



# **SHIRE OF DONNYBROOK-BALINGUP**

## **Register of Delegations and Authorisations**

May 2017

(Last amended July 2017)

## LIST OF DELEGATIONS BY ALPHABETICAL ORDER

No	Title	Page	Type
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7.2	<i>Advertising Development Applications</i>	50	Town Planning
4.13	<i>Appointment of Staff</i>	39	Engineering
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5.14	<i>Authority to Appoint Authorised Persons</i>	43	Building
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5.8	<i>Building - Waive Building Permit Fees</i>	41	Building
5.12	<i>Building - Authority to refuse to grant Building or Demolition Permits</i>	42	Building
5.1	<i>Building - Grant of Building Permit</i>	41	Building
5.11	<i>Building - Grant of Demolition Permit</i>	42	Building
5.13	<i>Building - Grant of Occupancy Permits, Building Approval Certificates</i>	43	Building
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6.2	<i>Burning Period Variations</i>	47	Fire Control
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2.3	<i>Camping Reserves</i>	7	Administration
2.27	<i>Camping Sites – Balingup Oval and Transit Park (Special Events)</i>	20	Administration
2.32	<i>Cat Act Powers and Duties</i>	23	Administration
2.24	<i>Cats - Permit for Keeping Four Cats</i>	18	Administration
2.26	<i>Cemeteries</i>	19	Administration
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7.12	<i>Certificate of Local Planning Authority</i>	58	Town Planning
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3.3	<i>Contract Variation</i>	26	Finance
2.19	<i>Council Orders - Signing of Council Orders</i>	16	Administration
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# Preface

## The Meaning of Delegation

Macquarie defines the word 'delegate' as to meaning, 'to commit powers or functions to others.' Before a person can commit a power or duty to another, the person proposing the delegation:

- must possess that power or duty; and
- must possess the power to delegate that specific power or duty.

Council cannot delegate any of the powers or duties under the Local Government Act 1995 to:

- an individual council member;
- any officer other than the Chief Executive Officer;
- committees mentioned under S.5.17(2); or
- any other person.

Notwithstanding the above, this Register also contains a number of other delegations that derive from other Acts or Council's Planning Schemes. It also includes delegations made by the Chief Executive Officer to other officers, in accordance with Section 5.42 of the Local Government Act.

Beneath each delegation is a table showing when the delegation was adopted, reviewed and amended. Formal delegations were developed after the introduction of the Local Government Act 1995, and the first register completed in 1999. Delegations introduced prior to this, where no adoption date is available, are deemed to have been of 1999 origin.

## Amendments to Delegations

The register will be subject to ongoing review with amendments and additions to keep in vogue with current requirements. This includes the review of delegations by the delegator at least every financial year (s5.46 (2)). When these changes occur, Councillors and Staff will be provided with amended copies of relevant delegations and requested to keep their register updated.



Benjamin (Ben) Rose  
**Chief Executive Officer**



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## Local Government Act 1995 – Delegation Provisions

### Delegation to Committees

- 5.16 (1) Absolute majority required to delegate. Cannot delegate power of delegation.
  - (2) To be in writing and may be general or conditional.
  - (3) Can be for a period of time or indefinite.
  - (4) Doesn't prevent Council acting through another.
- 5.17 Limits of delegations to committees.
- 5.18 Register of Delegations to be kept and reviewed annually.

### Delegation to CHIEF EXECUTIVE OFFICER

- 5.42 (1) Absolute majority required to delegate.
  - (2) To be in writing and may be general or conditional.
- 5.43 Limits on delegations to Chief Executive Officer.
- 5.44 Chief Executive Officer may delegate to others, but not the power of delegation.
- 5.45 (1) (a) Can be for a period of time or indefinite.
  - (b) Absolute majority required to amend or revoke.
- (2) Doesn't prevent Council or Chief Executive Officer acting through another.
- 5.46 (1) & (2) Register of Delegations to be kept and reviewed at least every financial year.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

### Records to be kept by Delegates Admin Regulation 19

“Where a power or duty has been delegated under the Act to the Chief Executive Officer or to any other local government employee, the person to whom the power or duty has been delegated is to keep a written record of –

- (a) how the person exercised the power or discharged the duty:
- (b) when the person exercised the power or discharged the duty:
- (c) the persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.”

## PART ONE - DELEGATIONS

### 1 COUNCIL

1.1 Council Spokesperson	
<b>Delegation Number</b>	<b>1.1</b>
<b>Subject</b>	Council Spokesperson
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 – S 5.41 (f)
<b>Delegate</b>	Chief Executive Officer

#### Delegated Authority

The Shire President has agreed vide Section 5.41(f) of the Local Government Act 1995 that the Chief Executive Officer is authorised to speak on behalf of the Council.

Delegation 1.1		
Adopted	Reviewed	Amended
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	19 December 2007.

1.2 Council Representatives	
<b>Delegation Number</b>	<b>1.2</b>
<b>Subject</b>	Council Representatives
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

#### Delegated Authority

The authority to allow Councillors to represent Council shall be provided only by Council or the Chief Executive Officer.

Delegation 1.2		
Adopted	Reviewed	Amended
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 24 April 2012, 27 April 2011, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>1.3 Approval and Payment of Expenses and Reimbursements</b>	
<b>Delegation Number</b>	<b>1.3</b>
<b>Subject</b>	Approval and Payment of Expenses & Reimbursements to Elected members and Staff
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 – S 5.98 (4)
<b>Council Policy</b>	1.3
<b>Delegate</b>	Chief Executive Officer

### **Delegated Authority**

The Chief Executive Officer is delegated authority to assess and approve reimbursement of fees, travel expenses, other expenses and allowances to elected members and staff in accordance with Section 5.98 (4) of the Local Government Act 1995 and the provisions of Council policy 1.3.

<b>Delegation 1.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	26 April 2017

## 2 ADMINISTRATION

<b>2.1 Hiring Council Hall and Other Property</b>	
<b>Delegation Number</b>	<b>2.1</b>
<b>Subject</b>	Hiring Council Hall and Other Property
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	2.6
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated power to accept or reject applications to hire the Council Hall or other facilities and to approve applications for persons to consume liquor on Council controlled property or facilities (liquor permits). Refer to policy No. 2.6.

<b>Delegation 2.1</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	22 July 2009

<b>2.2 Legal Proceedings and Enforcement</b>	
<b>Delegation Number</b>	<b>2.2</b>
<b>Subject</b>	Legal Proceedings and Enforcement
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Powers Exercised</b>	Local Government Act 1995 (s9.29(2)(b))
	Local Government Act 1995 (s9.10, 9.16, 9.17, 9.19 & 9.20); Local Laws
<b>Council Policy</b>	Council Policy No 1.13
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to:

- 1 Initiate or appoint persons in writing to initiate prosecutions on behalf of Council under the Local Government Act 1995 9.29(2)(b) and Council's Local laws.
- 2 Provide up to \$5,000 for urgent legal representation in accordance with Policy No. 1.13.
- 3 Appoint persons to be authorised for the purpose of performing particular functions as specified by the Chief Executive Officer. The appointments being referred to in Sections 9.10, 9.16, 9.17, 9.19 and 9.20 of the Local Government Act 1995.

<b>Delegation 2.2</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7. April 2016, 6 April 2017	19 December 2007

<b>2.3 Camping Reserves</b>	
<b>Delegation Number</b>	<b>2.3</b>
<b>Subject</b>	Camping Reserves
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Related legislation</b>	Caravan Parks and Camping Grounds Act 1995 (s.15)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to authorise camping on any Council controlled Reserve for special events.

<b>Delegation 2.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	16 May 2001

<b>2.4 Arbitration and Industrial Dispute</b>	
<b>Delegation Number</b>	<b>2.4</b>
<b>Subject</b>	Arbitration and Industrial Dispute
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to provide the Western Australian Local Government Association with consent to act on the Council's behalf in any matter regarding disputes with employees of this Council.

<b>Delegation 2.4</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	14 June 2006

<b>2.5 Swimming Pool Hours</b>	
<b>Delegation Number</b>	<b>2.5</b>
<b>Subject</b>	Swimming Pool Hours
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

Authority is delegated to the Chief Executive Officer to determine the Donnybrook Recreation Centre Swimming Pool opening times to enable flexibility to cater for reasonable public demand.

<b>Delegation 2.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	14 June 2006

<b>2.6 Acting Chief Executive Officer</b>	
<b>Delegation Number</b>	<b>2.6</b>
<b>Subject</b>	Acting Chief Executive Officer
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 – S 5.36
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

Authority is given to the Chief Executive Officer to appoint persons to act in the capacity of CEO in the CEO's absence.

<b>Delegation 2.6</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.7 Staff Appointments</b>	
<b>Delegation Number</b>	<b>2.7</b>
<b>Subject</b>	Staff Appointments
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 – S 5.36
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to appoint, dismiss or suspend staff other than senior designated staff.

<b>Delegation 2.7</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 14 June 2006.

<b>2.8 Use of Vehicles</b>	
<b>Delegation Number</b>	<b>2.8</b>
<b>Subject</b>	Use of Vehicles
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated the authority to make all appropriate private use arrangements with all staff having use of Council vehicles.

<b>Delegation 2.8</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016. 6 April 2017.	



<b>2.9 Walkathons, Car Rallies, Bicycle Rides and Processions</b>	
<b>Delegation Number</b>	<b>2.9</b>
<b>Subject</b>	Walkathons, Car Rallies, Bicycle Rides and Processions
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to approve or refuse applications for Walkathons, Car Rallies or other such processions on public roads throughout the district.

<b>Delegation 2.9</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.10 Events on Roads</b>	
<b>Delegation Number</b>	<b>2.10</b>
<b>Subject</b>	Events on Roads
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 (s3.50)
<b>Other relevant legislation</b>	Road Traffic (Events on Roads) Regulations 1991
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to determine applications for the temporary closure of roads for the purpose of conducting events in accordance with the Road Traffic (Events on Roads) Regulations 1991. The Chief Executive Officer shall have regard to Section 3.50 of the Local Government Act 1995.

<b>Delegation 2.10</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.11 Activities on Thoroughfares and Trading in Thoroughfares and Public Places</b>	
<b>Delegation Number</b>	<b>2.11</b>
<b>Subject</b>	Activities on Thoroughfares and Trading in Thoroughfares and Public Places
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
Power Executed	Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law (2008)
<b>Other relevant legislation</b>	Road Traffic (Events on Roads) Regulations 1991
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to approve or refuse applications for Permits for activities on thoroughfares and trading in thoroughfares and public places within the Shire of Donnybrook-Balingup (Refer Local Law). Contentious issues to be referred to Council.

<b>Delegation 2.11</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016. 6 April 2017.	16 May 2001, 8 June 2005, 14 June 2006, 22 July 2009, 27 April 2011, 25 July 2012,

<b>2.12 Certain Provisions about Land</b>	
<b>Delegation Number</b>	<b>2.12</b>
<b>Subject</b>	Certain Provisions about Land
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Power Executed</b>	Local Government Act 1995 – S 3.24, S 3.25
<b>Delegate</b>	Manager Development & Environmental Services, Principal Environmental Health Officer and Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer delegates authority to the Manager Development & Environmental Services, Principal Environmental Health Officer and Principal Building Surveyor to issue notices under section 3.25 of the *Local Government Act 1995* requiring certain things to be done by the owner or occupier of land.

<b>Delegation 2.12</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 22 July 2009, 27 April 2011, 25 June 2014.

<b>2.13 Hall and Reserve Hire Waiver or Reduction</b>	
<b>Delegation Number</b>	<b>2.13</b>
<b>Subject</b>	Hall and Reserve Hire Waiver or Reduction
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government Act 1995 (s6.12)
	Council Policy 2.6 - Hiring of Council Halls Policy Council Policy 2.47 - Community Grants Funding Scheme Policy
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority under section 5.42 of the *Local Government Act 1995* to waive or reduce hall and reserve hire fees under the Community Grants Funding Scheme and/or extreme financial or special circumstances. Waivers or reductions must be in accordance with s.6.12 of the *Local Government Act 1995*, and Council Policy 2.6 or 2.47.

<b>Delegation 2.13</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2003, 14 June 2006, 27 April 2016.

<b>2.14 Payment of Study Leave</b>	
<b>Delegation Number</b>	<b>2.14</b>
<b>Subject</b>	Payment of Study leave
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	Council Human Resource Policy 3.2
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority under section 5.42 of the Local Government Act 1995 to make payment of study leave in accordance with Council's Human Resources Policy 3.2 provided the course of study being undertaken by the officer is appropriate to the position.

<b>Delegation 2.14</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
18.05.2001	24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	22 July 2009, 25 June 2014, 26 April 2017.

<b>2.15 Hiring Council Community Bus</b>	
<b>Delegation Number</b>	<b>2.15</b>
<b>Subject</b>	Hiring Council Community Bus
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated power to accept or reject applications to hire the Shire of Donnybrook-Balingup Community Bus.

<b>Delegation 2.15</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 May 2003	28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.16 Hire of Recreation Centre Facilities</b>	
<b>Delegation Number</b>	<b>2.16</b>
<b>Subject</b>	Hire of Recreation Centre Facilities
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to assess and grant concessional hire rates for the use of facilities at the Donnybrook Recreation Centre.

<b>Delegation 2.16</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 September 2003	28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.18 Outdoor Eating Areas in Public Places</b>	
<b>Delegation Number</b>	<b>2.18</b>
<b>Subject</b>	Outdoor Eating Areas in Public Places
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Outdoor Eating Areas Local Law (2013)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to approve or refuse applications for Licences to set up and conduct outdoor eating areas in public places within the Shire of Donnybrook-Balingup. (Refer Local Law).

<b>Delegation 2.18</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
26 October 2004	8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	14 June 2006, 25 July 2012, 25 June 2014.

<b>2.19 Signing of Council Orders</b>	
<b>Delegation Number</b>	<b>2.19</b>
<b>Subject</b>	Signing of Council Orders
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42, s5.44)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated power to approve the appointment of Council Officers to sign purchase orders.

In approving these appointments the Chief Executive Officer shall exercise control by nominating the limit to which an individual Officer may authorise for issue of a purchase order.

Authorised officers and purchase order limits are as follows;

<b>Name</b>	<b>Position</b>	<b>Maximum Order Value</b>
Ben Rose	Chief Executive Officer	unlimited within budget
Greg Harris	Manager Finance & Administration	\$100,000
Damien Morgan	Manager Works & Services	\$100,000
Bob Wallin	Principal Planner/Project Officer	\$50,000
Leigh Guthridge	Manager Development & Environmental Services	\$50,000
Russell Jones	Works Overseer	\$20,000
Peter Davis	Building Officer	\$2,000
Paul Robins	Senior Ranger	\$2,000
Jill McLean	Donnybrook Recreation Centre	\$2,000
	Tuia Lodge - Facility Manager	\$15,000
Thomas Omond	Senior Engineering Technical Officer	\$20,000
Luisa Dale	Engineering Administration Officer	\$2,000
Bob Lowther	Human Resources Manager	\$2,000
Kate O'Keeffe	Executive Assistant	\$2,000

<b>Delegation 2.19</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
8 June 2005	14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	27 June 2012, 26 June 2013, 25 June 2014, 12 August 2014, 27 April 2016.

<b>2.20 Engagement of Volunteers</b>	
<b>Delegation Number</b>	<b>2.20</b>
<b>Subject</b>	Engagement of Volunteers
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	Council Policy 2.18
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to:

- 1 Annually renew the approval of Council events and activities where volunteers are engaged, and
- 2 Approve the engagement of individual volunteers, subject to successful completion of the induction process in accordance with Policy no. 2.18.

<b>Delegation 2.20</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
22 February 2006	14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

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<b>2.21 Event Applications by Donnybrook Recreation Centre</b>	
<b>Delegation Number</b>	<b>2.21</b>
<b>Subject</b>	Event Applications by Donnybrook Recreation Centre
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to approve or refuse applications for events and activities coordinated by the Donnybrook Recreation Centre, and to administer Public Liability Insurance under the auspices of the Shire of Donnybrook-Balingup.

<b>Delegation 2.21</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
12 July 2006	19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	26 April 2017.



<b>2.22 Community Grants Program Funding Scheme</b>	
<b>Delegation Number</b>	<b>2.22</b>
<b>Subject</b>	Community Grants Program Funding Scheme
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	Council Policy 2.47
<b>Delegate</b>	Chief Executive Officer

The Chief Executive Officer is delegated authority to approve or refuse applications for funding for Minor Community Grants, Minor Event Sponsorship and Kidsport through the Council's Community Grants Program Funding Scheme, up to a value of \$500.00.

<b>Delegation 2.22</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
9 August 2006	19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	27 April 2016.

<b>2.24 Permit for Keeping Four Cats</b>	
<b>Delegation Number</b>	<b>2.24</b>
<b>Subject</b>	Permit for Keeping Four Cats
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Cats Local Law 2016
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to approve or refuse applications for permits to keep 3 or more cats on a premises, up to a total of 4 cats. Applications to keep 5 or more cats are to be referred to Council for consideration.

<b>Delegation 2.24</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2007	19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017 .	27 April 2016.

<b>2.25 The Taking of Long Service Leave</b>	
<b>Delegation Number</b>	<b>2.25</b>
<b>Subject</b>	The Taking of Long Service Leave
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Relevant Legislation</b>	Local Government (Long Service Leave) Regulations
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer has delegated authority to approve applications for the taking of Long Service Leave if the variations are specified in the Local Government (Long Service Leave) Regulations or are deemed to be beneficial for both financial and operational needs of Council.

<b>Delegation 2.25</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2007	19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	25 June 2014.

<b>2.26 Cemeteries</b>	
<b>Delegation Number</b>	<b>2.26</b>
<b>Subject</b>	Cemeteries
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Cemeteries Local Law 1998
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated power to administer and approve all items that need approval at all Cemeteries within the Shire of Donnybrook-Balingup that are not of a contentious nature.

<b>Delegation 2.26</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
22 July 2009	26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	June 25 2014.

<b>2.27 Camping Sites – Balingup Oval and Transit Park (Special Events)</b>	
<b>Delegation Number</b>	<b>2.27</b>
<b>Subject</b>	Camping Sites – Balingup Oval and Transit Park (Special Events)
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to approve overflow camping adjacent to the Balingup Transit Park in areas identified on Plan DB1009 and in the case of special events approve the Balingup and District Tourist Bureau manage the bookings on the basis of 80% of fee collected to be paid to Balingup and District Tourist Bureau and 20% to Council.

<b>Delegation 2.27</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 October 2009	26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.28 Renewal of Leases and Agreements</b>	
<b>Delegation Number</b>	<b>2.28</b>
<b>Subject</b>	Renewal of Leases and Agreements
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to effect the renewal of leases and agreements, service level agreements or written arrangements in place between Council and third parties, where there is no significant change proposed to the terms and conditions of the lease/agreement. The lease/agreement must include provisions for further renewal within the document.

Any leases or agreements that require amendment to the terms and conditions, other than minor operational amendments, will require referral to Council.

Any lease or agreement renewed under this delegation is to be reported in the next edition of the Council Information Bulletin.

<b>Delegation 2.28</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.29 Authority to Affix Common Seal</b>	
<b>Delegation Number</b>	<b>2.29</b>
<b>Subject</b>	Authority to Affix Common Seal
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	2.32
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer and Shire President are delegated authority to affix the Common Seal of the Shire of Donnybrook-Balingup, without prior authorisation of Council, in accordance with Council Policy 2.32.

<b>Delegation 2.29</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.30 Tenders</b>	
<b>Delegation Number</b>	<b>2.30</b>
<b>Subject</b>	Tenders
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Relevant Legislation</b>	Local Government Act 1995 (s5.43b)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to:

1. Determine in writing the criteria for deciding which tender should be accepted before tenders are publicly invited.
2. Advertise the invitation to tender to supply goods or services where the provision of such goods or services is provided for in the Council's annual budget.
3. To accept a tender when the consideration involved does not exceed \$200,000 provided that appropriate provision has been made in the Council's annual budget (S.5.43b)

### Conditions

The delegation shall be that such use of the delegation be reported to Council in the monthly Information Brochure.

<b>Delegation 2.30</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 June 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	26 June 2013, 25 June 2014.

<b>2.31 Waste Management Exemption</b>	
<b>Delegation Number</b>	<b>2.31</b>
<b>Subject</b>	Approval to apply a Waste Management Levy Exemption in accordance with Council policy 6.5
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	6.5
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to waive the Waste Management Levy on vacant land when the owner of that land owns multiple properties, in accordance with Council Policy 6.5 – Waste Management Levy Exemption.

<b>Delegation 2.31</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
23 January 2013	20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>2.32 Cat Act Powers and Duties</b>	
<b>Delegation Number</b>	<b>2.32</b>
<b>Subject</b>	Cat Act Powers and Duties
<b>Legislative Authority to Delegate</b>	Cat Act 2011 (s.44)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated to exercise on behalf of the local government any of its powers or the discharge of any of its duties under any provision of the Cat Act 2011 other than Section 44.

<b>Delegation 2.32</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
25 September 2013	20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	25 June 2014

<b>2.33 Dog Act Powers and Duties</b>	
<b>Delegation Number</b>	2.33
<b>Subject</b>	Dog Act Powers and Duties
<b>Legislative Authority to Delegate</b>	Dog Act 1976 – Section 10AA
<b>Delegate</b>	Chief Executive Officer

### **Delegated Authority**

The Chief Executive Officer is delegated authority to exercise the powers and duties conferred by s10AA of the Dog Act 1976.

<b>Delegation 2.33</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
25 June 2014	1 April 2015, 7 April 2016, 6 April 2017.	

## 3 Finance

<b>3.1 Payments from Municipal and Trust Funds</b>	
<b>Delegation Number</b>	<b>3.1</b>
<b>Subject</b>	Payments from Municipal and Trust Funds
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised</b>	Local Government (Financial Management) Regulations 1996 (Regulations 12 & 13)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to approve payments from the municipal and trust funds. This delegation to be exercised in the following manner:

#### 1 Cheque Signatories

Authority to sign municipal and trust fund cheques on behalf of the local government to be vested in the CEO and countersigned by the Manager of Finance and Administration with the Accountant signing in the absence of either person.

#### 2 Electronic Funds Transfer (EFT)

The Chief Executive Officer is authorised to approve payments via Electronic Funds Transfer (EFT) for payroll and for lodging of investments in accordance with Council's Investment Policy and for the payment of creditors.

All EFT transactions will require "Bank Token" authorisation prior to processing. All transactions are to be supported by the written authorisation of the Chief Executive Officer and Manager of Finance and Administration, with the Accountant signing in the absence of either person.

#### 3 Corporate Credit Card

Refer to Finance Policy 3.7.

**This delegation is subject to a list of accounts so authorised and paid being prepared each month and submitted to the Council in accordance with *Local Government (Financial Management) Regulations s.13(1)*.**

**The exercise of the power of delegation by the CEO in approving and paying accounts shall be recorded in the minutes of a Council Meeting. This will be performed by including the schedule of accounts paid in the minutes of the meeting.**



The schedule of accounts, payment vouchers and supporting documentation is to be made available for inspection by Councillors prior to, or at an Ordinary Meeting of Council held on the 4<sup>th</sup> Wednesday of the month (or as advertised).

<b>Delegation 3.1</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2003, 8 June 2005, 14 June 2006, 22 July 2009, 19 January 2011, 25 June 2014, 26 November 2014, 25 May 2016.

Delegation 3.2 was revoked on 25 May 2016.

<b>3.3 Contract Variation</b>	
<b>Delegation Number</b>	<b>3.3</b>
<b>Subject</b>	Contract Variation
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to approve minor variations to contracts entered into by Council, subject to the funds required to meet the cost of the variations being contained within the amount set aside in the Budget adopted by Council.

<b>Delegation 3.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>3.4 Donations</b>	
<b>Delegation Number</b>	<b>3.4</b>
<b>Subject</b>	Donations
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Policy</b>	Council Policy 2.47
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated the power to determine requests for donation of moneys up to the value of \$200 when a group or individual can demonstrate:

1. Significant benefit to the local community.
2. That, in the case of a group, it is a community group or non-profit making organisation or running a non-profit activity.
3. That the group's financial status is such as to justify a donation from Council, or
4. That special circumstances or needs exist in the opinion of the CEO to warrant a donation. For example, to support individuals who bring credit to the municipality through their endeavor in sport, community development, culture and the arts, where the individual has been selected to represent the State or Country at a State, National or International level.
5. That available funding exists in the Council's Budget.

A maximum sum budgeted for the financial year may be allocated in this way within any one financial year.

<b>Delegation 3.4</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	8 June 2005, 22 July 2009, 27 April 2016.

<b>3.5 Rate Book</b>	
<b>Delegation Number</b>	<b>3.5</b>
<b>Subject</b>	Rate Book
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Powers Exercised</b>	Local Government Act 1995 (s6.39(1), 6.40, 6.41(1), 6.49, 6.50(2), 6.76(4), 6.56(1), 6.60(2))
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is hereby delegated the performance of the following functions of the Council:

1. The discharge of the obligations specified in Section 6.39(1) of the Local Government Act 1995.
2. The service of Notices of Valuation and Rates referred to in Section 6.41(1) of the Local Government Act 1995 (as amended).
3. The time allowed for the payment of the rate before it becomes in arrear 6.50(2) of the Local Government Act 1995.
4. The powers conferred in Section 6.40 of the Local Government Act 1995. The exercise of discretion in regard to granting of any extension of time for service of objections to the Rate Book 6:76(4) of the Local Government Act 1995.
5. The recovery of rates by complaint or action pursuant to the provisions of 6.56(1) of the Local Government Act 1995.
6. Entering into an agreement in accordance with 6.49 of the Local Government Act 1995.
7. Requiring a lessee to pay rent to the Council in satisfaction of rates or service charges due and payable in accordance with 6.60(2) of the Local Government Act 1995.

<b>Delegation 3.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>3.6 Insurance – Public Liability Claims</b>	
<b>Delegation Number</b>	<b>3.6</b>
<b>Subject</b>	Insurance – Public Liability Claims
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to consider claims against the Shire for property damage that do not exceed the Shire’s insurance policy excess levels.

Payment may only be made up to the value of the Shire’s relevant insurance excess amount and then only upon receipt of a release form and with approval from the Shire’s insurers.

<b>Delegation 3.6</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	8 June 2005, 22 July 2009, 27 April 2011.

<b>3.7 Rate Book – Write of Minor Balances</b>	
<b>Delegation Number</b>	<b>3.7</b>
<b>Subject</b>	Rate Book – Write of Minor Balances
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to write off minor individual rates debtor balances of a value of less than \$1,000 per assessment.

This Delegation is designed to reduce the administration and governance when there are minor debts, e.g. administration fees, interest or an error or oversight by officers, or the cost to recover is deemed not practical or cost effective.

All delegations approved under this delegation will be reported in the next edition of the information bulletin.

<b>Delegation 3.7</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
23 April 2007	28 May 2008, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2008, 27 April 2011, 22 April 2015, 26 April 2017.

<b>3.8 Write Off Minor Debtors</b>	
<b>Delegation Number</b>	<b>3.8</b>
<b>Subject</b>	Write of Minor Debtors
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Power Exercised:</b>	Local Government Act 1995 (s 6.12(1b) (1c))
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to waive or grant concessions or write off that amount of money that is owed to Council and deemed unrecoverable debt up to \$500 subject to the Local Government Act 1995 section 6.12(1) (b) or (1) (c).

This delegation would cover, but is not limited to, debts raised in error, fees and charges, lost library books, private works and waste management levies.

All delegations approved under this delegation to be reported in the next edition of the Information Bulletin.

<b>Delegation 3.8</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
19 December 2007	28 May 2008, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2008, 27 June 2012

## 4 Engineering

4.1 Use of Council Plant	
<b>Delegation Number</b>	<b>4.1</b>
<b>Subject</b>	Use of Council Plant
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Services to approve of requests from organisations and clubs seeking to use Council plant on projects or land owned or controlled by Council.

Note: This delegation is made on the basis that Council plant will only be made available outside normal working hours and upon the strict condition that a Council employee operates the plant. Further, plant will only be provided when convenient and the organisations using Council plant will be required to pay for the cost of fuel used and pay the driver time if he/she does not work on a voluntary basis.

Delegation 4.1		
Adopted	Reviewed	Amended
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.2 Roadside Clearing</b>	
<b>Delegation Number</b>	<b>4.2</b>
<b>Subject</b>	Roadside Clearing
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Council Policy</b>	4.21 Rural Roadside Management Policy
<b>Delegate</b>	Manager Works & Services

### Delegation

The Chief Executive Officer authorises the Manager of Works and Services to approve of such clearing in accordance with Council Policy 4.21.

<b>Delegation 4.2</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 19 December 2007, 27 April 2011, 26 June 2013.

<b>4.3 Crossovers</b>	
<b>Delegation Number</b>	<b>4.3</b>
<b>Subject</b>	Crossovers
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Council Policy</b>	4.7 Construction of Crossovers
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Services to approve the construction of crossovers in accordance with Council Policy No 4.7.

<b>Delegation 4.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 27 April 2011, 26 June 2013.



<b>4.4 School Bus Signs</b>	
<b>Delegation Number</b>	<b>4.4</b>
<b>Subject</b>	School Bus Signs
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Service to approve the installation of School Bus signs where necessary, provided the Budget allocation for signs is not exceeded.

<b>Delegation 4.4</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.5 Timber Royalties</b>	
<b>Delegation Number</b>	<b>4.5</b>
<b>Subject</b>	Timber Royalties
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Service to negotiate the sale of roadside timber that may become available from road construction or other reasons (e.g. windfalls).

<b>Delegation 4.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.6 Trees Fallen on Roads</b>	
<b>Delegation Number</b>	<b>4.6</b>
<b>Subject</b>	Trees Fallen on Roads
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Council Policy</b>	4.9 Trees Fallen on Roads
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Service to engage private persons to remove fallen trees across roads in the case of emergencies, provided that it is more expedient from a safety point of view for such work to be carried out by these person rather than Council employees. Refer to Council Policy No. 4.9.

<b>Delegation 4.6</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.7 School Aid by Council Works Department</b>	
<b>Delegation Number</b>	<b>4.7</b>
<b>Subject</b>	School Aid by Council Works Department
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Service to approve and arrange, for any school in the Shire, a maximum of two loads of sand plus the use of the loader, backhoe, grader or equivalent for a maximum of one hour, as a donation to that school for a maximum of one time per budget year, upon request from the school.

<b>Delegation 4.7</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.8 Sand Removal</b>	
<b>Delegation Number</b>	<b>4.8</b>
<b>Subject</b>	Sand Removal (Yellow Sand, Thomson Road Pit)
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works and Service to negotiate the sale of yellow and white sand from Council's sandpits.

<b>Delegation 4.8</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013.

<b>4.9 Extra Mass Vehicle Permits</b>	
<b>Delegation Number</b>	<b>4.9</b>
<b>Subject</b>	Extra Mass Vehicle Permits
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Council Policies</b>	4.14
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

The Chief Executive Officer authorises the Manager of Works & Services to determine any application recommending approval or refusal to MRWA to use road trains and application for Extra Mass Permits on any road within the Shire in accordance with Policy No. 4.14.

<b>Delegation 4.9</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 26 June 2013, 6 April 2017.

<b>4.10 Disposal of Surplus Equipment, Materials, Tools, Office Furniture &amp; Equipment</b>	
<b>Delegation Number</b>	<b>4.10</b>
<b>Subject</b>	Disposal of Surplus Equipment, Materials, Tools, Office Furniture & Equipment.
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's Depot, by public auction or tender, items of surplus equipment, materials, tools, office furniture and equipment which are no longer required, or are outmoded, or are no longer serviceable. This delegation applies only to individual items with an estimated value of no more than \$3,500 (excluding GST).

Items with a value of \$1,000 (excluding GST) or less can be sold without calling for expressions of interest or advertising. Advertise on website.

The Chief Executive Officer is delegated authority to authorise the removal of assets from Council's Asset Register that have been sold or that no longer have any serviceable value. This delegation applies only to assets with a written down value of \$3,500 (excluding GST) or less.

<b>Delegation 4.10</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	19 December 2007, 27 January 2010, 26 May 2010, 24 April 2012, 26 April 2017.

<b>4.11 Temporary Road Closures – less than 28 days</b>	
<b>Delegation Number</b>	<b>4.11</b>
<b>Subject</b>	Temporary Road Closures
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Powers Exercised</b>	Local Government Act (s3.50 (1) (1a) (2))
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority (Executive Function) S3.50(1) (1a) (2) to temporarily close a street or a portion of a street (including bridges) for a period not exceeding 28 days if he is of the opinion that a street is likely to be damaged by the passage of traffic generally or traffic of any particular class.

<b>Delegation 4.11</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	19 December 2007, 22 April 2015.

<b>4.12 Temporary Road Closures - more than 28 days</b>	
<b>Delegation Number</b>	<b>4.12</b>
<b>Subject</b>	Temporary Road Closures - more than 28 days
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Powers Exercised</b>	Local Government Act (s3.50 (4)(5)(6)(8)(9))
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to temporarily close roads for more than 28 days in accordance with Section 3.50 (4)(5)(6)(8)(9) of the Local Government Act 1995.

<b>Delegation 4.12</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	19 December 2007.

<b>4.13 Appointment of Staff</b>	
<b>Delegation Number</b>	<b>4.13</b>
<b>Subject</b>	Appointment of Staff
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Power Exercised</b>	Local Government Act (s5.41(g))
<b>Delegate</b>	Manager Works & Services

### Delegated Authority

In accordance with Section 5.44 of the Local Government Act 1995 the Chief Executive Officer delegates to the Manager of Works and Services the power under S 5.41(g) to appoint, dismiss or suspend staff under the control of the Manager of Works and Services (consultation with the CEO prior to action required).

<b>Delegation 4.13</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	19 December 2007, 26 June 2013.

## 5 Building

- 5.1 Delegation Deleted (see Town Planning Policy 9.11)  
 5.2 Delegation Deleted (see Town Planning Delegation 7.13)

<b>5.3 Site Levels / Foundation Requirements</b>	
<b>Delegation Number</b>	<b>5.3</b>
<b>Subject</b>	Site Levels / Foundation Requirements
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Council Policy</b>	5.4
<b>Delegate</b>	Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer delegates authority to the Principal Building Surveyor to specify minimum foundation levels on all building developments in order to ensure effective and functional effluent and storm water disposal. The criteria to be followed as per Council Policy No: 5.4.

<b>Delegation 5.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	8 June 2005, 14 June 2006, 22 July 2009.

- 5.4 – Delegation rescinded 27 April 2016  
 5.5 – Delegation rescinded 26 June 2013  
 5.6 – Delegation rescinded 26 June 2013  
 5.7 – Delegation rescinded 26 June 2013

<b>5.8 Waive Building Permit Fees</b>	
<b>Delegation Number</b>	<b>5.8</b>
<b>Subject</b>	Waive Building Permit Fees
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegation

The Chief Executive Officer is delegated authority to waive Building Permit Fees with respect to Council Buildings.

<b>Delegated Authority 5.8</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, April 7 2016, 6 April 2017.	25 June 2014.

5.9 – Delegation rescinded 26 June 2013

<b>5.10 Grant of Building Permit</b>	
<b>Delegation Number</b>	<b>5.10</b>
<b>Subject</b>	Grant of Building Permit
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s20)
<b>Delegates</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer, Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to grant or refuse to grant building permits in accordance with the Building Act 2011, Section 20.

<b>Delegation 5.10</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	



<b>5.11 Grant of Demolition Permit</b>	
<b>Delegation Number</b>	<b>5.11</b>
<b>Subject</b>	Grant of Demolition Permit
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s21)
<b>Delegate</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer, Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to grant or refuse to grant demolition permits in accordance with the Building Act 2011, Section 21.

<b>Delegation 5.11</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.12 Authority to refuse to grant Building or Demolition Permits</b>	
<b>Delegation Number</b>	<b>5.12</b>
<b>Subject</b>	Authority to refuse to grant Building or Demolition Permits
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s22)
<b>Delegate</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer, Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to refuse to grant Building or Demolition permits in accordance with the *Building Act 2011*, Section 22, if

- 1) There appears to be an error in the documents or information provided in the application, or
- 2) If an application is inconsistent with
  - A function that the Permit Authority has under written law, or
  - An agreement between the Permit Authority and the applicant.

<b>Delegation 5.12</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.13 Grant of Occupancy Permits, Building Approval Certificates</b>	
<b>Delegation Number</b>	<b>5.13</b>
<b>Subject</b>	Grant of Occupancy Permits, Building Approval Certificates
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s58)
<b>Delegate</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer, Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to grant or refuse to grant occupancy permits or Building Approval Certificates in accordance with the *Building Act 2011*, Section 58.

<b>Delegation 5.13</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.14 Authority to Appoint Authorised Persons</b>	
<b>Delegation Number</b>	<b>5.14</b>
<b>Subject</b>	Authority to Appoint Authorised Persons
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s96)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to appoint authorised persons for the purpose of the *Building Act 2011*.

<b>Delegation 5.14</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.15 Building Orders</b>	
<b>Delegation Number</b>	<b>5.15</b>
<b>Subject</b>	Grant of Occupancy Permits, Building Approval Certificates
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s110)
<b>Delegate</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to issue Building Orders in accordance with the *Building Act 2011* Section 110 requiring a person to:

- Stop work, demolish/remove a building, alter a building or evacuate a building where there is a contravention of a provision of the Building Act;
- Take specific action to prevent contravention of the Act;
- Finish an outward facing side of a wall; or in relation to
- Buildings which are considered as being unsafe or not fit for human habitation.

<b>Delegation 5.15</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.16 Authority to Revoke Building Orders</b>	
<b>Delegation Number</b>	<b>5.16</b>
<b>Subject</b>	Authority to Revoke Building Orders
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s117)
<b>Delegate</b>	Chief Executive Officer , Manager Development & Environmental Services, Principal Building Surveyor

### Delegated Authority

The Chief Executive Officer, Manger Development and Environmental Services and the Principal Building Surveyor are delegated authority to revoke Building Orders at any time in accordance with the *Building Act 2011*, Section 117.

<b>Delegation 5.16</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>5.17 Authority Commence Prosecution</b>	
<b>Delegation Number</b>	<b>5.17</b>
<b>Subject</b>	Authority to Commence Prosecution
<b>Legislative Authority to Delegate</b>	Building Act 2011 (s127)
<b>Power Exercised</b>	Building Act 2011 (s139)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to commence prosecution in accordance with *Building Act 2011*, Section 139.

<b>Delegation 5.17</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 March 2012	10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

## 6 Fire Control

<b>6.1 Incur Expenses on Behalf of Council</b>	
<b>Delegation Number</b>	<b>6.1</b>
<b>Subject</b>	Incur Expenses on Behalf of Council
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42, 5,44)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to engage contractors or incur expenses on behalf of Council in relation to the containment or extinguishing of a fire which is beyond the local brigades' resources.

While this delegation acknowledges the need to act quickly in emergency situations, the Fire Control Officers should, wherever practicable in the absence of the CEO, contact Manager Works & Services for authorisation before engaging contractors or incurring any expense.

(Note: the Shire President is authorised to expend money in emergency situations under section 6.8(1)(c) of the Local Government Act.

<b>Delegation 6.1</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017	14 June 2006, 27 April 2011, 26 April 2017.

<b>6.2 Burning Period Variations</b>	
<b>Delegation Number</b>	<b>6.2</b>
<b>Subject</b>	Burning Period Variations
<b>Legislative Authority to Delegate</b>	Bush Fires Act 1954 (s17 (10))
<b>Power Exercised</b>	Bush Fires Act 1954 (s17 (7) (8))
<b>Delegate</b>	President and CBFCO

### Delegated Authority

Pursuant to Section 17 (10) of the Bush Fires Act the President and CBFCO are delegated jointly the Council's powers and duties under Section 17 (7) and 17 (8) of the Bush Fires Act in respect to varying the prohibited burning times, provided the Officer in Charge of the Department of Environment and Conservation is consulted prior to the authority under this delegation is exercised.

<b>Delegation 6.2</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>6.3 Variation to Fire Break Order</b>	
<b>Delegation Number</b>	<b>6.3</b>
<b>Subject</b>	Variation to Fire Break Order
<b>Legislative Authority to Delegate</b>	Bush Fires Act 1954 (s48)
<b>Power Exercised</b>	Bush Fires Act 1954 (s33)
<b>Delegate</b>	President and CBFCO

### Delegated Authority

That pursuant to the Council's Fire Break Order the Chief Executive Officer is delegated authority to approve or refuse applications to provide firebreaks in alternative positions and to approve or refuse applications to provide alternative fire protection on the land.

<b>Delegation 6.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>6.4 Sawmill Orders</b>	
<b>Delegation Number</b>	<b>6.4</b>
<b>Subject</b>	Variation to Fire Break Order
<b>Legislative Authority to Delegate</b>	Bush Fires Act 1954 (s48)
<b>Powers Exercised</b>	Bush Fires Act 1954 (s 33(1)) Bush Fire Regulations 1954 (s38b)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to issue sawmill orders prepared by the Bush Fires Board.

<b>Delegation 6.4</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>6.5 Burning on Road Verges</b>	
<b>Delegation Number</b>	<b>6.5</b>
<b>Subject</b>	Burning on Road Verges
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Council Policy</b>	8.3
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is authorised to approve roadside burning in conjunction with Council Policy No 8.3.

<b>Delegation 6.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

<b>6.6 Bush Fires Act Functions</b>	
<b>Delegation Number</b>	6.6
<b>Subject</b>	Bush Fires Act Functions
<b>Legislative Authority to Delegate</b>	Bush Fires Act 1954 (Clause 48 (1))
<b>Delegate</b>	Chief Executive Officer

### **Delegated Authority**

The Chief Executive Officer is delegated authority, pursuant to Clause 48 (1) of the Bush Fires Act 1954 to exercise the performance of any of its functions under the Bush Fires Act 1954.

### **Conditions**

1. This delegation cannot be sub delegated.
2. The Chief Executive Officer is not to exercise delegated authority under sections 17 (7) and 17 (8) “variations to prohibited and restricted burning periods” as these have been delegated to the President and Chief Bush Fire Control Officer (see Delegation 6.2).
3. Approval to purchase any vehicles, plant or equipment must be approved by the Bush Fire Advisory Committee prior to the exercising of the delegation unless it is considered to be a minor maintenance item or replacing an existing item.

### **Further delegation**

Nil

<b>Delegation 6.6</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
25 June 2014	1 April 2015, 7 April 2016, 6 April 2017.	



## 7 Town Planning

7.1 Legal Advice	
<b>Delegation Number</b>	7.1
<b>Subject</b>	Legal Advice
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.42)
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

Subject to provisions being made in the Budget for legal expenses, the Chief Executive Officer is delegated authority to obtain from external solicitor such legal advice and opinions as is deemed necessary in the exercise of the management of the Municipality.

Delegation 7.1		
Adopted	Reviewed	Amended
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 6 April 2017.	

7.2 Advertising Development Applications	
<b>Delegation Number</b>	7.2
<b>Subject</b>	Advertising Development Applications
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to advertise development applications for public comment where it is considered such applications should have public comment prior to consideration by Council, and to make available from Council's file information regarding the development application so as the public are in a position to make a proper assessment.

Delegation 7.2		
Adopted	Reviewed	Amended
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 22 July 2009, 27 April 2011, 25 June 2014, 22 April 2015, 27 April 2016.

<b>7.3 Development, Subdivision, Strata and Built Strata Applications</b>	
<b>Delegation Number</b>	<b>7.3</b>
<b>Subject</b>	Development, Subdivision, Strata and Built Strata Applications
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to:

- (i) Approve (with conditions) development applications where proposals comply with the Town Planning and Development Act, Council's Planning Scheme, Policies and Codes except where:
  - an advertised development application has received a submission by way of objection, other than an objection which can be satisfied by conditions of consent;
  - the proposed development, although not advertised, is considered by the Manager Planning/Project Management to be of a contentious nature;
  - matters requiring concurrence of the Minister.
- (ii) Determine built strata applications where proposals comply with the Town Planning and Development Act, Council's Planning Scheme, Policies and Codes.
- (iii) Review and respond to referrals for subdivision and strata applications from the Western Australian Planning Commission.
- (iv) Authorise clearance of strata and subdivision conditions, where the development has met the requirements of the Western Australian Planning Commission approval or represents only a minor departure thereof, this to include the acceptance of bonds or securities as performance guarantees against unfulfilled conditions.

**NB** "Determine" means "to approve, approve with conditions or refuse the application or referral."

<b>Delegation 7.3</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 22 July 2009, 27 April 2011, 25 June 2014, 22 April 2015, 27 April 2016.

<b>7.4 Extensions of Time – Development Applications</b>	
<b>Delegation Number</b>	<b>7.4</b>
<b>Subject</b>	Extensions of Time – Development Applications
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to approve applications for extension of time in respect to development applications previously approved by Council or under delegated authority.

<b>Delegation 7.4</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014, 22 April 2015, 27 April 2016.

<b>7.5 Legal Proceedings – Town Planning</b>	
<b>Delegation Number</b>	<b>7.5</b>
<b>Subject</b>	Legal Proceedings – Town Planning
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Powers Exercised</b>	Local Government Act 1995, Local Planning Scheme No 7, Planning and Development Act
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to:

- a) Instigate prosecution proceedings under the Planning and Development Act, and Local Government Act 1995 in the Court in its summary jurisdiction.
- b) Represent Council where necessary at prosecutions, appeals and enquiries pertaining to the functions of the Planning Department.

NOTE: Approval from the CEO must be in writing for each proceeding.

<b>Delegation 7.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014, 22 April 2015, 27 April 2016.

<b>7.6 Development and Performance Bonds</b>	
<b>Delegation Number</b>	<b>7.6</b>
<b>Subject</b>	Development and Performance Bonds
<b>Legislative Authority to Delegate</b>	Planning & Development Act 2005, s16.
<b>Powers Exercised</b>	Planning & Development Act 20015.
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Office authorises the Principal Planner to administer the requirement for Development or Performance Bonds as a condition of subdivision approval to ensure compliance with any conditions of approval.

<b>Delegation 7.6</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014.

<b>7.7 Town Planning Scheme Amendments</b>	
<b>Delegation Number</b>	<b>7.7</b>
<b>Subject</b>	Town Planning Scheme Amendments
<b>Legislative Authority to Delegate</b>	Planning & Development Act 2005, s16.
<b>Powers Exercised</b>	Planning & Development Act 2005, Division 4.
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to:

- a) Initiate Scheme Amendments for minor or procedural matters or to remove anomalies, provided that any such action is to be reported to Council prior to the preparation of a submission to the Minister for the final approval.
- b) Process Scheme Amendments in accordance with the Planning and Development Act, Town Planning Regulations and Local Planning Scheme No 7.
- c) Adopt modifications to Scheme Amendments by the Minister which do not change the general intent of an Amendment, in consultation with the Chief Executive Officer

<b>Delegation 7.7</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 22 July 2009, 27 April 2011, 25 June 2014, 22 April 2015.

<b>7.8 Extractive Industry Licences</b>	
<b>Delegation Number</b>	<b>7.8</b>
<b>Subject</b>	Extractive Industry Licences
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Powers Exercised</b>	Local Planning Scheme No 7, Extractive Industries Local Law
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to process Extractive Industry applications, which are not contentious.

Note: Refer to Delegation 7.3 for determining Extractive Industry Applications for planning approval.

<b>Delegation 7.8</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	16 May 2001, 24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 May 2003, 14 June 2006, 22 July 2009, 27 April 2011, 25 June 2014, 22 April 2015, 27 April 2016.

<b>7.9 Road Closure and Road Dedication</b>	
<b>Delegation Number</b>	<b>7.9</b>
<b>Subject</b>	Road Closure and Road Dedication
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Powers Exercised</b>	Land Administration Act 1997 (s56, s58)
<b>Council Policy</b>	9.10
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to initiate and close non-contentious road dedications and road closures, pursuant to sections 56 and 58 of the Land Administration Act 1997 respectively. (Refer Policy 9.10).

<b>Delegation 7.9</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 April 2002	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014.

<b>7.10 Department of Land Administration Leases</b>	
<b>Delegation Number</b>	<b>7.10</b>
<b>Subject</b>	Department of Land Administration Leases
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Powers Exercised</b>	Land Administration Act 1997 (s56, s58)
<b>Council Policy</b>	9.10
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to process and provide comment on Department of Land Administration leases which are not contentious.

<b>Delegation 7.10</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 April 2002	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014.



<b>7.11 Department of Land Administration Licences to Occupy</b>	
<b>Delegation Number</b>	<b>7.11</b>
<b>Subject</b>	Department of Land Administration Licences to Occupy
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Powers Exercised</b>	Land Administration Act 1997 (s56, s58)
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to process and provide comment on Department of Land Administration Licences to Occupy, which are not contentious.

<b>Delegation 7.11</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 April 2002	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	28 May 2003, 14 June 2006, 27 April 2011, 25 June 2014.

<b>7.12 Certificate of Local Planning Authority</b>	
<b>Delegation Number</b>	<b>7.12</b>
<b>Subject</b>	Certificate of Local Planning Authority
<b>Legislative Authority to Delegate</b>	Liquor Control Act
<b>Powers Exercised</b>	Liquor Control Act 1988 (s40)
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner to process Section 40 certificates pursuant to s.40 of the Liquor Control Act 1998.

<b>Delegation 7.12</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 April 2002	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	14 June 2006, 27 April 2011, 25 June 2014.

<b>7.13 Residential Setback Variations and Amendments to Building Envelopes</b>	
<b>Delegation Number</b>	<b>7.13</b>
<b>Subject</b>	Residential Setback Variations and Amendments to Building Envelopes.
<b>Legislative Authority to Delegate</b>	Planning & Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 83(1).
<b>Powers Exercised</b>	Local Planning Scheme No 7
<b>Delegate</b>	Principal Planner

### Delegated Authority

The Chief Executive Officer authorises the Principal Planner in consultation with the Principal Building Surveyor to approve minor variations to residential setbacks and building envelope locations. The CEO to sign approval.

<b>Delegation 7.13</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
1999	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	16 May 2001, 28 July 2004, 8 June 2005, 14 June 2006, 22 July 2009, 27 April 2011, 25 June 2014, 27 April 2016.

7.14 Rescinded on 27 April 2016.

<b>7.15 Town Planning Delegation</b>	
<b>Delegation Number</b>	<b>7.15</b>
<b>Subject</b>	Duties under the Local Planning Scheme No 7
<b>Legislative Authority to Delegate</b>	Planning and Development (Local Planning Schemes) Regulations 2015, Clause 82(1).
<b>Powers Exercised</b>	Local Planning Scheme No 7.
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority, pursuant to Clause 82(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, to exercise any of the local government's duties under this Scheme other than this power of delegation.

<b>Delegation 7.15</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 April 2016	6 April 2017.	

<b>7.16 Waiving of Planning Fees</b>	
<b>Delegation Number</b>	<b>7.16</b>
<b>Subject</b>	Waiving of Planning Fees
<b>Legislative Authority to Delegate</b>	Local Government Act 1995, s 6.12
<b>Powers Exercised</b>	Local Planning Policy 9.24.
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority, pursuant to Section 6.12 of the *Local Government Act 1995*, to waive planning fees in accordance with Local Planning Policy 9.24.

<b>Delegation 7.16</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
28 June 2017		

## 8 Health

8.1 – Rescinded 22 April 2015 (Council appointed authorised officers to act as its deputy to carry out the provisions of the Health Act).

8.2 – Rescinded

8.3 - Rescinded 27 January 2010

<b>8.4 Certificate of Local Health Authority</b>	
<b>Delegation Number</b>	<b>8.4</b>
<b>Subject</b>	Certificate of Local Health Authority
<b>Legislative Authority to Appoint Authorised Officers</b>	Certified Local Health Authority under the Health Act 1911 Health Act 1911 (s26)
<b>Power Exercised</b>	Liquor Control Act 1988 (s39)
<b>Authorised Persons</b>	Principal Environmental Health Officer, Manager Development & Environmental Services

### Delegated Authority

The Chief Executive Officer authorises the Principal Environmental Health Officer and Manager Development & Environmental Services to process Section 39 Certificates pursuant to the Liquor Control Act 1988.

<b>8.4 Certificate of Local Health Authority</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
24 April 2002	28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	27 April 2011, 25 July 2012, 25 June 2014.

<b>8.5 Powers of Enforcement Agency</b>	
<b>Delegation Number</b>	<b>8.5</b>
<b>Subject</b>	Powers of Enforcement Agency
<b>Legislative Authority to Appoint Authorised Persons</b>	Food Act 2008 (s122 (1)) and Food Regulations 2009
<b>Powers Exercised</b>	Food Act 2008 Food Regulations 2009
<b>Authorised Officers</b>	Principal Environmental Health Officer, Manager Development & Environmental Services

### Delegated Authority

The Chief Executive Officer delegates authority to the Principal Environmental Health Officer & Manager Development & Environmental Services to exercise all powers and functions of the Shire of Donnybrook-Balingup as an enforcement agency pursuant to the Food Act 2008 and excluding the appointment of 'Authorised Officers' and 'Designated Officers' pursuant to Sections 122 (1) and 126(13) of the Food Act 2008.

<b>Delegation 8.5</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
27 January 2010	26 May 2010, 27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	25 July 2012.

8.6 Rescinded April 2011

<b>8.7 Powers of Appointment</b>	
<b>Delegation Number</b>	<b>8.7</b>
<b>Subject</b>	Powers of Appointment
<b>Legislative Authority to Delegate</b>	Food Act 2008 (s122 (1), s126 (13))
<b>Delegate</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated authority to –

- Appoint ‘Authorised Officers’ in accordance with Section 122(1) of the Food Act 2008;
- Appoint ‘Designated Officers’ in accordance with Section 126 (13) of the Food Act 2008.

<b>Delegation 8.7</b>		
<b>Adopted</b>	<b>Reviewed</b>	<b>Amended</b>
26 May 2010	27 April 2011, 24 April 2012, 25 July 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	25 July 2012.

## 9 Aged Housing (Tuia Lodge)

9.1 Tuia Lodge Administration	
<b>Delegation Number</b>	<b>9.1</b>
<b>Subject</b>	Tuia Lodge Administration
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Delegate:</b>	Manger of Tuia Lodge

### Delegated Authority

Chief Executive Officer delegates to the Manager of Tuia Lodge a general instrument of delegation to administer the ongoing operations of Tuia Lodge in accordance with annual budgets and Council's commitment to Customer Service.

Delegation 9.1		
Adopted	Reviewed	Amended
18 May 2001	24 April 2002, 28 May 2003, 28 July 2004, 8 June 2005, 14 June 2006, 19 December 2007, 22 July 2009, 26 May 2010, 27 April 2011, 24 April 2012, 10 May 2013, 20 May 2014, 1 April 2015, 7 April 2016, 6 April 2017.	

9.2 – Delegation rescinded 27 April 2011 (replaced by Delegation 11.1)

9.3 Tuia Lodge Refundable Accommodation Deposits	
<b>Delegation Number</b>	<b>9.3</b>
<b>Subject</b>	Tuia Lodge Refundable Accommodation Deposits
<b>Legislative Authority to Delegate</b>	Local Government Act 1995 (s5.44)
<b>Power exercised:</b>	Aged Care Act 1997 (subdivisions 52G & 52J)
<b>Delegate:</b>	Chief Executive Officer

### Delegated Authority

The Chief Executive Officer is delegated discretionary powers to reduce the Refundable Accommodation Deposit (bond) where appropriate.

Delegation 9.1		
Adopted	Reviewed	Amended
23 March 2016	6 April 2017.	

10.2 – Rescinded 26 June 2013.

11.1 - Rescinded at the Council meeting of November 19, 2015.

## Part 2

# REGISTER OF AUTHORISED OFFICERS



## PART TWO – Register of Authorised Officers

LEGISLATION	AUTHORISED PERSONS (OR POSITIONS)	AUTHORITY	DATE GAZETTED / EFFECTIVE FROM
Environmental Protection (Noise) Regulations 1997	Jeff Somes	To exercise and discharge the powers and functions of the local government relating to noise and unauthorized discharge.	8 June 2016
Health Act 1911 Section 26	Leigh Guthridge Ken Lowth Jeff Somes	To exercise and discharge all or any of the powers and functions of the local government under the Health Act 1911.	2/06/2015 16/12/2015
Tobacco Products Control Act 2006 Section 77	Manager Development & Environmental Services Principal Environmental Health Officer Senior Ranger Ranger	Appointed as Restricted Investigators to exercise the function of an investigator contained in Section 83 of the Tobacco Products and Control Act 2006.	15/08/2014
Building Regulations 2012 Section 70 (1)	Chief Executive Officer Manager Development & Environmental Services Principal Building Surveyor Building Surveyor		10/01/2014
Building Regulations 2012 Section 70 (2)	Chief Executive Officer, Manager Development & Environmental Services Principal Building Surveyor Building Surveyor		10/01/2014
Cat Act 2011 Section 48	Mr Paul Robins Ms Jessie Rose Cooper Mr Richard Heppener Mr Robert Jeffreys Mr Greg Harris Mr John Attwood Mr Leigh Guthridge Mr Phil Avery Mr Brendon Putt Mr Clive Howes (Shire of Capel) Ms Jessica Forsyth (Shire of Dardanup)	Authorised Persons for the Shire of Donnybrook-Balingup pursuant to the Cat Act 2011.	Dec 2015 Sept 2016 July 2014
Dog Act 1976 Section 29(1)	Mr Paul Robins Ms Jessie Rose Cooper Mr Richard Heppener Mr Robert Jeffreys Mr Greg Harris Mr John Attwood Mr Leigh Guthridge	Authorised Persons	Dec 2015 Sept 2016 July 2014

LEGISLATION	AUTHORISED PERSONS (OR POSITIONS)	AUTHORITY	DATE GAZETTED / EFFECTIVE FROM
	Mr Phil Avery Mr Brendon Putt Mr Clive Howes (Shire of Capel) Ms Jessica Forsyth (Shire of Dardanup)		
Dog Act 1976	Ms Tarnya Box Ms Bobbie Millar Mrs Kathy Linthorne Mrs Karen Miller Ms Clare Rosman Ms Sarah O'Rourke Ms Alicia Bogar Mr Greg Harris	Registration Officers (persons authorised by the local government to effect the registration of dogs pursuant to the Dog Act 1976)	1 August 2017
Caravan Parks & Camping Grounds Act 1995 Part 3 Section 17 (1)	Manager Development & Environmental Services Principal Environmental Health Officer Peter Davis Jeff Somes	Authorised persons for the purposes of enforcing the provisions of the <i>Caravan Parks and Camping Grounds Act 1995 and Regulations 1997</i> .	12/04/2011 2/06/2015 16/12/2015
Caravan Parks & Camping Grounds Act 1995 Part 4 Section 23 (11)	Chief Executive Officer	Authorised Person for the purpose of receiving money for the payment of a modified penalty for a prescribed offence committed against the Act pursuant to Part 4, Section 23 (3) of the Act; and extending the 28-day period within which the modified penalty may be paid and withdrawing an infringement notice pursuant to Part 4, Section 23(5) and Part 4, Section 23(7) of the Act	12/04/2013
Caravan Parks & Camping Grounds Act 1995 Section 23 (11)	Manager Development & Environmental Services Principal Environmental Health Officer Senior Ranger Ranger	Authorised Persons for the purpose of issuing an infringement notice for an alleged prescribed offence pursuant to Part 4, Section 23(20) of the Act.	12/04/2013
Caravan Parks & Camping Grounds Act 1995 Section 23 (11)	Senior Ranger Ranger Jeff Somes	Authorised Persons for the purpose of issuing an infringement notice for an abused prescribed offence pursuant to Part 4, Section 23(2) of the Act	12/04/2013 16/12/2015
Caravan Parks & Camping Grounds Regulations 1997 Part 1, Regulation 6	Chief Executive Officer Manager Development and Environmental Services Principal Environmental Health Officer Senior Ranger Ranger	Authorised Persons to carry out the functions of the local government pursuant to Part 1, Regulation 6 of the Caravan Parks and Camping Grounds Regulations 1997.	12/04/2013

LEGISLATION	AUTHORISED PERSONS (OR POSITIONS)	AUTHORITY	DATE GAZETTED / EFFECTIVE FROM
	Jeff Somes		16/12/2015
<p>Local Govt Act 1995 - Part 9 Division 2 Sections 9.13 and 9.15 Section 3.39</p> <p>Local Govt (Miscellaneous Provisions) Act 1960 Part XX Section 449 - Pound Keeper</p> <p>Dog Act 1996 Section 33E (1)</p> <p>Cat Act 2011 Section 48</p> <p>Control of Vehicles (Off Road Areas) Act 1978 Section 38</p> <p>Litter Act 1979 Section 26</p> <p>Bush Fires Act 1954</p> <p>Caravan Parks &amp; Camping Grounds Act 1995 Section 17</p> <p>Caravan Parks &amp; Camping Grounds Regulations 1997 Regulation 6</p> <p>Shire of Donnybrook-Balingup Local Laws and Regulations</p>	<p>Mr Paul Robins Ms Jessie Rose Cooper Mr Richard Heppener Mr Robert Jeffreys Mr Phil Avery</p> <p>Mr Antony Heppener (Temporary Ranger)</p> <p>Mr Graham Chester (Temporary Ranger)</p>	<p>Authorised Persons for the Shire of Donnybrook-Balingup to administer these Acts, Regulations and Local Laws.</p> <p>Authorised Persons for the Shire of Donnybrook-Balingup to administer these Acts, Regulations and Local Laws from 24.11.2014 to 06.04.2015. (See Council Minutes from 22.10.2014).</p> <p>Authorised Persons for the Shire of Donnybrook-Balingup to administer these Acts, Regulations and Local Laws from 24.11.2014 to 06.04.2015. (See Council Minutes from 26.11.2014).</p>	<p>Dec 2015 Sept 2016 Dec 2015</p> <p>9/07/2013</p> <p>18/11/2014</p> <p>16/12/2014</p>
<p>Local Government (Parking for Disabled Persons) Regulations 1988</p>	<p>Mr Paul Robins Mr Richard Heppener Mr Robert Jeffreys Mr Phil Avery Ms Jessie Cooper</p>		<p>Dec 2015 Dec 2015 July 2014</p> <p>Sept 2016</p>

LEGISLATION	AUTHORISED PERSONS (OR POSITIONS)	AUTHORITY	DATE GAZETTED / EFFECTIVE FROM
Bush Fires Act 1954	<p><b>Chief Bush Fire Control Officer</b> – Max Walker, <b>Deputy Chief Bush Fire Control Officers</b> – David Tooke, Ian Ralph, <b>Fire Weather Officers</b> – John Fry, Murray Webb; <b>Fire Control Officers</b> - Michael Anderson, John Bailey, Neville Clifford, Bevan Dix, Graham Foan, Duncan Goldfinch, Neil Gubler, Ian Ralph, Stuart Simmonds, Thas Thamo, Nigel Thompson, David Tooke, Max Walker, Chris Wringe, Paul Robins, Jess Cooper, Ben Anderson.</p>	As per the <i>Bush Fires Act 1954</i> .	August 2017