

DELEGATION REGISTER

CEO TO EMPLOYEES

2020-21

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1 Local Government Act 1995 Delegations

1.1 CEO to Employees

1.1.3 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub – Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Delegate:	Director Development and Community Services Coordinator Development Compliance Senior Development Compliance Officer Coordinator Emergency Management
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
CEOs Conditions on this Delegation:	<ol style="list-style-type: none"> a. Delegated authority may only be used, where there is imminent or substantial risk to public safety or property. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995: s.9.10 Appointment of authorised persons – refer also s.3.32(2) Part 3, Division 3, Subdivision 3 – prescribes statutory processes for Powers of Entry
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	s.3.34(2) Entry in an emergency
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.4 Declare Vehicle is Abandoned Vehicle Wreck

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub – Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Ranger Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.5 Confiscated or Uncollected Goods

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub – Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods may be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Director Corporate and Commercial Services Chief Financial Officer Manager Maintenance Operations Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 Part 3, Division 3, Subdivision 3 s.3.58 Disposing of Property – applies to the sale of goods under s.3.47 as if they were property referred to in that section.
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Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19
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	Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.6 Disposal of Sick or Injured Animals

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.7 Close Thoroughfares to Vehicles

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Delegate:	Director Infrastructure Services Director Development and Community Services Manager Maintenance Operations
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4 weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4 weeks and before doing so, to: <ul style="list-style-type: none"> • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s.3.51].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 s.3.50, s.3.50A, s.3.51
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.8 Obstruction of Footpaths and Thoroughfares

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Delegate:	Director Development and Community Services Director Infrastructure Services Manager Maintenance Operations Manager Urban and Regional Development Coordinator Building Surveying Senior Building Surveyor Coordinator Development Compliance Senior Development Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> prevent damage to the footpath; or prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A].

	5. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
CEO Conditions on this Delegation:	<p>a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.</p> <p>b. Permission may only be granted where, the proponent has:</p> <ul style="list-style-type: none"> i. Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. iii. Where appropriate, provided evidence of sufficient Public Liability Insurance. iv. Where appropriate, provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. <p>c. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.9 Gates Across Public Thoroughfares

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.9 Permission to have gate across public thoroughfare – Sch.9.1 cl.5(1)
Delegate:	Manager Engineering Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to provide, or refuse to provide, permission to have a gate or other device across a local government thoroughfare that permits the passage of vehicle traffic and prevents livestock straying [ULP r.9(1)]. 2. Authority to require an applicant to publish a notice of the application in a manner thought fit for the purpose of informing persons who may be affected by the proposed gate or device [r.9(2)]. 3. Authority to impose conditions on granting permission [ULP r.9(4)]. 4. Authority to renew permission, or at any other time vary any condition, effective upon written notice to the person to whom permission was granted [ULP r.9(5)]. 5. Authority to cancel permission by written notice, and request the person to whom permission was granted to remove the gate or device within a specified time [ULP r.9(6)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Each approval provided must be recorded in the City of Greater Geraldton's statutory Register of Gates in accordance with Uniform Local Provisions Regulation 8. c. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19

	Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.10 Public Thoroughfare – Dangerous Excavations

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Delegate:	Director Development and Community Services Director Infrastructure Services Manager Maintenance Operations Manager Urban and Regional Development Coordinator Building Surveying Senior Building Surveyor Coordinator Development Compliance Senior Development Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works.

	<ul style="list-style-type: none"> ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Where appropriate, provided evidence of sufficient Public Liability Insurance. iv. Where appropriate, provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. <p>c. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>
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Compliance Links:	<p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.3 – Determine and Manage Conditions on Permission for Dangerous Excavations on or on land adjoining Public Thoroughfares</p> <p>Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46(3).</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	<p>Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i></p>

1.1.11 Crossing – Construction, Repair and Removal

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Delegate:	Director Infrastructure Services Director Development and Community Services Manager Urban and Regional Development Manager Maintenance Operations Engineering Officer (position title change from Development Engineer)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995
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	Refer also Delegation 1.2.1 <i>Activities in Thoroughfares and Public Places and Trading Local Law 2011</i>
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.12 Private Works on, over or under Public Places

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
Delegate:	Director Infrastructure Services Director Development and Community Services Manager Urban and Regional Development Manager Maintenance Operations Engineering Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity. c. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government (Uniform Local Provisions) Regulations 1996 – prescribe applicable statutory procedures
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	<p>Determination of Bond Value and Conditions - refer to CEO Delegation 1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the Local Government Act 1995</p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	<p>Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i></p>

1.1.13 Expressions of Interest for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Delegate:	Director Corporate and Commercial Services Director Development and Community Services Director Infrastructure Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
CEO Conditions on this Delegation:	a. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council. b. Compliance with Council policies: <ul style="list-style-type: none"> 4.9 Procurement of Goods and Services 4.11 Regional Price Preference c. Compliance with Delegation 1.1.14 Tender for Goods and Services

Compliance Links:	Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures WALGA Subscription Service – Procurement Toolkit Council Policy 4.9 Procurement of Goods and Services, Council Policy 4.11 Regional Price Preference
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.14 Tenders for Providing Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Delegate:	Director Corporate and Commercial Services Director Infrastructure Services Director Development and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. Authority to undertake tender exempt procurement, in accordance with the Purchasing Policy requirements, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget [F&G.r.11(2)]. 4. Authority to invite tenders although not required to do so [F&G r.13]. 5. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 6. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 7. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 8. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)].

	<p>9. Authority to accept, or reject tenders, only within the \$value detailed as a condition on this Delegation and in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)].</p> <p>10. <i>Not sub delegated</i></p> <p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>12. Authority to decline any tender [F&G r.18(5)].</p> <p>13. <i>Not sub delegated</i></p> <p>14. Authority to:</p> <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A]. <p>15. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].</p>
CEO Conditions on this Delegation:	<p>a. Sole supplier arrangements may only be approved where a record is retained that evidences:</p> <ul style="list-style-type: none"> i. A detailed specification; ii. The outcomes of market testing of the specification; iii. The reasons why market testing has not met the requirements of the specification; and iv. Rationale for why the supply is unique and cannot be sources through other suppliers; <p>b. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> • proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, • current supply contract expiry is imminent, • value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and • The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. <p>c. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total</p>

	<p>consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget.</p> <p>d. Compliance with Council Policy 4.9 Procurement of Goods and Services, 4.10 Procurement via Panels of Prequalified Suppliers, and 4.11 Regional Price Preference.</p> <p>e. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council</p>
Delegate:	<p>Manager Project Delivery</p> <p>Project Manager</p> <p>Project Supervisor</p>
<p>Function:</p> <p><i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>11. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>14. Authority to:</p> <p>i. Vary a contract that has been entered into with a successful tenderer, provided the variation does not change the scope of the original contract</p>
CEO Conditions on this Delegation:	<p>a. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the period immediately prior to the adoption of a new Annual Budget and where the:</p> <ul style="list-style-type: none"> proposed goods or services are required to fulfil a routine contract related to the day to day operations of the Local Government, current supply contract expiry is imminent, value of the proposed new contract has been included in the draft Annual Budget proposed for adoption, and The tender specification includes a provision that the tender will only be awarded subject to the budget adoption by the Council. <p>b. In accordance with s.5.43, tenders may only be accepted and panels of pre-qualified suppliers established, where the total consideration under the resulting contract is \$500,000 or less and the expense is included in the adopted Annual Budget.</p> <p>c. Compliance with Council Policy 4.9 Procurement of Goods and Services, 4.10 Procurement via Panels of Prequalified Suppliers, and 4.11 Regional Price Preference.</p> <p>d. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p> <p>e. In accordance with relevant officers financial authorisation level and conditions, as provided in Operational Policy OP034 Financial</p>

	Authorisations. Total variations an officer may approve is not to exceed their financial authorisation level.
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Compliance Links:	<p><i>Local Government Act 1995: s.3.57</i></p> <p><u>Council Policies</u></p> <p>4.9 Procurement of Goods and Services</p> <p>4.10 Procurement via Panels of Prequalified suppliers</p> <p>4.11 Regional Price Preference</p> <p><u>Operational Policy</u></p> <p>OP034 Financial Authorisations</p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.15 Panels of Pre-Qualified Suppliers for Goods and Services

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers r.24AJ(1) Contracts with pre-qualified suppliers
Delegate:	Director Corporate and Commercial Services Director Development and Community Services Director Infrastructure Service
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3.. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel

	of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> a. In accordance with s.5.43, panels of pre-qualified suppliers may only be established, where the expense is included in the adopted Annual Budget. b. In accordance with the provisions of Council Policy 4.10 Procurement via Panels of Prequalified Suppliers c. This delegation may only be exercised in accordance with policies and strategies formally adopted by Council

Compliance Links:	<p>Local Government (Functions and General) Regulations 1996 – prescribe applicable statutory procedures</p> <p>WALGA Subscription Service – Procurement Toolkit</p> <p>Council Policy 4.9. Procurement of Goods and Services</p> <p>Council Policy 4.10 Procurement via Panels of Pre-Qualified Suppliers</p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.16 Disposing of Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
Delegate:	Director Corporate and Commercial Services Director Development and Community Services Director Infrastructure Services Manager Land and Regulatory Services Coordinator Land and Property Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)]. 3. Authority to dispose of property under regulation 30(3) (a) of the Local Government (Functions and General) Regulations 1996.
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Value of property that may be disposed under this delegation shall not exceed \$500 000 including plant and assets with a depreciated value not exceeding \$500 000, in accordance with the provisions of section 5.43(d) of the <i>Local Government Act 1995</i>. b. Section 3.58(4) – where the market value of the lease is less than \$15,000 pa. c. This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 – s.3.58 Disposal of Property
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19

	Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.17 Fees etc. for Council members

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s. 5.98 (2) – (4) Fees etc. for Council members <i>Local Government Act (Administration Regulations) 1996</i> r.32. (1) (a)-(c) Expenses that may be approved for reimbursement.
Delegate:	Director Corporate and Commercial Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>(1) A council member who incurs an expense of a kind prescribed as being an expense —</p> <p>(a) to be reimbursed by all local governments; or</p> <p>(b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement, is entitled to be reimbursed for the expense in accordance with subsection (3).</p> <p>(2) A council member to whom subsection (2) applies is to be reimbursed for the expense —</p> <p>(a) where the extent of reimbursement for the expense has been determined, to that extent; or</p> <p>(b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.</p> <p>(3) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.</p>
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 Local Government (Administration) Regulations 1996 - refer specifically r. 32. (1) (a)-(c) Expenses that may be approved for reimbursement.
Record Keeping:	Local Government Act 1995 – Section 5.46 (3)

	Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.18 Payments from the Municipal or Trust Funds

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Section 6.7(2) Money held in the municipal fund may be applied towards the performance of the functions and the exercise of powers conferred on the Local Government by this Act or any other written law. <i>Local Government (Financial Management) Regulations 1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Delegate:	<u>Category A</u> Director Corporate and Commercial Services Chief Financial Officer Financial Accountant Asset Accountant Senior Management Accountant/Analyst Treasury Officer ERP Project Manager <u>Category B</u> Holder of Corporate Charge Card
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)].
CEO Conditions on this Delegation:	a. Make payments for procurement provided for in Budgets approved by Council, or otherwise approved by Council resolution, and undertaken in accordance with Council Policy 4.9 Procurement of Goods and Services. Consistent with the functions of the CEO specified in section 5.41(c) and (d) of the <i>Local Government Act 1995</i> . b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council. c. Payments by Cheque and EFT transactions must be approved jointly by two Delegates. d. Delegates that approve the payment must not verify the liability. The verification of incurring the liability via the purchase order,

	<p>invoice and evidence of goods / service received, must be undertaken independent of the payment approval.</p> <p>e. Category B - Payments with Corporate Charge Card shall not to exceed the credit limit of the Card.</p> <p>f. Delegates must comply with the procedures approved by the CEO in accordance with Financial Management Regulation 5.</p>
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Compliance Links:	<p>Local Government Act 1995</p> <p>Local Government (Financial Management) Regulations 1996 - refer specifically r.13 Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.</p> <p>Local Government (Audit) Regulations 1996</p> <p>Department of Local Government, Sport and Cultural Industries</p> <p>Operational Guideline No.11 – Use of Corporate Credit Cards</p> <p>Department of Local Government, Sport and Cultural Industries:</p> <p>Accounting Manual</p> <p>Council Policy 4.9 Procurement of Goods and Services</p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46 (3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	<p>Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i></p>

1.1.20 Power to Invest and Manage Investments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Delegate:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. (2A) A local government is to comply with the regulations when investing money referred to in subsection (1). (2) Regulations in relation to investments by local governments may — <ol style="list-style-type: none"> (a) make provision in respect of the investment of money referred to in subsection (1); and [(b) deleted] (c) prescribe circumstances in which a local government is required to invest money held by it; and (d) provide for the application of investment earnings; and (e) generally provide for the management of those investments.
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 2.1 Investment. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be documented. d. Procedures are to be administratively reviewed as per Audit Regulation 17. e. This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:

[Local Government \(Financial Management\) Regulations 1996](#) – refer r.19C Investment of money, restrictions on (Act s.6.14(2)(a))

	Council Policy 2.1 – Investment
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.21 Defer, Grant Discounts, Waive or Write Off Debts

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts.
Delegate:	<u>Write off any debt</u> Director Corporate and Commercial Services Chief Financial Officer
	<u>Waive /Grant Concession</u> Chief Financial Officer Manager Community and Cultural Development
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the City of Greater Geraldton [s.6.12(1)(b)]. 2. Waive or grant concessions in relation to any amount of money [s.6.12(1)(b)]. 3. Write off any amount of money which is owed to the City of Greater Geraldton [s.6.12(1)(c)]. 4. Regulations may prescribe circumstances in which a Local Government is not to exercise a power under subsection (1) or regulate the exercise of that power.
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. This delegation may only be exercised in accordance with policies and strategies formally adopted by Council. b. Comply with Council Policy 4.22 Fraud Control, Write off Debts & Waive Fees and Charges c. The authorisation to write off any amount of money which is owed to the City of Greater Geraldton [s.6.12(1)(c)]. [s.6.12(1)(c)] is limited to \$5000 per request. d. The authorisation to waive/ grant concession is limited to a waiver of venue and / or equipment hire fees and charges and is limited to \$2,500 per event or activity

Compliance Links:	Council Policy – 4.22 Fraud Control, Write-off Debts & Waive Fees and Charges.
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19

	Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.22 Expenses may be funded before actually incurred

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.102. Expense may be funded before actually incurred.
Delegate:	Director Corporate and Commercial Services Chief Financial Officer Financial Accountant Asset Accountant Senior Management Accountant/Analyst Treasury Officer ERP Project Manager
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Nothing in this Division prevents a local government from making a cash advance to a person in respect of an expense for which the person can be reimbursed.
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.23 Trust Fund

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.9(4) Trust fund
Delegate:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	6.9 Trust Fund (4) Where money has been held in the trust fund for 10 years it may be transferred by the local government to the municipal fund but the local government is required to repay the money, together with any interest earned from its investment, from that fund to a person claiming and establishing a right to the repayment.
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.24 Rate Record Amendment

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
Delegate:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
CEO Conditions on this Delegation:	a. Delegates must comply with the requirements of s.6.40 of the Act. b. This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 – s.6.40 prescribes consequential actions that may be required following a decision to amend the rate record. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.25 Agreement as to Payment of Rates and Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Delegate:	Director Corporate and Commercial Services Chief Financial Officer Coordinator Rates
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49]. A Local Government may accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:	Operational Policy OP018 Financial Hardship Direct Debit arrangement for Rates
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.26 Determine Due Date for Rates or Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
Delegate:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine the date on which rates or service charges become due and payable to the City of Greater Geraldton [s.6.50].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.27 Recovery of Rates or Service Charges

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court
Delegate:	Director Corporate and Commercial Services Chief Financial Officer Coordinator Rates Senior Rates Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56 (1)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies and strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46 (3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.1.28 Recovery of Rates Debts – Require Lessee to Pay Rent

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
Delegate:	Director Corporate and Commercial Services Chief Financial Officer Coordinator Rates
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City of Greater Geraldton [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Local Government Act 1995 – refer sections 6.61 and 6.62 prescribe procedures relevant to exercise of authority under s.6.60.
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2 Local Law Delegations to Employees

1.2.1 Public Places and Local Government Property Local Law 2020

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Public Places and Local Government Property Local Law 2020</i> <i>Local Government and Public Property Local Law 2014</i> cl.2.3 Discretion to erect a sign cl.2.5 Register of Determinations cl 4.2 – cl 4.4 Advertising signs on thoroughfares cl. 6.6 Powers of authorised persons or surf life saving club members cl.6.10 Use by aircraft cl 6.11 Right of entry to airport cl 6.14 Application for consent and application fee cl.6.17 When a boat may remain berthed cl 7.3 Declaration of flora road cl.7.5 Signpost flora road cl.7.6 Driving only on carriageway of flora roads cl.7.7 Designation of special environmental area cl.7.8 Marking of special environmental area cl 7.9 Permit to plant cl 7.15 Approve permit to burn thoroughfare cl 7.17 Permit for firebreaks on thoroughfares cl.7.20 Permit for revegetation projects cl.8.4 Permissible verge treatments cl.8.9 Removal of redundant crossing cl.8.12 Signs erected by local government cl.10.1 Application for permit cl 10.9 Renew permit cl.10.11 Suspend permit cl.10.12 Give written notice cl 10.13 Revoke suspension cl.10.15 Cancel permit cl.12.5 Local government may undertake requirements of notice cl.12.8 Prescribed offences cl 2.3 schedule 1 Children's Playgrounds cl.2.5 Activities prohibited on local government property
Delegate:	Director Infrastructure Services Manager Maintenance Operations Manager Community and Cultural Development Place Manager Mullewa Manager Sport and Leisure Manager Geraldton Airport Manager Libraries, Heritage and Gallery Manager Land and Regulatory Services

	Coordinator Sport and Leisure Coordinator Community Development Coordinator Gallery and Public Art Coordinator Land and Property Services Coordinator Ranger Services Coordinator Customer Experience Airport Coordinator Coordinator Events and Venues Coordinator Library Services Sport and Leisure Planner
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Determination in Respect of Local Government Property <ol style="list-style-type: none"> a. Erect a sign on local government property to give notice of the effect of a determination cl2.3 b. Keep register of determinations under cl2.1- cl2.5 2. Advertising Signs on Thoroughfares <ol style="list-style-type: none"> a. Determine application for permit for portable sign or advertising sign, bill or advertisement in a thoroughfare subject to conditions, cl 4.3 in accordance with cl 4.2, 4.3. 3. Powers of authorised persons or surf life saving club members <ol style="list-style-type: none"> a. Authorise one or more members of a surf life saving club (under section 9.10 of the <i>Local Government Act 1995</i>)to perform functions - cl 6.6(2)any or all as listed in subclause 6.6(1) 4. Use by Aircraft <ol style="list-style-type: none"> a. Close the airport to aircraft movements if the surface of the airport is considered to be unsafe cl 6.10(2) 5. Right of entry to Airport <ol style="list-style-type: none"> a. Approval to enter or remain upon the airport or part thereof cl 6.11(1) b. Designate or set apart any specified part or parts of the Airport cl 6.11(2) c. Place signs markings or notices at the airport indicating the limits of any part of the airport set apart for any special or limited use under 6.11(2) – cl 6.11(3) 6. Jetties <ol style="list-style-type: none"> a. Give consent under Division 5 – Jetties cl 6.14 <ol style="list-style-type: none"> i. launch a boat from or over any jetty cl6.19 ii. load or discharge cargo between 6.00pm and 6.00am on the next day , or for longer than 2 consecutive hours cl6.20

	<p>iii. place or deposit bulk cargo from a vehicle , boat or container on to a jetty cl6.24</p> <p>b. Refuse to consider application for consent cl 6.14(3)</p> <p>c. Give decision in writing on application for consent 6.14(4)</p> <p>d. Consent to berth or make fast a boat to a jetty for a consecutive period exceeding two 2 hours, whilst the embarking or disembarking of passengers is in progress</p> <p>7. Roadside conservation</p> <p>a. Declare a thoroughfare with high quality roadside vegetation to be a flora road cl7.3</p> <p>b. Signpost flora roads cl7.5</p> <p>c. Exempt a person from the application of subclause (1) – <i>a person may only drive or ride a vehicle on the carriageway when driving or riding a vehicle on a flora road- cl 7.6(2)(c)</i></p> <p>d. Designate a thoroughfare , or any part thereof as a special environmental area cl 7.7 and mark and keep a register of each thoroughfare or part thereof designated cl 7.8</p> <p>e. Determine an application for a permit to plant any plant or sow any seeds in a thoroughfare, cl 7.9 - relevant considerations cl 7.10</p> <p>f. Approve an application for permit for purpose of cl 7.13 (permit to burn thoroughfare) cl 7.15. subject to cl 7.16 prohibitions on burning.</p> <p>g. Approve an application for a permit for firebreak on thoroughfare cl 7.17 - subject to cl7.18</p> <p>h. Approve an application for a permit to collect seed from native flora on a thoroughfare cl 7.20</p> <p>8. Activities in Streets</p> <p>a. Erect a sign in a street specifying any conditions of use which apply to the street cl 8.12</p> <p>b. Approve any material which would create a hard surface as an <i>acceptable material</i> cl 8.4(3)</p> <p>c. Give written notice to the owner or occupier or a lot to remove any part or all of a crossing which does not give access to a lot cl 8.9(2)(a); reinstate the kerb , drain, footpath, verge and any other part of the street , affected by the removal cl 8.9(2)(b)</p> <p>9A Permits</p> <p>a. Determine the form of an application for permit cl10.1.(2)(a)</p> <p>b. Renew a permit cl10.9</p> <p>c. Suspend a permit subject to cl10.12, by written notice cl10.11</p> <p>d. Give written notice to the permit holder cl10.12</p> <p>e. Revoke suspension and give written notice cl10.13</p> <p>f. Cancel permit cl 10.15</p> <p>9. Enforcement</p>
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	<ul style="list-style-type: none"> a. Do the thing specified in the notice if a person fails to comply with a notice referred to in cl12.2 and recover costs - cl12.5(1) b. Take remedial action if a person fails to comply with a notice referred to in cl12.3, recover costs cl12.5(2) c. Before giving an infringement notice to a person in respect of the commission of a prescribed offence comply with cl12.8 (3) <p>10. Schedule 1 Determinations</p> <ul style="list-style-type: none"> a. Set aside a public reserve or any portion of a public reserve as a children's playground cl 2.3(1) (schedule 1) and limit the ages of persons who are permitted to use a children's playground cl 2.3(2) schedule 1 and erect a sign. b. Reserve land for the purpose of the play or practice of archery or pistol or rifle shooting cl2.5(1) schedule 1 c. Set aside reserve as a golf course cl2.5(2) schedule 1
Council Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees

Sub-Delegate/s: <i>Appointed by CEO</i>	Refer to Register of Delegation - CEO to Employees
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CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
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Compliance Links:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 A register of all special environmental areas must be maintained under cl.7.8 of the Public Places and Local Government Property Local Law 2020 Security deposits for Dangerous Excavations and Private Works in Public Places, are a permit condition determined in accordance with Regs 11 and 17 of the Local Government (Uniform Local Provisions) Regulations 1996 – refer CEO Delegations 1.3.3 and 1.3.4. Crossing permits are approved under Regulations 12 and 13 of the Local Government (Uniform Local Provisions) Regulations 1996 – refer Delegation 1.2.13 Crossings – Construction, Repair and Removal.
Recordkeeping:	Council Policy 4.13 Recordkeeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)

1.2.2 Dogs Local Law 2020

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Dogs Local Law 2020</i> cl.2.2 Limitation on the number of dogs cl.3.2 Application of Licence for approved kennel establishment cl.3.3 Notice of proposed use cl.3.5 When applications can be determined cl.3.6 Determination of application cl.3.7 Where application cannot be approved cl.3.8 Conditions of approval cl.3.11 Form of licence cl.3.13 Variation or cancellation of licence cl.3.14 Transfer cl.3.15 Notification cl.5.6 Payment of Modified Penalty
Delegates:	<p>Appointment for:</p> <p>1. Requirements And Limitations On The Keeping Of Dogs</p> <ol style="list-style-type: none"> Limit on the number of dogs which may be kept on any premises [cl.2.2]. Determine the form of an approved kennel establishment, and require information [cl.3.2] Refuse to determine the application for a licence until the notice/s is given in accordance with directions[cl.3.3(3)] Application not to be determined until the provisions of subclause 3.5(a) to 3.5(d) are met.[cl.3.5] Matters to be considered in determining an application for an approved kennel establishment [cl.3.6] Determine that licence for kennel establishment cannot be approved [cl.3.7] Application may be subject to conditions of approval, subject to Schedule 2 or as considered appropriate [cl.3.8] Form of licence to be determined [cl.3.11] Vary or cancel a licence [cl.3.13] <p>Persons Delegated: Director Development and Community Services</p>

	Manager Urban and Regional Development Coordinator Ranger Services
	Appointment for: 1. Requirements And Limitations On The Keeping Of Dogs <ul style="list-style-type: none"> a. Limit on the number of dogs which may be kept on any premises [cl.2.2]. Persons Delegated: Coordinator Ranger Services Senior Ranger Ranger Casual Ranger
	Appointment for: 2. Kennel Licences <ul style="list-style-type: none"> a. Appropriate the amount in satisfaction of an infringement and issue an acknowledgement [cl.5.6] Persons Delegated: Coordinator Ranger Services Senior Ranger Ranger Casual Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Requirements And Limitations On The Keeping Of Dogs <ul style="list-style-type: none"> a. Limit on the number of dogs which may be kept on any premises[cl.2.2] 2. Kennel Licences <ul style="list-style-type: none"> a. Determine the form of an approved kennel establishment, and require information [cl.3.2] b. Refuse to determine the application for a licence until the notice/s is given in accordance with directions[cl.3.3(3)] c. Application not to be determined until the provisions of subclause 3.5(a) to 3.5(d) are met.[cl.3.5] d. Matters to be considered in determining an application for an approved kennel establishment [cl.3.6] e. Determine that licence for kennel establishment cannot be approved [cl.3.7] f. Application may be subject to conditions of approval, subject to Schedule 2 or as considered appropriate [cl.3.8]

	<ul style="list-style-type: none"> g. Form of licence to be determined [cl.3.11] h. Vary or cancel a licence [cl.3.13] i. Application for transfer of licence [cl.3.14] j. Give written notice [cl.3.15]. <p>3. Enforcement</p> <ul style="list-style-type: none"> a. Appropriate the amount in satisfaction of an infringement and issue an acknowledgement [cl.5.6]
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	<p>Local Government Act 1995 – section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.3 Pest Plants Local Law 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Pest Plants Local Law 2011</i> cl.3.1 Notices cl.3.2 Failure to comply with a notice
Delegate:	Manager Engineering Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Notices <ol style="list-style-type: none"> Serve a notice requiring an owner or occupier of private land to destroy, eradicate or otherwise control any pest [cl.3.1] Without payment of compensation, destroy , eradicate or control, any pest plant, the destruction, eradication or control of which was required by the notice [cl.3.2(a)] Recover in a court of competent jurisdiction , the amount of the expense of destruction , eradication or control [cl.3.2(b)]
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.4 Bush Fires Local Law 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Bush Fires Local Law 2011</i> cl.2.1 Establish a bush fire brigade cl.2.2 Name and officers of bush fire brigade cl.2.6 Dissolution of bush fire brigade cl.3.1 Local Government responsible for structure cl.3.2 Officers to be supplied with Act cl.3.3 Managerial role of the Chief Bush Fire Control Officer cl.3.5 Duties of Chief Bush Fire Control Officer cl.3.8 Nomination of bush fire control officer to the local government cl.3.10 Functions of Bush Fire Advisory Committee cl.3.11 Bush Fire Advisory Committee to nominate bush fire control officers cl.3.12 Local government to have regard to nominees cl.3.13 Bush Fire Advisory Committee to consider bush fire brigade motions. cl.6.1 Policies of local government cl.6.2 Equipment in brigade area cl.6.3 Funding from local government budget cl.6.4 Consideration in the local government budget cl.4.1 Management of bush fire brigade cl.7.6 Disagreements
Delegate:	Manager Engineering Services Coordinator Emergency Management
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Establishment of Bush Fire Brigade <ol style="list-style-type: none"> a. Establish a bush fire brigade on the date of decision [cl.2.1] b. Give a name to the brigade [cl.2.2(1)(a)], specify the area of responsibility [cl.2.2(1)(b)], appoint officers [cl.2.2(1)(c)], have regard to qualifications and experience [cl.2.2(2)], appoint person to fill vacancy [cl.2.2(5)] c. Cancel the registration of a bush fire brigade [cl.2.6] d. Direct the Chief Bush Fire control officer [cl.3.3] e. Determine number of nominees for Bush Fire Advisory Committee [cl.3.10], receive nomination for position of bush fire control officer [cl.3.11], not bound to appoint nominated person [cl.3.12], Receive recommendations on motions [cl.3.13]. 2. Organisation and Maintenance of Bush Fire Brigades <ol style="list-style-type: none"> a. Ensure appropriate structure through which organisation of bush fire brigades is to be maintained [cl.3.1] b. Supply brigade officers with relevant legislation [cl.3.2]

	<ul style="list-style-type: none"> c. Direct the Chief Bush Fire Control Officer [cl.3.3] d. Liaise with the Chief Bush Fire Control Officer [cl.3.5] e. If the local government has not established a Bush Fire Advisory Committee, at the annual general meeting nominate a brigade member to the local government to serve as the bush fire control officer [cl.3.8] f. Determine the number of nominees for the Bush Fire Advisory Committee [cl.3.10] g. Nominations to be made for bush fire control officer for brigade area [cl.3.11] Consider persons for the position[cl.3.12] h. Recommendations on motions received by the Bush Fire Advisory Committee to be made [cl.3.13] <p>3. Equipment of Bush Fire Brigades</p> <ul style="list-style-type: none"> 4. Make policies to provide funding, protective clothing, equipment and appliances [cl.6.1 (a)], provide information on funding from other bodies [cl.6.1 (b)]. 5. Report to be made [cl.6.2] 6. Request to be made from bush fire brigade for funding protective clothing, equipment and appliances prior to 28 February [cl.6.3]. 7. Approve or refuse application for funding depending on budget priorities [cl.6.4] <p>4. Rules Governing the Operation of Bush Fire Brigades</p> <ul style="list-style-type: none"> a. Recommendations made by the Committee: to rules:[cl.4.1 (2)(a)];equipment to be supplied [cl.4.1(2)(d)] <p>5. General Administration Matters</p> <ul style="list-style-type: none"> k. Final authority on matters affecting bush fire brigade , resolve disagreement not resolved under subclause (1) or (2)
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.5 Health Local Law 2014

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Health Local Law 2014</i> cl.2.3 Floor of wet areas cl.3.13 Licensing of morgues cl.5.15 Restrictions on pigeon nesting or perching cl.5.17 Premises to be approved cl.5.20 Premises to be approved cl.6.5 Local government may execute work and recover costs cl.6.8 Local government may execute work and recover costs cl.6.20 Restrictions on keeping of bees in hives cl.7.1(1) Requirements on owner or occupier to clean , disinfect and disinfect cl.7.2 EHO may disinfect or disinfect premises cl.7.3 Insanitary house, premises and things cl.7.4 Persons in contact with an infectious disease sufferer cl.7.5 Declaration of infected house or premises cl.7.8 Local government may carry out work and recover costs cl.8.4 Approval of application cl.8.5 Renewal of registration cl.8.6 Notification upon sale or transfer cl.8.7 Revocation of registration cl.8.24 Keeper report cl.9.4 Registration of premises cl.9.5 Certificate of Registration
Delegate:	Manager Land and Regulatory Services Coordinator Environmental Health and Waste Senior Environmental Health Officer Environmental Health Officer Environmental Health Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Sanitation a. Approve floor waste [cl.2.3] 2. Housing and General b. Determine form for morgue licence [cl.3.13(4)(a)] 3. Nuisances and General a. Order an owner or occupier of a house to take adequate steps to prevent pigeons from nesting or perching [cl.5.15] b. Approved premises for use as a feedlot [cl.5.7]; subject to subsection (3) feedlot must comply with minimum distances [cl.5.17(2)]

	<p>c. Approve sites that do not satisfy separation requirements, if satisfied that this will not give rise to a health nuisance [cl.5.17 (3)]</p> <p>d. Approve premises as a piggery [cl.5.20]</p> <p>4. Pest Control</p> <p>a. Execute work and recover cost in a court of competent jurisdiction [cl.6.5(1), (2)] - Flies</p> <p>b. Pay compensation or damages for loss or damage due to negligence or breach of duty [cl.6.5(3)].</p> <p>c. Execute work and recover cost in a court of competent jurisdiction [cl.6.8(1), (2)] - Mosquitoes</p> <p>d. Pay compensation or damages for loss or damage due to negligence or breach of duty [cl.6.58 (3)].</p> <p>e. Approve a person to keep bees in a hive [cl.6.20(1)]; Direct bees or approved beehives to be removed [cl.6.20(2)]</p> <p>5. Infectious Diseases</p> <p>a. Direct an owner or occupier of premises to clean, disinfect and disinfest by a notice in writing [cl.7.1(1)]</p> <p>b. Direct an EHO, other local government officer or other person to disinfect and disinfest the premises [cl.7.2(1)]</p> <p>c. Recover the cost of carrying out the work, in a court of competent jurisdiction [cl.7.2(3)]. No liability to pay compensation or damages to the owner or occupier, other than compensation or damages for loss or damage because of negligence or breach of duty[cl.7.2(4)].</p> <p>d. Direct an owner or occupier of a house , in writing, within a time and manner specified , to destroy or amend a house considered to be insanitary[cl.7.3]</p> <p>e. Instructions or directions to occupant of the house or any person who enters or leaves [cl.7.4(a)]direct a person or occupant to be removed to isolation [cl.7.4(b)]</p> <p>f. Declare any house or premises to be infected [cl.7.5]</p> <p>g. Carry out work or arrange for the work to be carried out by another [cl.7.8(1)], recover costs in a court of competent jurisdiction [cl.7.8 (2)]. No liability to pay compensation or damages to the owner or occupier, other than compensation or damages for loss or damage because of negligence or breach of duty [cl.7.8(3)].</p> <p>6. Lodging houses</p> <p>a. Approve application for lodging house under clause 8.3 , with or without conditions by issuing certificate of registration [cl.8.4]</p>
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	<ul style="list-style-type: none"> b. Renew registration on application [cl.8.5] c. Written notification of sale or transfer to be given by owner within 14 days [cl.8.6] d. Revoke the registration of a lodging house [cl.8.7(1), (2)]; give notice to show cause why registration should not be revoked [cl.8.7(3)] e. Require a keeper to report the name of each lodger during specified period [cl.8.24] <p>7. Offensive Trades</p> <ul style="list-style-type: none"> a. Registration of premises to be lodged [cl.9.4]; Issue a Certificate [cl.9.5]
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	<p>Local Government Act 1995 – section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.6 Parking and Parking Facilities Local Law 2012

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Parking and Parking Facilities Local Law 2012</i> cl.2.1 Establishment of parking stations cl.2.10 Parking stations may be locked cl.2.12 Authorised spaces in parking stations cl.4.2 Authorised parking cl.4.6 Parking on public reserves cl.5.1 Residential Parking permit cl.7.1 Affixing signs and notices
Delegate:	Manager Maintenance Operations Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>1. Parking Stations</p> <ul style="list-style-type: none"> a. Determine and indicate by signs [cl.2.1(3)]; erect signs [cl.2.1(4)] b. At the expiration of the hours of operation, lock the parking station [cl.2.10] c. Give written permission to sell, hire, give away, offer or expose for sale or hire [cl.2.10] d. By the use of signs set aside any parking station or parking space, within the parking station, for the parking of vehicles by persons authorised [cl.2.12(1)]; Give written permit to person authorised [cl.2.12(2)(a)]; Revoke permit at any time [cl.2.12(2)(b)] <p>2. Stopping and Parking Generally</p> <ul style="list-style-type: none"> a. Give permission to stop or park a vehicle, other than an authorised vehicle, in a designated area for authorised vehicle [cl.4.2] b. Give permission to stop or park a vehicle in a public reserve, other than within a parking facility or parking station on the reserve [cl.4.6]. <p>3. Residential Parking Permits</p> <ul style="list-style-type: none"> a. Determine form for application of parking permit for residential lot [cl 5.1(2)].

	<p>b. Parking permit - approve [cl 5.1(3)(a)]; approve with conditions [cl 5.1(3)(b)]; refuse [cl.5.1(3)(c)]; issue a permit [cl 5.1(4)]</p> <p>4. Miscellaneous</p> <p>a. Permission to affix board, sign, placard, notice or other thing to or paint on write upon, any part of a sign, ticket issuing machine, parking facility or parking station [cl 7.1(a)]; place, mark or erect a sign resembling a sign placed marked or erected [cl.7.1 (b)].</p>
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	<p>Local Government Act 1995 – section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.7 Animals, Environment and Nuisance Local Law 2014

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Animals, Environment and Nuisance Local Law 2014</i> cl. 2.4 Roosters, geese, turkeys and peafowl. cl. 3.3 Unauthorised storage of materials cl. 3.4 Prohibited activities cl.4.3 Notice may require specified action to prevent emission or reflection of light cl. 4.4 Burning rubbish , refuse or other material cl.4.12 Nuisance cl.4.14 Placement of advertisement, bill posting or junk mail cl.6.1 Notice of breach
Delegate:	Manager Land and Regulatory Services Manager Urban and Regional Development Coordinator Environmental Health and Waste Senior Environmental Health Officer Environmental Health officer Environmental Health Compliance Officer Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Keeping of Animals a. Give written permission to keep roosters, geese, turkeys or peafowls on land with an area of 1 hectare or more [cl.2.4] 2. Building Development and Land Care a. Written approval prior to any proposal to store construction material on any thoroughfare verge [cl.3.3 (2)]. b. When opinion is formed that an owner occupier has not complied with subclause (1), serve a notice requiring owner occupier to do one or more of - comply with subclause (1)(a) or (1)(b) [cl.3.4 (2)(a)]; clean up and dispose of any released dust or liquid waste [cl.3.4 (2)(b)]; clean up and make good any damage [cl.3.4 (2)(c)]; take effective measures to stop further release or escape of dust or liquid waste[cl.3.4 (2)(d)]; 3. Nuisances and Dangerous Things a. Where clause 4.3(1) (a), (b) or (c) applies - give notice in writing to direct an owner occupier to take actions to: use outdoor or

	<p>floodlights only during specified hours; alter the direction of lights; paint or treat reflective surfaces; combination of measures deemed appropriate; [cl. 4.3(2)(a),(b),(c),(d)]</p> <p>b. Give written permission to set fire to rubbish, refuse or other materials on rural residential zoned property, of an area 2000m² or less [cl.4.4 (1)(a)]</p> <p>c. Satisfaction , that no reasonable alternatives are available [cl.4.4 (1)(b)]</p> <p>d. Give written authorisation to provide or conduct any amusement on land, to create or be a nuisance to any owner of occupier of land in the district.</p> <p>e. Give written approval to place, affix any letter, figure, device, poster, sign or advertisement on any building, fence or post [cl.4.14(1)]</p> <p>4. Enforcement</p> <p>a. Give notice of breach in writing to the person alleged responsible specifying - provision of local law breached; particulars of the breach; manner required for remedy of the breach [cl.6.1 (1) & (2)(a),(b),(c)]</p>
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.8 Waste Local Law

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	Waste Local Law 2020 cl 2.3 General waste receptacles cl 2.4 Recycling waste receptacles cl 2.5 Organic waste receptacles cl 2.7 Duties of owner or occupier cl 2.8 Exemption cl 2.9 Damaging or removing receptacles cl 4.2 Hours of operation cl 4.5 Depositing waste cl 4.6 Prohibited Activities Schedule 1 (l) Non Collectable Waste
Delegate:	Manager Land and Regulatory Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine; <ul style="list-style-type: none"> a. the weight for general waste receptacles cl2.3(1b)] b. the weight for recycling waste receptacles [cl2.4(c)] c. the weight for organic waste receptacles[cl2.5(c)] d. an area for placing a receptacle for collection [cl2.7(b)] e. the hours of operation of a waste facility [cl4.2] f. the classification of any waste that may be deposited at a waste facility [cl4.5(2)] g. non-collectable waste [clSchedule1(l)] 2. Authority to authorise; <ul style="list-style-type: none"> a. Damage , destroy or interfere with a receptacle b. a person to remove any waste or any other thing from a waste facility [cl4.6(1a)] c. a person to deposit at a waste facility that is a landfill site any waste that is toxic, poisonous or hazardous, or the depositing of which is regulated or prohibited by any written law [cl4.6(1b)] d. a person to light a fire in a waste facility [cl4.6(1c)] e. a person to remove, damage or otherwise interfere with any flora in a waste facility [cl4.6(1d)] f. a person to remove, injure or otherwise interfere with any fauna in a waste facility [cl4.6(1e)] g. a person to damage, deface or destroy any building, equipment, plant or property within a waste facility [cl4.6(1f)] 3. Authority to; <ul style="list-style-type: none"> a. decide if an exemption ceases to apply on reasonable

	<p>grounds, that there has been a failure to comply with a condition of the exemption [cl2.8(4a)]</p> <p>b. inform the owner or occupier of its decision under clause 2.8(4)(a) [cl2.8(4b)]</p>
Council Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
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Sub-Delegate/s: <i>Appointed by CEO</i>	Refer to Register of Delegation - CEO to Employees
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Compliance Links:	Local Government Act 1995 – section 5.46(3) Local Government (functions and general) Regulations 1996 Waste Local Law 2020
Recordkeeping:	Council Policy 4.13 Recordkeeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)

1.2.9 Cemetery Local Law 2011

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	Local Government Act 1995: s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Cemetery Local Law 2011</i> cl.2.1 Powers and functions of the Chief Executive Officer cl.3.1 Application for burial cl.3.4 Minimum notice required cl.4.3 Application refusal cl.5.1 Requirements for funerals and coffins cl.5.2 Funeral processions cl.5.5 Conduct of funeral cl.5.6 Placement of ashes cl.6.2 Mausoleum etc cl.7.1 Application for monumental work cl.7.5 Removal of sand, soil or loam cl.7.6 Hours of work cl.7.8 Use of wood cl.7.12 Placing of glass domes and vases cl.7.15 Requirements of a memorial plaque cl.7.16 Monumental masons licence cl.7.18 Carrying out monumental work cl.7.20 Cancellation of a monumental masons licence cl.8.3 Damaging and removing objects cl.8.6 Advertising and trading cl.8.8 Removal from the cemetery
Delegate:	Director Development and Community Services Place Manager Mullewa
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Administration a. Subject to the directions given, exercise all the powers and functions in respect of the cemetery [cl.2.1] 2. Application for Funerals a. Application for approval to bury a dead body [cl.3] b. Application to be in the form determined [cl.3.1(1)] c. Bookings to be made at least 24 hours prior to the time proposed for burial [cl.3.4] d. Refuse an application for a single funeral permit [cl.4.3] 3. Funerals 3A General a. Structure of coffin to be sound and meet requirements [cl.5.1] b. Time for burial to be fixed [cl.5.2]

	<ul style="list-style-type: none"> c. Require a written request to conduct a funeral [cl 5.5(a)]; charge the set fee [cl.5.5(b)]; d. determine the manner in which the funeral shall be conducted [cl.5.5 (c)]; e. specify area for burial [cl.5.5(d)]; f. Conduct a funeral without application or consent [cl 5.5 (f)]; g. do or require anything necessary or convenient for the conduct of a funeral [cl.5.5(g)]. <p>3B Placement of Ashes</p> <ul style="list-style-type: none"> a. Upon payment by applicant of set fee, grant permission for ashes to be disposed of [cl.5.6(1)]; b. Approve authorised officer to place ashes in a cemetery, [cl.5.6(3)] c. Grant permission for the placement of ashes in a cemetery [cl.5.6(3)(a)] d. set aside area in cemetery for placement of ashes [cl.5.6(3)(b)]; e. Grant approval for authorised officer to place ashes in a grave [cl 5.6 (4)] <p>4. Burials</p> <ul style="list-style-type: none"> a. Request the construction of a vault or mausoleum [cl.6.2(2)] <p>5. Memorials and other Work</p> <ul style="list-style-type: none"> a. Require written consent of the holder of the right of burial [cl.7.1] b. Give written approval to take sand, earth or other material from the cemetery for use in the erection of memorial work [cl.7.5] c. Grant approval for memorial or other work on graves outside standard hours [cl.7.6] d. Approve wooden fence, railing, cross or other erection as a temporary marker [cl.7.8] e. Set aside area as lawn or memorial plaque section [cl.7.12] f. Approve material for plaques [cl.7.15(1)(a)]; approve base mounting [7.15(2)(b)] g. Issue monumental masons licence upon receipt of written application and set fee [cl.7.16(1)]; specify conditions on licence [cl.7.16(2)] h. Authorise monumental works [cl.7.18(b)] i. Terminate monumental masons licence in writing [cl.7.20(1)]; refund fees on termination [cl 7.20(2)]
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	<p>6. General</p> <ul style="list-style-type: none"> a. Permit damage, removal or pocking of plants or other objects [cl.8.3] b. Grant written approval subject to conditions to carry on any trade, business or profession within the cemetery [cl.8.6] c. Determine that behaviour is inappropriate [cl.8.8]; Order person behaving inappropriately or failing to comply with provisions of law, to leave the Cemetery [cl.8.8]
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	<p>Local Government Act 1995 – section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – regulation 19</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.2.10 Cats Local Law 2020

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power to Sub-Delegate:	Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Cats Local Law 2020</i> cl.2.4 Application for approval cl.2.5 Determining an application cl.2.6 Conditions cl.2.7 Renewal of an application cl.2.8 Transfer of an approval cl.2.9 Variation or cancellation of an approval cl.2.10 Objection and review rights
Delegates:	Appointment for: a. Determine application fee in accordance with the Act. Persons Delegated: Director Development and Community Services Manager Urban and Regional Development
	Appointment for: a. Vary conditions on approval by giving written notice[cl.2.9(1)] b. Cancel an approval [cl.2.9(2)] c. Objection and review rights [cl.2.10] Persons Delegated: Manager Urban and Regional Development Coordinator Ranger Services
	Appointment for: a. Determination to grant approval to keep an additional number of cats [cl.2.5 (1)(a) to (1)(e). Determine form of approval, issue approval [cl.2.5(2)]. b. Impose any condition considered reasonably necessary to ensure that premises are suitable for an additional number of cats [cl.2.6]. c. Renew application [cl.2.7] d. Transfer of an approval for premises specified in the approval and related only to the approved person specified in the approval [cl.2.8(1)].

	<p>e. Determine form for transfer application and determine fee for transfer of approval [cl.2.8(2)].</p> <p>Persons Delegated:</p> <p>Coordinator Ranger Services</p> <p>Senior Ranger</p> <p>Ranger</p> <p>Casual Ranger</p>
<p>Function:</p> <p><i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i></p>	<p>1. Number of cats that may be kept</p> <p>a. Determine application fee in accordance with the Act.</p> <p>b. Determination to grant approval to keep an additional number of cats [cl.2.5 (1)(a) to (1)(e). Determine form of approval, issue approval [cl.2.5(2)].</p> <p>c. Impose any condition considered reasonably necessary to ensure that premises are suitable for an additional number of cats [cl.2.6].</p> <p>d. Renew application [cl.2.7]</p> <p>e. Transfer of an approval for premises specified in the approval and related only to the approved person specified in the approval [cl.2.8(1)].</p> <p>f. Determine form for transfer application and determine fee for transfer of approval [cl.2.8(2)].</p> <p>g. Grant or refuse to grant an application for transfer of an approval [cl.2.8(4)]. Where an application is granted issue an approval to the transferee in the form determined by the CEO cl.2.8(5)].</p> <p>h. Vary conditions on approval by giving written notice[cl.2.9(1)]</p> <p>i. Cancel an approval [cl.2.9(2)]</p> <p>j. Objection and review rights [cl.2.10]</p>
<p>Council Conditions on this Delegation:</p>	<p>This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>
<p>Express Power to Sub-Delegate:</p>	<p>Local Government Act 1995: s.5.44 CEO may delegate some powers and duties to other employees</p>
<p>Sub-Delegate/s:</p> <p><i>Appointed by CEO</i></p>	<p>Refer to Register of Delegation - CEO to Employees</p>
<p>CEO Conditions on this Sub-Delegation:</p> <p><i>Conditions on the original delegation also apply to the sub-delegations.</i></p>	<p>This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)

1.3 CEO to Employees

1.3.1 Determine if an Emergency for Emergency Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.34(2) Entry in emergency
Delegate/s:	Director Development and Community Services Director Corporate and Commercial Services Director Infrastructure Services Coordinator Emergency Management
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine on behalf of the CEO that an emergency exists for the purposes of performing local government functions [s.3.34(2)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Delegation 1.1.3 Powers of Entry
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.2 Determine and Manage Conditions on Approvals to Obstruct a Public Thoroughfare

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.6(4)(d) Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a)
Delegate/s:	Director Infrastructure Services Director Development and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to obstruct a public footpath or thoroughfare under Delegated Authority 1.1.8 <ol style="list-style-type: none"> 1. Authority to determine the sum sufficient to cover the cost of repairing damage to the public thoroughfare resulting from the placement of a thing or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [ULP r.6(4)(d)]. 2. Authority to determine the requirements for protective structures, during such time as it is considered necessary for public safety and convenience [ULP r.6(5)(b)]. 3. Authority to determine and require in writing, that the person granted permission to obstruct a public thoroughfare repair damage caused by things placed on the thoroughfare and authority to determine if such repairs are to the satisfaction of the local government [ULP r.6(5)(d)].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.1.8 Obstruction of Footpaths and Thoroughfares. b. Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<p>This delegated authority is effective only in alignment with Delegated Authority 1.1.8 Obstructions of Footpaths and Thoroughfares.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i></p>
Record Keeping:	Local Government Act 1995 – section 5.46(3)

	Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.3 Determine and Manage Conditions on Permission for Dangerous Excavations in or on land adjoining Public Thoroughfares

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	Local Government (Uniform Local Provisions) Regulations 1996: r.11(6)(c) and (7)(c) Dangerous excavation in or near public thoroughfare – Sch. 9.1 cl.6
Delegate/s:	Director Infrastructure Services Director Development and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	When determining to grant permission to for a dangerous excavation under Delegated Authority 1.1.10 <ol style="list-style-type: none"> 1. Authority to determine, as a condition of granting permission, the sum sufficient to deposit to cover the cost of repairing damage to the public thoroughfare or adjoining land resulting from the excavation or a protective structure, on the basis that the local government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.11(6)(c)]. 2. Authority to determine, as a condition of granting permission, requirements for protective structures and for the protective structures to be maintained and kept in satisfactory condition necessary for public safety and convenience [r.11(7)(c)]. 3. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily.
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Decisions under this Delegation must be exercised in alignment with Council's Delegated Authority 1.1.10 Public Thoroughfares – Dangerous Excavations. b. Actions under this Delegation must comply with the procedural requirements detailed in the Local Government (Uniform Local Provisions) Regulations 1996.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<p>This delegated authority is effective only in alignment with Delegated Authority 1.1.10 Public Thoroughfares – Dangerous Excavations.</p> <p>Local Government (Uniform Local Provisions) Regulations 1996</p> <p>Penalties under the Uniform Local Provisions Regulations are administered in accordance with Part 9, Division 2 of the <i>Local Government Act 1995</i></p>
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Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.4 Determine and Manage Conditions on Permission for Private Works on, over, or under Public Places

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.17(5)(b) and r.17(6)(c) Private works on, over, or under public places — Sch. 9.1 cl. 8
Delegate/s:	Director Infrastructure Services Director Development and Community Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine, as a condition of granting permission for Private Works in Public Places, the sum sufficient to deposit with the Local Government to cover the cost of repairing damage to the public thoroughfare or public place resulting from the crossing construction, on the basis that the Local Government may retain from that sum the amount required for the cost of repairs by the local government if the damage is not made good by the applicant [r.17(5)(b)]. 2. Authority to determine if repairs to damage resulting from excavation or protective structures have been repaired satisfactorily. [r.17(6)(c)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	This delegated authority is effective only in alignment with Delegated Authority 1.1.12.Private Works on, over or under Public Places
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.5 Appoint Persons (other than employees) to Open Tenders

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulations 1996:</i> r.16(3) Receiving and opening tenders, procedure for
Delegate/s:	Director Corporate and Commercial Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to appoint one person (other than employees) to be present with an employee of the Local Government to open tenders, when two employees are unable to attend the tender opening [F&G r.16(3)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.6 Electoral Enrolment Eligibility Claims and Electoral Roll

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.4.32(4), (5A) & (5) Eligibility to enrol under s.4.30, how to claim s.4.34 Accuracy of enrolment details to be maintained s.4.35 Decision that eligibility to enrol under s.4.30 has ended s.4.37 New roll for each election <i>Local Government (Elections) Regulations 1995:</i> r.11(1a) Nomination of co-owners or co-occupiers — s.4.31 r.13(2) & (4) Register - s.4.32(6)
Delegate/s:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require the written notice for co-owners or co-occupiers to be incorporated into Form 2 [r.11(1a)]. 2. Authority to decide whether or not the claimant is eligible under s.4.30(1)(a) and (b) and accept or reject the claim accordingly [s.4.32(4)]. 3. Authority to decide to accept or reject a claim made before the close of enrolments, but less than 14-days before the close of nominations [s.4.32(5A)]. 4. Authority to make any enquiries necessary in order to make a decision on an eligibility claim [s.4.32(5)]. 5. Authority to approve the omission of an elector's address from the Owners and Occupiers Register on the basis of a declaration from the elector that the publication of this information would place the elector's or their families safety at risk [Elections r.13(2)]. 6. Authority to amend the Owners and Occupiers Register from time to time to make sure that the information recorded in it is accurate [Elections r.13(4)]. 7. Authority to ensure that the information about electors that is recorded from enrolment eligibility claims is maintained in an up to date and accurate form [s.4.34]. 8. Authority to decide that a person is no longer eligible under s.4.30 to be enrolled on the Owners and Occupiers Electoral Roll [s.4.35(1)] and to give notice [s.4.35(2)] and consider submissions [s.4.35(6)], before making such determination. 9. Authority to determine to take any action necessary to give effect to advice received from the Electoral Commissioner [s.4.35(5)].

	10. Decide, with the approval of the Electoral Commissioner, that a new electoral roll is not required for an election day which is less than 100 days since the last election day [s.4.37(3)].
CEO Conditions on this Delegation:	a. Decisions on enrolment eligibility are to be recorded in the Enrolment Eligibility Register in accordance with s.4.32(6) and s.4.35(7).
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.7 Destruction of Electoral Papers

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Elections) Regulations 1996:</i> r.82(4) Keeping election papers – s4.84(a)
Delegate/s:	Information Management Supervisor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to, after a period of 4-years, destroy the parcels of election papers in the presence of at least 2 other employees [Elect. r.82(4)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with Council Policy 4.13 Record keeping Policy
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Department of Local Government, Sport and Cultural Industries: Returning Officer Manual
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.8 Information to be Available to the Public

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Administration) Regulations 1996:</i> r.29(2) &(3) Information to be available for public inspection (Acts s.5.94) r.29B Copies of certain information not to be provided (Act s.5.96) <i>Local Government Act 1995:</i> s.5.95(1)(b) Limits on right to inspect local government information
Delegate/s:	Director Corporate and Commercial Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine the public right to inspect information, by determining if the information requested relates to a part of a meeting that could have been closed to members of the public but was not [Admin. r.29(2)]. 2. Authority to determine the public right to inspect information in an agenda or minutes, by determining if the information requested would be part of the meeting which is likely to be closed to members of the public [Admin. r.29(3)]. 3. Authority to determine the manner and form by which a person may request copies of rates record information [s.5.94(m)] or owners and occupiers register and electoral rolls [s.5.94(s)] and to make the information available, if satisfied, by statutory declaration or otherwise, that the information will not be used for commercial purposes [Admin r.29B]. 4. Authority to determine not to provide a right to inspect information, where it is considered that in doing so would divert a substantial and unreasonable portion of the local government's resources away from its other functions [s.5.95(1)(b)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.9 Financial Management Systems and Procedures

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations 1996:</i> r.5 CEO's duties as to financial management
Delegate/s:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to establish systems and procedures which give effect to internal controls and risk mitigation for the: <ol style="list-style-type: none"> i. Collection of money owed to the City of Greater Geraldton; ii. Safe custody and security of money collected or held by the City of Greater Geraldton; iii. Maintenance and security of all financial records, including payroll, stock control and costing records; iv. Proper accounting of the Municipal and Trust Funds, including revenue, expenses and assets and liabilities; v. Proper authorisation of employees for incurring liabilities, including authority for initiating Requisition Orders, Purchase Orders and use of Credit and Transaction Cards; vi. Making of payments in accordance with Delegated Authority 1.1.18. vii. Preparation of budgets, budget reviews, accounts and reports as required by legislation or operational requirements. <p>[FM r.5].</p>
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Procedures are to be systematically documented and retained in accordance with the Record Keeping Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. b. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]
Express Power to Sub-Delegate:	Nil.

Compliance Links:	Local Government Act 1995 Local Government (Financial Management) Regulations 1996
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	Local Government (Audit) Regulations 1996 Department of Local Government, Sport and Cultural Industries Operational Guideline No.11 – Use of Corporate Credit Cards
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.10 Audit – CEO Review of Systems and Procedures

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government (Audit) Regulations 1996:</i> r.17 CEO to review certain systems and procedures
Delegate/s:	Director Corporate and Commercial Services Chief Financial Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to conduct the review of the appropriateness and effectiveness of the City of Greater Geraldton's systems and procedures in relation to (a) risk management; and (b) internal control; and (c) legislative compliance [r.17(1)].
CEO Conditions on this Delegation:	a. Each matter is to be reviewed at least once in every 3 financial years, with a report on each matter to be provided to the Audit Committee that details the findings, including any identified deficiencies, and actions required.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	<i>Local Government (Audit) Regulations 1996</i>
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.11 Infringement Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.9.13(6)(b) Onus of proof in vehicle offences may be shifted s.9.19 Extension of Time s.9.20 Withdrawal of Notice <i>Building Regulations 2012:</i> Regulation 70(1A), (1), (2) Approved officers and authorised officers
Delegate/s:	Director Development and Community Services Director Infrastructure Services Manager Land and Regulatory Services Manager Urban and Regional Development Coordinator Ranger Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider an owner of a vehicle's submission that the vehicle that is subject of an infringement notice, had been stolen or unlawfully taken at the time of the alleged offence [s.9.13(6)(b)]. 2. Authority to extend the 28-day period within which payment of a modified penalty may be paid, whether or not the period of 28-days has elapsed [s.9.19]. 3. Authority to withdraw an infringement notice within one year after the notice was given, whether or not the modified penalty has been paid by sending a withdrawal notice (in the prescribed form) to the alleged offender and if the modified penalty has been paid, providing a refund [s.9.20].
CEO Conditions on this Delegation:	a. A delegate who participated in a decision to issue an infringement notice, must NOT determine any matter related to that infringement notice under this Delegation.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.12 Acknowledge Receipt of Primary and Annual Returns

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.77 Acknowledging receipt of returns
Delegate/s:	Director Corporate and Commercial Services Manager Corporate Compliance & Safety
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. On receipt of a return under section 5.75 or 5.76 from a person, give the person a written acknowledgement of having received the return
CEO Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	Nil.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

1.3.13 Responsibility for Employment

Delegator: <i>Power / Duty assigned in legislation to:</i>	Chief Executive Officer
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.5.41(g) – Functions of CEO
Delegate/s:	Director Corporate and Commercial Services Director Development and Community Services Director Infrastructure Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Responsibility for the employment, management, supervision, and direction of other employees.
CEO Conditions on this Delegation:	<ul style="list-style-type: none"> a. A person is not to be employed unless suitably qualified for a position. b. Proposed arrangements relating to employment must comply with organisational standards, policy and procedures c. Dismissal of employees is excluded from this delegation d. Appointment of a senior employee under section 5.37 is excluded from this delegation.
Express Power to Sub-Delegate:	Nil.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – section 5.46(3) Local Government (Administration) Regulations 1996 – regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – Refer to Section 5.75 of the <i>Local Government Act 1995</i>

2 Building Act 2011 Delegations

2.1 CEO to Employees

2.1.1 Grant a Building Permit

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Building Surveying Senior Building Surveyor Building Surveyor Assistant Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)].

	5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
CEO Conditions on this Delegation:	<p>Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.</p> <p>This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>

Compliance Links:	<p>Building Act 2011</p> <p>s.119 Building and demolition permits – application for review by SAT</p> <p>s.23 Time for deciding application for building or demolition permit</p> <p>s.17 Uncertified application to be considered by building surveyor</p> <p>Building Regulations 2012 – r.25 Review of decision to refuse to extend time during which permit has effect (s.32(3)) – reviewable by SAT</p> <p><i>Building Services (Registration Act) 2011 – Section 7</i></p> <p><i>Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2</i></p> <p><i>Building and Construction Industry Training Levy Act 1990</i></p> <p><i>Heritage of Western Australia Act 1990</i></p>
Record Keeping:	<p>Local Government Act 1995 – Section 5.46(3)</p> <p>Local Government (Administration) Regulations 1996 – r. 19</p> <p>Building Act 2011- Section 130</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	No

2.1.2 Demolition Permits

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	Coordinator Building Surveying Senior Building Surveyor Building Surveyor Assistant Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and(3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
CEO Conditions on this Delegation:	Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.

	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
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Compliance Links:	Building Act 2011 s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011</i> – Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 1990</i>
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r. 19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.3 Occupancy Permits or Building Approval Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Delegate:	Coordinator Building Surveying Senior Building Surveyor Building Surveyor Assistant Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	<i>Building Act 2011</i> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT <i>Building Services (Complaint Resolution and Administration) Act 2011 – Part 7, Division 2</i> <i>Building and Construction Industry Training Levy Act 1990</i>
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	<i>Heritage of Western Australia Act 1990</i>
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.5 Building Orders

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Delegate:	Manager Urban and Regional Development Coordinator Building Surveying Senior Building Surveyor Coordinator Development Compliance Senior Development Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to make Building Orders in relation to: <ol style="list-style-type: none"> a. Building work b. Demolition work c. An existing building or incidental structure [s.110(1)]. 2. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. 3. Authority to revoke a building order [s.117]. 4. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> a. take any action specified in the order ; or b. commence or complete any work specified in the order; or c. if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. 5. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)].

	6. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i> .
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	<u>Building Act 2011:</u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r.19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.6 Inspection and Copies of Building Records

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
Delegate:	Coordinator Building Surveying Senior Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Building Act 2011 - s.146 Confidentiality
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r.19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.7 Referrals and Issuing Certificates

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.145A Local Government functions
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Building Surveying Senior Building Surveyor Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City of Greater Geraldton's District [s.145A(2)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r.19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.8 Private Pool Barrier – Alternative and Performance Solutions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Permit Authority (Local Government)
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r.51 Approvals by permit authority
Delegate:	Coordinator Building Surveying Senior Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r.19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

2.1.9 Smoke Alarms – Alternative Solutions

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Express Power or Duty Delegated:	<i>Building Regulations 2012:</i> r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Delegate:	Coordinator Building Surveying Senior Building Surveyor
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – r.19 Building Act 2011- Section 130 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

4 Cat Act 2011 Delegations

4.1 CEO to Employees

4.1.1 Cat Registrations

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger Ranger Casual Ranger Coordinator Customer Experience Customer Experience Officer Casual Customer Experience Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the City of Greater Geraldton's District [Regs. Sch. 3 cl.1(4)].

CEO Conditions on this Delegation:	<p>a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>.</p> <p>b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.</p>
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Compliance Links:	<p>Cat Regulations 2012:</p> <p>r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration.</p> <p>r.12 Period of registration (s.9(7))</p> <p>r.11 Changes in registration</p> <p>r.14 Registration certificate (s.11(1)(b))</p> <p>r.15 Registration tags (s.76(2))</p>
Record Keeping:	<p>Cat Act 2011 section 47</p> <p>Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols</p> <p>Electronic Document Management System (TRIM)</p>
Financial Interest Returns required:	No

4.1.2 Approval to Breed Cats

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Ranger Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i>. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Cat Regulations 2012: r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))
Record Keeping:	Cat Act 2011 Section 47 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5 Dog Act 1976 Delegations

5.1 CEO to Employees

5.1.1 Part Payment of Sterilisation Costs / Directions to Veterinary Surgeons

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.10A Payments to veterinary surgeons towards costs of sterilisation
Delegate:	Coordinator Customer Experience Customer Experience Officer Casual Customer Experience Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine where a resident who is the owner of a registered dog, would suffer hardship in paying the whole of the cost of sterilisation and determine to pay part of such costs to a maximum value of \$10 [s.10A(1)(a) and (3)]. 2. Authority to give written directions to a veterinary surgeon to be complied with as a condition of part payment of the cost of sterilisation [s.10A(1)(b) and (2)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.2 Refuse or Cancel Registration

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub - Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the Cat Act 2011 or the Animal Welfare Act 2002; or the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease; or the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept. the dog is required to be microchipped but is not microchipped; or the dog is a dangerous dog [s.16(3) and s.17A(2)]. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City of Greater Geraldton's District [s15(4A)]. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)].

	i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Dog Act 1976: s.17A If no application for registration made – procedure for giving notice of decision under s.16(3) Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.3 Kennel Establishments

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.27 Licensing of approved kennel establishments
Delegate:	Manager Urban and Regional Development
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to grant, refuse to grant or cancel a kennel licence [s.27(4) and (6)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.4 Dispose of or Sell Dogs Liable to be Destroyed

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
CEO Conditions on this Delegation:	a. Proceeds from the sale of dogs are to be directed into the Municipal Fund. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.5 Declare Dangerous Dog

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.7 Dangerous Dog Declared or Seized – Deal with Objections and Determine when to Revoke

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1) Local government may revoke declaration or proposal to destroy
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)] <ol style="list-style-type: none"> i. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

5.1.8 Limitation as to numbers

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power to Sub-Delegate	<i>Dog Act 1976:</i> S.10AA Delegation of local government powers and duties. Sub-delegation permitted where delegation to the CEO expressly authorises sub-delegation
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> S26(3) Limitation as to numbers May be sub delegated
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Where by a local law under the <i>Dog Act 1976</i> a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of the <i>Dog Act 1976</i> relating to approved kennel establishments need not be applied in the circumstances – (a) Grant an exemption in respect of premises subject to conditions
Council Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council. The Council expressly authorises the CEO to further delegate this function .
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> S.10AA(3) Delegation of local government powers and duties . Sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation

Sub-Delegate/s: <i>Appointed by CEO</i>	Refer to Register of Delegation - CEO to Employees
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CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.
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Compliance Links:	City of Greater Geraldton Dogs Local Law 2020 Dog Act 1976 section 26
Recordkeeping:	Dog Act 1976 Section 10AB Council Policy 4.13 Recordkeeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System(TRIM)

7. Graffiti Vandalism Act 2016 Delegations

7.1 CEO to Employees

7.1.1 Give Notice Requiring Obliteration of Graffiti

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Delegate:	Manager Land and Regulatory Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Graffiti Vandalism Act 2016 Part 3 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

7.1.2 Notices – Deal with Objections and Give Effect to Notices

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Delegate:	Manager Land and Regulatory Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal
Record Keeping:	Graffiti Vandalism Act 2016 Part 3 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

7.1.3 Obliterate Graffiti on Private Property

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
Delegate:	Manager Land and Regulatory Services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
CEO Conditions on this Delegation:	a. Subject to exercising Powers of Entry. b. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Graffiti Vandalism Act 2016 Part 3 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

7.1.4 Powers of Entry

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
Delegate:	Manager Urban and Regional Development Coordinator Ranger Services Senior Ranger
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Graffiti Vandalism Act 2016 Part 3 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

9 Planning and Development Act 2005 Delegations

9.1 CEO to Employees

9.1.2 Powers and Duties under Local Planning Scheme No 1

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Schedule 2, Part 10, Clause 82 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Express Power to Sub-Delegate:	<i>Schedule 2, Part 10, Clause 83 Planning and Development (Local Planning Schemes) Regulations 2015</i>
Express Power or Duty Delegated:	<i>City of Greater Geraldton Local Planning Scheme No.1: The exercise of all powers and duties</i>
Delegate:	Director Development and Community Services Manager Urban and Regional Development Coordinator Statutory Planning Coordinator Strategic Planning Senior Statutory Planner
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The exercise of all powers and duties under Local Planning Scheme No. 1 other than the power of delegation.
CEO Conditions on this Delegation:	<ol style="list-style-type: none"> Does not include the power of delegation Matters of interpretation of Planning Scheme No 1 or interpretation of Council Planning Policies are to be referred by the CEO to Council for determination. This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	Clause 84 Planning and Development (Local Planning Schemes) Regulations 2015
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	Yes – refer to cl.84 Planning and Development (Local Planning Schemes) Regulations 2015

9.1.3 Infringement Notices(s 228, 229)

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 s.234</i>
Express Power to Sub-Delegate:	<i>Planning and Development Act 2005 s.234</i>
Express Power or Duty Delegated:	Giving of infringement notice - s.228 Content of infringement notice - s.229
Delegate:	Coordinator Strategic Planning Coordinator Statutory Planning Coordinator Development Compliance Development Compliance Officer Senior Development Compliance Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. A designated person who has reason to believe that a person has committed a prescribed offence may give an infringement notice to the alleged offender (s228) 2. An infringement notice is to be in the prescribed form (s229)
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No

9.1.4 Infringement Notices(s 230,231)

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Planning and Development Act 2005 s.234</i>
Express Power to Sub-Delegate:	<i>Planning and Development Act 2005 s.234</i>
Express Power or Duty Delegated:	Extending time to pay- s230 Withdrawal of infringement notice- s231
Delegate:	Director Development and Community Services Manager Urban and Regional Development
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. A designated person may, in a particular case, extend the period of 28 within which the modified penalty may be paid(s230) 2. A designated person may whether or not the modified penalty has been paid, withdraw an infringement notice (s231)
CEO Conditions on this Delegation:	This delegation may only be exercised in accordance with policies or strategies formally adopted by Council.

Compliance Links:	
Record Keeping:	Local Government Act 1995 – Section 5.46(3) Local Government (Administration) Regulations 1996 – Regulation 19 Council Policy 4.13 Record Keeping and Operational Policy OP053 Document Management Protocols Electronic Document Management System (TRIM)
Financial Interest Returns required:	No