



Town of Port Hedland
Delegation Register - Statutory

REVIEW

| Reviewed by | Date approved | References |
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INTRODUCTION

Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s5.43). The local government may also delegate the exercise of any of its powers to Committees pursuant to section 5.16, other than those under Section 5.17(1).

Section 5.44 of the Act provides for the Chief Executive Officer to delegate any of his or her powers to another employee, this must be done in writing. The Act also allows for the Chief Executive Officer to place conditions on any delegations that he or she has delegated. These powers or duties cannot, however, be further sub-delegated. These powers or duties are delegated to assist with improving the time taken to make decisions and are made within the constraints allowed by the relevant legislation. This is consistent with our commitment to a strong customer service focus.

The Department of Local Government & Communities *Guideline No.17 – Delegations*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

Conversely, where the statute allows for discretion on the part of the decision maker, then the function must either be delegated or a person authorised, or a policy implemented, that provides sufficient control for another person to have that authority and fulfil the function or duty.

The *Local Government Act 1995* does not specifically define the meaning of the term "acting through", however section 5.45(2) states;

"Nothing in this Division is to read as preventing –

- (a) A local government from performing any of its functions by acting through a person other than the CEO"; or
- (b) A CEO from performing any of his or her functions by acting through another person."

The purpose of this register is to ensure a record is kept of those powers or duties that have been delegated to ensure accountability and to meet the requirements of Section 5.46 of the Act. This register is a public document that contains 'Instruments of Delegation' that detail the function being delegated and the relevant statutory reference which is the source of power for the exercise of that function. Without limiting the effect of sections 58 and 59 of the *Interpretation Act 1984*, these delegations, made under the Act have effect for the period of time specified in the delegation or where no period has been specified, indefinitely. Any decision to amend or revoke these delegations by a local government is to be by an absolute majority.

This register of delegated authority will be reviewed in accordance with the Act on an annual basis.

Delegations and authorisations under other Legislation

Where legislation provides for the direct delegation to authorise a person or a member of a class of persons by other agencies or decision makers. For example: the *Environmental Protection Act* allows for the CEO of the Department of Environment Regulation to grant delegated authority direct to a local government.

The authorisation is dealt with in the relevant legislation and, where required, the Instrument of Delegation or Notice of the Appointment is advertised in the Government Gazette.

Those Delegations or authorisations that may occur under legislation other than the *Local Government Act 1995*, its regulations and the local government's local laws include:

Planning and Development Act 2005 and associated regulations
Dog Act 1976 and regulations;
Cat Act 2011 and regulations
Bush Fires Act 1954, regulations and local law created under that Act;
Litter Act 1979 and regulations
Local Government (Miscellaneous Provisions) 1960 as amended;
Caravan Parks and Camping Grounds Act 1995;
Control of Vehicles (Off-Road Areas) Act 1978 and regulations;
Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997
Building Act 2011

N.B. – This is not an exhaustive list.

DELEGATIONS

01 Local Government Act 1995

Local Government Act 1995

01.1 Council to Committees of Council

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| Delegation | 1.1.1 Audit, Risk and Compliance Committee |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.16 Delegation of some powers and duties to certain committees s.7.1B Delegation of some powers and duties to audit committees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.7.12A(2), (3) & (4) Duties of Local Government with respect to audits |
| Function | <ol style="list-style-type: none"> 1. Authority to meet with the Town's Auditor at least once every year on behalf of the Council [s.7.12A(2)]. 2. Authority to: <ol style="list-style-type: none"> i. examine an audit report received by the local government. ii. determine if any matters raised by the audit report, require action to be taken by the local government; and iii. ensure that appropriate action is taken in respect of those matters. 3. Authority to review and endorse the Town's report on any actions taken in response to an Auditor's report, prior to it being forwarded to the Minister [s.7.12A(4)]. |
| Delegates | Audit, Risk and Compliance Committee |
| Conditions | This delegation is not to be used where a Management Letter or Audit Report raises significant issues and the Local Government's meeting with the Auditor must be directed to the Council. |
| Express power to subdelegate | Nil. Sub-delegation is prohibited by s.7.1B. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

01.2 Council to CEO

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| Delegation | 1.2.1 Appoint Authorised Persons |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons |
| Function | <ol style="list-style-type: none"> 1. Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the <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 Local Government Act. [s.3.24 and s.9.10]. 2. Authority to appoint authorised person for the purposes of the <i>Graffiti Vandalism Act 2016</i>, which prescribes Part 9 of the <i>Local Government Act 1995</i> as the enabling power [s.15 of the <i>Graffiti Vandalism Act 2016</i>]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. A register of Authorised Persons is to be maintained as a Local Government Record. b. Only persons who are appropriately qualified and trained may be appointed as Authorised persons. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.2 Performing Functions outside the District |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.20(1) Performing functions outside district |
| Function | 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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 negatively impact service levels within the District. Where these conditions are not met the matter must be referred for Council decision. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Environmental Health Technical Officer (1294) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.3 Compensation for Damage Incurred when Performing Executive Functions |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.22(1) Compensation s.3.23 Arbitration |
| Function | <ol style="list-style-type: none"> 1. In accordance with the s.3.22 procedures, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s.3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s.3.23. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Delegation is limited to settlements which do not exceed a material value of \$20,000. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.4 Powers of Entry |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.28 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 |
| Function | <ol style="list-style-type: none"> 1. Authority to exercise powers of entry to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |

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| Subdelegates | <p>Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Environmental Health Technical Officer (1294) Graduate Engineer (1172) (1343) Graduate Environmental Health Officer (1273) Graduate Planner (1283) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Manager Planning & Economic Development (1278) Place Facilitator Planning & Development Support Officer (1280) Principal Project Engineer Project Engineer Project Engineer - Asset Management (1247) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Building Surveyor (1282) Senior Environmental Health Officer (1272) Senior Planner Senior Project Engineer (1168) Senior Project Officer - Operations (1355) Senior Strategic Planner (1281) Senior Urban Planner (1279) Strategic Planner (1285)</p> |
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| Subdelegate conditions | <p>Director Regulatory Services (Function 1 ,2, 3, 4, 5) Director Infrastructure Services (Function 1, 2, 3, 4, 5) Senior Planner (Function 2) Manager Planning and Economic Development (Function 2) Ranger and Emergency Services Advisor (Function 1 ,2, 3, 4, 5) Manager Environmental Services (Function 1 ,2, 3, 4, 5) Senior Environmental Health Officer (Function 2) Building Surveyor (Function 2) Planning and Development Support Officer (Function 2) Environmental Health Officer (Function 2) Graduate Environmental Health Officer (Function 2) Graduate Planner (Function 2) Coordinator Ranger Services (Function 1, 2, 3, 4, 5) Lead Ranger (Function 1, 2, 4) Ranger(s) (Function 1, 2, 4) Planner (Function 2) Place Facilitator (Function 2) Project Officer - Strategic Planner (Function 2) Manager Infrastructure Operations (Function 1, 2, 3, 4, 5) Environmental Health Technical Officer (Function 2) Senior Strategic Planner (Function 2) Senior Project Engineer (Function 2) Principal Project Engineer (Function 2) Graduate Engineer (Function 2) Project Engineer - Asset Management (Function 2) Project Engineer (Function 2) Coordinator Property Management (Function 1, 2, 3, 4, 5) Coordinator Parks and Reserves (Function 1, 2, 3, 4, 5) Coordinator Landscape and Irrigation (Function 1, 2, 3, 4, 5) Senior Project Officer - Operations (Function 1, 2, 3, 4, 5)</p> |
| Date adopted | 25 June 2024 |
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| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.5 Declare Vehicle is Abandoned Vehicle Wreck |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken |
| Function | Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Emergency Management Advisor (1268) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25 June 2024 CM202324/292 |
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| Delegation | 1.2.6 Remove and Impound any goods and abandoned Vehicle |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.39 Power to remove and impound s.3.40(1) Vehicle may be removed if goods to be impounded are in or on vehicle s.3.40A Abandoned vehicle wreck may be taken |
| Function | <ol style="list-style-type: none"> 1. Remove and impound any goods that are involved in a contravention that can lead to impounding [s.3.39(1)]. 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)]. 3. Remove and impound a vehicle that, in the opinion of the local government, is an abandoned vehicle wreck [s.3.40A(1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Emergency Management Advisor (1268) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.7 Confiscated or Uncollected Goods |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.39 Power to remove and impound s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of |
| Function | <ol style="list-style-type: none"> 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]. 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Emergency Management Advisor (1268) Environmental Health Officer (1274) Environmental Health Technical Officer (1294) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Manager Environmental Services (Function 1, 2, 3) Coordinator Ranger Services (Function 1, 2, 3) Emergency Management Advisor (Function 1) Lead Ranger (Function 1) Ranger(s) (Function 1) Senior Environmental Health Officer (Function 1) Environmental Health Technical Officer (Function 1) Graduate Environmental Health Officer (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |

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| Last reviewed | 25 June 2024 |
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| Delegation | 1.2.8 Disposal of Sick or Injured Animals |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of |
| Function | <ol style="list-style-type: none"> 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)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Coordinator Ranger Services (Function 1, 2) Lead Ranger (Function 1) Ranger(s) (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.9 Close Thoroughfares to Vehicles |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals |
| Function | <ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 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"> 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 ii. consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A]. 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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)]. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Director Infrastructure Services (1157) Manager Infrastructure Operations (1179) Senior Project Officer - Operations (1355) |
| Subdelegate conditions | Director Infrastructure Services (Function 1, 2, 3, 4, 5) Manager Infrastructure Operations (Function 1, 2, 3) Coordinator Property Management (Function 1, 3, 4) Coordinator Parks and Reserves (Function 1, 3, 4) Coordinator Landscape and Irrigation (Function 1, 3, 4) Senior Project Officer - Operations (Function 1, 3, 4) Determination shall be in accordance with the <i>Road Traffic (Events on Roads) Regulations 1991</i> . |

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| Delegation | 1.2.10 Control Reserves and Certain Unvested Facilities |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government |
| Function | <ol style="list-style-type: none"> 1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the Town that the Town could do under s.5 of the <i>Parks and Reserves Act 1895</i>. [s.3.54(1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Limited to matters where the financial implications do not exceed a relevant and current budget allocation, and which do not create a financial liability in future budgets. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Infrastructure Operations (1179) Manager Planning & Economic Development (1278) |
| Subdelegate conditions | Director Regulatory Services (Function 1) Director Infrastructure Services (Function 1, 2) Director Community Services (Function 1) Manager Planning and Economic Development (Function 1) Manager Infrastructure Operations (Function 2) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
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| Delegation | 1.2.11 Obstruction of Footpaths and Thoroughfares |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.25(1) Notices requiring certain things to be done by owner or occupier of land <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) |
| Function | <ol style="list-style-type: none"> 1. Authority to give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice [s.3.25(1)]. 2. Authority to 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"> i. prevent damage to the footpath; or ii. prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. 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)]. 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)]. 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]. 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |

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| Subdelegates | <p>Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Senior Project Officer - Operations (1355)</p> |
| Subdelegate conditions | <p>Director Regulatory Services (Function 1, 2, 3, 4, 5, 6) Director Infrastructure Services (Function 1, 2, 3, 4, 5, 6) Manager Environmental Services (Function 1, 2, 5, 6) Manager Infrastructure Operations (Function 1, 2, 3, 4, 5, 6) Coordinator Property Management (Function 1, 2, 3, 4, 5, 6) Coordinator Parks and Reserves (Function 1, 2, 3, 4, 5, 6) Coordinator Landscape and Irrigation (Function 1, 2, 3, 4, 5, 6) Senior Project Officer - Operations (Function 1, 2, 3, 4, 5, 6)</p> |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
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| Delegation | 1.2.12 Gates across Public Thoroughfares |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1) |
| Function | <ol style="list-style-type: none"> 1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Each approval provided must be recorded in the Town's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Infrastructure Operations (1179) Manager Planning & Economic Development (1278) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.13 Public Thoroughfare – Dangerous Excavations |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6 |
| Function | <ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.14 Crossing – Construction, Repair and Removal |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7 (2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3) |
| Function | <ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r,12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> . |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Infrastructure Operations (1179) Manager Planning & Economic Development (1278) Manager Waste & Services (1291) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.15 Private Works on, over or under Public Places |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8 |
| Function | <ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
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| Delegation | 1.2.16 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.21(1) Wind erosion and sand drifts – Sch.9.1 cl.12 |
| Function | 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)] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
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| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.17 Expressions of Interest for Goods and Services |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer |
| Function | <ol style="list-style-type: none"> 1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
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| Delegation | 1.2.18 Tenders for Goods and Services |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services |

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| Function | <ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(2)(f)]. 3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration is included in the adopted Annual Budget [F&G.r.11(2)]. 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14 (5)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)]. 9. Authority to accept compliant, or reject non-compliant, tenders on the requirements specified, up to \$500,000 ex GST value detailed as a condition on this Delegation, and in accordance with the requirements of the Functions and General Regulations [F&G r.18 (2) and (4)]. 10. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, and to then negotiate minor variations with the successful tenderer before entering into a contract [F&G r.20(1) and (3)]. 11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)]. 12. Authority to decline any tender [F&G r.18(5)] 13. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)]. 14. Authority to: 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 Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A]. 15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)]. |
| Delegates | Chief Executive Officer (1009) |

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| Conditions | <ul style="list-style-type: none"> a. Sole supplier arrangements may only be approved where a record is retained that evidences: <ul style="list-style-type: none"> i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; and iv. Rationale for why the supply is unique and cannot be sourced through other suppliers. b. Tenders may only be called where there is an adopted budget or provision in the Long Term Financial Plan 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: <ul style="list-style-type: none"> i. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government; ii. current supply contract expiry is imminent; iii. value of the proposed new contract has been included in the draft Annual Budget proposed for adoption; and iv. The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. c. In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget or Long Term Financial Plan. d. All above delegations must be in accordance with the Purchasing Policy 2/007 |
| Express power to subdelegate | <p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p> |
| Subdelegates | <p>Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Governance (1045) Procurement Advisor (1054) Procurement Officer (1053) (1361) Senior Procurement & Contracting Advisor (1052)</p> |
| Subdelegate conditions | <ul style="list-style-type: none"> a. In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget or Long Term Financial Plan b. * Directors are authorised to accept tenders up to their authorised expenditure as per item 22.3 of this register, and within their Directorate only. c. Directors are authorised to accept and reject tenders under function 9 within their Directorate only in line with the adopted budget. d. All above sub-delegations must be in accordance with the Purchasing Policy 2/007 <p>Directors (Function 1, 3, 4, 5, 6, 7, 8, 9*,10, 11, 12, 14, 15*) Senior Procurement & Contracting Advisor (Function 7, 9,12) Procurement Officer (Function 12) Procurement Advisor (Function 12) Manager Governance (Function 12)</p> |
| Policy | Purchasing Policy 2/007 |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers |
| Function | <ol style="list-style-type: none"> 1. Authority to determine that a there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to establish a panel of pre-qualified suppliers to supply particular goods and services [F&G r.24AB]. 4. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 5. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 6. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 7. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 8. Authority to decline to accept any application [F&G r.24AH(5)]. 9. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the total estimated consideration under the resulting panel is for minor works (TOPH Project Mgt Framework, 2.2.1 Project Assessment Matrix) \$500,000 or less and for other works \$500,000 or less ex GST, and the expense is included in the adopted Annual Budget. b. Evaluation criteria is to be in accordance with Panels of PreQualified Suppliers policy 2/022. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |

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| Subdelegates | <p>Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Procurement Advisor (1054) Procurement Officer (1053) (1361) Senior Procurement & Contracting Advisor (1052)</p> |
| Subdelegate conditions | <p>a. an accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget. b. * Directors are authorised to enter into a contract or contracts with pre-qualified suppliers for particular goods or services under function 9 up to \$250,000 excluding GST within their Directorate only. c. All above sub-delegations must be in accordance with the Purchasing Policy 2/007</p> <p>Director (Function 1, 2, 4, 5*, 6, 7, 8, 9) Senior Procurement & Contracting Advisor (Function 5, 6, 7, 9) Procurement Advisor (Function 5, 6, 7, 9) Procurement Officer (Function 5, 6, 7, 9)</p> |
| Policy | Purchasing Policy 2/007 |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.20 Disposing of Property |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property |
| Function | <ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> i. to the highest bidder at public auction [s.3.58(2)(a)]; and 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)]. 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)]. 3. Authority to dispose of property to a person or body that is an exempt disposition pursuant to r. 30 of the <i>Local Government (Functions and General) Regulations 1996</i>. |
| Delegates | Chief Executive Officer (1009) |

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| Conditions | <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"> • Reserve price has been set by independent valuation; and • 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; <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"> • Negotiate the sale of the property up to a -10% variance on the valuation; and • Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. <p>b. Where the market value of the property is determined as being less than \$20,000 (F&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 or donating a property (not exceeding \$5,000).</p> <p>c. Council delegates authority to the Chief Executive Officer to dispose of land within the Kingsford Smith Business Park and the authority to accept offers up to a -10% variance of the market value and/or any offers above the market value obtained in accordance with the provisions of the <i>Local Government Act 1995</i>. The below conditions apply:</p> <p>i. all disposals of property below \$2,000,000 total value will be advertised locally in accordance with the provisions of Section 3.58 of the <i>Local Government Act 1995</i> and any submissions received during the requisite minimum two week advertising period will be presented to Council for consideration; and</p> <p>ii. all disposals of property exceeding \$2,000,000 will be advertised statewide in accordance with the provisions of Section 3.59 of the <i>Local Government Act 1995</i> and will be presented to Council for consideration and final endorsement.</p> |
| Express power to subdelegate | <p><i>Local Government Act 1995</i>: s.5.44 CEO may delegate some powers and duties to other employees</p> |
| Subdelegates | <p>Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245)</p> |
| Subdelegate conditions | <p>Authority to dispose of property is only up to the financial value allocated as per Delegation 22.3 - Income and Expenditure Financial Limits</p> <p>Director Regulatory Services (Function 1) Director Corporate Services (Function 1) Director Infrastructure Services (Function 1) Director Community Services (Function 1)</p> |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.21 Payments from the Municipal or Trust Funds |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making |
| Function | Authority to make payments from the municipal or trust funds [r.12(1)(a)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Authority for the CEO to approve payments made in accordance with Clause 6 of the Town's Policy 1/009 'Legal Representation for Council Members and Employees' to the limit of \$10,000. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Aquatic Operations (1071) Coordinator Customer Experience (1380) Coordinator Sports & Recreation (1143) Coordinator Stadium Operations (1089) Customer Service Coordinator Customer Service Supervisor - Leisure Facilities (1107) Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Executive Manager Human Resources (1017) Leisure Business Coordinator (1105) Manager Digital Services (1060) Manager Environmental Services (1261) Manager ERP Project (1064) Manager Events, Arts & Culture (1323) Manager Financial Services (1031) Manager Governance (1045) Manager Infrastructure Projects & Assets (1160) Manager Planning & Economic Development (1278) Manager Project Design & Delivery Manager Public Affairs (1011) Manager Recreation & Leisure Facilities (1070) Manager Waste & Services (1291) Manager Youth & Community Development (1117) Project Implementation Lead – Leisure Management System Senior Accountant - Payables (1032) Senior Accountant (1033) Senior Arts & Culture Officer (1341) Senior Financial Accountant (1035) Senior Management Accountant (1040) |

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| Subdelegate conditions | <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, unless it is a transfer of funds between Town accounts. <i>* Note – payments for investments are specifically outlined under section 1.2.24 and are not included in this section.</i></p> <p>c. For customer service refunds made by EFTPOS, authorisation must be by a delegated officer up to a limit of \$100.</p> |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.22 Community Grants Program Policy |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making |
| Function | Approve and make payments in accordance with the Policy 'Community Grants Program' 6/003 and under Part 2 of the <i>Local Government (Financial Management) Regulations 1996</i> . |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | a. Directors can accept and award grant funding, up to their delegated financial authority limit in section 22.3. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.23 Defer, Grant Discounts, Waive or Write Off Debts |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts |
| Function | <ol style="list-style-type: none"> 1. Waive a debt which is owed to the Town [s.6.12(1)(b)]. 2. Grant a concession in relation to money which is owed to the Town [s.6.12(1)(b)]. 3. Write off an amount of money which is owed to the Town [s.6.12(1)(c)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <p><u>Waiver of Fee or Charge:</u></p> <ol style="list-style-type: none"> 1. All Directors may waive fees and charges related to their operational responsibilities, where such waiver is either to: <ol style="list-style-type: none"> i. a value up to \$2,000 (ex GST) per customer within a financial year; or ii. assist a not for profit community group or charitable entity, or where appropriate, at the discretion of All Directors, in fulfilling a service, social or cultural outcome, within the Town. 2. Directors may waive fees and charges for amounts up to \$3,000.00 (ex GST) for any fees and charges 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. 3. The Manager Financial Services may waive fees and charges related to their operational responsibilities, where such waiver is to: <ol style="list-style-type: none"> a. a value up to \$1,000 (ex GST) per customer within a financial year 4. Managers may waive fees and charges related to their operational responsibilities, where such waiver is to: <ol style="list-style-type: none"> i. a value up to \$500 (ex GST) per customer within a financial year. 5. The Rates Officers may waive fees and charges related to their operational responsibilities, where such waiver is to: <ol style="list-style-type: none"> i. a value up to \$50 (ex GST) per customer within a financial year. <p><u>Grant a Concession:</u></p> <ol style="list-style-type: none"> 6. All Directors may provide a concession, in relation to money which is owed to the Town [s.6.12(1)(b)], related to their operational responsibilities, where such concession is either to: <ol style="list-style-type: none"> i. a value up to \$2,000 (ex GST) per customer within a financial year; or ii. assist a not for profit community group or charitable entity, or where appropriate, up to \$5,000 (ex GST) at the discretion of the Director, in fulfilling a service, social or cultural outcome, within the Town. |

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| | <p>7. The Manager Financial Services may provide a concession, in relation to money which is owed to the Town [s.6.12(1)(b)], related to their operational responsibilities, where such concession is either to:</p> <p>i. a value up to \$1,000 (ex GST) per customer within a financial year.</p> <p>8. The Rates Officers may provide a concession, in relation to money which is owed to the Town [s.6.12(1)(b)], related to their operational responsibilities, where such concession is either to:</p> <p>i. a value up to \$50 (ex GST) per customer within a financial year.</p> <p style="text-align: center;"><u>Write off Debts</u></p> <p>9. The Director Corporate Services may only write off debts, excluding rates, limited to a value up to \$5,000 (ex GST) per debtor within a financial year.</p> <p>10. The Manager Financial Services may write off debts, excluding rates, limited to a value up to \$1,000 (ex GST) per debtor within a financial year.</p> <p>11. The Rates Officer may write off debts, excluding rates, limited to a value up to \$50 (ex GST) per debtor within a financial year.</p> <p>The Chief Executive Officer has discretion to determine any conditions applicable to use of sub-delegated powers or duties.</p> <p>This delegation does not negate the need for community groups or individuals to apply for funding and donation through 6/003 'Community Grants Program' Policy.</p> |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Financial Services (1031) Rates Officer (1042) (1340) |
| Subdelegate conditions | Director Corporate Services (Function 1, 2, 3, 4) Director Regulatory Services (Function 1, 2, 3) Director Infrastructure Services (Function 1, 2, 3) Director Community Services (Function 1, 2, 3) Rates Officer (Function 1, 2, 3, 4) Manager Financial Services (Function 1, 2, 3, 4) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.24 Power to Invest and Manage Investments |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for |
| Function | <ol style="list-style-type: none"> 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)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy Council Investments 2/010. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. The placement or redemption of all investments requires dual authorisation by the Chief Executive Officer or a Director, and another Director or Manager as appointed in writing by the CEO. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | <p>Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Executive Manager Human Resources (1017) Manager Digital Services (1060) Manager Environmental Services (1261) Manager ERP Project (1064) Manager Events, Arts & Culture (1323) Manager Financial Services (1031) Manager Governance (1045) Manager Infrastructure Projects & Assets (1160) Manager Planning & Economic Development (1278) Manager Project Design & Delivery Manager Public Affairs (1011) Manager Recreation & Leisure Facilities (1070) Manager Waste & Services (1291) Manager Youth & Community Development (1117) Senior Accountant - Payables (1032) Senior Accountant (1033) Senior Financial Accountant (1035) Senior Management Accountant (1040)</p> |

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| Subdelegate conditions | Directors (Function 1) Managers (Function 1) Manager ERP Project (Function 1) Director Corporate Services (Function 1 & 2) Manager Financial Services (Function 1 & 2) Senior Accountant - Payable (Function 1 & 2) Senior Management Accountant (Function 1 & 2) Senior Financial Accountant (Function 1 & 2) Senior Accountant (Function 1 & 2) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.25 Rate Record Amendment |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.39(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 |
| Function | <ol style="list-style-type: none"> 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)]. 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)]. 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)]. 4. Authority to provide the owner of rateable land a dated notice accompanied by the details and particulars described [6.41(1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Customer Experience (1380) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Team Leader (1275) Director Corporate Services (1029) Manager Financial Services (1031) Rates Officer (1042) (1340) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Director Corporate Services (Function 1, 2, 3, 4) Manager Financial Services (Function 1, 2, 3, 4) Senior Accountant - Payable (Function 1) Rates Officer (Function 1, 2, 3, 4) Customer Service Officer - Civic Centre (Function 4) Customer Service Team Leader (Function 4) Customer Service Coordinator (Function 4) Coordinator Customer Service (Function 4) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.26 Agreement as to Payment of Rates and Service Charges |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges |
| Function | Authority to make an agreement with a person for the payment of rates or service charges [s.6.49]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Customer Experience (1380) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Team Leader (1275) Director Corporate Services (1029) Manager Financial Services (1031) Rates Officer (1042) (1340) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Payments of rates and service charges to be done in accordance with Policy Debt Management 2/005 |
| Policy | Policy Debt Management 2/005 |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.27 Determine Due Date for Rates or Service Charges |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable |
| Function | Authority to determine the date on which rates or service charges become due and payable to the Town [s.6.50]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Corporate Services (1029) Manager Financial Services (1031) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.28 Recovery of Rates or Service Charges |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.55 Rates or service charges recovery s.6.56 Rates or service charges recoverable in court |
| Function | <ol style="list-style-type: none"> 1. Authority to recover rates or service charges on land [s.6.55] 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Corporate Services (1029) Manager Financial Services (1031) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.29 Recover a Fee or Charge (Excluding Rates) |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.16 Imposition of fees and charges |
| Function | 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> . |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Corporate Services (1029) Manager Financial Services (1031) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent |
| Function | <ol style="list-style-type: none"> 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 Town [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Corporate Services (1029) Manager Financial Services (1031) Senior Accountant - Payables (1032) |
| Subdelegate conditions | Payments of rates and service charges are to be done in accordance with 2/005 Policy Debt Management. |
| Policy | 2/005 Policy Debt Management. |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.31 Recovery of Rates Debts - Actions to Take Possession of the Land |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years |
| Function | <ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the Town [s.6.71]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)]. 3. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale <u>without having</u> , within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.32 Rate Record – Objections |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.6.76 Grounds of objection |
| Function | <ol style="list-style-type: none"> 1. Authority to extend the time for a person to make an objection to a rate record [s.6.76 (4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Corporate Services (1029) Manager Financial Services (1031) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.33 Authority to Commence Prosecutions under the Local Government Act and Local Laws |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.4.97 Prosecutions s.9.24 Prosecutions, commencing |
| Function | <ol style="list-style-type: none"> 1. The power to commence a prosecution for an offence against the Local Government Act 1995 [s.9.24(1)(b)&(c)]. 2. The power to commence a prosecution for an offence under a Town of Port Hedland Local Laws pursuant to Part 4, Division 11 [s.9.24(2)(a)&(b)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.2.34 Execute Documents and Contract Formalities |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.9.49A Execution of Documents s.9.49B Contract Formalities |
| Function | <ol style="list-style-type: none"> 1. To sign documents on behalf of the local government subject to the conditions below [s.9.49A(4)]. 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ol style="list-style-type: none"> a. The authorised officers may only sign documents in accordance with the Town's Policy 1/014 Execution of Documents and Application of the Common Seal. 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 Town's Policy 1/014 Execution of Documents and Application of the Common Seal. |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

01.3 CEO to Employees

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| Delegation | 1.3.1 Determine if an Emergency for Emergency Powers of Entry |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency |
| Function | Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)]. |
| Delegates | Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <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) |
| Function | When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.2.10: <ol style="list-style-type: none"> 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)]. 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)]. 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)]. |
| Delegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Conditions | <ol style="list-style-type: none"> a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.10 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <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 |
| Function | When determining to grant permission to for a dangerous excavation under Delegated Authority 1.2.12: <ol style="list-style-type: none"> 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)]. 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)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. |
| Delegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Conditions | <ol style="list-style-type: none"> a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.2.13 Public Thoroughfares – Dangerous Excavations. b. Actions under this Delegation must comply with the procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 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)]. 2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)]. |
| Delegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.5 Electoral Enrolment Eligibility Claims and Electoral Roll |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.4.32(4), (5A) & (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) & (4) Register - s.4.32(6) |
| Function | <ol style="list-style-type: none"> 1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 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)]. 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.4.32(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 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)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded is accurate [Elections r.13(4)]. 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]. 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. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)]. 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)]. |
| Delegates | Manager Governance (1045) |
| Conditions | 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). |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.6 Destruction of Electoral Papers |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government (Elections) Regulations 1997:</i> r.82(4) Keeping election papers – s4.84(a) |
| Function | Authority to, after a period of at least 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)]. |
| Delegates | Director Corporate Services (1029) Manager Digital Services (1060) Manager Governance (1045) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.7 Financial Management Systems and Procedures |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's Duties as to financial management |
| Function | Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> 1. Collection of money owed to the Town; 2. Safe custody and security of money collected or held by the Town; 3. Maintenance and security of all financial records; 4. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; 5. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; 6. Making of payments in accordance with Delegated Authority; and 7. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. |
| Delegates | Director Corporate Services (1029) Manager Financial Services (1031) Senior Accountant - Payables (1032) Senior Accountant (1033) Senior Financial Accountant (1035) Senior Management Accountant (1040) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.8 Infringement Notices |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <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 Town of Port Hedland Local Laws |
| Function | <ol style="list-style-type: none"> 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)]. 2. Authority to give an infringement notice to an alleged offender [9.16]. 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]. 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]. |
| Delegates | Coordinator Ranger Services (1262) Coordinator Urban Planning (1284) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Graduate Planner (1283) Manager Environmental Services (1261) Manager Planning & Economic Development (1278) Planning & Development Support Officer (1280) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Building Surveyor (1282) Senior Environmental Health Officer (1272) Senior Urban Planner (1279) |

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| Conditions | <p>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.</p> <p>Director Regulatory Services (Function 1, 3, 4) Manager Environmental Services (Function 1, 2, 3) Manager Planning and Economic Development (Function 2) Coordinator Ranger Services (Function 1, 2) Emergency Management Advisor (Function 1, 2) Leader Ranger (Function 1, 2) Ranger(s) (Function 1, 2) Senior Environmental Health Officer (Function 2) Environmental Health Officer (Function 2) Graduate Environmental Health Officer (Function 2) Senior Urban Planner (Function 2) Planner (Function 2) Graduate Planner (Function 2) Planning and Development Support Officer (Function 2) Building Surveyor (Function 2)</p> |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.9 Acting Chief Executive Officer |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.5.39(1a)(a) An employee may act in the position of a CEO |
| Function | Senior Employee to act in the capacity of Chief Executive Officer during absences not exceeding three months [s.5.39(1a)(a)]. |
| Delegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Conditions | Only a senior permanent employee can be appointed as acting Chief Executive Officer and in accordance with 3/007 'Senior Employees and Appointing Acting Chief Executive Officer' Policy. |
| Express power to subdelegate | Nil |
| Policy | Policy 3/007 'Senior Employees and Appointing Acting Chief Executive Officer'. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.10 Complaints Officer (For Council Members, Committee Members and Candidates) |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s.5.120 Complaints officer |
| Function | Senior employee to be the designated Complaints Officer under the <i>Local Government Act 1995</i> [s.5.120(1)]. |
| Delegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Conditions | <p>a. Persons employed and permanently appointed to the above senior employee positions are designated as the Town of Port Hedland Complaints Officer in the following order listed. In the absence of the Director Corporate Services, the Director Regulatory Services will be the Complaints Officer, in the absence of the Director Regulatory Services, the Director Community Services will be the Complaints Officer and in the absence of the Director Community Services, the Director Infrastructure Services will be the Complaints Officer.</p> <p>b. Persons acting in the position of Director cannot receive this delegation.</p> <p>c. All decisions and process are to align with the Town of Port Hedland Code of Conduct for Council Members, Committee Members and Candidates</p> |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 1.3.12 Representing Local Government in Court |
| Head of power | 01 Local Government Act 1995 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Express power or duty delegated | <i>Local Government Act 1995:</i> s. 9.29 Representing local government in court |
| Function | To represent the local government in proceedings in the Magistrates Court the Children's Court or the State Administrative Tribunal or proceedings in respect of a claim against a person who takes the benefit of an Act for the relief of bankrupt debtors [s.9.29(1)(a)&(b)]. |
| Delegates | Coordinator Ranger Services (1262) Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Environmental Services (1261) Manager Financial Services (1031) Manager Governance (1045) Manager Planning & Economic Development (1278) Senior Accountant - Payables (1032) |
| Conditions | Provided the proceedings relate to the officer's position description. |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

02 Emergency Management Act 2005

Emergency Management Act 2005

02.1 Council to CEO / Employees

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| Delegation | 2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area |
| Head of power | 02 Emergency Management Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <i>Emergency Management Act 2005:</i> s.45 Exercise of powers under this division |
| Express power or duty delegated | <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 |
| Function | Powers and functions of local government during a cyclone under Part 3 Division 3 of the <i>Emergency Management Act 2005</i> . |
| Delegates | Chief Executive Officer (1009) Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Emergency Management Advisor (1268) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Project Officer - Operations (1355) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

03 Freedom of Information Act 1992

Freedom of Information Act 1992

03.1 CEO to Employees

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| Delegation | 3.1.1 Decisions Made Under the Freedom of Information Act 1992 |
| Head of power | 03 Freedom of Information Act 1992 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Freedom of Information Act 1992:</i> s.100 Who in agency makes its decisions |
| Express power or duty delegated | <i>Freedom of Information Act 1992:</i> s.100 Who in agency makes its decisions |
| Function | <ol style="list-style-type: none"> 1. All primary decisions made under the <i>Freedom of Information Act 1992</i>; and 2. Internal review of primary decision as to access under section 41. |
| Delegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Digital Services (1060) Manager Governance (1045) Senior Governance Advisor (1048) Senior Records Officer (1055) |
| Conditions | Delegates who perform Function 1 cannot undertake Function 2 in respect to the same application. Directors (Function 2) Manager Governance (Function 1, 2) Manager Digital Services (Function 1, 2) Senior Legal Counsel (Function 2) Senior Governance Advisor (Function 1, 2) Senior Records Officer (Function 1) |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

04 Public Interest Disclosures Act 2003

Public Interest Disclosures Act 2003

04.1 CEO to Employees

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| Delegation | 4.1.1 Public Interest Disclosure Officer |
| Head of power | 04 Public Interest Disclosures Act 2003 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <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 |
| Express power or duty delegated | <i>Public Interest Disclosures Act 2003:</i> S.23 Principal executive officer of public authority, duties of |
| Function | The persons responsible for receiving disclosures of public interest information under the <i>Public Interest Disclosures Act 2003</i> . |
| Delegates | Director Corporate Services (1029) Executive Manager Human Resources (1017) Manager Governance (1045) Senior Governance Advisor (1048) |
| Conditions | Nil |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

05 Building Act 2011

Building Act 2011

05.1 Council to CEO

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| Delegation | 5.1.1 Grant a Building Permit |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.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)) |
| Function | <ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> 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 ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4, 5) Manager Planning and Economic Development (Function 1, 2, 3, 4,5) Senior Urban Planner (Function 1, 2, 3, 4, 5) Building Surveyor (Function 1, 2, 3, 4, 5) |

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| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.2 Demolition Permits |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit Building Regulations 2012: r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c)) |
| Function | <ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> 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)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26]. |
| Delegates | Chief Executive Officer (1009) |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4, 5) Manager Planning and Economic Development (Function 1, 2, 3, 4,5) Senior Urban Planner (Function 1, 2, 3, 4, 5) Building Surveyor (Function 1, 2, 3, 4, 5) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.3 Occupancy Permits or Building Approval Certificates |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.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) |
| Function | <ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4) Manager Planning and Economic Development (Function 1, 2, 3, 4) Senior Urban Planner (Function 1, 2, 3, 4) Building Surveyor (Function 1, 2, 3, 4,) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.4 Designate Employees as Authorised Persons |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.96(3) authorised persons s.99(3) Limitation on powers of authorised person |
| Function | <ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)]. 3. Authority to undertake the following functions as authorised persons: <ol style="list-style-type: none"> a. Entry powers [s.100] b. Powers after entry and compliance purposes [s.101] c. Obtaining information and documents [s.102] d. Use of force and assistance [s.103] e. Entry warrant to enter a place [s.106] f. Execution of warrant [s.109] g. To carry out the functions to give effect to a building order [s.118] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | a. Decisions under this delegated authority should be in accordance with r.5 of the <i>Building Regulations 2012</i> . |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Graduate Planner (1283) Manager Planning & Economic Development (1278) Place Facilitator Planning & Development Support Officer (1280) Senior Building Surveyor (1282) Senior Strategic Planner (1281) Senior Urban Planner (1279) Strategic Planner (1285) Swimming Pool Inspector |

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| Subdelegate conditions | <p>Director Regulatory Services (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Manager Planning and Economic Development (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Senior Planner (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Planner (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Senior Planner (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Building Surveyor (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Graduate Planner (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Planning and Development Support Officer (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Place Facilitator (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Project Officer - Strategic Planner (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> <p>Senior Strategic Planner - (Function 3a, 3b, 3c, 3d, 3e, 3f, 3g)</p> |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.5 Appoint Authorised Persons (Swimming Pool Inspectors) |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Regulations 2012:</i> r.53 Inspection of barrier to private swimming pool |
| Function | To inspect the barrier of private swimming pools every 4 years to ensure compliance with the <i>Building Regulations 2012</i> [r.53]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Authorisation from Local Government, pursuant to section 96(3) of the <i>Building Act 2011</i> Regulation 5A of the <i>Building Regulation 2012</i> to designate authorised persons for the purpose of that Act. |
| Subdelegates | Administration Officer Regulatory Services Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Planning & Development Support Officer (1280) Senior Building Surveyor (1282) Swimming Pool Inspector |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.6 Building Orders |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.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 noncompliance s.133(1) A permit authority may commence a prosecution for an offence against this Act |
| Function | <ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> a. Building work; b. Demolition work; and c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> a. take any action specified in the order; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. 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)]. 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 <i>Building Act 2011</i>. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4, 5, 6) Manager Planning and Economic Development (Function 1, 2) Senior Urban Planner (Function 1, 2) Building Surveyor (Function 1, 2) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |

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| Last reviewed | 25 June 2024 |
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| Delegation | 5.1.7 Inspection and Copies of Building Records |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.131(2) Inspection, copies of building records |
| Function | Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Graduate Planner (1283) Manager Planning & Economic Development (1278) Place Facilitator Planning & Development Support Officer (1280) Senior Building Surveyor (1282) Senior Strategic Planner (1281) Senior Urban Planner (1279) Strategic Planner (1285) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.8 Referrals and Issuing Certificates |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Act 2011:</i> s.145A Local Government functions |
| Function | <ol style="list-style-type: none"> 1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the Town's District [s.145A(2)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 1) Manager Planning and Economic Development (Function 1) Senior Urban Planner (Function 1) Building Surveyor (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.9 Private Pool Barrier – Alternative and Performance Solutions |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Regulations 2012:</i> r.51 Application for occupancy permit or building approval certificate for unauthorised work |
| Function | <ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 5.1.10 Smoke Alarms – Alternative Solutions |
| Head of power | 05 Building Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government |
| Express power or duty delegated | <i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms |
| Function | <ol style="list-style-type: none"> 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]. 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO) |
| Subdelegates | Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Building Surveyor (1282) |
| Subdelegate conditions | Director Regulatory Services (Function 2) Manager Planning and Economic Development (Function 2) Building Surveyor (Function 2) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

06 Bush Fires Act 1954

Bush Fires Act 1954

06.1 Council to CEO

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| Delegation | 6.1.1 Powers, Duties and Functions of a Local Government |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i> |
| Function | 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> . |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Excludes powers and duties that are subject to separate authority within this Register as set out below: <ul style="list-style-type: none"> i. Delegation 6.2.1 - Make Request to FES Commissioner – Control of Fire; ii. Delegation 6.2.2 - Prohibited Burning Times – Vary; iii. Delegation 6.2.3 - Prohibited Burning Times – Control Activities; iv. Delegation 6.2.4 - Restricted Burning Times – Vary and Control Activities; v. Delegation 6.2.5 - Control of Operations Likely to Create Bush Fire Danger; vi. Delegation 6.2.6 - Burning Garden Refuse / Open Air Fires; vii. Delegation 6.2.7 - Firebreaks; viii. Delegation 6.2.8 - Appoint Bush Fire Control Officer/s and Fire Weather Officer; ix. Delegation 6.2.9 - Control and Extinguishment of Bush Fires x. Delegation 6.2.10 - Apply for Declaration as an Approved Area; xi. Delegation 6.2.11 - Recovery of Expenses Incurred through Contraventions of this Act; xii. Delegation 6.2.12 - Prosecution of Offences; and xiii. Delegation 6.2.13 - Withdrawal of Infringement Notices; are prescribed in the Act with a requirement for a resolution of local government; and are prescribed by the Act for performance by appointed officers. |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

06.2 Council to CEO, Mayor and Bush Fire Control Officer

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| Delegation | 6.2.1 Make Request to FES Commissioner – Control of Fire |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.13(4) Duties and powers of bush fire liaison officers |
| Function | Authority to request on behalf of the Town that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s.13(4)]. |
| Delegates | Chief Bush Fire Control Officer Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Emergency Management Advisor (1268) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.2 Prohibited Burning Times - Vary |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister <i>Bush Fire Regulations 1954:</i> r.15 Permit to burn (Act s.18), form of and apply for after refusal etc. r.38C Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r.39B Crop dusters etc., use of in restricted or prohibited burning times |
| Function | 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)]. |
| Delegates | Chief Executive Officer (1009) Deputy Chief Bush Fire Control Officer Mayor |
| Conditions | Decisions under s,17(7) must be undertake jointly by both the Chief Executive Officer, Mayor and Deputy Chief Bush Fire Control Officer (DCBFCO) and must comply with the procedural requirements of s.17(7B) and (8). |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.3 Prohibited Burning Times – Control Activities |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.17(7) Prohibited burning times may be declared by Minister 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 |
| Function | <ol style="list-style-type: none"> 1. Authority to determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r.15]. 2. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 3. Authority to determine, during a Prohibited Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B(2)]. 4. Authority to issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 5. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 6. Authority to recover the cost of measures taken by the Town 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)]. |
| Delegates | Bush Fire Control Officers Chief Bush Fire Control Officer Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Emergency Management Advisor (1268) |

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| Conditions | <p>Chief Executive Officer (Function 1, 2, 3, 4, 5, 6) Chief Bush Fire Control Officer (Department of Fire & Emergency Services [DFES]) (Function 3, 4) Deputy Chief Bush Fire Control Officer (Function 1, 3, 4, 5) Emergency Management Advisor (Function 1, 3, 4, 5) Bush Fire Control Officers:</p> <ul style="list-style-type: none"> • Coordinator Ranger Services (Function 3) • Chief Bush Fire Control Officer at Shire of Ashburton (Function 3) • Chief Bush Fire Control Officer at Shire of East Pilbara (Function 3) • Chief Bush Fire Control Officer at City of Karratha (Function 3) <p>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).</p> |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.4 Restricted Burning Times – Vary and Control Activities |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <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 <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 |
| Function | <ol style="list-style-type: none"> 1. Authority, where seasonal conditions warrant it and after consultation with an authorised CALM Act officer, to determine to vary the restricted burning times in respect of that year [s.18(5)]. <ol style="list-style-type: none"> a. Authority to determine to prohibit burning on Sundays or specified days that are public holidays in the District [r.15C]. 2. Authority, where a permitted burn fire escapes or is out of control in the opinion of the Bush Fire Control Officer or an officer of the Bush Fire Brigade, to determine to recoup bush fire brigade expenses arising from preventing extension of or extinguishing an out of control permitted burn [s.18(11)]. 3. Authority to determine permits to burn during restricted times that have previously been refused by a Bush Fire Control Officer [r.15]. 4. Authority to arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s.22(6) and (7)]. 5. Authority to declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r.38C]. 6. Authority to determine, during a Restricted Burning Time, if a firebreak around a landing ground for an aeroplane has been satisfactorily prepared [r.39B]. 7. Authority to issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r.39B(3)]. 8. Authority to prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s.27(2) and (3)]. 9. Authority to recover the cost of measures taken by the Town 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)]. |

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| Delegates | Chief Bush Fire Control Officer Chief Executive Officer (1009) Deputy Chief Bush Fire Control Officer Emergency Management Advisor (1268) |
| Conditions | Chief Executive Officer (Function 1, 2, 3, 4, 5, 6, 7, 8, 9) Chief Bush Fire Control Officer (Department of Fire & Emergency Services [DFES]) (Function 1) Deputy Chief Bush Fire Control Officer (Function 1, 3, 4, 5, 6, 7, 8) Emergency Management Advisor (Function 1, 3, 4, 5, 6, 7, 8) |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.5 Control of Operations Likely to Create Bush Fire Danger |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 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"> a. a person operating a bee smoker device during a prescribed period [r.39CA(5)]. b. a person operating welding apparatus, a power operated abrasive cutting disc [r.39C(3)]. c. a person using explosives [r.39D(2)]. d. a person using fireworks [r.39E(3)]. 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]. Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer. |
| Delegates | Chief Bush Fire Control Officer Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Emergency Management Advisor (1268) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 1, 2) Chief Bush Fire Control Officer (Department of Fire & Emergency Services [DFES]) (Function 1, 2) Deputy Chief Bush Fire Control Officer (Function 1, 2) Emergency Management Advisor (Function 1, 2) Bush Fire Control Officers: <ul style="list-style-type: none"> • Coordinator Ranger Services (Function 1, 2) • Lead Ranger (Function 1, 2) • Ranger(s) (Function 1, 2) • Chief Bush Fire Control Officer at Shire of Ashburton (Function 1, 2) • Chief Bush Fire Control Officer at Shire of East Pilbara (Function 1, 2) |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |

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| Delegation | 6.2.6 Burning Garden Refuse / Open Air Fires |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s.24F(2)(b)(ii) and (4)]. 2. Authority to prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s.24F [s.24G(2)]. <ol style="list-style-type: none"> a. Authority to issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r.27(3) and r.33(5)]. b. Authority to prohibit (object to) the issuing of a permit for the burning of a proclaimed plant growing upon any land within the District [r.34]. 3. Authority to provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: <ol style="list-style-type: none"> a. camping or cooking [s.25(1)(a)]. b. conversion of bush into charcoal or for the production of lime, in consultation with an authorised CALM Act officer [s.25(1)(b)]. 4. Authority to prohibit the lighting of fires in the open 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)]. 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)]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Emergency Management Advisor (1268) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |

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| Delegation | 6.2.7 Firebreaks |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.33 Local government may require occupier of land to plough or clear fire-breaks |
| Function | <ol style="list-style-type: none"> 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 Town: <ol style="list-style-type: none"> a. clearing of firebreaks as determined necessary and specified in the notice; b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s.33(1)]. 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"> 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)]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Director Regulatory Services (1245) Emergency Management Advisor (1268) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 1, 2) Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1, 2) Deputy Chief Bush Fire Control Officer (Function 1) Deputy Chief Bush Fire Control Officer (Emergency Management Advisor) (Function 1) Coordinator Ranger Services (Function 1) Lead Ranger (Function 1) Ranger(s) (Function 1) |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.38 Local Government may appoint bush fire control officer s.38A FES Commissioner may designate person employed in Department as Chief Bush Fire Control Officer |
| Function | <ol style="list-style-type: none"> 1. Authority to appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954: <ol style="list-style-type: none"> a. Of those Officers, appoint 2 as the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer; and b. Determine the respective seniority of the other Bush Fire Officers so appointed [s.38(1)]. 2. Authority to issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Town [s.38(5A)]. 3. Authority to appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s.38(17). [s.38(8) and (9)]: <ol style="list-style-type: none"> a. Authority to appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s.38(10)]. |
| Delegates | Chief Executive Officer (1009) Emergency Management Advisor (1268) |
| Conditions | <p>Appointments:</p> <p>Deputy Chief Bush Fire Control Officer</p> <ul style="list-style-type: none"> • Emergency Management Advisor <p>Bush Fire Control Officer</p> <ul style="list-style-type: none"> • Coordinator Ranger Services • Lead Ranger • Ranger(s) • Bushfire Risk Management Planning Officer • Chief Bush Fire Control Officer at the Shire of Ashburton • Chief Bush Fire Control Officer at the Shire of East Pilbara |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.9 Control and Extinguishment of Bush Fires |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.46 Bush fire control officer or forest officer may postpone lighting fire |
| Function | <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> |
| Delegates | <p>Chief Bush Fire Control Officer Chief Executive Officer (1009) Coordinator Ranger Services (1262) Deputy Chief Bush Fire Control Officer Director Regulatory Services (1245) Emergency Management Advisor (1268) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269)</p> |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.10 Apply for Declaration as an Approved Area |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.52(1) Approved area may be declared |
| Function | <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><i>(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.)</i></p> |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.11 Recovery of Expenses Incurred through Contraventions of this Act |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.58 General penalty and recovery of expenses incurred |
| Function | 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 Town or those on behalf of the Town to do [s.58]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.12 Prosecution of Offences |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.59 Prosecution of offences s.59A(2) Alternative procedure – infringement notices |
| Function | <ol style="list-style-type: none"> 1. Authority to institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s.59]. 2. Authority to serve an infringement notice for an offence against this Act [s.59A(2)]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Emergency Management Advisor (1268) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 6.2.13 Withdrawal of Infringement Notices |
| Head of power | 06 Bush Fires Act 1954 |
| Delegator | Local Government |
| Express power to delegate | <i>Bush Fires Act 1954:</i> s.48 Delegation by local government |
| Express power or duty delegated | <i>Bush Fires Act 1954:</i> s.59A(5) Alternative procedure – infringement notices |
| Function | 1. Authority to withdraw an infringement notice for an offence against this Act [s.59A(5)]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Sub-delegation is prohibited by s.48(3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

07 Cat Act 2011

Cat Act 2011

07.1 Council to CEO

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| Delegation | 7.1.1 Cat Registrations |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the Town's District [Regs. Sch. 3 cl.1(4)]. 6. Authority to give notice to owner of a cat of decisions regarding to registrations [s.13 (1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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> . |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |

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| Subdelegates | Administration Officer - Corporate Services (1030) Administration Officer - Infrastructure Services (1158) (1310) Administration Officer – Regulatory Services (1246) Administration Officer Regulatory Services Coordinator Customer Experience (1380) Coordinator Ranger Services (1262) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Team Leader (1275) Director Regulatory Services (1245) Library Officer Library Officer - Children's Program Library Officer - Local History Library Supervisor (1124) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Librarian (1123) Trainee Administration Officer |
| Subdelegate conditions | Director Regulatory Services (Function 3, 4, 5, 6) Manager Environmental Services (Function 3, 4, 6) Coordinator Ranger Services (Function 1, 3, 6) Lead Ranger (Function 1, 3, 6) Ranger(s) (Function 1, 3, 6) Senior Librarian (Function 1, 4) Libraries Supervisor (Function 1, 4) Library Officer(s) (Function 1, 4) Library Officer Local History (Function 1,4) Library Officer - Children's Program (Function 1,4) Customer Service Team Leader (Function 1, 4) Customer Service Coordinator (Function 1,4) Customer Service Officer (excl. Leisure) (Function 1, 4) Coordinator Customer Experience (Function 1, 4) Administration Officer Corporate Services (Function 1, 4) Administration Officer Regulatory Services (Function 1, 4) Administration Officer Infrastructure (Function 1, 4) Trainee Administration Officer (Function 1, 4) Ranger Support Officer (Function 1, 4) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.2 Cat Control Notices |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner |
| Function | Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the Town's District [s.26]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.3 Approval to Breed Cats |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37 (1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag [s.39]. 5. Authority to give notice of a decision regarding an application to breed cats [s.40] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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> . |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Subdelegates | Administration Officer - Corporate Services (1030) Administration Officer - Infrastructure Services (1158) (1310) Administration Officer – Regulatory Services (1246) Administration Officer Regulatory Services Coordinator Customer Experience (1380) Coordinator Ranger Services (1262) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Team Leader (1275) Director Regulatory Services (1245) Library Officer Library Officer - Children's Program Library Officer - Local History Library Supervisor (1124) Manager Environmental Services (1261) Senior Librarian (1123) Trainee Administration Officer |

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| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4, 5) Manager Environmental Services (Function 1, 2, 3, 4, 5) Coordinator Ranger Services (Function 4) Senior Librarian (Function 4) Libraries Supervisor (Function 4) Library Officer(s) (Function 4) Library Officer Local History (Function 4) Library Officer - Children's Program (Function 4) Customer Service Team Leader (Function 4) Customer Service Officer(s) (Function 4) Customer Service Coordinator (Function 4) Coordinator Customer Experience (Function 4) Administration Officer Corporate Services (Function 4) Administration Officer Regulatory Services (Function 4) Administration Officer Infrastructure Services (Function 4) Trainee Administration Officer (Function 4) Ranger Support Officer (Function 4) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.4 Appoint Authorised Persons |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | Cat Act 2011: s.44 Delegation by local government |
| Express power or duty delegated | <i>Cat Act 2011:</i> s. 48 Authorised persons |
| Function | <ol style="list-style-type: none"> 1. Authority to appoint authorised persons by issuing a certificate of authorisation [s.48]. 2. Authority to undertake the following functions as authorised persons: <ol style="list-style-type: none"> a. To seize a cat [s.27] b. To cause a cat to be destroyed [s. 49] c. To require a person's details [s. 50] d. To enter premises [s. 51] e. To carry out general powers of authorised person [s. 52] f. To apply for a warrant [s.57] g. To give an infringement notice [s. 62] h. To commence a prosecution [s. 73] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Director Regulatory Services (Function 2a, 2b, 2c, 2d, 2e, 2f and 2h) Manager Environmental Services (Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Coordinator Ranger Services (Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Lead Ranger (Function 2a, 2b, 2c, 2d, 2e, 2f and 2g) Ranger(s)s (Function 2 a, 2b, 2c, 2d, 2e, 2f and 2g) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.5 Recovery of Costs – Destruction of Cats |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed |
| Function | Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.6 Applications to Keep Additional Cats |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 3. Authority to grant or refuse approval for additional number of cats specified in an application 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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> . |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Director Regulatory Services (Function 3) Manager Environmental Services (Function 1, 2, 3) Coordinator Ranger Services (Function 1, 2) Lead Ranger (Function 1, 2) Ranger(s) (Function 1, 2) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 7.1.7 Reduce or Waiver Registration Fee |
| Head of power | 07 Cat Act 2011 |
| Delegator | Local Government |
| Express power to delegate | <i>Cat Act 2011:</i> s.44 Delegation by local government |
| Express power or duty delegated | <i>Cat Regulations 2012:</i> Schedule 3 Fees clause 1(4) |
| Function | Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any class of cat within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> . |
| Express power to subdelegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Subdelegates | Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

07.2 CEO to Employees

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| Delegation | 7.2.1 Infringement Notices – Extensions and Withdrawals |
| Head of power | 07 Cat Act 2011 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Cat Act 2011:</i> s.45 Delegation by CEO of local government |
| Express power or duty delegated | <i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice |
| Function | <ol style="list-style-type: none"> 1. Authority to extend the period of 28 days within which the modified penalty may be paid, and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65]. |
| Delegates | Director Regulatory Services (1245) Manager Environmental Services (1261) |
| Conditions | Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

08 Dog Act 1976

Dog Act 1976

08.1 Council to CEO

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| Delegation | 8.1.1 Dog Registrations |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to determine a dog registration [s.16(2)]. 2. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 3. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> 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 Cat Act 2011 or the Animal Welfare Act 2002; ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept; iv. the dog is required to be microchipped but is not microchipped; and v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 4. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the Town's District [s15(4A)]. 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"> 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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. |
| Express power to subdelegate | <i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (<i>NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation</i>) |

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| Subdelegates | Administration Officer - Corporate Services (1030) Administration Officer - Infrastructure Services (1158) (1310) Administration Officer – Regulatory Services (1246) Administration Officer Regulatory Services Coordinator Customer Experience (1380) Coordinator Ranger Services (1262) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Team Leader (1275) Director Regulatory Services (1245) Library Officer Library Officer - Children's Program Library Officer - Local History Library Supervisor (1124) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Librarian (1123) Trainee Administration Officer |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.2 Kennel Establishments |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments s.26 Limitations and Exemptions |
| Function | <ol style="list-style-type: none"> 1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)]. 2. Authority to limit the number of dogs and authority to issue an exemption [s.26] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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. |
| Express power to subdelegate | <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) |
| Subdelegates | Director Regulatory Services (1245) Manager Environmental Services (1261) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.3 Appoint Authorised Persons |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976 and Dog Regulations 2013</i> |
| Function | <ol style="list-style-type: none"> 1. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act. 2. Authority to undertake the following functions as authorised persons <ol style="list-style-type: none"> a. To seize dogs [s.29(1)] b. To declare a dog to be dangerous [s.33] c. To seize and destroy dogs [s.33G] d. Issue an order regarding a nuisance dog [s.38] e. Apply for an order that a dog be destroyed [s.39] f. Request personal details [s.43A] g. Commence enforcement proceedings [s.44] h. Veterinary services [s.47] i. To issue an infringement notice [r.35] j. To withdraw infringement notices [r.37] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (<i>NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation</i>) |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Director Regulatory Services (Function 2(a), 2(b), 2(c), 2(d), 2(e), 2(f), 2(g) 2(h), 2(j)) Manager Environmental Services (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(i)) Coordinator Ranger Services (Function 2(a), 2(c), 2(d), 2(f), 2(h), 2(i)) Lead Ranger (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)) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.4 Recovery of Moneys due under this Act |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976:</i> s.29(5) Power to seize dogs |
| Function | 1. Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | a. 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. |
| Express power to subdelegate | <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) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.5 Dispose of or Sell Dogs Liable to be Destroyed |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976:</i> s.29(11) Power to seize dogs |
| Function | Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <p>a. 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.</p> <p>b. Proceeds from the sale of dogs are to be directed into the Municipal Fund.</p> |
| Express power to subdelegate | <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) |
| Subdelegates | Coordinator Ranger Services (1262) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.6 Declare Dangerous Dog |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared) |
| Function | Authority to declare an individual dog to be a dangerous dog [s.33E(1)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | The Chief Executive Officer may further delegate (sub-delegate). |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 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"> 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | The Chief Executive Officer may further delegate (sub-delegate). |
| Express power to subdelegate | <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) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 8.1.8 Determine Recoverable Expenses for Dangerous Dog Declaration |
| Head of power | 08 Dog Act 1976 |
| Delegator | Local Government |
| Express power to delegate | <i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties |
| Express power or duty delegated | <i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable |
| Function | 1. Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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. |
| Express power to subdelegate | <i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (<i>NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation</i>) |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

09 Animal Welfare Act 2002

Animal Welfare Act 2002

09.1 CEO to Employees

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| Delegation | 9.1.1 General Inspector |
| Head of power | 09 Animal Welfare Act 2002 |
| Delegator | Chief Executive Officer (1009) |
| Express power to delegate | <i>Animal Welfare Act 2002:</i> a.33(2)(a)(v) Appointment of general inspectors |
| Express power or duty delegated | <i>Animal Welfare Act 2002:</i> s.33 Appointment of general inspectors |
| Function | Power to carry out duties as a General Inspector [s.33]. |
| Delegates | N/A |
| Conditions | Appointment from Chief Executive Officer – Department of Public Service, pursuant to section 33 of the Animal Welfare Act 2002 (this is not a Council power to appoint). |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

10 Food Act 2008

Food Act 2008

10.1 Council to CEO

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| Delegation | 10.1.1 Prohibition Orders |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Nil |
| Express power to subdelegate | Nil - <i>Food Regulations 2009</i> do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.2 Food Business Registrations |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112]. |
| Delegates | Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | <p>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:</p> <ol style="list-style-type: none"> 1. Food Act 2008 Regulatory Guideline No.1 Introduction of Regulatory Food Safety Auditing in WA; 2. Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No.1; 3. WA Priority Classification System; and 4. Verification of Food Safety Program Guideline. <p>Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1, 2) Senior Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1)</p> |
| Express power to subdelegate | Nil - <i>Food Regulations 2009</i> do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.3 Appoint Authorised Officers and Designated Officers |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers |
| Function | <ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the Food Act 2008 [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the Public Health Act 2016, to be a Designated Officer for the purposes of issuing Infringement Notices under the Food Act 2008 [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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"> 1. Appointment of Authorised Officers as Meat Inspectors; 2. Appointment of Authorised Officers; 3. Appointment of Authorised Officers – Designated officers only; and 4. Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer. |
| Express power to subdelegate | Nil - Food Regulations 2009 do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.4 Authorised Persons |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <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 |
| Function | To exercise the powers and functions of authorised persons under the Food Act 2008 as described below: <ol style="list-style-type: none"> 1. Exercise the powers of authorised officers. 2. To make a seizure as prescribed in section 40 of the <i>Food Act 2008</i>. 3. To make an application for a warrant. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Chief Executive Officer (Function 1, 2, 3) Director Regulatory Services (Function 1, 2, 3) Manager Environmental Services (Function 1, 2, 3) Senior Environmental Health Officer (Function 1, 2, 3) Environmental Health Officer (Function 1, 2, 3) |
| Express power to subdelegate | Nil - Food Regulations 2009 do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.5 Designated Officers and Infringement Notices |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | Food Act 2008: s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations |
| Express power or duty delegated | <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 |
| Function | 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"> 1. To give an infringement notice; 2. To inform and receive payment for modified penalties; 3. To extend the payment period for a modified penalty; and 4. To withdraw an infringement notice. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Chief Executive Officer (Function 3, 4) Director Regulatory Services (Function 3, 4) Manager Environmental Services (Function 1, 2) Senior Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1, 2) |
| Express power to subdelegate | Nil - <i>Food Regulations 2009</i> do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.6 Debt Recovery and Prosecutions |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings |
| Function | <ol style="list-style-type: none"> 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the <i>Food Act 2008</i> [s.125]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) |
| Conditions | In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. |
| Express power to subdelegate | Nil - <i>Food Regulations 2009</i> do not provide for sub-delegation |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 10.1.7 Food Businesses List – Public Access |
| Head of power | 10 Food Act 2008 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <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 |
| Function | Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. |
| Express power to subdelegate | Nil - <i>Food Regulations 2009</i> do not provide for sub-delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

11 Graffiti Vandalism Act 2016

Graffiti Vandalism Act 2016

11.1 Council to CEO

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| Delegation | 11.1.1 Give Notice Requiring Obliteration of Graffiti |
| Head of power | 11 Graffiti Vandalism Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government |
| Express power or duty delegated | <i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given |
| Function | <ol style="list-style-type: none"> 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)]. 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government |
| Subdelegates | Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 11.1.2 Notices – Deal with Objections and Give Effect to Notices |
| Head of power | 11 Graffiti Vandalism Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government |
| Express power or duty delegated | <i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice |
| Function | <ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> 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 ii. To give notice to the affected person, before taking the necessary actions [s.24(3)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government |
| Subdelegates | Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 11.1.3 Obliterate Graffiti on Private Property |
| Head of power | 11 Graffiti Vandalism Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government |
| Express power or duty delegated | <i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property |
| Function | 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)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Subject to exercising Powers of Entry. |
| Express power to subdelegate | Graffiti Vandalism Act 2016: s.17 Delegation by CEO of local government |
| Subdelegates | Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Project Officer - Operations (1355) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 11.1.4 Powers of Entry |
| Head of power | 11 Graffiti Vandalism Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government |
| Express power or duty delegated | <i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant |
| Function | <ol style="list-style-type: none"> 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]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government |
| Subdelegates | Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Project Officer - Operations (1355) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/24 CM202324/292 |
| Last reviewed | 25 June 2024 |

12 Fines, Penalties, and Infringement Notices Enforcement Act 1994

Fines, Penalties, and Infringement Notices Enforcement Act 1994

12.1 Council to CEO / Employees

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| Delegation | 12.1.1 Register and Withdraw Infringement Notices |
| Head of power | 12 Fines, Penalties, and Infringement Notices Enforcement Act 1994 |
| Delegator | Local Government |
| Express power to delegate | <i>Fines, Penalties and Infringement Notices Act 1994:</i> s.13(2) Approved prosecuting authorities and officers |
| Express power or duty delegated | <i>Fines, Penalties and Infringement Notices Act 1994:</i> s.16 Registration of infringement notice: enforcement certificate s.22 Prosecuting authority may withdraw proceedings |
| Function | The powers and functions of designated officers under the <i>Fines, Penalties and Infringement Enforcement Act 1994</i> : <ol style="list-style-type: none"> 1. To register an infringement notice / enforcement certificate [s.16]. 2. To withdraw proceedings [s.22]. |
| Delegates | Administration Officer – Regulatory Services (1246) Administration Officer Regulatory Services Chief Executive Officer (1009) Coordinator Ranger Services (1262) Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Environmental Services (1261) Manager Planning & Economic Development (1278) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Building Surveyor (1282) |
| Conditions | Chief Executive Officer (Function 1, 2) Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1) Manager Planning and Economic Development (Function 1) Building Surveyor (Function 1) Coordinator Ranger Services (Function 1) Lead Ranger (Function 1) Ranger(s) (Function 1) Ranger Support Officer (Function 1) Administration Officer Regulatory Services (Function 1) Senior Urban Planner (Function 1) |
| Express power to subdelegate | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |

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| Last reviewed | 25 June 2024 |
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13 Litter Act 1979

Litter Act 1979

13.1 Council to CEO / Employees

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| Delegation | 13.1.1 Authorised Officers |
| Head of power | 13 Litter Act 1979 |
| Delegator | Local Government |
| Express power to delegate | <i>Litter Act 1979:</i> s.26 (1)(c)(ii) Authorised officers, appointment and jurisdiction of etc. |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. To issue infringement notices [s.30(1)]. 2. To withdraw an infringement notice [s.30(4)&(4A)]. 3. The powers and functions of authorised officers [s.27]. 4. To institute a prosecution [s.27A]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 2, 3, 4) Director Regulatory Services (Function 2, 3, 4) Manager Environmental Services (Function 1, 3) Coordinator Ranger Services (Function 1, 3) Lead Ranger (Function 1, 3) Ranger(s) (Function 1, 3) |
| Date adopted | 25 June 2024 |
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14 Control of Vehicles (Off Road Areas) Act 1978

Control of Vehicles (Off Road Areas) Act 1978

14.1 Council to CEO / Employees

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| Delegation | 14.1.1 Authorised Officers |
| Head of power | 14 Control of Vehicles (Off Road Areas) Act 1978 |
| Delegator | Local Government |
| Express power to delegate | <i>Control of Vehicles (Off-road Areas) Act 1978:</i> s.38(3)(a) Authorised officers, who are, functions of etc. |
| Express power or duty delegated | <i>Control of Vehicles (Off-road Areas) Act 1978</i> s.37 Infringement notices s.38 Authorised Persons s.40 Prosecutions, who may commence |
| Function | 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"> 1. To issue infringement notices [s37. (1)]. 2. To withdraw and infringement notice [s.37(5)]. 3. The powers and functions [s.38]. 4. Institute a prosecution [s.40]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 2, 3, 4) Director Regulatory Services (Function 2, 3, 4) Manager Environmental Services (Function 1, 3) Coordinator Ranger Services (Function 1, 3) Lead Ranger (Function 1, 3) Ranger(s) (Function 1, 3) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

15 Liquor Control Act 1998

Liquor Control Act 1998

15.1 Council to CEO

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| Delegation | 15.1.1 Compliance Certificates |
| Head of power | 15 Liquor Control Act 1998 |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <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 |
| Function | <ol style="list-style-type: none"> 1. The power to issue a certificate of local government as to whether premises comply with laws [s.39]. 2. The power to issue a certificate of planning authority as to whether use of premises complies with planning laws [s.40]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <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 |
| Subdelegates | Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Manager Planning & Economic Development (1278) Senior Environmental Health Officer (1272) Senior Planner |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1) Manager Planning and Economic Development (Function 2) Senior Planner (Function 2) Senior Environmental Health Officer (Function 1) Environmental Health Officer (Function 1) Graduate Environmental Health Officer (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

16 Public Health Act 2016

Public Health Act 2016

16.1 Council to CEO / Employees

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| Delegation | 16.1.1 Enforcement Agency Reports to the Chief Health Officer |
| Head of power | 16 Public Health Act 2016 |
| Delegator | Local Government |
| Express power to delegate | Public Health Act 2016: s.21 Enforcement agency may delegate |
| Express power or duty delegated | <i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies |
| Function | <ol style="list-style-type: none"> 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 Town [s.22(1)]. 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | Nil – Unless a Regulation enacted under the Public Health Act 2016, specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)]. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 16.1.2 Designate Authorised Officers |
| Head of power | 16 Public Health Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate |
| Express power or duty delegated | <i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers |
| Function | Authority to designate a person or class of persons as authorised officers for the purposes of: <ul style="list-style-type: none"> 1. <i>The Public Health Act 2016</i> or other specified Act; 2. Specified provisions of the <i>Public Health Act 2016</i> or other specified Act; and 3. Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. Including: <ul style="list-style-type: none"> a. an environmental health officer or environmental health officers as a class; b. a person who is not an environmental health officer or a class of persons who are not environmental health officers; and c. a mixture of the two. [s.24(1) and (3)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <ul style="list-style-type: none"> a. Subject to each person so appointed being: <ul style="list-style-type: none"> i. Appropriately qualified and experienced [s.25(1)(a)];and ii. Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. b. A Register (list) of authorised officers is to be maintained in accordance with s.27. |
| Express power to subdelegate | 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)]. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 16.1.3 Determine Compensation for Seized Items |
| Head of power | 16 Public Health Act 2016 |
| Delegator | Local Government |
| Express power to delegate | Express Power to Delegate: <i>Public Health Act 2016</i> : s.21 Enforcement agency may delegate |
| Express power or duty delegated | <i>Public Health Act 2016</i> s.264 Compensation |
| Function | 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]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) |
| Conditions | 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. |
| Express power to subdelegate | 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)]. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 16.1.4 Commence Proceedings |
| Head of power | 16 Public Health Act 2016 |
| Delegator | Local Government |
| Express power to delegate | <i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate |
| Express power or duty delegated | <i>Public Health Act 2016</i> s.280 Commencing Proceedings |
| Function | Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) |
| Conditions | Nil |
| Express power to subdelegate | 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)]. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

17 Health (Miscellaneous Provisions) Act 1911

Health (Miscellaneous Provisions) Act 1911

17.1 Council to CEO / Employees

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| Delegation | 17.1.1 Functions of Authorised Persons |
| Head of power | 17 Health (Miscellaneous Provisions) Act 1911 |
| Delegator | Local Government |
| Express power to delegate | <i>Health (Miscellaneous Provisions) Act 1911:</i> s.26 Powers of local government |
| Express power or duty delegated | <i>Health (Miscellaneous Provisions) Act 1911:</i> s.354 Service of notice s.349 Entry |
| Function | To exercise the powers and functions of an authorised persons and deputies under the Health (Miscellaneous Provisions) Act 1911: <ol style="list-style-type: none"> 1. Serve health orders in connection with requirements and repairs to businesses, shops and dwellings in accordance with the provisions of s.354. 2. Sign and issue licences and registrations issued. 3. Enter premises under s.349 and administer the provisions in the regulations. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Chief Executive Officer (Function 1, 2) Director Regulatory Services (Function 1, 2) Manager Environmental Services (Function 1, 2, 3) Senior Environmental Health Officer (Function 1, 2, 3) Environmental Health Officer (Function 1, 2, 3) <ol style="list-style-type: none"> 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. 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. c. Authority extends to the issue of requisitions and, in the case of default, the causing of requisite work to be done. d. Delegations with respect to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 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. |
| Express power to subdelegate | Nil |

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| Date adopted | 25 June 2024 |
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| Last reviewed | 25 June 2024 |

18 Caravan and Camping Grounds Act 1995

Caravan and Camping Grounds Act 1995

18.1 Council to CEO / Employees

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| Delegation | 18.1.1 Grant of Licence |
| Head of power | 18 Caravan and Camping Grounds Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices |
| Express power or duty delegated | <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 |
| Function | 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"> 1. To determine a licence for a facility [s.7]. 2. To renew a licence for facility [s.9]. 3. To give a licence holder a prohibition notice [s.10]. 4. To cancel a licence [s.12]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Chief Executive Officer (Function 1, 2, 3, 4) Director Regulatory Services (Function 1, 2, 3, 4) Manager Environmental Services (Function 1, 2, 3, 4) Senior Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1, 2) Graduate Environmental Health Officer (Function 1, 2) |
| Express power to subdelegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 18.1.2 Appointment of Authorised Persons |
| Head of power | 18 Caravan and Camping Grounds Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices |
| Express power or duty delegated | <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 |
| Function | 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"> 1. Powers of entry [s.18]. 2. Entry of an occupied caravan or camp [s.20]. 3. Inspections and work specification notices [s.21]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 18.1.3 Infringement Notices |
| Head of power | 18 Caravan and Camping Grounds Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices |
| Express power or duty delegated | <i>Caravan Parks and Camping Ground Act 1995</i> s.23 Infringement notices |
| Function | 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"> 1. To give an infringement [s.23(2)] notice. 2. To extend the period for payment of the modified penalty [s.23(5)]. 3. To withdraw an infringement notice [s.23(7)]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Conditions | Chief Executive Officer (Function 1, 2, 3) Director Regulatory Service (Function 1, 2, 3) Manager Environmental Services (Function 1, 2) Coordinator Ranger Services (Function 1, 2) Lead Ranger (Function 1, 2) Ranger (Function 1, 2) Graduate Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1, 2) Senior Environmental Health Officer (Function 1, 2) |
| Express power to subdelegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 18.1.4 Camping other than at Caravan Park or Camping Ground |
| Head of power | 18 Caravan and Camping Grounds Act 1995 |
| Delegator | Local Government |
| Express power to delegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.5 Terms used s.23 Infringement notices |
| Express power or duty delegated | <i>Caravan Parks and Camping Grounds Regulations 1997</i> r.11 Camping other than at caravan park or camping ground |
| Function | 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)]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Nil |
| Express power to subdelegate | <i>Caravan Parks and Camping Ground Act 1995</i> s.17 Appointment of authorised person |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

19 Planning and Development Act 2005

Planning and Development Act 2005

19.1 Council to CEO

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| Delegation | 19.1.1 Illegal Development |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p> |
| Express power or duty delegated | <p><i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5) Illegal development, responsible authority's powers as to</p> |
| Function | <ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> a. to remove, pull down, take up, or alter the development; and b. to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p> |
| Subdelegates | <p>Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Urban Planner (1279)</p> |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
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| Delegation | 19.1.2 Subdivision |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | <i>Planning and Development Act 2005:</i> S.142 To make recommendations and objections with respect to a subdivision plan |
| Function | 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Urban Planner (1279) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 19.1.3 Enforcement Powers |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | <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. |
| Function | The enforcement powers and functions described below in the <i>Planning and Development Act 2005</i> : 1. Apply for an injunction [s.216(1)]. 2. Commence a prosecution [s.218]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Regulatory Services (1245) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 19.1.4 Reports to the Development Assessment Panel |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | <i>Planning and Development (Development Assessment) Panels Regulation 2011</i> r.12 Responsible authority must report to Development Assessment Panel (DAP) |
| Function | Provide the presiding member of a DAP a report on the development application [r.12]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 19.1.5 Authorised Person – Infringement Notices and Enforcement Powers |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | <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 |
| Function | 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: <ol style="list-style-type: none"> 1. To give an infringement notice for a prescribed planning offence [s.228(1)]. 2. To extend time to pay the modified penalty [s.230]. 3. To withdraw an infringement notice [s.231]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | 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). |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Urban Planner (1279) |
| Subdelegate conditions | Director Regulatory Services (Function 2, 3) Manager Planning and Economic Development (Function 1) Senior Planner (Function 1) Urban Planner (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

19.2 Local Planning Scheme – Council to CEO

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| Delegation | 19.2.1 Development Applications |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | 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 |
| Function | <ol style="list-style-type: none"> 1. To determine development applications and impose conditions [r.68]. 2. To determine whether to amend or cancel development applications and impose conditions [r.77]. 3. To determine development applications that have a value less than \$5,000,000 and impose condition (r.68) 4. To determine whether to amend or cancel development applications with a value less than \$5,000,000 and impose conditions (r.77) |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <p>The delegated power under 1 and 2 (regulations 68 and 77) is conditional upon each of the following:</p> <ol style="list-style-type: none"> 1. The use in the development application is listed in the zoning table in the local planning scheme; 2. no third-party objections have been received (whether the application has been advertised or not); 3. third party objections have been received but cannot be substantiated on planning grounds; 4. Is not a development application for a transient workers accommodation within 20km of the town site boundary that proposes 16 or more beds; and 5. Has a development value of less than \$10,000,000. <p>Note: Development approval functions for single houses and associated development, except in relation to a heritage protected place, must be determined by the Chief Executive Officer and subdelegates as described in 19.2.1 Development Applications, in accordance with amendments to the <i>Planning & Development Act 2005 s.257C</i>.</p> |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) Senior Urban Planner (1279) |

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| Subdelegate conditions | Director Regulatory Services (Function 1, 2) Manager Planning & Economic Development (Function 1, 2) Senior Urban Planner (Function 1, 2) Urban Planner (Function 3, 4) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 19.2.2 Structure Plans and local development plans |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers</p> |
| Express power or duty delegated | <p>Under Parts 4, 5 and 6 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations:</i> r.17 Action by local government on receipt of application r.18 Advertising structure plan r.19 Consideration of submission r.20 Local government report to Commission r.29 Amendment of structure plan r.48 Preparation of local development plan r.50 Advertising of local development plan r.51 Consideration of submission r.52 Decision of local government r.53 Local development plan may provide for later approval of details of development r.59 Amendment of local development plan</p> |
| Function | <ol style="list-style-type: none"> 1. To determine if a proposed structure plan complies with regulation 16(1) or if further information is required [r.17(1)]. 2. To determine whether to advertise a proposed structure plan and seek comment from any public authority or utility provider [r.18(1)]. 3. To consider any submissions made in respect of a proposed structure plan [r.19(1)]. 4. To prepare a report on the proposed structure plan and provide it to the Commission [r.20(1)]. 5. To determine if amendment to a Structure Plan requires advertising [r.29(3)]. 6. To determine if a proposed local development plan complies or if further information is required and give the applicant an estimate of the fee for dealing with the application under regulation [r.49(1)]. 7. To determine whether to advertise a proposed local development plan and seek comment from any public authority or utility service provider [r.50(1)]. 8. To consider any submission made in respect of a proposed local development plan [r.51]. 9. To determine a local development plan for approval, approval subject to modification or refusal [r.52(1)]. 10. To approve a local development plan that provides for further details [r.53]. 11. To amend a local development plan [r.59(1)]. 12. To determine whether to advertise an amendment of a local development plan [r.59(4)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p> |

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| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 19.2.3 Authorised Person – Entry and Inspection Powers |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | <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 <i>Planning and Development (Local Planning Schemes) Regulations 2015:</i> r.82 Delegations by local government r.79 Entry and Inspection powers |
| Express power or duty delegated | Under Part 10 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations:</i> r.79 Entry and Inspection powers |
| Function | To carry out the entry and inspection powers [r.79] |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Graduate Planner (1283) Manager Planning & Economic Development (1278) Planning & Development Support Officer (1280) Senior Building Surveyor (1282) Senior Planner Senior Strategic Planner (1281) Senior Urban Planner (1279) Strategic Planner (1285) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

20.2 Planning and Development Act 2005

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| Delegation | 20.2.1 Instrument of Authorisation - Sign Development Applications for Crown Land as Owner |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Minister for Lands |
| Express power to delegate | Section 267A <i>Planning and Development Act 2005</i> |
| Express power or duty delegated | Instrument of Authorisation 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. |
| Function | The power to sign as owner in respect of Crown land. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | The powers in Column 1 subject to the conditions in Column 3 of the Schedule to Authorisation DoL 1738/2002v8; 858/2001v9 dated 2 June 2016. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 20.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985 |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Western Australian Planning Commission |
| Express power to delegate | Section 16(4) of the <i>Planning and Development Act 2005</i> |
| Express power or duty delegated | Instrument of Delegation Government Gazette 29 January 2021 Del 2020/01 The functions and powers under section 25 of the <i>Strata Titles Act 1985</i> subject to the below conditions: |
| Function | 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. |
| Delegates | Chief Executive Officer (1009) Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) |
| Conditions | The delegation excludes applications that (as per Delegation 2009/03): i. propose a vacant lot; ii. propose vacant air stratas in multi-tiered strata scheme developments; 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 WAPC in writing, relate to: <ul style="list-style-type: none"> • a type of development; • land within an area; and • 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. 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. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 20.2.3 Port Hedland West End Improvement Scheme No.1 |
| Head of power | 19 Planning and Development Act 2005 |
| Delegator | Local Government |
| Express power to delegate | Clause 87(3) of the Port Hedland West End Improvement Scheme No.1 |
| Express power or duty delegated | Clause 87(3) of the Port Hedland West End Improvement Scheme No.1 |
| Function | To provide a recommendation to the <i>Western Australian Planning Commission (WAPC)</i> to determine development applications and impose conditions |
| Delegates | Chief Executive Officer (1009) |
| Conditions | The delegation excludes applications that: <ul style="list-style-type: none"> i. have development value of less than \$10,000,000; or ii. include workforce accommodation that proposes 16 or more beds |
| Subdelegates | Coordinator Urban Planning (1284) Director Regulatory Services (1245) Manager Planning & Economic Development (1278) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

20 Environmental Protection Act 1986

20.1 Environmental Protection Act 1986

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| Delegation | 20.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)] |
| Head of power | 20 Environmental Protection Act 1986 |
| Delegator | Local Government |
| Express power to delegate | Section 20 of the <i>Environmental Protection Act 1986</i> |
| Express power or duty delegated | <p>Instrument of Delegation — Government Gazette No. 47. pg. 919 - 19 March 2004</p> <p>All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.</p> <p>Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the <i>Local Government Act 1995</i>.</p> |
| Function | <p>All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.</p> <p>Persons to whom delegation made— This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the <i>Local Government Act 1995</i>.</p> |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 20.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events |
| Head of power | 20 Environmental Protection Act 1986 |
| Delegator | Environmental Protection Authority |
| Express power to delegate | Section 20 <i>Environmental Protection Act 1986</i> |
| Express power or duty delegated | <p>Instrument of Delegation - Government Gazette 232, Delegation No. 112 Pg. 6282 - 20 Dec 2013</p> <p>I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i>, my powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation, in relation to—</p> <ul style="list-style-type: none"> a. waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; b. bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); c. community activities—noise control notices in respect of community noise under regulation 16; d. motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; e. shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; f. calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— <ul style="list-style-type: none"> i. Subregulation 18(13)(b) is not delegated. |
| Function | <p>Pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the <i>Local Government Act 1995</i>, powers and duties under the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation, in relation to—</p> <ul style="list-style-type: none"> a. waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B; b. bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi); c. community activities—noise control notices in respect of community noise under regulation 16; d. motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3; e. shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4; f. calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4; g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— <ul style="list-style-type: none"> i. Subregulation 18(13)(b) is not delegated. |

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| Delegates | Chief Executive Officer (1009) |
| Conditions | g. sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation— Subregulation 18(13)(b) is not delegated. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 20.1.3 Noise Management Plans – Construction Sites |
| Head of power | 20 Environmental Protection Act 1986 |
| Delegator | Environmental Protection Authority |
| Express power to delegate | Section 20 <i>Environmental Protection Act 1986</i> |
| Express power or duty delegated | <p>Instrument of Delegation - Government Gazette No71, 16 May 2014, Pg. 1548</p> <p>I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the <i>Environmental Protection Act 1986</i> ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of—</p> <p style="padding-left: 40px;">a. Chief Executive Officer under the <i>Local Government Act 1995</i>; and</p> <p style="padding-left: 40px;">b. to any employee of the local government under the <i>Local Government Act 1995</i> who is appointed as an Authorised Person under section 87 of the Act, all my powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i>, other than this power of delegation.</p> |
| Function | Chief Executive Officer under the <i>Local Government Act 1995</i> ; and to any employee of the local government under the <i>Local Government Act 1995</i> who is appointed as an Authorised Person under section 87 of the Act, all powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | All powers and duties in relation to noise management plans under regulation 13 of the <i>Environmental Protection (Noise) Regulations 1997</i> , other than this power of delegation. |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 20.1.4 Appointment of Authorised Persons under the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997 |
| Head of power | 20 Environmental Protection Act 1986 |
| Delegator | Environmental Protection Authority |
| Express power to delegate | The CEO of the Department delegated the below power to any person of a local government who is appointed as an authorised person under section 87 of the <i>Environmental Protection Act 1986</i> (see Government Gazette, Delegation No.111 on 20 December 2013) |
| Express power or duty delegated | <i>Environmental Protection (Noise) Regulations 1997</i> r.13. Construction sites |
| Function | The functions and powers in relation to noise management plans [r.13]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21 Town of Port Hedland Local Laws

Town of Port Hedland Local Laws

21.1 Parking Local Law 2015

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| Delegation | 21.1.1 Payment of Fee to Park in Parking Station |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 5.3(a) Payment of fee to park in parking station |
| Function | Pursuant to the Town of Port Hedland Parking Local Law 2015, a person shall not park a vehicle, or permit a vehicle to remain parked, in a parking station during any period for which a fee is payable unless: <ul style="list-style-type: none"> a. in the case of a parking station having an authorised person on duty, the appropriate fee is paid when demanded; and b. in the case of a parking station equipped with parking meters, the appropriate fee is inserted in the meter or the required payment is made in such other form as may be permitted [cl. 5.3(a)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.2 Restricted Parking Areas |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 6.1(3) Restrictions on parking in particular areas |
| Function | A person shall not, without the prior permission of the local government, the CEO, or an authorised person, park a vehicle in an area designated by a sign stating "Authorised Vehicles Only" [cl. 6.1(3)] |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Manager Environmental Services (1261) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.3 Vehicle on Thoroughfare to Be Moved |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 6.9(1) and (2) Authorised person may order vehicle on thoroughfare to be moved |
| Function | <ol style="list-style-type: none"> 1. The driver of a vehicle shall not park that vehicle on any part of a thoroughfare in contravention of this local law after an authorised person has directed the driver to move it [cl. 6.9]. 2. If the driver of a vehicle fails to comply with a direction given under subclause (1), an authorised person may impound the vehicle and may recover the costs of the removal of the vehicle from the driver of the vehicle [cl. 6.9]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Emergency Management Advisor (1268) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.4 Authorised Person May Mark Tyres |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 6.10(1) Authorised person may mark tyres |
| Function | Authorised person may mark tyres [cl. 6.10(1)]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.5 Driving or Parking on Reserves |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 6.14 Driving or parking on reserves |
| Function | No person other than an employee of the local government in the course of his or her duties or a person authorised by the local government shall drive or park a vehicle upon or over any portion of a reserve other than upon an area specifically set aside for that purpose [cl. 6.14]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.6 Suspension of Parking Limitations for Urgent, Essential or Official Duties |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 6.15(1),(2) – Suspension of parking limitations for urgent, essential or official duties |
| Function | Suspension of parking limitations for urgent, essential or official duties pursuant to the Town's Parking Local Law 2015 [cl. 6.15]. |
| Delegates | Chief Executive Officer (1009) Director Regulatory Services (1245) Manager Environmental Services (1261) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.1.7 Infringements for Prescribed Offences as Per Schedule 2 |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Schedule 2 – An authorised person may issue an infringement for any prescribed offences as per Schedule 2 |
| Function | An authorised person may issue an infringement for any prescribed offences as per Schedule 2 of the Town's Parking Local Law 2015. |
| Delegates | Coordinator Ranger Services (1262) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.2 Bush Fire Brigades Local Law 2017

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| Delegation | 21.2.1 Determining Seniority |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 3.2(3) Where more than one person is appointed as a Bush Fire Control Officer, the local government shall determine seniority as CBFCO, DCBFCO, and further seniority as is considered appropriate |
| Function | Power to determine seniority as Chief Bush Fire Control Officer (CBFCO), Deputy Chief Bush Fire Control Officer (DCBFCO) and further seniority as is considered appropriate pursuant to the Town's Bush Fire Brigades Local Law 2017 [cl. 3.2(3)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.2.2 Disagreements |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 4.6(3) - The local government is the final authority on matters affecting the bush fire brigade and may resolve any disagreement which is not resolved under section 4.6(1) or (2) |
| Function | The Local Government is the final authority on matters affecting the bush fire brigade pursuant to the Town's Bush Fire Brigades Local Law 2017 [cl. 4.6(3)]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.3 Public Places and Local Government Property Local Law 2016

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| Delegation | 21.3.1 Determinations |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | 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 |
| Function | Determinations in respect of Local Government property under the Town of Port Hedland Public Places and Local Government Property Local Law 2016. |
| Delegates | Chief Executive Officer (1009) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.2 Activities Requiring a Licence |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | cl.3.1(1), (2) and (3) 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 |
| Function | <ol style="list-style-type: none"> 1. 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]. 2. Authority to impound any tent, camp, hut, similar structure erected on local government property without a licence [cl.3.2]. 3. Authority to attach a notice to a vehicle in the form of a wheel clamp, advising the owner that the vehicle will be released upon payment and if impounding costs are not paid within 24 hours, the vehicle may be removed to the local government pound [cl.3.2]. 4. Authority to prohibit a person on local government property from consuming any liquor or have in his or her possession or under his or her control any liquor, without a licence [cl.3.3]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4) Manager Environmental Services (Function 2, 3, 4) Coordinator Ranger Services (Function 3, 4) Lead Ranger (Function 3, 4) Ranger(s) (Function 3, 4) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.3 Use of Local Government Property |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 4.6(1) – erect a sign specifying condition of use Clause 4.10 – give notice for liability of damage to government property |
| Function | Use of Local Government property under the Town of Port Hedland Public Places and Local Government Property Local Law 2016: 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]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.4 Authorised Officers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 4.7 – Direct a person to leave local government property where they have contravened written law Clause 4.11 – Refuse entry to local government property Clause 5.9 – Close all or part of the airport if it is necessary Clause 5.10 – Undertake any controlled activity that may affect the airspace |
| Function | Use of local government property under the Town of Port Hedland Public Places and Local Government Property Local Law 2016: <ol style="list-style-type: none"> 1. Direct a person to leave local government property where they have contravened written law [cl. 4.7]. 2. Refuse entry to local government property [cl. 4.11]. 3. Close all or part of the airport if it is necessary [cl. 5.9]. 4. Undertake any controlled activity that may affect the airspace [cl. 5.10]. |
| Delegates | Aquatic Duty Manager Aquatic Supervisor (1074) Chief Executive Officer (1009) Coordinator - Works & Services (1235) Coordinator Aquatic Operations (1071) Coordinator Customer Experience (1380) Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Coordinator Sports & Recreation (1143) Coordinator Stadium Operations (1089) Coordinator Workshop & Fleet (1186) Customer Service Coordinator Customer Service Officer - Civic Centre Customer Service Officer - Leisure Facilities Customer Service Supervisor - Leisure Facilities (1107) Director Community Services (1068) Director Corporate Services (1029) Director Infrastructure Services (1157) Director Regulatory Services (1245) Duty Manager – Wanangkura Stadium (1103) (1302) Emergency Management Advisor (1268) Employee Services Coordinator Environmental Health Officer (1274) Environmental Health Technical Officer (1294) Events & Bookings Officer (1106) Events Supervisor (1148) Executive Manager Human Resources (1017) Facilities Duty Manager (1136) (1135) Graduate Environmental Health Officer (1273) Health Club Supervisor (1092) |

IT Change Management Coordinator
 Leisure Business Coordinator (1105)
 Library Supervisor (1124)
 Manager Digital Services (1060)
 Manager Environmental Services (1261)
 Manager ERP Project (1064)
 Manager Events, Arts & Culture (1323)
 Manager Financial Services (1031)
 Manager Governance (1045)
 Manager Infrastructure Operations (1179)
 Manager Infrastructure Projects & Assets (1160)
 Manager Planning & Economic Development (1278)
 Manager Project Design & Delivery
 Manager Public Affairs (1011)
 Manager Recreation & Leisure Facilities (1070)
 Manager Waste & Services (1291)
 Manager Youth & Community Development (1117)
 Marketing & Communications Coordinator
 Membership Experience Officers
 Payroll Coordinator (1299)
 Project Implementation Lead – Leisure Management System
 Ranger (1263)
 Ranger (1265) (1266) (1267) (1269)
 Revenue Coordinator
 Senior Arts & Culture Officer (1341)
 Senior Community Development Officer (1118)
 Senior Corporate Performance Advisor (1345)
 Senior Environmental Health Officer (1272)
 Senior Events Officer (1147)
 Senior Governance Advisor (1048)
 Senior Learning & Talent
 Senior Librarian (1123)
 Senior Organisation Development Advisor
 Senior Procurement & Contracting Advisor (1052)
 Senior Project Engineer (1168)
 Senior Project Officer - Operations (1355)
 Senior Theatre Technical Officer (1156)
 Senior Youth Officer (1132)
 Social Sports Officer (1090)
 Sustainability Advisor
 Theatre and Cinema Operations Officer (1152)
 Warehousing and Purchasing Coordinator (1325)
 Youth Development Officer (1142)
 Youth Programs Officer (1322)
 Youth Services Supervisor (1141)

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| Conditions | <p>Chief Executive Officer (Function 1, 2, 3, 4) Directors (Function 1, 2) Managers (Function 1, 2) <i>unless specified below</i> Seniors (Function 1, 2) <i>unless specified below</i> Coordinators (Function 1, 2) <i>unless specified below</i> Supervisors (Function 1, 2) <i>unless specified below</i> Advisors (Function 1, 2) <i>unless specified below</i> Duty Managers (Function 1, 2) <i>unless specified below</i> Manager Environmental Services (Function 1, 2, 4) Manager Infrastructure Projects & Assets (Function 1, 2, 4) Manager Waste & Services (Function 1, 2, 4) Manager Digital Services (Function 1, 2, 4) Senior Project Engineer (Function 4) Senior Environmental Health Officer (Function 1, 2, 4) Environmental Health Officer (Function 1, 2, 4) Environmental Health Technical Officer (Function 1, 2, 4) Graduate Environmental Health Officer (Function 1, 2, 4) Theatre and Cinema Operations Officer (Function 1, 2) Lead Ranger (Function 1, 2) Ranger(s) (Function 1, 2) Social Sports Officer (Function 1, 2) Membership Experience Officers (Function 1, 2) Customer Service Officer - Leisure Facilities (Function 1, 2) Customer Service Officer - Civic Centre (Function 1, 2) Events and Bookings Officer (Function 1, 2) Senior Events Officer (Function 1, 2) Youth Programs Officer (Function 1, 2) Youth Development Officer (Function 1, 2) Project Implementation Lead - Leisure Management Systems (Function 1, 2) <i>unless specified below</i></p> |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.5 Thoroughfares – General |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | 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 |
| Function | Activities in thoroughfares under the Town of Port Hedland Public Places and Local Government Property Local Law 2016 <ol style="list-style-type: none"> 1. Notice to redirect or repair sprinkler [cl. 6.17]. 2. Notice to remove or cut hazardous plants [cl. 6.18]. 3. Notice to repair damage to thoroughfare [cl. 6.19]. 4. Notice to remove thing unlawfully placed on thoroughfare [cl. 6.20]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Landscape & Irrigation (1217) Coordinator Parks & Reserves (1194) Coordinator Property Management (1180) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) Senior Project Officer - Operations (1355) |

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| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4) Director Infrastructure Services (Function 1, 2, 3, 4) Manager Infrastructure Operations (Function 1, 2, 3, 4) Manager Environmental Services (Function 1, 2, 3, 4) Senior Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1, 2) Graduate Environmental Health Officer (Function 1, 2) Coordinator Ranger Services (Function 1, 2, 3, 4) Coordinator Landscape & Irrigation (Function 1, 2, 3, 4) Coordinator Property Management (Function 1, 2, 3, 4) Coordinator Parks and Reserves (Function 1, 2, 3, 4) Emergency Management Advisor (Function 1, 2, 3, 4) Lead Ranger (Function 1, 2, 3, 4) Ranger(s) (Function 1, 2, 3, 4) Senior Project Officer - Operations (Function 1, 2, 3, 4) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.6 Grant Licence for Commercial Activity |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | 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 12.19 – renewals of licence Clause 12.20 - restrictions on renewal of licence Clause 12.21 - renewal of licence Clause 12.22 – Suspension of licence Clause 12.24 – Revocation of suspension Clause 12.25 – cancellation of licence Clause 12.28 – amendment of licence |
| Function | Grant Licence for Commercial Activity under the Town of Port Hedland Public Places and Local Government Property Local Law 2016: <ol style="list-style-type: none"> 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]. 2. Grant a licence subject to any condition that the local government considers appropriate [cl. 12.12]. 3. Renewals of licence [cl. 12.19]. 4. Restrictions on renewal of licence [cl. 12.20]. 5. Renewal of licence [cl.12.21]. 6. Suspension of licence [cl. 12.22]. 7. Revocation of suspension [cl. 12.24]. 8. Cancellation of licence [cl. 12.25]. 9. Amendment of licence [cl. 12.28]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | <i>Nil</i> |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9) Manager Environmental Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9) Senior Environmental Health Officer (Function 1, 2, 3, 4, 5, 7, 9) Environmental Health Officer (Function 1, 2, 3, 4, 5, 7, 9) Graduate Environmental Health Officer (Function 1, 2, 3, 4, 5, 7, 9) |

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| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.3.7 Prescribed Offences – Schedule 7 |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | <ol style="list-style-type: none"> 1. Items 1 to 4 2. Item 5 3. Items 6 to 48 4. Items 49 and 50 5. Item 51 |
| Function | Infringements for prescribed offences as per schedule 7 – Prescribed Offences |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Manager Environmental Services (Function 1, 2, 3, 4, 5) Senior Environmental Health Officer (Function 1, 3, 4, 5) Environmental Health Officer (Function 1, 3, 4, 5) Graduate Environmental Health Officer (Function 1, 3, 4, 5) Coordinator Ranger Services (Function 1, 2, 3, 5) Lead Ranger (Function 1, 2, 3, 5) Ranger(s) (Function 1, 2, 3, 5) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.4 Cemetery Local Law 2015

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| Delegation | 21.4.1 General Powers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 2.2 – Grant of right of burial Clause 2.3 – Right of holder Clause 3.4 – Minimum Notice required Clause 4.2 – Funeral director’s licence Clause 4.4 – Application may be refused Clause 5.2 – Funeral processions Clause 5.5 – conduct of funeral by board Clause 5.6 – Disposal of ashes Clause 6.4 – opening of coffin Clause 7.5 – Removal of sand, soil or loam Clause 7.6 – Hours of work Clause 7.8 – Use of wood Clause 7.11 – Minor maintenance and repair works Clause 7.14 – Requirements of a memorial plaque Clause 7.15 – Monumental mason’s licence Clause 7.17 – Carrying out monumental work Clause 7.19 – Cancellation of a monumental mason’s licence Clause 8.2 – Damaging and removing of objects Clause 8.3 – Flowers |
| Function | Various Local Government Powers under the Town of Port Hedland Cemetery Local Law 2015: <ol style="list-style-type: none"> 1. Grant of right of burial [cl. 2.2]. 2. Right of holder [cl. 2.3]. 3. Minimum Notice required [cl.3.4]. 4. Funeral director’s licence [cl. 4.2]. 5. Application may be refused [cl. 4.4]. 6. Funeral processions [cl. 5.2]. 7. Conduct of funeral by board [cl. 5.5]. 8. Disposal of ashes [cl. 5.6]. 9. Opening of coffin [cl. 6.4]. 10. Removal of sand, soil or loam [cl. 7.5]. 11. Hours of work [cl. 7.6]. 12. Use of wood [cl.7.8]. 13. Minor maintenance and repair works [cl. 7.11]. 14. Requirements of a memorial plaque [cl. 7.14]. 15. Monumental mason’s licence [cl. 7.15]. 16. Carrying out monumental work [cl. 7.17]. 17. Cancellation of a monumental mason’s licence [cl. 7.19]. 18. Damaging and removing of objects [cl. 8.2]. 19. Flowers [cl.8.3]. |
| Delegates | Chief Executive Officer (1009) |

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| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Director Infrastructure Services (1157) Director Regulatory Services (1245) Manager Infrastructure Operations (1179) Manager Waste & Services (1291) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3, 6, 15, 16, 17) Director Infrastructure Services (Function 1, 2, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 19) Manager Infrastructure Operations (Function 1, 2, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 19) Manager Waste & Services (Function 1, 2, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 19) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.4.2 Authorised Officers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | 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 |
| Function | Powers of an authorised officer under the Town’s Cemetery Local Law 2015. <ol style="list-style-type: none"> 1. Offenders may be ordered to leave [cl. 5.4]. 2. Depth of grave [cl. 6.1]. 3. Operation of work [cl. 7.4]. 4. Unfinished work [cl. 7.7]. 5. Supervision [cl. 7.10]. 6. Removal from the cemetery [cl. 8.7]. |
| Delegates | Chief Executive Officer (1009) Director Infrastructure Services (1157) Manager Infrastructure Operations (1179) Manager Waste & Services (1291) |
| Conditions | Chief Executive Officer (Function 1, 2, 3, 4, 5, 6) Director Infrastructure Services (Function 1, 2, 3, 4, 5, 6) Manager Infrastructure Operations (Function 1, 2, 3, 4, 5, 6) Manager Waste and Services (Function 1, 2, 3, 4, 5, 6) |
| Date adopted | 25 June 2024 |
| Adoption references | Adopted at Ordinary Council Meeting on 25/06/2024 CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.4.3 Prescribed Offences |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Schedule 1 – Prescribed offences Schedule 3 – Withdrawal of infringement notice |
| Function | Infringements for prescribed offences as per schedule 1 and withdrawal of infringement notice as per Schedule 3 of the Town of Port Hedland Cemetery Local Law 2015: 1. Prescribed offences [schedule 1]. 2. Withdrawal of infringement notice [schedule 3]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 2) Director Regulatory Services (Function 2) Manager Environmental Services (Function 1) Coordinator Ranger Services (Function 1) Lead Ranger (Function 1) Ranger(s) (Function 1) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.5 Dogs Local Law 1998

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| Delegation | 21.5.1 Various Powers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 7.0 – 7.9 - Application for Kennel Establishment Licence Clause 10.1 – Fouling of Streets and Public Places and Reserves Clause 14.5 – Issue an acknowledgement or withdraw a notice |
| Function | Various Local Government Powers under the Town of Port Dogs Local Law 1998: 1. Application for Kennel Establishment Licence [cl. 7.0 - 7.9]. 2. Fouling of Streets and Public Places and Reserves [cl. 10.1]. 3. Issue an acknowledgement or withdraw a notice [cl. 14.5]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Subdelegates | Coordinator Ranger Services (1262) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |
| Subdelegate conditions | Director Regulatory Services (Function 1, 2, 3) Manager Environmental Services (Function 1, 2) Senior Environmental Health Officer (Function 1, 2) Environmental Health Officer (Function 1, 2) Graduate Environmental Health Officer (Function 1, 2) Coordinator Ranger Services (Function 1, 2) Lead Ranger (Function 2) Ranger(s) (Function 2) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.5.2 Authorised Officers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 4.5 – Seizing a dog Clause 4.6 - Notifying the owner of a seized dog Clause 4.8 - Accepting proof of ownership Clause 8.1.14 – Request upkeep of kennels and yards Clause 14.2 – Notice of offence committed Second Schedule – Modified penalties |
| Function | Powers of an authorised officer under the Town of Port Hedland Dogs Local Law: <ol style="list-style-type: none"> 1. Seizing a dog [cl. 4.5]. 2. Notifying the owner of a seized dog [cl. 4.6]. 3. Accepting proof of ownership [cl. 4.8]. 4. Request upkeep of kennels and yards [cl. 8.1.14]. 5. Notice of offence committed [cl. 14.2]. 6. Modified penalties [second schedule]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Regulatory Services (1245) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) |
| Conditions | Chief Executive Officer (Function 1, 2, 3, 4, 5) Director Regulatory Services (Function 3, 4, 5) Manager Environmental Services (Function 3, 4, 5) Coordinator Ranger Services (Function 1, 2, 3, 4, 5, 6) Lead Ranger (Function 1, 2, 3, 4, 5, 6) Ranger(s) (Function 1, 2, 3, 4, 5, 6) |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.6 Health Local Law 2016

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| Delegation | 21.6.1 Various Powers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 3.13 – Licensing of morgues Clause 4.3(2)(b) – Disposal of liquid waste Clause 6.5 - Local Government may execute work and recover costs under Division 1 – flies (Pest Control) Clause 6.8 - Local Government may execute work and recover costs under Division 2 – Mosquitoes (Pest Control) Clause 7.1(1) – Notice to clean, disinfect or disinfest Clause 7.3(2) – Notice to destroy or amend an insanitary house Clause 7.4 – Persons in contact with an infectious disease sufferer Clause 7.8 - Local Government may execute work and recover costs under Division 1 – General provisions (Infectious diseases) Clause 8.4 – Lodging house application Clause 8.5 – Renewal of registration – lodging house Clause 8.7(1) and (4) – Revocation of registration and notice thereof Clause 8.18 – Approval of mechanical ventilation in lieu of fixed ventilation Clause 8.24 – Keeper report Clause 9.5 – Certificate of registration Clause 9.7 – Alterations to premises Clause 10.1 – Infringement’s for offences and penalties |
| Function | Various Local Government Powers under the Town’s Health Local Law 2016: <ol style="list-style-type: none"> 1. Licensing of morgues [cl. 3.13]. 2. Disposal of liquid waste [cl. 4.3(2)(b)]. 3. Local Government may execute work and recover costs under Division 1 – flies (Pest Control) [cl. 6.5]. 4. Local Government may execute work and recover costs under Division 2 – Mosquitoes (Pest Control) [cl. 6.8]. 5. Notice to clean, disinfect or disinfest [cl. 7.1(1)]. 6. Notice to destroy or amend an insanitary house [cl. 7.3(2)]. 7. Persons in contact with an infectious disease sufferer [cl. 7.4]. 8. Local Government may execute work and recover costs under Division 1 – General provisions (Infectious diseases) [cl. 7.8]. 9. Lodging house application [cl. 8.4]. 10. Renewal of registration – lodging house [cl. 8.5]. 11. Revocation of registration and notice thereof [cl. 8.7]. 12. Approval of mechanical ventilation in lieu of fixed ventilation [cl. 8.18]. 13. Keeper report [cl. 8.24]. 14. Certificate of registration [cl. 9.5]. 15. Alterations to premises [cl. 9.7]. 16. Infringement’s for offences and penalties [cl. 10.1]. |

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| Delegates | Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Senior Environmental Health Officer (1272) |
| Conditions | Director Regulatory Services (Function 3, 8, 11) Manager Environmental Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16) Senior Environmental Health Officer (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16) Environmental Health Officer (Function 1, 2, 3, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16) Graduate Environmental Health Officer (Function 1, 2, 3, 5, 7, 9, 10, 11, 12, 13, 14, 15, 16) |
| Express power to subdelegate | <i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.7 Animals, Environment and Nuisance Local Law 2016

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| Delegation | 21.7.1 Various Powers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 s.9.10 (1) Appointment of authorised persons</p> |
| Express power or duty delegated | <p>Clause 2.7 – application for approval to keep poultry and pigeons Clause 2.16(2) – Approval required to keep bees Clause 2.18(1) and (3) – Dispose of bees and bee hives or both Clause 2.20 - Licence to keep farm animals Clause 2.22 – Determination of application to keep farm animals Clause 2.24 – Variation or cancellation of licence to keep farm animals and conditions of licence Clause 2.25(2) – Conditions for keeping farm animals Clause 2.26 – keeping a miniature horse Clause 2.27 – keeping a miniature pig Clause 3.3 – unauthorised storage of materials Clause 3.4 – Prohibited activities Clause 3.7(2) – Notice requiring removal of refuse and disused materials Clause 3.8 – Notice requiring removal of unsightly overgrowth of vegetation Clause 3.11 – Notice requiring removal of hazardous trees Clause 4.3(c) – Notice to take such action to prevent emission or reflection of light Clause 4.4(3)(a) and (d) - Approval of burning rubbish, refuse or other material Clause 6.1(1) – Notice of breach Clause 6.3 – Undertake requirements of notice Schedule 1 – Prescribed offences item 1 Schedule 1 – Prescribed offences items 2 to 3 Schedule 1 – prescribed offences item 4 Schedule 1 – prescribed offences items 5 to 6 Schedule 1 – prescribed offences items 7 to 25 Schedule 1 – prescribed offences item 26 Schedule 1 – prescribed offences items 27 to 34 Schedule 1 – prescribed offences items 35 and 36 Schedule 1 - prescribed offences items 37 to 41 Schedule 1 – prescribed offences item 42 Schedule 1 – prescribed offences items 43 to 47 Schedule 1 – prescribed offences items 48</p> |

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| Function | <p>Various Local Government Powers under the Town's Animals, Environment and Nuisance Local Law 2016:</p> <ol style="list-style-type: none"> 1. Application for approval to keep poultry and pigeons [cl. 2.7]. 2. Approval required to keep bees [cl. 2.16(2)]. 3. Dispose of bees and bee hives or both [cl. 2.18(1) and (3)]. 4. Licence to keep farm animals [cl. 2.20]. 5. Determination of application to keep farm animals [cl. 2.22]. 6. Variation or cancellation of licence to keep farm animals and conditions of licence [cl. 2.24]. 7. Conditions for keeping farm animals [cl. 2.25(2)]. 8. Keeping a miniature horse [cl. 2.26]. 9. Keeping a miniature pig [cl. 2.27]. 10. Unauthorised storage of materials [cl. 3.3]. 11. Prohibited activities [cl. 3.4]. 12. Notice requiring removal of refuse and disused materials [cl. 3.7(2)]. 13. Notice requiring removal of unsightly overgrowth of vegetation [cl. 3.8]. 14. Notice requiring removal of hazardous trees [cl. 3.11]. 15. Notice to take such action to prevent emission or reflection of light [cl. 4.3(c)]. 16. Approval of burning rubbish, refuse or other material [cl. 4.4(3)(a) and (d)]. 17. Notice of breach [cl. 6.1(1)]. 18. Undertake requirements of notice [cl. 6.3]. 19. Prescribed offences item 1 [schedule 1]. 20. Prescribed offences items 2 to 3 [schedule 1]. 21. Prescribed offences item 4 [schedule 1]. 22. Prescribed offences items 5 to 6 [schedule 1]. 23. Prescribed offences items 7 to 25 [schedule 1]. 24. Prescribed offences item 26 [schedule 1]. 25. Prescribed offences items 27 to 34 [schedule 1]. 26. Prescribed offences items 35 and 36 [schedule 1]. 27. Prescribed offences items 37 to 41 [schedule 1]. 28. Prescribed offences item 42 [schedule 1]. 29. Prescribed offences items 43 to 47 [schedule 1]. 30. Prescribed offences items 48 [schedule 1]. |
| Delegates | Chief Executive Officer (1009) |
| Conditions | Nil |
| Express power to subdelegate | <p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p> |
| Subdelegates | <p>Coordinator Ranger Services (1262) Director Regulatory Services (1245) Emergency Management Advisor (1268) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272)</p> |

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| Subdelegate conditions | <p>Director Regulatory Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,18)</p> <p>Manager Environmental Services (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30)</p> <p>Senior Environmental Health Officer (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30)</p> <p>Environmental Health Officer (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29, 30)</p> <p>Graduate Environmental Health Officer (Function 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 23, 24, 25, 26, 27, 28, 29 ,30)</p> <p>Coordinator Ranger Services (Function 3, 10, 12, 13, 14, 16, 17, 19, 22, 23, 25, 27, 29, 30)</p> <p>Emergency Management Advisor (Function 10, 12, 13, 14, 16, 17, 19, 22, 23, 25, 27, 29, 30)</p> <p>Lead Ranger (Function 3, 10, 12, 13, 14, 16, 17, 19, 22, 23, 25, 27, 29 ,30)</p> <p>Ranger(s) (Function 3, 10, 12, 13, 14, 16, 17, 19, 22, 23, 25, 27, 29 ,30)</p> |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

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| Delegation | 21.7.2 Authorised officers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 2.26(2) and (3) - Keeping a miniature horse Clause 2.27(2) – Keeping a miniature pig Clause 2.28(1)(c) and (2) – Approval of materials for farm animal shelter Clause 2.30(1) – Impounding of livestock Clause 3.1 - Provision of refuse receptacles Clause 3.5(b) – Approval for dust management plan Clause 3.7 – Notice requiring the removal of refuse, rubbish or disused material Clause 3.8 – Notice requiring the removal of the overgrowth of vegetation Clause 4.4(5) – Determining fire danger rating Clause 4.8 – Approved method for disposal of swimming pool backwash Clause 4.11 – Abate a nuisance where an amusement is provided Clause 4.14(2) – Notice requiring a person to dispose of any feed or waste products |
| Function | Authorised Officer under the Town’s Animals, Environment and Nuisance Local Law 2016: <ol style="list-style-type: none"> 1. Keeping a miniature horse [cl. 2.26]. 2. Keeping a miniature pig [cl. 2.27]. 3. Approval of materials for farm animal shelter [cl. 2.28]. 4. Impounding of livestock [cl. 2.30]. 5. Provision of refuse receptacles [cl. 3.1]. 6. Approval for dust management plan [cl 3.5]. 7. Notice requiring the removal of refuse, rubbish or disused material [cl. 3.7]. 8. Notice requiring the removal of the overgrowth of vegetation [cl. 3.8]. 9. Determining fire danger rating [cl. 4.4]. 10. Approved method for disposal of swimming pool backwash [cl. 4.8]. 11. Abate a nuisance where an amusement is provided [cl. 4.11]. 12. Notice requiring a person to dispose of any feed or waste products [cl.4.14]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Emergency Management Advisor (1268) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) |

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| Conditions | Chief Executive Officer Manager Environmental Services (Function 1, 2, 3, 5, 6, 7, 8, 10, 11, 12) Senior Environmental Health Officer (Function 1, 2, 3, 5, 6, 7, 8, 10, 11, 12) Environmental Health Officer (Function 1, 2, 3, 5, 6, 7, 8, 10, 11, 12) Graduate Environmental Health Officer (Function 1, 2, 3, 5, 6, 7, 8, 10, 11, 12) Emergency Management Advisor (Function 7, 8, 9) Coordinator Ranger Services (Function 1, 2, 4, 7, 8, 9, 12) Lead Ranger (Function 1, 2, 4, 7, 8, 9, 12) Ranger(s) (Function 1, 2, 4, 7, 8, 9, 12) |
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

21.8 Waste Local Law 2020

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|--|--|
| Delegation | 21.8.1 Authorised Officers |
| Head of power | 21 Town of Port Hedland Local Laws |
| Delegator | Local Government |
| Express power to delegate | <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 |
| Express power or duty delegated | Clause 2.7(2) – Exemption Clause 2.6(b) – Duties of an Owner or Occupier Clause 3.3 – Receptacles and Containers for Public Use Schedule 2 – Prescribed Offences |
| Function | Powers of an authorised officer under the Town’s Waste Local Law 2018: <ol style="list-style-type: none"> 1. Exemption [cl. 2.7(2)]. 2. Duties of an Owner or Occupier [cl.2.6(b)]. 3. Receptacles and Containers for Public Use [cl. 3.3]. 4. Prescribed Offences [prescribed offences]. |
| Delegates | Chief Executive Officer (1009) Coordinator Ranger Services (1262) Director Infrastructure Services (1157) Director Regulatory Services (1245) Environmental Health Officer (1274) Graduate Environmental Health Officer (1273) Manager Environmental Services (1261) Manager Infrastructure Operations (1179) Manager Waste & Services (1291) Ranger (1263) Ranger (1265) (1266) (1267) (1269) Senior Environmental Health Officer (1272) Senior Waste & Resource Recovery Officer (1248) Site Supervisor Waste Contracts Officer |
| Conditions | Chief Executive Officer (1, 2, 3) Director Regulatory Services (1, 2, 3) Director Infrastructure Services (1, 2, 3) Manager Environmental Services (4) Manager Infrastructure Operations (1, 2, 3, 4) Senior Environmental Health Officer (4) Environmental Health Officer (4) Environmental Health Technical Officer (4) Graduate Environmental Health Officer (4) Manager Waste and Services (1, 2, 3, 4) Senior Waste & Resource Recovery Officer (1, 2, 3, 4) Waste Contracts Officer (1, 2, 3, 4) Site Supervisor (1, 2, 3, 4) Coordinator Ranger Services (4) Lead Ranger (4) Ranger(s) (4) |

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|----------------------------|--------------|
| Date adopted | 25 June 2024 |
| Adoption references | CM202324/292 |
| Last reviewed | 25 June 2024 |

AMENDMENTS

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|---|------------------------|
| 1.2.2 Performing Functions outside the District | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.2.4 Powers of Entry | 23 Dec 2021 | Amended delegation | Addition of Place Facilitator | NCR61460 |
| 1.2.4 Powers of Entry | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 1.2.4 Powers of Entry | 20 Jan 2022 | Amended delegation | Amend job description from "Town Planner" to "Planner" | NCR61946 |
| 1.2.4 Powers of Entry | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 1.2.4 Powers of Entry | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.4 Powers of Entry | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.2.4 Powers of Entry | 9 Jan 2024 | Amended delegation | Amended to include new role/position of Senior Strategic Planner with allocation of \$15,000 financial delegation limit as required for senior officers. | NCR73251 - Synergy Ref |
| 1.2.4 Powers of Entry | 17 Jan 2024 | Amended delegation | Addition of titles to delegation - Principal Project Engineer, Graduate Engineer and Project Engineer - Asset Management to Function 2 of Delegation. | Nil |
| 1.2.4 Powers of Entry | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation and Senior Project Officer - Operations to all functions | CM202324/292 |
| 1.2.5 Declare Vehicle is Abandoned Vehicle Wreck | 26 Jun 2024 | Amended delegation | Adopted at OCM 25 June 2024 CM202324/292 | CM202324/292 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|--|------------------------|
| 1.2.7 Confiscated or Uncollected Goods | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.7 Confiscated or Uncollected Goods | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.2.9 Close Thoroughfares to Vehicles | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations as subdelegates (F1, F3, F4) | CM202324/292 |
| 1.2.11 Obstruction of Footpaths and Thoroughfares | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.2.11 Obstruction of Footpaths and Thoroughfares | 25 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations (F1-F6) | CM202324/292 |
| 1.2.16 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.16 Give Notice to Prevent Damage to Local Government Property from Wind Erosion and Sand Drift | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.2.18 Tenders for Goods and Services | 8 Nov 2021 | Amended delegation | Amendment of acceptance to tenders. | NCR59814 |
| 1.2.18 Tenders for Goods and Services | 8 Nov 2021 | Amended delegation | Amendment to description of item 9 to clarify. | NCR59814 |
| 1.2.18 Tenders for Goods and Services | 30 Aug 2023 | Amended delegation | Function 9 reduced to \$750,000 CM202324/118 | NCR71505 - Synergy Ref |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|--------------|
| 1.2.18 Tenders for Goods and Services | 30 Aug 2023 | Amended delegation | Add to condition b: 'Tenders may only be called where there is an adopted budget or provision in the Long Term Financial Plan for the proposed goods or services', and c: 'In accordance with s.5.43, tenders may only be accepted where the resulting expense is included in the adopted Annual Budget or Long Term Financial Plan. Council Decision: CM202324/117 | NCR71505 |
| 1.2.18 Tenders for Goods and Services | 26 Jun 2024 | Amended delegation | Change F9 limit to \$500,000 | CM202324/292 |
| 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services | 7 Feb 2022 | Amended delegation | Amendment to Council Conditions on this Delegation (admin error, amount was changed from \$500k to \$1m, this amendment reverses the admin error to the amount adopted by council decision number CM201920/31. | NPP62325 |
| 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.19 Panels of Pre-Qualified Suppliers for Goods and Services | 26 Jun 2024 | Amended delegation | Change Condition A limit to \$500,000 | CM202324/292 |
| 1.2.21 Payments from the Municipal or Trust Funds | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.2.21 Payments from the Municipal or Trust Funds | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.21 Payments from the Municipal or Trust Funds | 26 Jun 2024 | Amended delegation | Addition of various positions with a \$100 limit to allow for refunds in retail environments. | CM202324/292 |
| 1.2.21 Payments from the Municipal or Trust Funds | 14 Nov 2024 | Amended delegation | Added Project Implementation Lead - Leisure Management System to 1.2.21 | NCR79775 |
| 1.2.21 Payments from the Municipal or Trust Funds | 18 Nov 2024 | Amended delegation | New subdelegate - Coordinator Customer Experience | NCR79779 |
| 1.2.23 Defer, Grant Discounts, Waive or Write Off Debts | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|--|
| 1.2.23 Defer, Grant Discounts, Waive or Write Off Debts | 13 Mar 2024 | Amended delegation | Rates Officer added capped at \$50, approved by CEO 12/03/2024. | |
| 1.2.23 Defer, Grant Discounts, Waive or Write Off Debts | 22 Mar 2024 | Amended delegation | Addition of Manager Financial Services with a limit of \$1,000. | Signed New/Amendment to Delegation Form 18/03/2024 |
| 1.2.23 Defer, Grant Discounts, Waive or Write Off Debts | 26 Jun 2024 | Amended delegation | Addition of Manager to Waive fee's and charges up to \$500. | CM202324/292 |
| 1.2.24 Power to Invest and Manage Investments | 14 Jun 2021 | Amended delegation | Addition of function 2 to job titles "Director Corporate Services" and "Manager Financial Services". | V2 - NCR56023 |
| 1.2.24 Power to Invest and Manage Investments | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant | NCR59814 |
| 1.2.24 Power to Invest and Manage Investments | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.25 Rate Record Amendment | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant | NCR59814 |
| 1.2.25 Rate Record Amendment | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.25 Rate Record Amendment | 25 Mar 2024 | Amended delegation | Addition of Rates Officer to Functions 1,2,3,4 Addition of Customer Service Officers - Civic Centre to Function 4 Addition of Customer Service Team Leader to Function 4 | |
| 1.2.25 Rate Record Amendment | 15 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | Nil |
| 1.2.25 Rate Record Amendment | 23 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | |
| 1.2.25 Rate Record Amendment | 18 Nov 2024 | Amended delegation | New subdelegate - Coordinator Customer Experience | NCR79779 |
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|-------------------|
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 22 Feb 2024 | Amended delegation | Addition of Rates Officer, Customer Service and Customer Service Team Leader. | |
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 15 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | Nil |
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 23 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | |
| 1.2.26 Agreement as to Payment of Rates and Service Charges | 18 Nov 2024 | Amended delegation | New subdelegate - Coordinator Customer Experience | NCR79779 |
| 1.2.27 Determine Due Date for Rates or Service Charges | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.2.28 Recovery of Rates or Service Charges | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.2.28 Recovery of Rates or Service Charges | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.2.29 Recover a Fee or Charge (Excluding Rates) | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.2.30 Recovery of Rates Debts – Require Lessee to Pay Rent | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.2.32 Rate Record – Objections | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.3.1 Determine if an Emergency for Emergency Powers of Entry | 21 Oct 2021 | Amended delegation | Addition of Directors to Freedom of Information Act | NCR59406 |
| 1.3.1 Determine if an Emergency for Emergency Powers of Entry | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|------------|
| 1.3.6 Destruction of Electoral Papers | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.3.7 Financial Management Systems and Procedures | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.3.7 Financial Management Systems and Procedures | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.3.8 Infringement Notices | 14 Jun 2021 | Amended delegation | Addition of job title "Senior Planner" | NCR56023 |
| 1.3.8 Infringement Notices | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 1.3.8 Infringement Notices | 20 Jan 2022 | Amended delegation | Amend job description from "Town Planner" to "Planner" | NCR61946 |
| 1.3.8 Infringement Notices | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 1.3.8 Infringement Notices | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 1.3.8 Infringement Notices | 6 Mar 2024 | Amended delegation | Correction to position title under Conditions to 'Senior Urban Planner' from 'Senior Planner' | Nil |
| 1.3.12 Representing Local Government in Court | 14 Jun 2021 | Amended delegation | Amend job title from "Legal Advisor" to "Senior Legal Counsel" | NCR56023 |
| 1.3.12 Representing Local Government in Court | 8 Nov 2021 | Amended delegation | Addition of Senior Project Accountant. | NCR59814 |
| 1.3.12 Representing Local Government in Court | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 1.3.12 Representing Local Government in Court | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|------------------------|
| 2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area | 30 Aug 2023 | Amended delegation | Amend to add Manager Infrastructure Operations to Delegates CM202324/117 | NCR71505 - Synergy Ref |
| 2.1.1 Power of Local Government to Destroy Dangerous Vegetation or Premises in Cyclone Area | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations as subdelegates | CM202324/292 |
| 3.1.1 Decisions Made Under the Freedom of Information Act 1992 | 14 Jun 2021 | Amended delegation | Amended job title from "Governance Advisor" to "Senior Governance Advisor". | NCR56023 |
| 5.1.1 Grant a Building Permit | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.1 Grant a Building Permit | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.2 Demolition Permits | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.2 Demolition Permits | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.3 Occupancy Permits or Building Approval Certificates | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.3 Occupancy Permits or Building Approval Certificates | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|-------------------|
| 5.1.4 Designate Employees as Authorised Persons | 14 Jun 2021 | Amended delegation | Addition of job title "Senior Planner" | NCR56023 |
| 5.1.4 Designate Employees as Authorised Persons | 23 Dec 2021 | Amended delegation | Addition of Place Facilitator | NCR61460 |
| 5.1.4 Designate Employees as Authorised Persons | 20 Jan 2022 | Amended delegation | Amend job description from "Town Planner" to "Planner" | NCR61946 |
| 5.1.4 Designate Employees as Authorised Persons | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.4 Designate Employees as Authorised Persons | 9 Jan 2024 | Amended delegation | Addition of new role/position to delegation - Senior Strategic Planner | NCR73251 |
| 5.1.5 Appoint Authorised Persons (Swimming Pool Inspectors) | 8 Nov 2021 | Amended delegation | Removal of Persons awarded a contract for the provision of pool inspecting services | NCR59814 |
| 5.1.5 Appoint Authorised Persons (Swimming Pool Inspectors) | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.5 Appoint Authorised Persons (Swimming Pool Inspectors) | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.5 Appoint Authorised Persons (Swimming Pool Inspectors) | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 5.1.6 Building Orders | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|-------------------|
| 5.1.6 Building Orders | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.7 Inspection and Copies of Building Records | 23 Dec 2021 | Amended delegation | Addition of Place Facilitator | NCR61460 |
| 5.1.7 Inspection and Copies of Building Records | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.7 Inspection and Copies of Building Records | 20 Jan 2022 | Amended delegation | Amend job description from "Town Planner" to "Planner" | NCR61946 |
| 5.1.7 Inspection and Copies of Building Records | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.7 Inspection and Copies of Building Records | 9 Jan 2024 | Amended delegation | Addition of new role/position to delegation - Senior Strategic Planner | NCR73251 |
| 5.1.8 Referrals and Issuing Certificates | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.8 Referrals and Issuing Certificates | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 5.1.10 Smoke Alarms – Alternative Solutions | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 5.1.10 Smoke Alarms – Alternative Solutions | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|------------------------|
| 5.1.10 Smoke Alarms – Alternative Solutions | 30 Aug 2023 | Amended delegation | amended to change title name of "Manager Town Planning & Development" to ' Manager Planning & Economic Development. Council Decision CM202324/118 | NCR71505 |
| 6.2.1 Make Request to FES Commissioner – Control of Fire | 30 Aug 2023 | Amended delegation | Add Deputy Chief Bush Fire Control Officer (DCBFCO) and Coordinator Ranger Services CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.2 Prohibited Burning Times - Vary | 30 Aug 2023 | Amended delegation | Remove Chief Bush Fire Control Officer (CBFCO) and add Deputy Chief Bush Fire Control Officer (DCBFCO) CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.3 Prohibited Burning Times – Control Activities | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 6.2.3 Prohibited Burning Times – Control Activities | 30 Aug 2023 | Amended delegation | Remove Functions 1 and 5 from Chief Bush Fire Control Officer (CBFCO), Add Deputy Chief Bush Fire Control Officer (DCBFCO) with Functions 1, 3, 4 and 5. Council Decision CM202324/117 | NCR71505 |
| 6.2.4 Restricted Burning Times – Vary and Control Activities | 30 Aug 2023 | Amended delegation | Separate Ranger and Emergency Services Advisor from the Deputy Chief Bush Fire Control Officer (DCBFCO) and give the same functions. Chief Bush Fire Control Officer (CBFCO) to only have Function 1. Council Decision CM202324/117 | NCR71505 |
| 6.2.5 Control of Operations Likely to Create Bush Fire Danger | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 6.2.5 Control of Operations Likely to Create Bush Fire Danger | 30 Aug 2023 | Amended delegation | Separate Ranger & Emergency Services Advisor from the Deputy Chief Bush Fire Control Officer (DCBFCO) and give the same functions. Council Decision CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.6 Burning Garden Refuse / Open Air Fires | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 6.2.6 Burning Garden Refuse / Open Air Fires | 30 Aug 2023 | Amended delegation | Remove Chief Bush Fire Control Officer (CBFCO). Add Deputy Chief Bush Fire Control Officer (DCBFCO) Council Decision CM202324/117 | NCR71505 - Synergy Ref |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|---|------------------------|
| 6.2.7 Firebreaks | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 6.2.7 Firebreaks | 30 Aug 2023 | Amended delegation | Remove Chief Bush Fire Control Officer (CBFCO). Add Deputy Chief Bush Fire Control Officer (DCBFCO). Council Decision CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer | 20 Jan 2022 | Amended delegation | Addition of position "Bushfire Risk Management Planning Officer" | NCR61946 |
| 6.2.8 Appoint Bush Fire Control Officer/s and Fire Weather Officer | 30 Aug 2023 | Amended delegation | Add express power of duty delegated s. 38A FES Commissioner may designate person employed in Department as Chief Bush Fire Control Officer. Remove Chief Bush Fire Control Officer (CBFCO). Council Decision CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.9 Control and Extinguishment of Bush Fires | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 6.2.9 Control and Extinguishment of Bush Fires | 30 Aug 2023 | Amended delegation | Add Deputy Chief Bush Fire Control Officer (DCBFCO). Add Director Regulatory Services. Council Decision CM202324/117 | NCR71505 - Synergy Ref |
| 6.2.12 Prosecution of Offences | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.1.1 Cat Registrations | 6 Jul 2021 | Amended delegation | Addition of job title "Trainee Administration Officer" | NCR56614 |
| 7.1.1 Cat Registrations | 5 Oct 2022 | Amended delegation | Delegations 7.1.1, 7.1.3 and 8.1.1 – Changed position title from 'Customer Service Officer' to 'Customer Service Officers (excl. Leisure). | NLB66887 |
| 7.1.1 Cat Registrations | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.1.1 Cat Registrations | 15 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | Nil |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|------------|
| 7.1.1 Cat Registrations | 23 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | |
| 7.1.1 Cat Registrations | 18 Nov 2024 | Amended delegation | New subdelegate - Coordinator Customer Experience | NCR79779 |
| 7.1.2 Cat Control Notices | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.1.3 Approval to Breed Cats | 6 Jul 2021 | Amended delegation | Addition of job title "Trainee Administration Officer" | NCR56614 |
| 7.1.3 Approval to Breed Cats | 30 Jun 2022 | Amended delegation | Delegations 7.1.1, 7.1.3 and 8.1.1 – Changed position title from 'Customer Service Officer' to 'Customer Service Officers (excl. Leisure). | NLB66887 |
| 7.1.3 Approval to Breed Cats | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.1.3 Approval to Breed Cats | 15 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | Nil |
| 7.1.3 Approval to Breed Cats | 23 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | |
| 7.1.3 Approval to Breed Cats | 18 Nov 2024 | Amended delegation | New subdelegate - Coordinator Customer Experience | NCR79779 |
| 7.1.4 Appoint Authorised Persons | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.1.6 Applications to Keep Additional Cats | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 7.2.1 Infringement Notices – Extensions and Withdrawals | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 8.1.1 Dog Registrations | 14 Jun 2021 | Amended delegation | Removal of title "Customer Service Supervisor"; Addition of job title "Customer Service Team Leader" | NCR56023 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|--|--|
| 8.1.1 Dog Registrations | 6 Jul 2021 | Amended delegation | Addition of job title "Trainee Administration Officer" | NCR56614 |
| 8.1.1 Dog Registrations | 30 Jun 2022 | Amended delegation | Delegations 7.1.1, 7.1.3 and 8.1.1 – Changed position title from 'Customer Service Officer' to 'Customer Service Officers (excl. Leisure). | NLB66887 |
| 8.1.1 Dog Registrations | 5 Oct 2022 | Amended delegation | NLB66887 | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. |
| 8.1.1 Dog Registrations | 15 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | Nil |
| 8.1.1 Dog Registrations | 23 May 2024 | Amended delegation | Addition of Customer Service Coordinator role to supersede Customer Service Team Leader role. | |
| 8.1.1 Dog Registrations | 18 Nov 2024 | Amended delegation | New Subdelegate - Coordinator Customer Experience | NCR79779 |
| 8.1.2 Kennel Establishments | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 8.1.3 Appoint Authorised Persons | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 8.1.3 Appoint Authorised Persons | 26 Jun 2024 | Amended delegation | Add Director Regulatory Services to function 2b - to declare a dog to be dangerous | CM202324/292 |
| 8.1.5 Dispose of or Sell Dogs Liable to be Destroyed | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 8.1.8 Determine Recoverable Expenses for Dangerous Dog Declaration | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|------------------------|
| 9.1.1 General Inspector | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 10.1.1 Prohibition Orders | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 10.1.1 Prohibition Orders | 30 Aug 2023 | Amended delegation | Add "Senior Environmental Health Officer" Add "Environmental Health Officer". Council Decision: CM202324/117 | NCR71505 - Synergy Ref |
| 10.1.2 Food Business Registrations | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 10.1.2 Food Business Registrations | 26 Jun 2024 | Amended delegation | Remove Graduate Environmental Health Officer delegation Apply F1 only to positions below Senior level | CM202324/292 |
| 10.1.4 Authorised Persons | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 10.1.4 Authorised Persons | 25 Jun 2024 | Amended delegation | Remove Graduate Environmental Health Officer delegation | CM202324/292 |
| 10.1.5 Designated Officers and Infringement Notices | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 10.1.5 Designated Officers and Infringement Notices | 26 Jun 2024 | Amended delegation | Remove Graduate Environmental Health Officer delegation | CM202324/292 |
| 10.1.7 Food Businesses List – Public Access | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 10.1.7 Food Businesses List – Public Access | 30 Aug 2023 | Amended delegation | Add "Environmental Health Officer" to Delegates | NCR71505 |
| 11.1.1 Give Notice Requiring Obliteration of Graffiti | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|--------------|
| 11.1.1 Give Notice Requiring Obliteration of Graffiti | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 11.1.3 Obliterate Graffiti on Private Property | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 11.1.3 Obliterate Graffiti on Private Property | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 11.1.3 Obliterate Graffiti on Private Property | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations as subdelegates | CM202324/292 |
| 11.1.4 Powers of Entry | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 11.1.4 Powers of Entry | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations (F1 & F2) | CM202324/292 |
| 12.1.1 Register and Withdraw Infringement Notices | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 12.1.1 Register and Withdraw Infringement Notices | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 12.1.1 Register and Withdraw Infringement Notices | 30 Aug 2023 | Amended delegation | Add "Manager Planning and Economic Development". Remove "Manager Town Planning & Development". | NCR71505 |
| 12.1.1 Register and Withdraw Infringement Notices | 26 Jun 2024 | Amended delegation | Add Senior Urban Planner | CM202324/292 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|---|-------------------|
| 13.1.1 Authorised Officers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 14.1.1 Authorised Officers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 15.1.1 Compliance Certificates | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 15.1.1 Compliance Certificates | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 15.1.1 Compliance Certificates | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 17.1.1 Functions of Authorised Persons | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 17.1.1 Functions of Authorised Persons | 26 Jun 2024 | Amended delegation | Remove Graduate Environmental Health Officer delegation | CM202324/292 |
| 18.1.2 Appointment of Authorised Persons | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 18.1.3 Infringement Notices | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 18.1.3 Infringement Notices | 30 Aug 2023 | Amended delegation | Director Regulatory Services and CEO to have Functions 1, 2 and 3. All other delegates to only have Functions 1 and 2. Council Decision: CM202324/117 | NCR71505 |
| 18.1.4 Camping other than at Caravan Park or Camping Ground | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|---|--------------|
| 19.1.1 Illegal Development | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.1.1 Illegal Development | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.1.1 Illegal Development | 26 Jun 2024 | Amended delegation | Add Urban Planner | CM202324/292 |
| 19.1.2 Subdivision | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.1.2 Subdivision | 30 Aug 2023 | Amended delegation | Amend title of "Manager Town Planning & Development" to "Manager Planning & Economic Development" 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.1.2 Subdivision | 26 Jun 2024 | Amended delegation | Add Urban Planner | CM202324/292 |
| 19.1.4 Reports to the Development Assessment Panel | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.1.4 Reports to the Development Assessment Panel | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Economic Development' to "Manager Planning & Economic Development" - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.1.5 Authorised Person – Infringement Notices and Enforcement Powers | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.1.5 Authorised Person – Infringement Notices and Enforcement Powers | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor" and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 19.1.5 Authorised Person – Infringement Notices and Enforcement Powers | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Economic Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|---|--------------|
| 19.1.5 Authorised Person – Infringement Notices and Enforcement Powers | 26 Jun 2024 | Amended delegation | Add Urban Planner. Remove Building Surveyor. | CM202324/292 |
| 19.2.1 Development Applications | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.2.1 Development Applications | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 19.2.1 Development Applications | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.2.1 Development Applications | 26 Jun 2024 | Amended delegation | Add Urban Planner to F3 & F4 Add F3 and F4 to the effect of; 3. To determine development applications that have a value less than \$5000000 and impose conditions (r.68) 4. To determine whether to amend or cancel development applications with a value less than \$5000000 and impose conditions [r.77]. Add note to conditions to the effect of; Development approval functions for single houses and associated development, except in relation to a heritage protected place, must be determined by the Chief Executive Officer and subdelegates as described in 19.2.1 Development Applications, in accordance with Amendments to the Planning & Development Act 2005 s.257C. | CM202324/292 |
| 19.2.2 Structure Plans and local development plans | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 19.2.2 Structure Plans and local development plans | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning and Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.2.3 Authorised Person – Entry and Inspection Powers | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|--|-------------------|
| 19.2.3 Authorised Person – Entry and Inspection Powers | 1 Apr 2022 | Amended delegation | As per the position title change request submitted to Governance, the position of 'Development Services Officer' has been retitled to "Building Surveyor' and the Delegation Register needs to be updated to reflect this title change. | NCR63614 |
| 19.2.3 Authorised Person – Entry and Inspection Powers | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 19.2.3 Authorised Person – Entry and Inspection Powers | 26 Jun 2024 | Amended delegation | Change title to Authorised Person – Entry & Inspection Powers from Authorised Person – Infringement Notices and Inspection Powers. Add Urban Planner, Senior Strategic Planner, Senior Planner, Graduate Planner, Project Officer – Strategic Planner, Planning & Development Support Officer. | CM202324/292 |
| 20.1.1 Noise Control – Environmental Protection Notices [Reg.65(1)] | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.1.2 Noise Management Plans – Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.1.3 Noise Management Plans – Construction Sites | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.1.4 Appointment of Authorised Persons under the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997 | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|--|-------------------|
| 20.1.4 Appointment of Authorised Persons under the Environmental Protection Act 1986 and Environmental Protection (Noise) Regulations 1997 | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.2.1 Instrument of Authorisation - Sign Development Applications for Crown Land as Owner | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985 | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 20.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985 | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 20.2.2 WA Planning Commission – Section 25 of the Strata Titles Act 1985 | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 20.2.3 Port Hedland West End Improvement Scheme No.1 | 23 Dec 2021 | Amended delegation | Removal of Senior Strategic Planner | NCR61460 |
| 20.2.3 Port Hedland West End Improvement Scheme No.1 | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 20.2.3 Port Hedland West End Improvement Scheme No.1 | 30 Aug 2023 | Amended delegation | Amend title of 'Manager Town Planning & Development' to 'Manager Planning & Economic Development' - 30/08/2023 - Council Decision CM202324/118 | NCR71505 |
| 20.2.3 Port Hedland West End Improvement Scheme No.1 | 26 Jun 2024 | Amended delegation | Amend Head of Power detail | |
| 21.1.2 Restricted Parking Areas | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |

| Delegation | Date | Type | Amendment | References |
|---|-------------|--------------------|--|-------------------|
| 21.1.3 Vehicle on Thoroughfare to Be Moved | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.1.4 Authorised Person May Mark Tyres | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.1.5 Driving or Parking on Reserves | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.1.6 Suspension of Parking Limitations for Urgent, Essential or Official Duties | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.1.7 Infringements for Prescribed Offences as Per Schedule 2 | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.3.2 Activities Requiring a Licence | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.3.4 Authorised Officers | 14 Jun 2021 | Amended delegation | Removal of job title "Customer Service Team Leader"; Addition of title "Customer Service Supervisor"; | NCR56023 |
| 21.3.4 Authorised Officers | 12 Jan 2022 | Amended delegation | Addition of Duty Manager – Wanangkura Stadium | NCR61750 |
| 21.3.4 Authorised Officers | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 21.3.4 Authorised Officers | 8 Aug 2023 | Amended delegation | Addition of Senior Theatre Technical Officer to 21.3.4 Authorised Officers | NCR71198 |

| Delegation | Date | Type | Amendment | References |
|--------------------------------|-------------|--------------------|--|-------------------|
| 21.3.4 Authorised Officers | 30 Aug 2023 | Amended delegation | Positions to be added to functions 1 and 2: Youth Services Supervisor, Youth Programs Officer, You Development Officer, Senior Youth Officer, Senior Community Development Officer, Senior Theatre Technical Officer, Manager Planning and Economic Development. Remove Manager Business & Economic Development and Manager Town Planning and Development. Function 4 added to Manager Environmental Services, Manager Waste & Services, Manager Infrastructure Projects & Assets, Manager IT & Program Delivery and Senior Project Engineer for Drone Flying. | NCR71505 |
| 21.3.4 Authorised Officers | 26 Jun 2024 | Amended delegation | Add Seniors, Coordinators, Duty Manager, Supervisors, Advisors and Customer Service Officers to F1 & F2. Add F4 to Environmental Health Officer, Environmental Health Technical Officer and Graduate Environmental Health Officer. Tidy up of positions to the above classifications unless stipulated otherwise in the existing delegation. | CM202324/292 |
| 21.3.4 Authorised Officers | 14 Nov 2024 | Amended delegation | Added Project Implementation Lead - Leisure Management System - 21.3.4 | Nil |
| 21.3.4 Authorised Officers | 18 Nov 2024 | Amended delegation | Added delegate Project Implementation Lead - Leisure Management System | NCR79776 |
| 21.3.4 Authorised Officers | 18 Nov 2024 | Amended delegation | New delegate - Coordinator Customer Experience | NCR79779 |
| 21.3.5 Thoroughfares – General | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 21.3.5 Thoroughfares – General | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.3.5 Thoroughfares – General | 26 Jun 2024 | Amended delegation | Add Coordinator Property Management, Coordinator Parks & Reserves and Coordinator Landscape & Irrigation, Senior Project Officer - Operations (F1-F4) | CM202324/292 |

| Delegation | Date | Type | Amendment | References |
|--|-------------|--------------------|--|-------------------|
| 21.3.6 Grant Licence for Commercial Activity | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services | NLB66887 |
| 21.3.7 Prescribed Offences – Schedule 7 | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services | NLB66887 |
| 21.4.1 General Powers | 26 Jun 2024 | Amended delegation | Add Manager Waste & Services (F1, 2, 3, 6, 7, 10, 11, 12, 13, 14, 15, 16, 18, 19) | CM202324/292 |
| 21.4.2 Authorised Officers | 26 Jun 2024 | Amended delegation | Add Manager Waste & Services (F1, 2, 3, 4, 5, 6) | CM202324/292 |
| 21.4.3 Prescribed Offences | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.5.1 Various Powers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.5.2 Authorised Officers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.6.1 Various Powers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.7.1 Various Powers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.7.2 Authorised officers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.8.1 Authorised Officers | 14 Jun 2021 | Amended delegation | Amended job title from "Waste Technical Officer" to "Waste Contracts Officer". | NCR56023 |
| 21.8.1 Authorised Officers | 17 Jun 2021 | Amended delegation | Amendments to typographical errors | NCR56109 |

| Delegation | Date | Type | Amendment | References |
|----------------------------|-------------|--------------------|---|-------------------|
| 21.8.1 Authorised Officers | 30 Jun 2022 | Amended delegation | Position title change requests, additional positions, threshold changes and additions, new functions, | Nil |
| 21.8.1 Authorised Officers | 5 Oct 2022 | Amended delegation | Changed position title from 'Manager Environmental Health and Community Safety' to 'Manager Environmental Services'. | NLB66887 |
| 21.8.1 Authorised Officers | 30 Aug 2023 | Amended delegation | Add Director Infrastructure Services, Senior Waste & Resource Recovery Officer and Manager Infrastructure Operations. | NCR71505 |