [s.9.24(1)(b)&amp;(c)]</li> <li>2. The power to commence a prosecution for an offence under a Shire of East Pilbara Local Law pursuant to Part 4, Division 11 [s.9.24(2)(a)&amp;(b)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.2.29 Execute Documents and Contract Formalities</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Local Government (Administration) Regulations 1996</i> r.18G Delegations to CEOs, limits on (Act s.5.43)</p> <p><i>Local Government (Financial Management) Regulations 1996</i> r.6 Audits and performance review of accounting staff etc, who may conduct</p>
<b>Express power or duty delegated</b>	<p><i>Local Government Act 1995:</i> s.9.49A Execution of Documents s.9.49B Contract Formalities</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. To sign documents on behalf of the local government subject to the conditions below [s.9.49A(4)].</li> <li>2. To vary or discharge a contract in the name of or on behalf of the local government subject to conditions below [s.9.49B(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. The authorised officers may only sign documents in accordance with the Council's Execution of Documents Policy.</li> <li>b. The authorised officers may only vary or discharge a contract that it has authorisation to sign pursuant to section 9.49A(4) and in accordance with the Council's Execution of Documents Policy.</li> <li>c. Records of executed documents must be maintained in accordance with State Records Act and Council's Record Keeping policy and procedures.</li> </ol>
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services</p>
<b>Subdelegate conditions</b>	Execution of documents must be reported in accordance with the Execution of Documents Policy.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Jul 2022	Amended delegation	Deputy CEO/ Director organizational Development	

<b>Delegation</b>	<b>1.2.30 Grants and Sponsorship Allocations</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	LocalGovernment Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine allocation [FM Reg 12(1)(a)] of the following grants in accordance with Council's Grants and Sponsorship Policy: <ol style="list-style-type: none"> <li>i. Small Grants up to the value of \$1,000;</li> <li>ii. Events and Activation Grants up to the value of \$1,000;</li> <li>iii. Participation Grants up to a value of \$1,500.</li> <li>iv. In-Kind Grants up to a value of \$3,000.</li> </ol> </li> <li>2. Authority to decline eligible and ineligible applications for sponsorships in accordance with Council's Grants and Sponsorship Policy.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Decisions must be in accordance with the requirements of relevant Council Policies and be within Annual Budget allocations.</li> <li>2. Records evidencing assessment against criteria must be retained.</li> <li>3. Decisions made under this Delegation may be appealed by application to Council.</li> </ol> <p>This Delegation does not apply to any application received under a scheduled round of funding, including, but not limited to, Community Grants and Sponsorship.</p>
<b>Subdelegates</b>	Director Community Experience
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	11.3.2 OCM

<b>Delegation</b>	<b>1.2.31 Payments to Australian Taxation Office, Superannuation Funds and Authorised Deposit Taking Institutions</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995</i> s.3.57 Tenders for providing goods and services
<b>Function</b>	Authority to approve payments to the Australian Taxation Office, Superannuation Funds and Authorised Deposit Taking Institutions.
<b>Delegates</b>	CEO
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Payments of taxation instalments on behalf of Shire Employees to the Australian Taxation Office.</li> <li>2. Payments of employer and employee contributions on behalf of Shire Employees to Superannuation Funds approved by the Australian Taxation Office.</li> <li>3. Payments to Authorised Deposit Taking Institutions for the purposes of the repayment of a loan facility authorised by Council.</li> </ol>
<b>Express power to subdelegate</b>	As determined by the CEO (Condition 1 applies – conditions 2 and 3 may not be delegated).
<b>Statutory framework</b>	<i>Local Government Act 1995</i>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	22 March 2024 Ordinary Council Meeting - Resolution 2024/34

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Mar 2024	New delegation	Authority to make payments to the Australian Taxation Office, superannuation funds approved by the Australian Taxation Office and Authorised Deposit Taking Institutions over and above the financial delegation granted by Council to the Chief Executive Officer	---
22 Mar 2024	New delegation	Authority to make payments to the Australian Taxation Office, superannuation funds approved by the Australian Taxation Office and Authorised Deposit Taking Institutions over and above the financial delegation granted by Council to the Chief Executive Officer.	

<b>Delegation</b>	<b>1.3.1 Determine if an Emergency for Emergency Powers of Entry</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
<b>Function</b>	Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
<b>Delegates</b>	Coordinator Environmental Health Services Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services Environmental Health Officer Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	In each instance that this delegation is exercised, the delegate must provide a report to the Chief Executive Officer.
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
<b>Function</b>	<p>When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.11 Obstruction of Footpaths and Thoroughfares:</p> <ol style="list-style-type: none"> <li>1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)].</li> <li>2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)].</li> <li>3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].</li> </ol>
<b>Delegates</b>	Director Infrastructure Services Director Regulatory Services
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.11 Obstruction of Footpaths and Thoroughfares.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2,4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
<b>Function</b>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.13 Public Thoroughfares – Dangerous Excavations: <ol style="list-style-type: none"> <li>1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)].</li> <li>2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)].</li> <li>3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.</li> </ol>
<b>Delegates</b>	Director Infrastructure Services Director Regulatory Services Work, Health and Safety Advisor
<b>Conditions</b>	<ol style="list-style-type: none"> <li>a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.13 Public Thoroughfares – Dangerous Excavations.</li> <li>b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>.</li> </ol>
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)].</li> <li>2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].</li> </ol>
<b>Delegates</b>	Director Infrastructure Services Director Regulatory Services Manager Building Approvals and Compliance Manager Operations Manager Strategic and Statutory Planning
<b>Conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.4.32(4), (5A) and (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election  <i>Local Government (Elections) Regulations 1997:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) and (4) Register - s.4.32(6)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)].</li> <li>2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)].</li> <li>3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.3.42(5A)].</li> <li>4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)].</li> <li>5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13 (2)].</li> <li>6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)].</li> <li>7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34].</li> <li>8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination.</li> <li>9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].</li> <li>10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].</li> </ol>
<b>Delegates</b>	Director Corporate Services Manager Governance, Risk and Procurement



<b>Conditions</b>	Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.6 Destruction of Electoral Papers</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government (Elections) Regulations 1997:</i> r.82(4) Keeping election papers – s4.84(a)
<b>Function</b>	Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
<b>Delegates</b>	Manager Governance, Risk and Procurement
<b>Conditions</b>	Memo to be kept on the file certifying the destruction of the election papers.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.7 Financial Management Systems and Procedures</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees  Local Government (Financial Management) Regulations 1996 r.6 Audits and performance review of accounting staff etc, who may conduct
<b>Express power or duty delegated</b>	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management
<b>Function</b>	Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: <ul style="list-style-type: none"> <li>i. Collection of money owed to the Shire;</li> <li>ii. Safe custody and security of money collected or held by the Shire;</li> <li>iii. Maintenance and security of all financial records;</li> <li>iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities;</li> <li>v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards;</li> <li>vi. Making of payments in accordance with Delegated Authority; and</li> <li>vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements.</li> </ul>
<b>Delegates</b>	Director Corporate Services Manager Corporate Services Manager Governance, Risk and Procurement
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.8 Infringement Notices</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.16 Notice, giving of to alleged offender s.9.19 Extension of Time s.9.20 Withdrawal of Notice  <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)].</li> <li>2. Authority to give an infringement notice to an alleged offender [9.16].</li> <li>3. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19].</li> <li>4. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].</li> </ol>
<b>Delegates</b>	Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer Manager Building Approvals and Compliance Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Director Regulatory Services (Function 1, 2, 3) Manager Community Safety (Function 1, 2, 3) Park Ranger – Cape Keraudren (Function 1, 2) Ranger(s) (Function 1, 2) Coordinator Environmental Health Services (Function 2) Environmental Health Officer (Function 2) Manager Building Approvals and Compliance (Function 2)  A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.9 Acting Chief Executive Officer</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.5.39(1a)(a) An employee may act in the position of a CEO
<b>Function</b>	Senior Employee to act in the capacity of Chief Executive Officer during absences not exceeding three months [s.5.39(1a)(a)].
<b>Delegates</b>	Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services
<b>Conditions</b>	Only a senior employee may be appointed as acting Chief Executive Officer and in accordance with Council's Appointment of Acting Chief Executive Officer Policy.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.10 Complaints Officer (For Council Members, Committee Members and Candidates)</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.5.120 Complaints officer
<b>Function</b>	An employee to be the designated Complaints Officer under the <i>Local Government Act 1995</i> [s.5.120(a)].
<b>Delegates</b>	Manager Governance, Risk and Procurement
<b>Conditions</b>	All decisions and processes are to align with the Shire of East Pilbara Code of Conduct for Council Members, Committee Members and Candidates
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>1.3.11 Making Payments to Employees in Addition to Contract or Award</b>
<b>Head of power</b>	01 Local Government Act 1995
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Express power or duty delegated</b>	<i>Local Government Act 1995:</i> s.5.50 Payments to Employees in addition to Contract or Award
<b>Function</b>	Making Payments to Employees in addition to Contract or Award pursuant to Part 5, Division 4 of the <i>Local Government Act 1995</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area</b>
<b>Head of power</b>	02 Emergency Management Act 2005
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Emergency Management Act 2005:</i> s.45 Exercise of powers under this division
<b>Express power or duty delegated</b>	<i>Emergency Management Act 2005:</i> s.46 Power of local government to destroy dangerous vegetation or premises in cyclone area s.47 Local government may require owner or occupier of land to take action s.48 Additional powers when direction given
<b>Function</b>	Powers and functions of local government during a cyclone under Part 3 Division 3 of the <i>Emergency Management Act 2005</i> .
<b>Delegates</b>	CEO Director Community Experience Director Infrastructure Services Director Regulatory Services Manager Community Safety Manager Operations Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>3.1.1 Decisions Made Under the Freedom of Information Act 1992</b>
<b>Head of power</b>	03 Freedom of Information Act 1992
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Freedom of Information Act 1992:</i> s.100 Who in agency makes its decisions
<b>Express power or duty delegated</b>	<i>Freedom of Information Act 1992:</i> s.100 Who in agency makes its decisions
<b>Function</b>	<ol style="list-style-type: none"> <li>1. All primary decisions made under the <i>Freedom of Information Act 1992</i>; and</li> <li>2. Internal review of primary decision as to access under section 41.</li> </ol>
<b>Delegates</b>	Coordinator Records Management Director Corporate Services Manager Governance, Risk and Procurement
<b>Conditions</b>	Director Corporate Services (Function 2) Manager Governance, Risk and Procurement (Function 1, 2) Coordinator Records Management (Function 1) Delegates who perform Function 1 cannot undertake Function 2 in respect to the same application.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>4.1.1 Public Interest Disclosure Officers</b>
<b>Head of power</b>	04 Public Interest Disclosures Act 2003
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Public Interest Disclosures Act 2003:</i> s.23(1)(a) The principal executive officer of a public authority must designate the occupant of a specified position with the authority as the person responsible for receiving disclosures of public interest information
<b>Express power or duty delegated</b>	<i>Public Interest Disclosures Act 2003:</i> S.23 Principal executive officer of public authority, duties of
<b>Function</b>	The person responsible for receiving disclosures of public interest information under the <i>Public Interest Disclosures Act 2003</i> .
<b>Delegates</b>	Customer Service and Library Officer - Marble bar Manager Governance, Risk and Procurement Manager Place
<b>Conditions</b>	Delegates must be authorised by the CEO and complete a Public Interest Disclosure Officer Declaration certifying they understand their responsibilities and obligations under the <i>Public Interest Disclosures Act 2003</i> .
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.1 Grant a Building Permit</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a building permit [s.20(1) and (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and(3)].</li> <li>4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]; and</li> <li>ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Director Aviation and Regulatory Services (Function 1, 2, 3, 4, 5) Manager Building Services (Function 1, 2, 3, 4, 5)
<b>Date adopted</b>	26 July 2024

**Adoption references**

Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.2 Demolition Permits</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit  <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)].</li> <li>2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) and (2) and s.22].</li> <li>3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]</li> <li>4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> <li>i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)]</li> <li>ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)].</li> </ol> </li> <li>5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Nil.

<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.3 Occupancy Permits or Building Approval Certificates</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration  <i>Building Regulations 2012:</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55].</li> <li>2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58].</li> <li>3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)].</li> <li>4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.4 Authorised Persons (Building)</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to designate an employee as an authorised person [s.96(3)].</li> <li>2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].</li> <li>3. Authority to undertake the following functions as authorised persons: <ol style="list-style-type: none"> <li>a. Entry powers [s.100]</li> <li>b. Powers after entry and compliance purposes [s.101]</li> <li>c. Obtaining information and documents [s.102]</li> <li>d. Use of force and assistance [s.103]</li> <li>e. Entry warrant to enter a place [s.106]</li> <li>f. Execution of warrant [s.109]</li> <li>g. To carry out the functions to give effect to a building order [s.118]</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g) Manager Building Services (Function 3a, 3b, 3c, 3g)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>5.1.5 Authorised Persons (Swimming Pool Inspectors)</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.53 Inspection of barrier to private swimming pool
<b>Function</b>	<ol style="list-style-type: none"> <li>1. To authorise persons to inspect the barrier of private swimming pools every 4 years to ensure compliance with the <i>Building Regulations 2012</i> [r.53].</li> <li>2. To inspect the barrier of private swimming pools every 4 years to ensure compliance with the <i>Building Regulations 2012</i> [r.53].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 2) Manager Building Services (Function 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.6 Building Orders</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> <li>a. Building work;</li> <li>b. Demolition work; and</li> <li>c. An existing building or incidental structure [s.110(1)].</li> </ol> </li> <li>2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)].</li> <li>3. Authority to revoke a building order [s.117].</li> <li>4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> <li>a. take any action specified in the order; or</li> <li>b. commence or complete any work specified in the order; or</li> <li>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)].</li> </ol> </li> <li>5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].</li> <li>6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the Building Act 2011.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance

<b>Subdelegate conditions</b>	Director Regulatory Services (Function 1, 2, 3, 4, 5, 6) Manager Building Services (Function 1, 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.7 Inspection and Copies of Building Records</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
<b>Function</b>	Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Administration Officer - Airport Services Assistant Building Surveyor/ Administration Officer Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.8 Referrals and Issuing Certificates</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Act 2011:</i> s.145A Local Government functions
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)].</li> <li>2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Shire's District [s.145A(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Assistant Building Surveyor/ Administration Officer Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Director Regulatory Services Manager Building Approvals and Compliance (Function 1) Assistant Building Surveyor/ Administration Officer (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.9 Private Pool Barrier – Alternative and Performance Solutions</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.51 Application for occupancy permit or building approval certificate for unauthorised work
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)]</li> <li>2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)]</li> <li>3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
<b>Subdelegates</b>	Director Regulatory Services
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.10 Smoke Alarms – Alternative Solutions</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55].</li> <li>2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.
<b>Subdelegates</b>	Director Regulatory Services Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Manager Building Approval and Compliance (Function 2) Director Aviation and Regulatory Services (Function 1 and 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>5.1.11 Appointment of approved officers and authorised officers</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	<i>Building Regulations 2012:</i> r.70 Approved officers and authorised officers
<b>Function</b>	<p>1. Authority to appoint an approved officer for the purposes of s.6(a) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(1) and (1A).</p> <p>NOTE: Only employees delegated under s 5.44(1) of the <i>Local Government Act 1995</i> with power under s 9.19 or 9.20 may be appointed as "approved officers".</p> <p>2. Authority to appoint an authorised officer for the purposes of s.6(b) of the <i>Criminal Procedure Act 2004</i>, in accordance with Building Regulation 70(2).</p> <p>NOTE: Only employees appointed under s 9.10 of the <i>Local Government Act 1995</i> and authorised for the purpose of performing functions under s 9.16 of that Act may be appointed as "authorised officers" for the purposes of Building Regulation 70(2).</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the <i>Building Regulations 2012</i> .
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>5.1.12 Applications for building or demolition permits – Landowner’s consent</b>
<b>Head of power</b>	05 Building Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Building Act 2011: s.127(1) & (3) Delegation: special permit authorities and local government
<b>Express power or duty delegated</b>	Building Act 2011: s.16(b) Making an application
<b>Function</b>	1. Authority to sign an application for building or demolition permits on behalf of the Shire as the owner of the land on which the building or incidental structure proposed to be, located.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	OCM 26 July 2024

<b>Delegation</b>	<b>6.1.1 Powers, Duties and Functions of a Local Government</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i>
<b>Function</b>	Authority to perform all of the powers, duties and functions of the local government under the <i>Bush Fires Act 1954</i> and <i>Bush Fires Regulations 1954</i> .
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.1 Make Request to FES Commissioner – Control of Fire</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers
<b>Function</b>	Authority to request on behalf of the Shire that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)].
<b>Delegates</b>	CEO Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>6.2.2 Prohibited Burning Times – Control Activities</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land  <i>Bush Fire Regulations 1954:</i> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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].</li> <li>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)].</li> <li>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)].</li> <li>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)].</li> <li>6. Authority to recover the cost of measures taken by the Shire 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)].</li> </ol>
<b>Delegates</b>	Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety
<b>Conditions</b>	Chief Bush Fire Control Officer (Department of Fire & Emergency Services [DFES]) (Function 1, 3, 4, 5)  Decisions under s.17(7) must be undertake jointly by both the CEO and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).

<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.3 Prohibited Burning Times - Vary</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister  <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times
<b>Function</b>	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)].
<b>Delegates</b>	CEO Chief Bush Fire Control Officer Shire President
<b>Conditions</b>	Decisions under s,17(7) must be undertake jointly by two of the Chief Executive Officer or Shire President, and Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8).
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>6.2.4 Restricted Burning Times – Vary and Control Activities</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<p><i>Bush Fires Act 1954:</i> s.18(5), (11) Restricted burning times may be declared by FES Commissioner s.22(6) and (7) Burning on exempt land and land adjoining exempt land s.27(2) and (3) Prohibition on use of tractors or engines except under certain conditions s.28(4) and (5) Occupier of land to extinguish bush fire occurring on own land</p> <p><i>Bush Fire Regulations 1954:</i> 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</p>

<b>Function</b>	<ol style="list-style-type: none"> <li>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"> <li>a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C].</li> </ol> </li> <li>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)].</li> <li>3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15].</li> <li>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)].</li> <li>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].</li> <li>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].</li> <li>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)].</li> <li>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)].</li> <li>9. Authority to recover the cost of measures taken by the Shire 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)].</li> </ol>
<b>Delegates</b>	CEO Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021



<b>Delegation</b>	<b>6.2.5 Prosecution of Offences</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Local Government
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59].</li> <li>2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)].</li> </ol>
<b>Delegates</b>	Bush Fire Control Officer Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.5 Control of Operations Likely to Create Bush Fire Danger</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.27D Requirements for carriage and deposit of incendiary material  <i>Bush Fires Regulations 1954:</i> 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
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: <ol style="list-style-type: none"> <li>a. a person operating a bee smoker device during a prescribed period [r.39CA(5)].</li> <li>b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)].</li> <li>c. a person using explosives [r.39D(2)].</li> <li>d. a person using fireworks [r.39E(3)].</li> </ol> </li> <li>2. Authority to determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s.27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i></li> </ol>
<b>Delegates</b>	Bush Fire Control Officer Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety
<b>Conditions</b>	Chief Bush Fire Control Officer (Department of Fire and Emergency Services [DFES]) (Function 1, 2) Deputy Chief Bush Fire Control Officer (Function 1, 2) Bush Fire Control Officers (1,2) Manager Community Safety (Function 1, 2)
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.6 Burning Garden Refuse / Open Air Fires</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.24F Burning garden refuse during limited burning times s.24G Minister or local government may further restrict burning of garden refuse s.25 No fire to be lit in open air unless certain precautions taken s.25A Power of Minister to exempt from provisions of section 25  <i>Bush Fires Regulations 1954:</i> r.27(3) Permit, issue of
<b>Function</b>	<ol style="list-style-type: none"> <li>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)].</li> <li>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"> <li>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)].</li> <li>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].</li> </ol> </li> <li>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"> <li>a. camping or cooking [s.25(1)(a)].</li> <li>b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)].</li> </ol> </li> <li>4. Authority to prohibit the lighting of fires in the open air 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)].</li> <li>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)].</li> </ol>
<b>Delegates</b>	Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety
<b>Conditions</b>	Nil.

<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.7 Firebreaks</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the Shire: <ol style="list-style-type: none"> <li>a. clearing of firebreaks as determined necessary and specified in the notice;</li> <li>b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and</li> <li>c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)].</li> </ol> </li> <li>2. Authority to direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s.33(4)]: <ol style="list-style-type: none"> <li>a. Authority to recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s.33(5)].</li> </ol> </li> </ol>
<b>Delegates</b>	Bush Fire Control Officer CEO Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Director Regulatory Services Manager Community Safety
<b>Conditions</b>	Director Regulatory Services (Function 1, 2) Manager Community Safety (Function 1, 2) Chief Bush Fire Control Officer (Department of Fire & Emergency Services [DFES]) (Function 1) Deputy Chief Bush Fire Control (Function 1)
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>6.2.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the <i>Bush Fires Act 1954</i> <ol style="list-style-type: none"> <li>a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and</li> <li>b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)].</li> </ol> </li> <li>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 [s.38(5A)].</li> <li>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"> <li>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)].</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>6.2.9 Control and Extinguishment of Bush Fires</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire
<b>Function</b>	<p>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)].</p> <p>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 officer is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s.46(1B)].</p>
<b>Delegates</b>	CEO Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer Manager Community Safety Ranger
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>6.2.10 Apply for Declaration as an Approved Area</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.52(1) Approved area may be declared
<b>Function</b>	<p>1. Authority to apply to the Minister to have the local government district, or part of the district, declared as an approved area. [s.52(1)]</p> <p>(Note - The declaration of a district, or part thereof, as an approved area, results in a reduction in insurance premium of crops within that area s.53.)</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021



<b>Delegation</b>	<b>6.2.11 Recovery of Expenses Incurred through Contraventions of this Act</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred
<b>Function</b>	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 or those on behalf of the Shire to do [s.58].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>6.2.13 Withdrawal of Infringement Notices</b>
<b>Head of power</b>	06 Bush Fires Act 1954
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Bush Fires Act 1954:</i> s.48 Delegation by local government
<b>Express power or duty delegated</b>	<i>Bush Fires Act 1954:</i> s.59A(5) Alternative procedure – infringement notices
<b>Function</b>	Authority to withdraw an infringement notice for an offence against this Act [s.59A(5)].
<b>Delegates</b>	CEO Director Regulatory Services
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Sub-delegation is prohibited by s.48(3)
<b>Subdelegate conditions</b>	NIL
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.1.1 OCM 17/12/2021

<b>Delegation</b>	<b>7.1.1 Cat Registrations</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags s.13 Notice of decision regarding registrations  <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)].</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)].</li> <li>3. Authority to cancel a cat registration [s.10].</li> <li>4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)].</li> <li>5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Shire's District [Regs. Sch. 3 cl.1(4)].</li> <li>6. Authority to give notice to owner of a cat of decisions regarding to registrations [s.13 (1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Customer Experience Officer Customer Service and Library Officer - Marble bar Lead Customer Experience Officer Manager Community Safety Manager Customer Experience Manager Place Park Ranger - Cape Keraudren Place & Activities Officer - Nullagine Ranger Senior Ranger Emergency and Community Safety

<b>Subdelegate conditions</b>	<p>Manager Community Safety (Function 3, 4, 6)  Senior Ranger Emergency and Community Safety (Function 1, 3, 6)  Park Ranger – Cape Keraudren (Function 1, 3, 6)  Ranger(s) (Function 1, 3, 6 )  Lead Customer Experience Officer(s) (Function 1, 4)  Manager Customer Experience (Function 1, 4)  Customer Service and Library Officer – Marble Bar (Function 1, 4)  Place and Activities Officer – Nullagine (Function 1, 4)  Manager Place (Function 3, 4, 6)</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>7.1.2 Cat Control Notices</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
<b>Function</b>	Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Shire's District [s.26].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>7.1.3 Approval to Breed Cats</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Cat Act 2011: s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder s.40 Notice of decision
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)]</li> <li>2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)].</li> <li>3. Authority to cancel an approval to breed cats [s.38].</li> <li>4. Authority to give an approved breeder a new certificate or tag [s.39].</li> <li>5. Authority to give notice of a decision regarding an application to breed cats [s.40]</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Customer Experience Officer Customer Service and Library Officer - Marble bar Manager Community Safety Place & Activities Officer - Nullagine
<b>Subdelegate conditions</b>	Manager Community Safety (Function 1, 2, 3, 4, 5) Customer Experience Officer(s) (Function 4) Customer Service and Library Officer – Marble Bar (Function 4) Place and Activities Officer – Nullagine (Function 4)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>7.1.4 Appoint Authorised Persons</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s. 48 Authorised persons
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48].</li> <li>2. Authority to undertake the following functions as authorised persons: <ol style="list-style-type: none"> <li>a. To seize a cat [s.27]</li> <li>b. To cause a cat to be destroyed [s. 49]</li> <li>c. To require a person's details [s. 50]</li> <li>d. To enter premises [s. 51]</li> <li>e. To carry out general powers of authorised person [s. 52]</li> <li>f. To apply for a warrant [s.57]</li> <li>g. To give an infringement notice [s. 62]</li> <li>h. To commence a prosecution [ s. 73]</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Manager Community Safety (Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Director Regulatory Services (Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Park Ranger Cape Keraudren(Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Ranger(s)s (Function 2 a, 2b, 2c, 2d, 2e, 2f and 2g)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>7.1.5 Recovery of Costs – Destruction of Cats</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
<b>Function</b>	Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Director Corporate Services Director Regulatory Services
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>7.1.6 Applications to Keep Additional Cats</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.44 Delegation by local government
<b>Express power or duty delegated</b>	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to require any document or additional information required to determine an application [r.8(3)]</li> <li>2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)].</li> <li>3. Authority to grant or refuse approval for additional number of (specified as two (2) in Shire of East Pilbara Health Local Law 2011) specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the <i>Cat (Uniform Local Provisions) Regulations 2013</i> .
<b>Express power to subdelegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Subdelegates</b>	Manager Community Safety
<b>Subdelegate conditions</b>	Manager Community Safety (Function 1, 2, 3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>7.2.1 Infringement Notices – Extensions and Withdrawals</b>
<b>Head of power</b>	07 Cat Act 2011
<b>Delegator</b>	CEO
<b>Express power to delegate</b>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
<b>Express power or duty delegated</b>	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64].</li> <li>2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].</li> </ol>
<b>Delegates</b>	Director Corporate Services
<b>Conditions</b>	Director Corporate Services ( Function 1)
<b>Express power to subdelegate</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.1 Dog Registrations</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to determine a dog registration [s.16(2)].</li> <li>2. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)].</li> <li>3. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> <li>i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>;</li> <li>ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept;</li> <li>iii. the dog is required to be microchipped but is not microchipped; and</li> <li>iv. the dog is a dangerous dog [s.16(3) and s.17A(2)].</li> </ol> </li> <li>4. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Shire's District [s15(4A)].</li> <li>5. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> <li>i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had be found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)].</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

<b>Subdelegates</b>	Customer Experience Officer Customer Service and Library Officer - Marble bar Manager Community Safety Manager Customer Experience Park Ranger - Cape Keraudren Place & Activities Officer - Nullagine Ranger
<b>Subdelegate conditions</b>	Manager Community Safety (Function 1, 2, 3) Park Ranger – Cape Keraudren (Function 1, 2, 3) Ranger(s) (Function 1, 2, 3) Coordinator Customer Experience (Function 1) Customer Expeirince Officer(s) (Function 1) Customer Service and Library Officer – Marble Bar (Function 1) Place and Activities Officer – Nullagine (Function 1) Manager Customer Experience (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.2 Appoint Authorised Persons</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976 and Dog Regulations 2013</i>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act.</li> <li>2. Authority to undertake the following functions as authorised persons <ol style="list-style-type: none"> <li>a. To seize dogs [s.29(1)]</li> <li>b. To declare a dog to be dangerous [s.33]</li> <li>c. To seize and destroy dogs [s.33G]</li> <li>d. Issue an order regarding a nuisance dog [s.38]</li> <li>e. Apply for an order that a dog be destroyed [s.39]</li> <li>f. Request personal details [s.43A]</li> <li>g. Commence enforcement proceedings [s.44]</li> <li>h. Veterinary services [s.47]</li> <li>i. To issue an infringement notice [r.35]</li> <li>j. To withdraw infringement notices [r.37]</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	<p>Manager Community Safety (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(i))  Park Ranger – Cape Keraudren (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(i))  Ranger(s) (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(i))  Director Regulatory Services (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(j))</p> <p>Exercise of powers to be undertaken in accordance with operational work directions.</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
22 Oct 2022	Amended delegation	Addition of Manager Place as subdelegate	---

<b>Delegation</b>	<b>8.1.4 Recovery of Moneys due under this Act</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
<b>Function</b>	Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegates</b>	Director Corporate Services
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.5 Dispose of or Sell Dogs Liable to be Destroyed</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
<b>Function</b>	Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
<b>Delegates</b>	CEO
<b>Conditions</b>	<p>a. The Chief Executive Officer may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.</p> <p>b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.</p>
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegates</b>	Manager Community Safety
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>8.1.6 Declare Dangerous Dog</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
<b>Function</b>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	The Chief Executive Officer may further delegate (sub-delegate).
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)].</li> <li>2. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)]: <ol style="list-style-type: none"> <li>i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	The Chief Executive Officer may further delegate (sub-delegate). The original decision maker cannot be the review their own decision.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegate conditions</b>	The original decision maker cannot review their own decision.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.8 Determine Recoverable Expenses for Dangerous Dog Declaration</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
<b>Express power or duty delegated</b>	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
<b>Function</b>	Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
<b>Delegates</b>	CEO
<b>Conditions</b>	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
<b>Express power to subdelegate</b>	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
<b>Subdelegates</b>	Director Corporate Services Director Regulatory Services
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>8.1.9 Determine Applications to Keep Dogs</b>
<b>Head of power</b>	08 Dog Act 1976
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Dog Act 1976: s.26(3) Grant exemption to limit as to number of dogs kept in or at premises in the local government's district
<b>Function</b>	Authority to approve an application to keep additional dogs [s.26(3)]. Revoke an approved application to keep additional dogs [s.26(3)(c)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	24 Feb 2023 11.4.2 OCM

<b>Delegation</b>	<b>9.1.1 General Inspector</b>
<b>Head of power</b>	09 Animal Welfare Act 2002
<b>Delegator</b>	Department of Primary Industries and Regional Development
<b>Express power to delegate</b>	<i>Animal Welfare Act 2002:</i> a.33(2)(a)(v) Appointment of general inspectors
<b>Express power or duty delegated</b>	<i>Animal Welfare Act 2002:</i> a.33(2)(a)(v) Appointment of general inspectors
<b>Function</b>	Power to carry out duties as a General Inspector [s.33].
<b>Delegates</b>	Animal Welfare Officer
<b>Conditions</b>	Appointment from Chief Executive Officer – Department of Primary Industries and Regional Development, pursuant to section 33 of the <i>Animal Welfare Act 2002</i> (this is not a Council power to appoint).
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.1 Prohibition Orders</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the <i>Food Act 2008</i> [s.65(1)].</li> <li>2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66].</li> <li>3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - Food Regulations 2009 do not provide for sub-delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.2 Food Business Registrations</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.110(1) and (5) Registration of food business s.112 Variation of conditions or cancellation of registration of food businesses
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)].</li> <li>2. Authority to vary the conditions or cancel the registration of a food business [s.112].</li> </ol>
<b>Delegates</b>	Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>i. Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA;</li> <li>ii. Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1;</li> <li>iii. WA Priority Classification System; and</li> <li>iv. Verification of Food Safety Program Guideline.</li> </ol>
<b>Express power to subdelegate</b>	Nil - Food Regulations 2009 do not provide for sub-delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.3 Appoint Authorised Officers and Designated Officers</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)].</li> <li>2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)].</li> <li>3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ol style="list-style-type: none"> <li>i. Appointment of Authorised Officers as Meat Inspectors;</li> <li>ii. Appointment of Authorised Officers;</li> <li>iii. Appointment of Authorised Officers – Designated Officers only; and</li> <li>iv. Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer.</li> </ol>
<b>Express power to subdelegate</b>	Nil - Food Regulations 2009 do not provide for sub-delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>10.1.4 Authorised Persons</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.38 Exercise the powers of authorised officers s.40 Power of seizure s.41 To make an application for a warrant
<b>Function</b>	To exercise the powers and functions of authorised persons under the <i>Food Act 2008</i> as described below  <ol style="list-style-type: none"> <li>1. Exercise the powers of authorised officers.</li> <li>2. To make a seizure as prescribed in section 40 of the <i>Food Act 2008</i>.</li> <li>3. To make an application for a warrant.</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil - Food Regulations 2009 do not provide for sub-delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.5 Designated Officers and Infringement Notices</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.126(2) To give an infringement notice s.126(3) To inform and receive payment for modified penalties s.126(6) To extend the payment period for a modified penalty s.126(7) To withdraw an infringement notice
<b>Function</b>	To exercise the powers and functions relating to infringement notice under section 126 of the Food Act 2008 as described below:  <ol style="list-style-type: none"> <li>1. To give an infringement notice;</li> <li>2. To inform and receive payment for modified penalties;</li> <li>3. To extend the payment period for a modified penalty; and</li> <li>4. To withdraw an infringement notice.</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	Chief Executive Officer (Function 3, 4) Director Aviation & Regulatory Services (Function 3) Coordinator Environmental Health Services (Function 1, 2) Environmental Health Officer (Function 1, 2)  Original Decision Maker cannot review their own decision
<b>Express power to subdelegate</b>	Nil - Food Regulations 2009 do not provide for sub-delegation.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.6 Debt Recovery and Prosecutions</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)].</li> <li>2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125].</li> </ol>
<b>Delegates</b>	CEO Director Corporate Services Director Regulatory Services
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.  Director Corporate Services ( Function 1)
<b>Express power to subdelegate</b>	<i>Nil - Food Regulations 2009 do not provide for sub-delegation.</i>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>10.1.7 Food Businesses List – Public Access</b>
<b>Head of power</b>	10 Food Act 2008
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
<b>Express power or duty delegated</b>	<i>Food Act 2008:</i> s.115(a) or (b) Register of food businesses to be maintained  <i>Food Regulations 2009</i> r.51 Enforcement agency may make list of food businesses publicly available
<b>Function</b>	Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services
<b>Conditions</b>	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
<b>Express power to subdelegate</b>	<i>Nil - Food Regulations 2009 do not provide for sub-delegation.</i>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>11.1.1 Give Notice Requiring Obliteration of Graffiti</b>
<b>Head of power</b>	11 Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)].</li> <li>2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services Manager Building Approvals and Compliance Manager Community Safety Manager Operations
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>11.1.2 Notices – Deal with Objections and Give Effect to Notices</b>
<b>Head of power</b>	11 Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to deal with an objection to a notice [s.22(3)].</li> <li>2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> <li>i. Determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and</li> <li>ii. To give notice to the affected person, before taking the necessary actions [s.24(3)].</li> </ol> </li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Original Decision Maker cannot review their own decision.
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services
<b>Subdelegate conditions</b>	Original Decision Maker cannot review their own decision.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>11.1.3 Obliterate Graffiti on Private Property</b>
<b>Head of power</b>	11 Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
<b>Function</b>	Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Subject to exercising Powers of Entry.
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Regulatory Services
<b>Subdelegate conditions</b>	Subject to exercising Powers of Entry.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>11.1.4 Powers of Entry</b>
<b>Head of power</b>	11 Graffiti Vandalism Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
<b>Express power or duty delegated</b>	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].</li> <li>2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil.
<b>Express power to subdelegate</b>	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
<b>Subdelegates</b>	Director Infrastructure Services Director Regulatory Services
<b>Subdelegate conditions</b>	Nil.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>12.1.1 Register and Withdraw Infringement Notices</b>
<b>Head of power</b>	12 Fines, Penalties and Infringement Notices Enforcement Act 1994
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Fines, Penalties and Infringement Notices Act 1994:</i> s.13(2) Approved prosecuting authorities and officers
<b>Express power or duty delegated</b>	<i>Fines, Penalties and Infringement Notices Act 1994:</i> s.16 Registration of infringement notice: enforcement certificate s.22 Prosecuting authority may withdraw proceedings
<b>Function</b>	The powers and functions of designated officers under the <i>Fines, Penalties and Infringement Enforcement Act 1994</i> :  1. To register an infringement notice / enforcement certificate [s.16]. 2. To withdraw proceedings [s.22].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Administration Officer - Airport Services Assistant Building Surveyor/ Administration Officer Director Regulatory Services Manager Aviation Services Manager Building Approvals and Compliance Manager Community Safety Manager Corporate Services
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 1) Manager Building Approvals and Compliance (Function 1) Manager Community Safety (Function 1) Manager Corporate Services (Function 1) Manager Aviation Services (Function 1) Assistant Building Surveyor/Administration Officer (Function 1) Administration Officer Airport Services (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>13.1.1 Authorised Officers</b>
<b>Head of power</b>	13 Litter Act 1979
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Litter Act 1979:</i> s.26 (1)(c)(ii) Authorised officers, appointment and jurisdiction of etc.
<b>Express power or duty delegated</b>	<i>Litter Act 1979:</i> s.27 Authorised officers, powers of s.27A Offences involving vehicles, presumptions as to offender etc. s.30 Infringement notices
<b>Function</b>	<ol style="list-style-type: none"> <li>1. To issue infringement notices [s.30(1)].</li> <li>2. To withdraw an infringement notice [s.30(4)&amp;(4A)].</li> <li>3. The powers and functions of authorised officers [s.27].</li> <li>4. To institute a prosecution [s.27A].</li> </ol>
<b>Delegates</b>	CEO Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Chief Executive Officer (Function 2, 3, 4) Director Aviation and Regulatory Services (Function 2, 3) Manager Community Safety (Function 1, 3) Park Ranger – Cape Keraudren (Function 1, 3) Ranger(s) (Function 1, 3)
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>14.1.1 Authorised Officers</b>
<b>Head of power</b>	14 Control of Vehicles (Off Road Areas) Act 1978
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Control of Vehicles (Off-road Areas) Act 1978:</i> s.38(3)(a) Authorised officers, who are, functions of etc.
<b>Express power or duty delegated</b>	<i>Control of Vehicles (Off-road Areas) Act 1978</i> s.37 Infringement notices s.38 Authorised Persons s.40 Prosecutions, who may commence
<b>Function</b>	The functions and powers of authorised officers under the <i>Control of Vehicles (Off Road Areas) Act 1978:</i> <ol style="list-style-type: none"> <li>1. To issue infringement notices [s37.(1)].</li> <li>2. To withdraw and infringement notice [s.37(5)].</li> <li>3. The powers and functions [s.38].</li> <li>4. Institute a prosecution [s.40].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Chief Executive Officer (Function 2, 3, 4)
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Manager Community Safety (Function 1, 3) Park Ranger – Cape Keraudren (Function 1, 3) Ranger(s) (Function 1, 3) Director Regulatory Services (Function 2, 3)  Exercised in accordance with Work Procedures
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>15.1.1 Compliance Certificates</b>
<b>Head of power</b>	15 Liquor Control Act 1998
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Liquor Control Act 1988:</i> s.39 Certificate of local government as to whether premises comply with laws s.40 Certificate of planning authority as to whether use of premises complies with planning laws
<b>Express power or duty delegated</b>	<i>Liquor Control Act 1988</i> s.39 Certificate of local government as to whether premises comply with laws s.40 Certificate of planning authority as to whether use of premises complies with planning laws
<b>Function</b>	<ol style="list-style-type: none"> <li>1. The power to issue a certificate of local government as to whether premises comply with laws [s.39].</li> <li>2. The power to issue a certificate of planning authority as to whether use of premises complies with planning laws [s.40].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Liquor Control Act 1988:</i> s.39 Certificate of local government as to whether premises comply with laws s.40 Certificate of planning authority as to whether use of premises complies with planning laws
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer Manager Building Approvals and Compliance
<b>Subdelegate conditions</b>	Director Aviation and Regulatory Services (Function 1, 2) Manager Building Approvals and Compliance (Function 1, 2) Coordinator Environmental Health Services (Function 1) Environmental Health Officer (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>16.1.1 Enforcement Agency Reports to the Chief Health Officer</b>
<b>Head of power</b>	16 Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the Shire [s.22(1)].</li> <li>2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>16.1.2 Designate Authorised Officers</b>
<b>Head of power</b>	16 Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
<b>Function</b>	<p>Authority to designate a person or class of persons as authorised officers for the purposes of:</p> <ul style="list-style-type: none"> <li>i. The <i>Public Health Act 2016</i> or other specified Act;</li> <li>ii. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act; and</li> <li>iii. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act.</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>a. an environmental health officer or environmental health officers as a class;</li> <li>b. a person who is not an environmental health officer or a class of persons who are not environmental health officers; and</li> <li>c. a mixture of the two. [s.24(1) and (3)].</li> </ul>
<b>Delegates</b>	CEO
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. Subject to each person so appointed being: <ul style="list-style-type: none"> <li>i. Appropriately qualified and experienced [s.25(1)(a)]; and</li> <li>ii. Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31].</li> </ul> </li> <li>b. A Register (list) of authorised officers is to be maintained in accordance with s.27.</li> </ul>
<b>Express power to subdelegate</b>	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>16.1.3 Determine Compensation for Seized Items</b>
<b>Head of power</b>	16 Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.264 Compensation
<b>Function</b>	Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
<b>Delegates</b>	CEO Director Regulatory Services
<b>Conditions</b>	Compensation is limited to a maximum value of \$10,000 with any proposal for compensation above this value to be referred for Council's determination.
<b>Express power to subdelegate</b>	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>16.1.4 Commence Proceedings</b>
<b>Head of power</b>	16 Public Health Act 2016
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Public Health Act 2016</i> s.280 Commencing Proceedings
<b>Function</b>	Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> , specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>17.1.1 Functions of Authorised Persons</b>
<b>Head of power</b>	17 Health (Miscellaneous Provisions) Act 1911
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
<b>Express power or duty delegated</b>	<i>Health (Miscellaneous Provisions) Act 1911:</i> s.354 Service of notice s.349 Entry
<b>Function</b>	To exercise the powers and functions of an authorised persons and deputies under the <i>Health (Miscellaneous Provisions) Act 1911:</i> <ol style="list-style-type: none"> <li>1. Serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s.354.</li> <li>2. Sign and issue licences and registrations issued.</li> <li>3. Enter premises under s.349 and administer the provisions in the regulations.</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer Manager Building Approvals and Compliance
<b>Conditions</b>	Chief Executive Officer (Function 1, 2) Director Regulatory Services (Function 1, 2) Manager Building Approvals and Compliance (Function 1, 2, 3) Coordinator Environmental Health Services (Function 1, 2, 3) Environmental Health Officer (Function 1, 2, 3) <ol style="list-style-type: none"> <li>a. Authority is limited to the forming of opinion and issuing notices, requisitions, directions and orders and does not include the carrying out or causing to be carried out, of works in default of duly served notices, the undertaking or contracting of works, the provision of sanitary conveniences.</li> <li>b. Authority is limited to the forming of opinions and issuing notices and directions and does not include carrying out, or the arranging for the carrying out, of works in default of duly served notices.</li> <li>c. Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done.</li> <li>d. Delegations with respect to the <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> includes the approval of applications for effluent disposal systems as described in regulation 4 and issue permits to use effluent disposal systems as described in regulation 10.</li> </ol>
<b>Express power to subdelegate</b>	Nil

<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>18.1.1 Grant of Licence</b>
<b>Head of power</b>	18 Caravan and Camping Grounds Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices
<b>Express power or duty delegated</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.7 Application for grant or renewal of licence s.9 Renewal after expiry s.10 Prohibition notice s.12 Cancellation of licence
<b>Function</b>	The powers and functions relating to licensing of a facility under Part 2, Division 1 of the <i>Caravan Parks and Camping Ground Act 1995</i> :  <ol style="list-style-type: none"> <li>1. To determine a licence for a facility [s.7].</li> <li>2. To renew a licence for facility [s.9].</li> <li>3. To give a licence holder a prohibition notice [s.10].</li> <li>4. To cancel a licence [s.12].</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	Chief Executive Officer (Function 1, 2, 3, 4) Director Regulatory Services (Function 1, 2, 3, 4) Coordinator Environmental Health Services (Function 1, 2) Environmental Health Officer (Function 1, 2)
<b>Express power to subdelegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>18.1.2 Appointment of Authorised Persons</b>
<b>Head of power</b>	18 Caravan and Camping Grounds Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices
<b>Express power or duty delegated</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.18 Powers of entry s.20 Entry of occupied caravan or camp s.21 Inspections and works specification notices
<b>Function</b>	The following powers of entry and inspection under Part 3 of the <i>Caravan Parks and Camping Ground Act 1995</i> :  <ol style="list-style-type: none"> <li>1. Powers of entry [s.18].</li> <li>2. Entry of an occupied caravan or camp [s.20].</li> <li>3. Inspections and work specification notices [s.21].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Subdelegate conditions</b>	Director Regulatory Services(Function 1, 2,) Coordinator Environmental Health Services ( Function 1, 2, 3) Environmental Health Officer ( Function 1, 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>18.1.3 Infringement Notices</b>
<b>Head of power</b>	18 Caravan and Camping Grounds Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices
<b>Express power or duty delegated</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.23 Infringement notices
<b>Function</b>	The following powers and functions regarding infringement notices under the <i>Caravan Parks and Camping Ground Act 1995</i> :  <ol style="list-style-type: none"> <li>1. To give an infringement [s.23(2)] notice.</li> <li>2. To extend the period for payment of the modified penalty [s.23(5)].</li> <li>3. To withdraw an infringement notice [s.23(7)].</li> </ol>
<b>Delegates</b>	CEO Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Conditions</b>	Chief Executive Officer (Function 2, 3) Director Regulatory Services (Function 2, 3) Coordinator Environmental Health Services (Function 1) Environmental Health Officer (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>18.1.4 Camping other than at Caravan Park or Camping Ground</b>
<b>Head of power</b>	18 Caravan and Camping Grounds Act 1995
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices
<b>Express power or duty delegated</b>	<i>Caravan Parks and Camping Grounds Regulations 1997</i> r.11 Camping other than at caravan park or camping ground
<b>Function</b>	To provide written approval for a person to camp on land referred to in r.11(1)(a) of the <i>Caravan Parks and Camping Grounds Regulations 1997</i> [r.11(2)(a)].
<b>Delegates</b>	CEO Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.1.1 Illegal Development</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5) Illegal development, responsible authority's powers as to
<b>Function</b>	<ol style="list-style-type: none"> <li>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;</li> <li>2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> <li>a. to remove, pull down, take up, or alter the development; and</li> <li>b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</li> </ol> </li> <li>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.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Regulatory Services Manager Strategic and Statutory Planning
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.1.2 Subdivision</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<p><i>Planning and Development Act 2005:</i> S.142 To make recommendations and objections with respect to a subdivision plan</p>
<b>Function</b>	<p>Provide correspondence regarding the powers and functions described below in the <i>Planning and Development Act 2005</i> To make recommendations and objections with respect to a subdivision plan [s.142].</p>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Regulatory Services Manager Strategic and Statutory Planning</p>
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>19.1.3 Enforcement Powers</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<p><i>Planning and Development Act 2005</i> s.216 Breach of Act etc. or development approval, injunctions as to s.218 Planning scheme or condition on development, contravening etc.</p>
<b>Function</b>	<p>The enforcement powers and functions described below in the <i>Planning and Development Act 2005</i>:</p> <ol style="list-style-type: none"> <li>1. Apply for an injunction [s.216(1)].</li> <li>2. Commence a prosecution [s.218].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Director Regulatory Services Manager Strategic and Statutory Planning
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.1.4 Reports to the Development Assessment Panel</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<p><i>Planning and Development (Development Assessment) Panels Regulation 2011</i> r.12 Responsible authority must report to Development Assessment Panel (DAP)</p>
<b>Function</b>	Provide the presiding member of a DAP a report on the development application [r.12].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Regulatory Services Manager Strategic and Statutory Planning</p>
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.1.5 Authorised Person – Infringement Notices and Enforcement Powers</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<p><i>Planning and Development Act 2005</i> s.228 Giving of infringement notice s.230 Extending time to pay modified penalty s.231 Withdrawal of infringement notice</p>
<b>Function</b>	<p>The powers and functions relating to enforcement, and infringement notices for prescribed planning offences in Part 13, Division 3 of the <i>Planning and Development Act 2005</i> and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> respectively:</p> <ol style="list-style-type: none"> <li>1. To give an infringement notice for a prescribed planning offence [s.228(1)].</li> <li>2. To extend time to pay the modified penalty [s.230].</li> <li>3. To withdraw an infringement notice [s.231].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Delegate is the Chief Executive Officer, pursuant to section 234 of the Act and 79 of the Regulations (both these are the CEO's powers to appoint, not the Council's power).
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	Director Regulatory Services Manager Strategic and Statutory Planning
<b>Subdelegate conditions</b>	Director Aviation and Regulatory Services (Function 3) Manager Strategic & Statutory Planning (Function 1, 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.2.1 Development Applications</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO</p> <p><i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p>
<b>Express power or duty delegated</b>	<p>Under Part 9 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.68 Determination of applications r.77 Amending or cancelling development approval</p>
<b>Function</b>	<ol style="list-style-type: none"> <li>1. To determine development applications and impose conditions [r.68].</li> <li>2. To determine whether to amend or cancel development applications and impose conditions [r.77].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	The delegated power under 1 and 2 (regulations 68 and 77) must be consistent with Town Planning Scheme No.4
<b>Express power to subdelegate</b>	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>
<b>Subdelegates</b>	<p>Director Regulatory Services Manager Strategic and Statutory Planning</p>
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>19.2.2 Development applications – Landowner’s consent</b>
<b>Head of power</b>	19 Planning and Development Act 2005
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Local Government Act 1995: s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO  Planning and Development (Local Planning Schemes) Regulations 2015: r.82 Delegations by local government r.79 Entry and Inspection powers
<b>Express power or duty delegated</b>	Under Part 9 of Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015: r.62 Form of application
<b>Function</b>	1. Authority to sign an application for development approval on behalf of the Shire as the owner of the land on which the proposed development is to be located.
<b>Delegates</b>	CEO
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Adopted 26 July 2024 OCM

<b>Delegation</b>	<b>20.2.1 Instrument of Authorisation - Sign Development Applications for Crown Land as Owner</b>
<b>Head of power</b>	20 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Minister of Lands
<b>Express power to delegate</b>	The Minister of Lands pursuant to section 267A of the Act delegated this power directly to the CEO of any local government (see Government Gazette dated 2 June 2016)
<b>Express power or duty delegated</b>	The power to sign as owner in respect of Crown land relating to development applications under the <i>Planning and Development Act 2005</i> , subject to the below conditions.
<b>Function</b>	The power to sign as owner in respect of Crown land.
<b>Delegates</b>	CEO
<b>Conditions</b>	The powers in Column 1 subject to the conditions in Column 3 of the Schedule to Government Gazette dated 2 June 2016.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>20.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985</b>
<b>Head of power</b>	20 Statutory Authorisations and Delegations to Local Government from State Government Entities
<b>Delegator</b>	Council
<b>Express power to delegate</b>	The WAPC delegated the above power and function to the local government, and to members and officers of those local governments (see Government Gazette, Delegation 2009/03 on 9 January 2009)
<b>Express power or duty delegated</b>	The functions and powers under section 25 of the <i>Strata Titles Act 1985</i> subject to the below conditions:
<b>Function</b>	Power to determine applications for the issuing of a certificate of approval under section 25 of the Act for a plan of subdivision, re-subdivision or consolidation subject to the below conditions and reporting requirements.
<b>Delegates</b>	CEO Director Regulatory Services Manager Building Approvals and Compliance Manager Strategic and Statutory Planning
<b>Conditions</b>	The delegation excludes applications that: <ul style="list-style-type: none"> <li>i. propose a vacant lot;</li> <li>ii. propose vacant air stratas in multi-tiered strata scheme developments;</li> <li>iii. 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 WPAC in writing, relate to: <ul style="list-style-type: none"> <li>• a type of development;</li> <li>• land within an area; and</li> <li>• 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.</li> </ul> </li> <li>iv. To provide the WAPC with data on all applications determined under the Instrument of Delegation at the conclusion of each financial year in a format prescribed by the WAPC.</li> </ul>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>21.1.1 Native Title Act 1993 – Registration of Interest</b>
<b>Head of power</b>	21 Native Title Act 1993
<b>Delegator</b>	Council
<b>Express power to delegate</b>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO  Local Government (Administration) Regulations 1996 r.18G Delegations to CEOs, limits on (Act s.5.43)
<b>Express power or duty delegated</b>	Native Title Act 1993: s.61(1) Native title and compensation applications
<b>Function</b>	1. Authority to register an interest in any native title claim affecting the interests of the Shire.
<b>Delegates</b>	CEO
<b>Conditions</b>	n/L
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	26 July 2024 OCM



<b>Delegation</b>	<b>22.1 Employment of Person by the Local Government</b>
<b>Head of power</b>	22 Non Statutory Powers
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	Employment of persons by the Local Government

Function	
	<p>Director Hiring casual, temporary contractors or agency staff to fill existing or new positions in the organisational structure where there are recruitment difficulties or important and/or essential operational requirements, and includes;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Vacancies at any level where the salary and benefits payable are greater than that payable for that position under the Award or normal contract of employment;</li> <li><input type="checkbox"/> Appointments must be within budget and approved within the organisational structure</li> <li><input type="checkbox"/> Hiring periods are limited to a period of 4 weeks or less (includes weekends);</li> <li><input type="checkbox"/> Any repeat contracts or contract extensions in excess of 4 weeks must be approved by the CEO.</li> </ul> <p>Higher Duties under Award - Chief Executive Officer Higher Duties and Above</p> <p>Higher Duties under Award- Chief Executive Officer (below Acting Managers)</p> <p>Changes to position title and- Chief Executive Officer reporting line.</p> <p>Minor Changes to position - Director and People and Culture Manager (both must approve) descriptions Position title and reporting - People and Culture Manager line changes – Subsequent Forms and Letters</p> <p>Approve flexible working arrangements for - Director and People and Culture Manager (both must approve) individual staff under the Award</p> <p>Probation completion - Director, Manager approval</p> <p>Resignation - P and C Manager Acknowledgements</p> <p>Parental leave approval - Chief Executive Officer</p> <p>Performance Management - Director* (for Managers) Managers* (for staff below manager level) and Improvement Plans      *with support from PandC Manager</p> <p>Attendance at -      Director and People and Culture Manager (both must approve) training, conferences, seminars, meetings, workshops etc. within budget (training must be directly related to position)</p>

<b>Delegates</b>	CEO
<b>Conditions</b>	<p>a. All relevant paperwork associated with the recruitment of staff must be duly approved by the relevant officers and placed on the employee's personnel file.</p> <p>b. Appointment of temporary labour hire through external agencies must be contracted or pre-approved by People and Culture.</p> <p>c. Sub-Delegates must comply with approved internal PandC Staff Policies.</p> <p>d. Directors are only permitted to utilise these delegations within their own directorate.</p> <p>e. Managers are only permitted to utilise these delegations within their own department.</p> <p>f. Delegates can only exercise powers for their subordinates.</p>
<b>Subdelegates</b>	<p>Director Community Experience</p> <p>Director Community Services</p> <p>Director Corporate Services</p> <p>Director Infrastructure Services</p> <p>Director Regulatory Services</p> <p>Human Resources officer</p> <p>Manager Activation &amp; Events</p> <p>Manager Assets &amp; Procurement</p> <p>Manager Community Safety</p> <p>Manager Community Services</p> <p>Manager Compliance - Airports</p> <p>Manager Corporate Services</p> <p>Manager Development - Airports</p> <p>Manager Development Services</p> <p>Manager Economic Development</p> <p>Manager Engineering</p> <p>Manager Governance, Risk and Procurement</p> <p>Manager IT and Systems</p> <p>Manager Martumili</p> <p>Manager Operations</p> <p>Manager People &amp; Culture</p> <p>Manager Place</p> <p>Manager Place Marblebar and Nullagine (Community Services)</p> <p>Manager Planning</p> <p>Manager Recreation</p> <p>Manager Strategy &amp; Partnerships</p> <p>Manager Waste Services</p> <p>Work, Health and Safety Advisor</p>
<b>Subdelegate conditions</b>	<p>a. All relevant paperwork associated with the recruitment of staff must be duly approved by the relevant officers and placed on the employee's personnel file.</p> <p>b. Appointment of temporary contractors or agency staff can only be undertaken through external agencies contracted or pre-approved by Human Resources.</p> <p>c. Sub-Delegates must comply with approved internal Human Resources work instructions.</p> <p>d. Directors are only permitted to utilise these delegations within their own directorate.</p> <p>e. Managers are only permitted to utilise these delegations within their own department.</p>
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.1.1 Authorised Signs</b>
<b>Head of power</b>	21.1 Shire of East Pilbara Parking local Laws 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 2.2 Unauthorised signs and defacing of signs
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve a person to display, mark, set up or exhibit a sign purporting to be or resembling a sign marked, set up or exhibited by the local government.</li> <li>2. Authority to approve a person to remove, deface or misuse a sign or property set up or exhibited by the local government.</li> <li>3. Authority to affix a board, sign, placard, notice or other thing to, or paint or write upon any part of a sign set up or exhibited by the local government.</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.1.2 Parking</b>
<b>Head of power</b>	22.1 Shire of East Pilbara Parking Local Laws 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 4.1(6) Restrictions on parking in particular areas Clause 4.12 Parking on reserves Clause 4.13 Suspension of parking limitations for urgent, essential or official duties
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authorise a person to park a vehicle in an area designated by a sign stating "Authorised Vehicles Only" [cl.4.1(6)].</li> <li>2. Authorise a person to park or drive a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose [cl.4.12].</li> <li>3. Authorise a person to park a vehicle in a portion of a thoroughfare or parking facility for longer than the permitted time in order that the person may carry out urgent, essential or official duties [cl.4.13].</li> </ol>
<b>Delegates</b>	CEO Director Infrastructure Services Director Regulatory Services Manager Community Safety
<b>Conditions</b>	Chief Executive Officer (Function 1, 2, 3) Director Regulatory Services (Function 1, 2, 3) Director Infrastructure Services (Function 1, 2, 3) Manager Community Safety (Function 1, 2, 3)
<b>Express power to subdelegate</b>	Chief Executive Officer (Function 1, 2, 3)  Director Aviation and Regulatory Services (Function 1, 2, 3) Director Infrastructure Services (Function 1, 2, 3) Manager Community Safety (Function 1, 2, 3) Senior Ranger Emergency and Community Safety (Function 2, 3)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.1.3 Parking Facilities</b>
<b>Head of power</b>	22.1 Shire of East Pilbara Parking Local Laws 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 5.20(1) Permits in parking facilities
<b>Function</b>	Authority to issue a written temporary parking permission [cl. 5.20(1)].
<b>Delegates</b>	CEO Director Regulatory Services Manager Community Safety
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.1.4 Obstruction of Public Place or Thoroughfare</b>
<b>Head of power</b>	22.1 Shire of East Pilbara Parking Local Laws 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 6.8 Vehicles not to obstruct a public place or thoroughfare
<b>Function</b>	Authority to grant permission to a person to leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place [cl.6.8(1)].
<b>Delegates</b>	CEO Director Infrastructure Services Director Regulatory Services Manager Aviation Services Manager Community Safety
<b>Conditions</b>	The power may only be exercised by the Manager Aviation Services with respect to parking at Newman Airport
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.1.5 Infringements for Prescribed Offences as Per Schedule 2</b>
<b>Head of power</b>	22.1 Shire of East Pilbara Parking Local Laws 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Schedule 2 – An authorised person may issue an infringement for any prescribed offences as per Schedule 2
<b>Function</b>	1. An authorised person may issue an infringement for any prescribed offences as per Schedule 2 of the Shire’s Parking Local Law 2011. 2. Withdrawal of Infringement as per Form 3 of the Shire’s Parking Local Law 2011.
<b>Delegates</b>	CEO Manager Aviation Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Chief Executive Officer (Function 1 and 2)  Manager Community Safety (Function 1) Park Ranger – Cape Keraudren (Function 1) Ranger(s) (Function 1) Manager Aviation Services (Function 1)  * Power extends to Airport parking and refer to Administration Officer-Airport Services and Aviation Admin / Operations Contracts Manager only.
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.2.1 Disagreements</b>
<b>Head of power</b>	22.2 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Schedule 1 clause 2.11(2) – Objection rights
<b>Function</b>	Authority to deal with an objection made under Sch 1, cl.2.11(1) [cl. 2.11(2)].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.3 Procurement Financial Limits (Goods and Services)</b>
<b>Head of power</b>	22 Non Statutory Powers
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	Financial limits when purchasing goods and services
<b>Function</b>	The Chief Executive Officer has set restrictions on which positions are authorised to approve purchases from the annual budget in accordance with the Shire's Procurement and Tender Procedures Policy and the financial limits applicable to the following employees.
<b>Delegates</b>	CEO
<b>Conditions</b>	<ul style="list-style-type: none"> <li>a. The record of exercise of this authorisation will be the purchase order approved by the officer or the credit card or purchase card reconciliation approved by the Director.</li> <li>b. This financial authorisation can only be given to employees and excludes consultants and persons appointed from a recruitment agency.</li> <li>c. Authorisation of multiple expenditures against a single contract where the total value of invoices approved exceeds the Director's authorisation limit are permissible if the contract has been awarded by Council or the CEO and where the expenditure has been approved in the annual budget.</li> </ul>
<b>Subdelegates</b>	<p>Activation Events and Administration Officer  Aquatic Administration officer  Aquatic Officer - Marble Bar  Aquatic Officer - Newman  Assistant Building Surveyor/ Administration Officer  Business Development Coordinator - Martumili Artists  Business Support Officer - Executive  Community Capacity Building Officer  Community Transport Officer  Coordinator Art Production - Martumili  Coordinator Asset Management  Coordinator Environmental Health Services  Coordinator Exhibitions &amp; Gallery- Martumili  Coordinator Exhibitions and Gallery - Martumili  Coordinator Grants &amp; Advocacy  Coordinator Operations - Rural  Coordinator People &amp; Culture  Coordinator Project Support  Coordinator Records Management  Coordinator stakeholder Engagement  Coordinator Technical &amp; Development Services  Coordinator Waste Services  Coordinator Waste Services (recycling &amp; landfill)  Customer Service and Library Officer - Marble bar  Customer Service Supervisor - NWM REC CENTRE  Director Community Experience  Director Corporate Services  Director Infrastructure Services  Director Regulatory Services  Economic Development Coordinator - Tourism  Economic Development Manager  Environmental Health Officer  Events Officer  Gallery Coordinator</p>

Information Services Officer  
 Lead Customer Experience Officer  
 Lead Project Engineer and Design  
 Management Accountant  
 Manager Activation & Events  
 Manager Assets & Procurement  
 Manager Aviation Services  
 Manager Building Approvals and Compliance  
 Manager Community Safety  
 Manager Community Services  
 Manager Corporate Services  
 Manager Customer Experience  
 Manager Economic Development  
 Manager Engineering  
 Manager Governance, Risk and Procurement  
 Manager Human Resources  
 Manager IT and Systems  
 Manager Land Use & Strategy  
 Manager Martumili  
 Manager Operations  
 Manager People & Culture  
 Manager Place  
 Manager Place Marblebar and Nullagine (Community Services)  
 Manager Planning  
 Manager Recreation  
 Manager Strategic and Statutory Planning  
 Manager Technical Services - Newman  
 Manager Technical Services - Rural  
 Manager Waste Services  
 Marketing Manager  
 Martumili Field Officer Town  
 Media and Corporate Communications Officer  
 Newman Visitor Centre Coordinator  
 Operations Coordinator  
 PA to CEO  
 Park Ranger - Cape Keraudren  
 People & Culture Business Partner  
 People and Culture Learning & Development Officer  
 Procurement Coordinator  
 Property Services Coordinator  
 Senior Finance Officer  
 Senior Ranger Emergency and Community Safety  
 Senior Youth Engagement Officer  
 Studio and Logistics Officer  
 Team Leader Aquatic Services  
 Team Leader Community Capacity Building  
 Team Leader Events  
 Team Leader Library and Community  
 Team Leader Recreation Services  
 Team Leader Youth and Community Services  
 Work, Health and Safety Advisor

<b>Subdelegate conditions</b>	<p><u>\$150,000</u> Directors</p> <p><u>\$30,000</u> Managers</p> <p><u>\$10,000</u> Coordinators Works Supervisor (Newman &amp; Marble Bar) Senior Environmental Health Officer Team Leaders Management Accountant Business Development Coordinator - Martumili Artists Coordinator Exhibitions and Gallery Lead Project Engineer and Design Newman Visitor Centre Coordinator Coordinator Exhibitions and Gallery - Martumili Coordinator Waste Services (Recycling and Landfill) Work, Health and Safety Advisor</p> <p><u>\$5,000</u> Aquatic Administration Officer Aquatic Officer Community Transport Officer Assistant Building Surveyor /Administration Officer Media and Corporate Communications Officer Community Capacity Building Officer Customer Service and Library Officer -Marble Bar Customer Service Supervisor- Newman Recreation Centre Environmental Health Officer Events Officer Personal Assistant to CEO People and Culture Business Partner Information Services Officer Martumili Field Officer - Newman Park Ranger – Cape Keraudren Senior Finance Officer Team Leader Library and Community Studio and Logistics Officer People and Culture Learning and Development Officer Business support officer - Executive Information Services Officer</p>
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
2 Jul 2024	New delegation	Coordinator Records Management	

<b>Delegation</b>	<b>22.3.1 Determinations</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 2.1 – Local Government may make determinations in accordance with clause 2.2 Clause 2.3 – Erect a sign to give notice of the effect of a determination Clause 2.6 – Amend or revoke a determination
<b>Function</b>	Determinations in respect of Local Government property under the Shire of East Pilbara Public Places and Local Government Property Local Law 2011.
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.3.2 Activities Requiring a Licence</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	cl.3.1 Activities requiring a Licence cl.3.2 Licence required to camp outside a facility cl.3.3 Licence required for possession and consumption of liquor cl.6.2 Activities allowed with a licence cl.6.4 Temporary crossings cl.6.16 No driving on closed thoroughfare cl.7.1 Leaving animal or vehicle in public place cl.12.9 Power of local government to grant licence
<b>Function</b>	<ol style="list-style-type: none"> <li>1. Authority to approve or revoke licences for activities requiring a licence in accordance with the Shire of East Pilbara Public Places and Local Government Property Local Law 2011.</li> <li>2. Local government may exempt a person from compliance to requiring a licence and may exempt specified local government property or a class of local government property from the application of that person [cl.3.1(1)].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Infrastructure Services Director Regulatory Services Manager Community Safety Ranger
<b>Subdelegate conditions</b>	Director Regulatory Services Director Infrastructure Services Coordinator Environmental Health Services (cl.3.3) Manager Community Safety (cl.6.16, cl.7.1) Ranger(s) (cl.6.16, cl.7.1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.3.3 Use of Local Government Property</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 4.6(1) – erect a sign specifying condition of use Clause 4.10 – give notice for liability of damage to government property
<b>Function</b>	Use of Local Government property under the Shire of East Pilbara Public Places and Local Government Property Local Law 2011:  1. Erect a sign specifying condition of use [cl. 4.6(1)]. 2. Give notice for liability of damage to government property [cl. 4.10].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services Park Ranger - Cape Keraudren
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.3.4 Authorised Officers (Direction to leave and refuse entry powers)</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 4.8 – Direct a person to leave local government property where they have contravened written law Clause 4.11 – Refuse entry to local government property Clause 5.1 – Refuse admission to a pool area Clause 5.3 – No entry to fenced or closed local government property Clause 5.5 – No unauthorised entry to function Clause 5.6 – Access of animals at aerodrome
<b>Function</b>	Use of local government property under the Shire of East Pilbara Public Places and Local Government Property Local Law 2011:  <ol style="list-style-type: none"> <li>1. Direct a person to leave local government property where they have contravened written law [cl. 4.8].</li> <li>2. Refuse entry to local government property [cl. 4.11].</li> <li>3. Refuse entry to a pool area [cl. 5.1(1)].</li> <li>4. Authorise access to fenced or closed local government property [cl. 5.3].</li> <li>5. Authorise a person entry to a function [cl. 5.5(2)].</li> <li>6. Authorise a person to bring an animal onto an aerodrome [cl. 5.6(2)(c)].</li> </ol>
<b>Delegates</b>	Activation Events and Administration Officer Activity Officer - Newman REC (Casual) Administration Officer - Airport Services Administration, Library & Activities Officer - Nullagine Aquatic Officer - Marble Bar Aquatic Officer - Newman Aquatic Officer - Newman (Casual) CEO Community Liaison Officer - Martumili Casual Community Liason officer - Martumili ( Casual ) Community Transport Officer Coordinator Art Production - Martumili Coordinator Environmental Health Services Creche Attendant (Casual) Creche Supervisor Customer Service Supervisor - NWM REC CENTRE Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services Environmental Health Officer Events Officer Events Officer (Casual) Field Officer - Seasonal Field Officer- Martumili Fitness and Recreation Supervisor Gallery Officer - Martumili Group Fitness Instructor ( Casual)

	<p>Gym and Membership Officer  Gym and Membership Officer (Casual)  Kiosk Attendant (Casual)  Library and Activities Officer - Newman (Casual) (Function 2)  Library Officer - Newman (Part Time)  Library Officer (Casual)  Lifeguard - Newman (Casual)  Manager Activation &amp; Events  Manager Aviation Services  Manager Building Approvals and Compliance  Manager Community Safety  Manager Community Services  Manager Martumili  Manager Operations  Manager People &amp; Culture  Manager Place  Manager Recreation  Manager Waste Services  Park Ranger - Cape Keraudren  Place &amp; Activities Officer - Marble Bar  Place &amp; Activities Officer - Nullagine  Ranger  Recreation Officer  Refund Point Leading Hand  Refund Point Operator (Casual)  Senior Activation and Events Officer  Senior Youth Engagement Officer  Team Leader Aquatic Services  Team Leader Community Capacity Building  Team Leader Events  Team Leader Library and Community  Team Leader Recreation Services  Team Leader Youth and Community Services  Work, Health and Safety Advisor  Youth &amp; Community Engagement Officer - Marble Bar  Youth Engagement Assistant (Casual)  Youth Engagement Assistant (part Time)  Youth Engagement Officer</p>
<b>Conditions</b>	<p>Delegate's use of power is subject to completion of approved training.</p> <p>Chief Executive Officer (Function 1, 2, 3, 4, 5, 6)  Director Regulatory Services (Function 1, 2, 4, 5, 6)  Director Infrastructure Services (Function 1, 2, 3, 4, 5)  Director Corporate Services (Function 1, 2, 3, 4, 5)  Director Community Experience (Function 1, 2, 3, 4, 5)  Manager Community Safety (Function 1, 2, 3, 4, 5)  Manager Operations (Function 1- 5)  Manager People and Culture (Function 1-5)  Work, Health and Safety Advisor (Function 1-5)  Park Ranger – Cape Keraudren (Function 1, 2, 3, 4, 5)  Ranger(s) (Function 1, 2, 3, 4, 5)  Manager Building Approvals and Compliance (Function 1, 2, 3, 4, 5)  Senior Manager Recreation and Community Projects (Function 1, 2, 3, 4, 5)  Manager Community Services (Function 1, 2, 3, 4, 5)  Manager Waste Services (Function 1,-5)  Coordinator Environmental Health Services(Function 1, 2, 3, 5)  Environmental Health Officer (Function 1, 2, 3, 4, 5)  Administration Officer – Airport Services (Function 1, 2, 4, 5, 6)</p>

	<p>Manager Aviation Services (1,2,4,5,6)  Manager Martumili (Function 1, 2, 4, 5)  Coordinator Art Production – Martumili (Function 1, 2, 4, 5)  Field Officer (Seasonal) (Function 2)  Community Liaison Officer – Martumili (Casual) (Function 2)  Field Officer – Martumili (Function 2)  Gallery Officer – Martumili (Function 2)  Manager Place (Function 1, 2, 3, 4, 5)  Team Leader Aquatic Services (Function 1, 2, 3, 4, 5)  Team Leader Recreation Services (Function 1, 2, 3, 4, 5)  Team Leader Community Capacity Building (Function 1, 2, 3, 4,5)  Team Leader Youth and Community Services (Function 1, 2, 3, 4,5)  Team Leader Library and Community Services (Function 1, 2, 5)  Library and Activities Officer – Newman (Casual) (Function 2)  Library Officer – Newman (Part Time) (Function 2)  Place and Activities Officer – Nullagine (Function 1, 2, 4, 5)  Place and Activities Officer – Marble Bar (Function 2, 3)  Youth Engagement Assistant (Casual) (Function 2, 3)  Youth Engagement Assistant (Part Time) (Function 2, 3)  Senior Youth Engagement Officer (Function 2, 3)  Community Transport Officer (Function 2)  Aquatic Officer – Marble Bar (Function 2, 3)  Kiosk Attendant (Casual) (Function 2, 3)  Aquatic Officer – Newman (Casual) (Function 2, 3)  Aquatic Officer – Newman (Function 2, 3, 5)  Lifeguard – Newman (Casual) (Function 2, 3)  Activity Officer – Newman Rec (Casual) (Function 2, 3)  Customer Service Supervisor – Newman Recreation Centre (Function 1, 2, 5)  Gym and Membership Officer (Casual) (Function 2)  Gym and Membership Officer (Function 2)  Creche Supervisor (Function 2)  Creche Attendant (Casual) (Function 2)  Fitness and Recreation Supervisor (Function 1, 2, 5)  Group Fitness Instructor (Casual) (Function 2)  Recreation Officer (Function 2)  Refund Point Leading Hand (Function 2)  Refund Point Operator (Casual) (Function 2)</p>
<b>Express power to subdelegate</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Amendments</b>			
<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
10 Aug 2022	Amended delegation	Title change from refund point Operator to Refund Point Leading Hand.	---

<b>Delegation</b>	<b>22.3.5 Thoroughfares – General</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 6.5 – notice to remove redundant crossing Clause 6.17 – notice to redirect or repair sprinkler Clause 6.18 – notice to remove or cut hazardous plants Clause 6.19 – notice to repair damage to thoroughfare Clause 6.20 – notice to remove thing unlawfully placed on thoroughfare
<b>Function</b>	Authority to give notice with respect to activities in thoroughfares under the Shire of East Pilbara Public Places and Local Government Property Local Law 2011  <ol style="list-style-type: none"> <li>1. Notice to remove redundant crossing [cl. 6.5].</li> <li>2. Notice to redirect or repair sprinkler [cl. 6.17].</li> <li>3. Notice to remove or cut hazardous plants [cl. 6.18].</li> <li>4. Notice to repair damage to thoroughfare [cl. 6.19].</li> <li>5. Notice to remove thing unlawfully placed on thoroughfare [cl. 6.20].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Corporate Services Director Regulatory Services Environmental Health Officer Manager Building Approvals and Compliance Manager Community Safety Manager Operations Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 1, 2, 3, 5) Director Infrastructure Services (Function 1, 2, 3, 4, 5) Manager Operations (Function 1, 2, 3, 4, 5) Manager Building Approvals and Compliance (Function 2, 3) Coordinator Environmental Health Services (Function 2, 3) Environmental Health Officer (Function 2, 3) Manager Community Safety (Function 5) Senior Ranger Emergency and Community Safety (Function 3, 5) Park Ranger – Cape Keraudren (Function 5) Ranger(s) (Function 5)
<b>Date adopted</b>	26 July 2024

**Adoption references**

Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.3.6 Grant Licence for Commercial Activity</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 12.9 – Grant a licence to a person authorising the person to provide a specified type of commercial activity at one or more specified public places Clause 12.12 - Grant a licence subject to any condition that the local government considers appropriate Clause 12.20 – renewals of licence Clause 12.21 - restrictions on renewal of licence Clause 12.22 - renewal of licence Clause 12.23 – Suspension of licence Clause 12.25 – Revocation of suspension Clause 12.26 – cancellation of licence Clause 12.29 – amendment of licence
<b>Function</b>	Grant Licence for Commercial Activity under the Shire of East Pilbara Public Places and Local Government Property Local Law 2011:  <ol style="list-style-type: none"> <li>1. Grant a licence to a person authorising the person to provide a specified type of commercial activity at one or more specified public places [cl. 12.9].</li> <li>2. Grant a licence subject to any condition that the local government considers appropriate [cl. 12.12].</li> <li>3. Renewals of licence [cl. 12.20].</li> <li>4. Restrictions on renewal of licence [cl. 12.21].</li> <li>5. Renewal of licence [cl.12.22].</li> <li>6. Suspension of licence [cl. 12.23].</li> <li>7. Revocation of suspension [cl. 12.25].</li> <li>8. Cancellation of licence [cl. 12.26].</li> <li>9. Amendment of licence [cl. 12.29].</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Regulatory Services Environmental Health Officer
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9) Coordinator Environmental Health Services (Function 1, 2, 3, 4, 5, 7, 9) Environmental Health Officer (Function 1, 2, 3, 4, 5, 7, 9)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.3.7 Prescribed Offences – Schedule 5</b>
<b>Head of power</b>	22.3 Shire of East Pilbara Public Places and Local Government Property Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 13.1 Offences
<b>Function</b>	Infringements for prescribed offences as per schedule 5 – Modified Penalties
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Coordinator Environmental Health Services Director Infrastructure Services Director Regulatory Services Environmental Health Officer Manager Community Safety Manager Operations Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Nil
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.4 Legal Services</b>
<b>Head of power</b>	22 Non Statutory Powers
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	Provision of Legal services
<b>Function</b>	<p>The Chief Executive Officer permits the below officers to:</p> <ol style="list-style-type: none"> <li>1. Obtain legal advice, assistance and opinions from external legal consultants. This includes, but is not limited to, legal advice and preparation or review of legal documents that exclude Human Resources matters.</li> <li>2. Obtain legal advice, assistance and opinions related to Human Resource matters from external legal consultants. This includes, but is not limited to, legal advice and preparation or review of legal documents.</li> </ol>
<b>Delegates</b>	CEO
<b>Subdelegates</b>	<p>Director Community Experience  Director Corporate Services  Director Infrastructure Services  Director Regulatory Services  Manager Governance, Risk and Procurement  Manager People &amp; Culture</p>
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>a. All legal requests must be reported to the Manager Governance, Risk and Procurement.</li> <li>b. Manager Governance, Risk and Procurement is to maintain a register of all legal advice not related to Human Resources matters.</li> <li>c. The Manager People and Culture is to maintain a register of legal advice related to Human Resources.</li> <li>d. All above sub-delegations must be in accordance with the Procurement and Tender Procedures Policy.</li> </ol> <p>Directors (Function 1, 2)  Manager Governance, Risk and Procurement (Function 1)  Manager People and Culture (Function 2)</p>
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.4.1 General Powers</b>
<b>Head of power</b>	2.4 Shire of East Pilbara Cemeteries Local Law 2010
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	<p>Clause 2.4 – Grant of right of burial</p> <p>Clause 2.5 – Rights of holder</p> <p>Clause 2.6 – Renewal of grant</p> <p>Clause 2.7 – Replacement of grant</p> <p>Clause 2.8 – Transfer of grant</p> <p>Clause 2.9 – Exercising the rights of holder</p> <p>Clause 3.4 – Minimum Notice required</p> <p>Clause 3.5 – Fixing times for funerals</p> <p>Clause 3.7 – Times for burials</p> <p>Clause 4.2 – Funeral director’s licence</p> <p>Clause 4.5 – Cancellation of funeral director’s licence</p> <p>Clause 4.6 – Single funeral permits</p> <p>Clause 5.2 – Funeral processions</p> <p>Clause 5.5 – conduct of funeral by local government</p> <p>Clause 5.6 – Disposal of ashes</p> <p>Clause 6.1 – Depth of grave</p> <p>Clause 6.2 – Vaults and mausoleums</p> <p>Clause 6.3 – Re-opening a grave</p> <p>Clause 6.5 - Exhumation</p> <p>Clause 6.6 – Opening of coffin</p> <p>Clause 7.1 – Application for monumental work</p> <p>Clause 7.2 – Placement of monumental work</p> <p>Clause 7.4 – Operation of work</p> <p>Clause 7.5 – Removal of sand, soil or loam</p> <p>Clause 7.6 – Hours of work</p> <p>Clause 7.7 – Unfinished work</p> <p>Clause 7.8 – Use of wood</p> <p>Clause 7.9 – Plants and trees</p> <p>Clause 7.10 - Supervision</p> <p>Clause 7.12 – Placing of glass domes and vases</p> <p>Clause 7.13 – Monumental mason’s licence</p> <p>Clause 7.15 – Carrying out monumental work</p> <p>Clause 7.17 – Cancellation of a monumental mason’s licence</p> <p>Clause 7.18 – Application for single monumental work permit</p> <p>Clause 8.1 – Animals</p> <p>Clause 8.6 – Advertising</p> <p>Clause 8.7 – Obeying signs and directions</p> <p>Clause 8.8 – Removal from cemetery</p> <p>Clause 9.1 - Offences</p>

<b>Function</b>	<p>Authority to exercise various local government powers under the Shire of East Pilbara Cemeteries Local Law 2010:</p> <ol style="list-style-type: none"> <li>1. Clause 2.4 – Grant of right of burial</li> <li>2. Clause 2.5 – Rights of holder</li> <li>3. Clause 2.6 – Renewal of grant</li> <li>4. Clause 2.7 – Replacement of grant</li> <li>5. Clause 2.8 – Transfer of grant</li> <li>6. Clause 2.9 – Exercising the rights of holder</li> <li>7. Clause 3.4 – Minimum Notice required</li> <li>8. Clause 3.5 – Fixing times for funerals</li> <li>9. Clause 3.7 – Times for burials</li> <li>10. Clause 4.2 – Funeral director’s licence</li> <li>11. Clause 4.5 – Cancellation of funeral director’s licence</li> <li>12. Clause 4.6 – Single funeral permits</li> <li>13. Clause 5.2 – Funeral processions</li> <li>14. Clause 5.5 – Conduct of funeral by local government</li> <li>15. Clause 5.6 – Disposal of ashes</li> <li>16. Clause 6.2 – Vaults and mausoleums</li> <li>17. Clause 6.3 – Re-opening a grave</li> <li>18. Clause 6.5 - Exhumation</li> <li>19. Clause 6.6 – Opening of coffin</li> <li>20. Clause 7.1 – Application for monumental work</li> <li>21. Clause 7.2 – Placement of monumental work</li> <li>22. Clause 7.5 – Removal of sand, soil or loam</li> <li>23. Clause 7.6 – Hours of work</li> <li>24. Clause 7.8 – Use of wood</li> <li>25. Clause 7.9 – Plants and trees</li> <li>26. Clause 7.12 – Placing of glass domes and vases</li> <li>27. Clause 7.13 – Monumental mason’s licence</li> <li>28. Clause 7.15 – Carrying out monumental work</li> <li>29. Clause 7.17 – Cancellation of a monumental mason’s licence</li> <li>30. Clause 7.18 – Application for single monumental work permit</li> <li>31. Clause 8.1 – Animals</li> <li>32. Clause 8.6 – Advertising</li> <li>33. Clause 9.1 - Offences</li> </ol>
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Customer Service and Library Officer - Marble bar Director Community Experience Lead Customer Experience Officer Manager Customer Experience Manager Operations

<b>Subdelegate conditions</b>	<p>Manager Operations (Function 4, 7, 8, 9, 12, 13, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30)</p> <p>Customer Service and Library Officer Marble Bar (Function 4, 7, 8, 9, 12, 13, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30)</p> <p>Manager Customer Experience (Function 4, 7, 8, 9, 12, 13, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30)</p> <p>Director Community Experience (Function 4, 7, 8, 9, 12, 13, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30)</p> <p>Lead Customer Experience Officer (Function 4, 7, 8, 9, 12, 13, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30)</p>
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.4.2 Authorised Officers</b>
<b>Head of power</b>	22.4 Shire of East Pilbara Cemeteries Local Law 2010
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 5.4 – Offenders may be ordered to leave Clause 6.1 – Depth of grave Clause 7.4 – Operation of work Clause 7.7 – Unfinished work Clause 7.10 – Supervision Clause 8.7 – Removal from the cemetery
<b>Function</b>	Powers of an authorised officer under the Shire of East Pilbara Cemeteries Local Law 2011.  <ol style="list-style-type: none"> <li>1. Offenders may be ordered to leave [cl. 5.4].</li> <li>2. Depth of grave [cl. 6.1].</li> <li>3. Operation of work [cl. 7.4].</li> <li>4. Unfinished work [cl. 7.7].</li> <li>5. Supervision [cl. 7.10].</li> <li>6. Removal from the cemetery [cl. 8.7].</li> </ol>
<b>Delegates</b>	CEO
<b>Subdelegates</b>	Director Community Services Director Infrastructure Services Manager Operations
<b>Subdelegate conditions</b>	Chief Executive Officer (Function 1, 2, 3, 4, 5, 6) Director Community Experience (Function 1, 2, 3, 4, 5, 6) Director Infrastructure Services (Function 1, 2, 3, 4, 5, 6) Manager Operations (Function 1, 2, 3, 4, 5, 6)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.4.3 Prescribed Offences</b>
<b>Head of power</b>	22.4 Shire of East Pilbara Cemeteries Local Law 2010
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Schedule 1 – Prescribed offences Schedule 3 – Withdrawal of infringement notice
<b>Function</b>	Infringements for prescribed offences as per schedule 1 and withdrawal of infringement notice as per Schedule 3 of the Shire of East Pilbara Cemeteries Local Law 2011:  1. Prescribed offences [schedule 1]. 2. Withdrawal of infringement notice [schedule 3].
<b>Delegates</b>	CEO Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Chief Executive Officer (Function 1, 2) Manager Community Safety (Function 1) Park Ranger – Cape Keraudren (Function 1) Ranger(s) ( Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.5 Liquor Consumption on Council Property</b>
<b>Head of power</b>	22 Non Statutory Powers
<b>Delegator</b>	Local Government
<b>Express power or duty delegated</b>	Approve applications to consume liquor on Council property.
<b>Function</b>	The Chief Executive Officer is delegated authority to approve applications to consume liquor on property under the care, control and management of Council.
<b>Delegates</b>	CEO
<b>Conditions</b>	Must be private functions only and no requirements for liquor licenses.
<b>Date adopted</b>	22 July 2022
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.5.1 Various Powers</b>
<b>Head of power</b>	22.5 Shire of East Pilbara Dogs Local Law 2020
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Clause 2.3 – Release of impounded dogs Clause 4.0 – 4.16 - Application for Kennel Establishment Licence
<b>Function</b>	Authority to exercise various powers under the Shire of East Pilbara Dogs Local Law 201:  1. Release of impounded dogs [cl. 2.3].
<b>Delegates</b>	CEO
<b>Conditions</b>	Nil
<b>Express power to subdelegate</b>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
<b>Subdelegates</b>	Director Regulatory Services Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Subdelegate conditions</b>	Director Regulatory Services (Function 1) Manager Community Safety (Function 1) Park Ranger – Cape Keraudren (Function 1) Ranger(s) (Function 1)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022



<b>Delegation</b>	<b>22.5.2 Authorised Person</b>
<b>Head of power</b>	22.5 Shire of East Pilbara Dogs Local Law 2020
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO s.9.10 (1) Appointment of authorised persons
<b>Express power or duty delegated</b>	Schedule 3 – Modified penalties Clause 7.6 – Withdrawal of infringement notice
<b>Function</b>	Infringements for prescribed offences as per schedule 3 and withdrawal of infringement notice as per cl.7.6 the Shire of East Pilbara Dogs Local Law 2011:  1. Prescribed offences [schedule 3]. 2. Withdrawal of infringement notice [cl.7.6].
<b>Delegates</b>	CEO Manager Community Safety Park Ranger - Cape Keraudren Ranger
<b>Conditions</b>	Original Decision Maker cannot review their own decisions.  CEO Manager Community Safety (Function 2) Park Ranger - Cape Keraudren (Function 2) Ranger (Function 2)
<b>Date adopted</b>	26 July 2024
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022

<b>Delegation</b>	<b>22.6 Credit Card Holders</b>														
<b>Head of power</b>	22 Non Statutory Powers														
<b>Delegator</b>	Local Government														
<b>Express power or duty delegated</b>	Credit card holders														
<b>Function</b>	The Chief Executive Officer permits the below officers to hold a credit card.														
<b>Delegates</b>	CEO														
<b>Conditions</b>	<ol style="list-style-type: none"> <li>1. Credit card limits are not to exceed the officer's financial authorisation as listed in delegation 22.3 of this register.</li> <li>2. Corporate credit card expenditures are to be made in accordance with the Council's Corporate Credit Card Policy.</li> </ol>														
<b>Subdelegates</b>	Director Community Experience Director Corporate Services Director Infrastructure Services Director Regulatory Services Manager Martumili														
<b>Subdelegate conditions</b>	<ol style="list-style-type: none"> <li>1. Credit card limits are not to exceed the officer's financial authorisation as listed in delegation 22.3 of this register.</li> <li>2. Corporate credit card expenditures are to be made in accordance with the Council's Corporate Credit Card Policy.</li> </ol> <table> <thead> <tr> <th>Position</th> <th>Credit Card threshold/limit per month excluding GST:</th> </tr> </thead> <tbody> <tr> <td>Director Corporate Services</td> <td>\$20,000</td> </tr> <tr> <td>Chief Executive Officer</td> <td>\$10,000</td> </tr> <tr> <td>Director Infrastructure Services</td> <td>\$10,000</td> </tr> <tr> <td>Director Aviation and Regulatory Service</td> <td>\$10,000</td> </tr> <tr> <td>Director Community Experience</td> <td>\$10,000</td> </tr> <tr> <td>Manager Martumili</td> <td>\$5,000</td> </tr> </tbody> </table>	Position	Credit Card threshold/limit per month excluding GST:	Director Corporate Services	\$20,000	Chief Executive Officer	\$10,000	Director Infrastructure Services	\$10,000	Director Aviation and Regulatory Service	\$10,000	Director Community Experience	\$10,000	Manager Martumili	\$5,000
Position	Credit Card threshold/limit per month excluding GST:														
Director Corporate Services	\$20,000														
Chief Executive Officer	\$10,000														
Director Infrastructure Services	\$10,000														
Director Aviation and Regulatory Service	\$10,000														
Director Community Experience	\$10,000														
Manager Martumili	\$5,000														
<b>Date adopted</b>	22 July 2022														
<b>Adoption references</b>	Item 11.2.4 OCM 22/07/2022														

<b>Delegation</b>	<b>22.6.1 Various Powers</b>
<b>Head of power</b>	22.6 Shire of East Pilbara Health Local Law 2011
<b>Delegator</b>	Council
<b>Express power to delegate</b>	<p><i>Local Government Act 1995:</i></p> <p>s.5.42 Delegation of some powers or duties to the CEO</p> <p>s.5.43 Limitations on delegations to the CEO</p> <p>s.9.10 (1) Appointment of authorised persons</p>

<p><b>Express power or duty delegated</b></p>	<p>Authority to exercise various powers under the Shire of East Pilbara Health Local Law 2011:</p> <p>Clause 2.4 – Outdoor event  Clause 2.6 – Temporary works  Clause 2.7 – Maintenance of sanitary conveniences and fittings  Clause 2.15 – Kitchens  Clause 3.1 – Dwelling house maintenance  Clause 3.6 – Ventilation  Clause 3.7 – Water supply  Clause 3.8 – Rain water tanks  Clause 3.15 – Licensing of morgues  Clause 3.16 – Inspection of morgues  Clause 3.17 – Cancellation of a morgue licence  Clause 4.1 – Approved carrier  Clause 4.5 – Waste food and refuse approvals  Clauses 4.8-4.9 – Transport of butchers’ waste approval  Clause 5.4 – Public vehicles to be kept clean  Clause 5.9 - Storage of fertilise in a dwelling house  Clause 6.2 – Cleanliness  Clause 6.5 – Animal enclosures  Clause 6.6 – Cats  Clause 6.10 – Conditions for keeping of an animal  Clause 6.11 – Stables  Clauses 6.14 and 6.16 – Keeping of poultry and pigeons and miscellaneous birds  Clauses 6.18-19 – Various (Poultry and pigeons and miscellaneous birds)  Clause 7.4 – Measures to be taken – flies  Clause 7.5 – Local Government may execute work and recover costs - flies  Clauses 7.10-7.12 – Measures to be taken – mosquitos  Clause 7.15 – Measures to be taken to eradicate rodents  Clause 7.19 – Restrictions on materials affording harbourage for rodents  Clause 7.21 – Measures to be taken to eradicate cockroaches  Clause 7.23 – Measures to taken to keep premises free from Argentine Ants  Clause 7.25 – Measures to be taken to keep premises free from European wasp nests  Clause 7.27 – Restrictions on keeping of bees in hives  Clause 7.29 – Arthropod vectors of disease  Clauses 8.2-8.5 and 8.7-8.9 – Infectious diseases  Clause 8.11 - Local Government may carry out work and recover costs under Part 8 – infectious diseases  Clause 9.4 – Approval of registration of a lodging house  Clause 9.7 – Revocation of registration of a lodging house  Clause 9.10 – Cooking facilities  Clause 9.13 – Sanitary conveniences  Clause 9.14 – Laundry  Clause 9.18 – Restriction on use of rooms for sleeping  Clause 9.21 – Ventilation  Clauses 9.24-9.28 and 9.30-9.32– Lodging houses (various)  Clause 10.7 – Registration (offensive trades)  Clause 10.14 – Painting of walls etc (offensive trades)  Clause 10.16 – Offensive material  Clause 10.19 – Directions (offensive trades)  Clause 10.36 – Reception room  Clause 10.40 – Precautions against combustion  Part 11 – Offences and penalties</p>
---	---

Function	Authority to exercise various powers under the Shire of East Pilbara Health Local Law 2011:
	<ol style="list-style-type: none"> <li>1. Clause 2.4 – Outdoor event</li> <li>2. Clause 2.6 – Temporary work</li> <li>3. Clause 2.7 – Maintenance of sanitary conveniences and fittings</li> <li>4. Clause 2.15 – Kitchens</li> <li>5. Clause 3.1 – Dwelling house maintenance</li> <li>6. Clause 3.6 – Ventilation</li> <li>7. Clause 3.7 – Water supply</li> <li>8. Clause 3.8 – Rain water tanks</li> <li>9. Clause 3.15 – Licensing of morgues</li> <li>10. Clause 3.16 – Inspection of morgues</li> <li>11. Clause 3.17 – Cancellation of a morgue licence</li> <li>12. Clause 4.1 – Approved carrier</li> <li>13. Clause 4.5 – Waste food and refuse approvals</li> <li>14. Clauses 4.8-4.9 – Transport of butchers’ waste approval</li> <li>15. Clause 5.4 – Public vehicles to be kept clean</li> <li>16. Clause 5.9 - Storage of fertilise in a dwelling house</li> <li>17. Clause 6.2 – Cleanliness</li> <li>18. Clause 6.5 – Animal enclosures</li> <li>19. Clause 6.6 – Cats</li> <li>20. Clause 6.10 – Conditions for keeping of an animal</li> <li>21. Clause 6.11 – Stables</li> <li>22. Clauses 6.14 and 6.16 – Keeping of poultry and pigeons and miscellaneous birds</li> <li>23. Clauses 6.18-19 – Various (Poultry and pigeons and miscellaneous birds)</li> <li>24. Clause 7.4 – Measures to be taken – flies</li> <li>25. Clause 7.5 – Local Government may execute work and recover costs - flies</li> <li>26. Clauses 7.10-7.12 – Measures to be taken – mosquitos</li> <li>27. Clause 7.15 – Measures to be taken to eradicate rodents</li> <li>28. Clause 7.19 – Restrictions on materials affording harbourage for rodents</li> <li>29. Clause 7.21 – Measures to be taken to eradicate cockroaches</li> <li>30. Clause 7.23 – Measures to taken to keep premises free from Argentine Ants</li> <li>31. Clause 7.25 – Measures to be taken to keep premises free from European wasp nests</li> <li>32. Clause 7.27 – Restrictions on keeping of bees in hives</li> <li>33. Clause 7.29 – Arthropod vectors of disease</li> <li>34. Clauses 8.2-8.5 and 8.7-8.9 – Infectious diseases</li> <li>35. Clause 8.11 - Local Government may carry out work and recover costs under Part 8 – infectious diseases</li> <li>36. Clause 9.4 – Approval of registration of a lodging house</li> <li>37. Clause 9.7 – Revocation of registration of a lodging house</li> <li>38. Clause 9.10 – Cooking facilities</li> <li>39. Clause 9.13 – Sanitary conveniences</li> <li>40. Clause 9.14 – Laundry</li> <li>41. Clause 9.18 – Restriction on use of rooms for sleeping</li> <li>42. Clause 9.21 – Ventilation</li> <li>43. Clauses 9.24-9.28 and 9.30-9.32– Lodging houses (various)</li> <li>44. Clause 10.7 – Registration (offensive trade)</li> <li>45. Clause 10.14 – Painting of walls etc (offensive trades)</li> <li>46. Clause 10.16 – Offensive material</li> <li>47. Clause 10.19 – Directions (offensive trades)</li> <li>48. Clause 10.36 – Reception room</li> <li>49. Clause 10.40 – Precautions against combustion</li> <li>50. Part 11 – Offences and penalties</li> </ol>

## AMENDMENTS

<b>Delegation</b>	<b>Date</b>	<b>Type</b>	<b>Amendment</b>	<b>References</b>
1.2.4 Powers of Entry	22 Jul 2022	New delegation	Swimming Pool Inspector	Nil
1.2.4 Powers of Entry	22 Jul 2022	New delegation	Swimming Pool Inspectors	
1.2.7 Confiscated or Uncollected Goods	22 Jul 2022	New delegation	Director Corporate Services Manager Corporate Services Manager Governance, Risk and Procurement	Nil
1.2.17 Tenders for Goods and Services	22 Jul 2022	New delegation	Deputy CEO/ Director Organisational Development	Nil
1.2.17 Tenders for Goods and Services	22 Jul 2022	New delegation	Deputy CEO/ Director Organisational Development	
1.2.25 Recover a Fee or Charge (Excluding Rates)	22 Jul 2022	Amended delegation	Rates Revenue Finance Officer	
1.2.29 Execute Documents and Contract Formalities	22 Jul 2022	Amended delegation	Deputy CEO/ Director organizational Development	
1.2.31 Payments to Australian Taxation Office, Superannuation Funds and Authorised Deposit Taking Institutions	22 Mar 2024	New delegation	Authority to make payments to the Australian Taxation Office, superannuation funds approved by the Australian Taxation Office and Authorised Deposit Taking Institutions over and above the financial delegation granted by Council to the Chief Executive Officer	Nil
1.2.31 Payments to Australian Taxation Office, Superannuation Funds and Authorised Deposit Taking Institutions	22 Mar 2024	New delegation	Authority to make payments to the Australian Taxation Office, superannuation funds approved by the Australian Taxation Office and Authorised Deposit Taking Institutions over and above the financial delegation granted by Council to the Chief Executive Officer.	
8.1.2 Appoint Authorised Persons	22 Oct 2022	Amended delegation	Addition of Manager Place as subdelegate	Nil
22.3 Procurement Financial Limits (Goods and Services)	2 Jul 2024	New delegation	Coordinator Records Management	
22.3.4 Authorised Officers (Direction to leave and refuse entry powers)	10 Aug 2022	Amended delegation	Title change from refund point Operator to Refund Point Leading Hand.	Nil