

Delegations Register



Updated 3 August 2026

City of Armadale
Register of Delegated Authority

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INTRODUCTION

Introduction

Section 5.42 of the *Local Government Act 1995* (the Act) allows for a local government to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act (other than those under s. 5.43).

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

Other legislation of Western Australia, such as the *Building Act 2011*, *Bush Fires Act 1954*, the *Planning and Development (Local Planning Schemes) Regulations 2015* and the *Public Health Act 2016* allows the local government to delegate powers and functions to the Chief Executive Officer, and for the Chief Executive Officer to further delegate those powers or functions. This is not an exhaustive list.

The Department of Local Government, Industry Regulation and Safety in its Local Government Operational Guideline - *Delegations, Authorisations and Acting Through*, establishes the principal issue in determining whether a statutory function or duty is suitable for 'acting through' that being - where the statute provides no discretion in carrying out a function or duty, then the function or duty may be undertaken through the 'acting through' concept.

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

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

"Nothing in this Division is to read as preventing –

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

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

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

DELEGATIONS

Part 01 - Local Government Act 1995

Local Government Act 1995

Delegation	1.1.2 Local Government Act 1995 - legal proceedings
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.24 - Commencing prosecutions Criminal Procedure Act 2004 s. 20 - Who can commence prosecution
Function	Initiate a legal proceeding, enforcement function, or legal interest under the <i>Local Government Act 1995</i> or any of its Regulations or a local law made by the City of Armadale pursuant to the Act. Legal proceeding may include - a. The making or receiving of a legal proceeding; b. The service of a notice, writ or subpoena; c. The withdrawal of a legal proceeding or a notice; and d. Any instruction to a solicitor or legal service provider in association with one or more of the above.
Delegates	Chief Executive Officer
Conditions	1. As determined by relevant requirements of the legislation under which the function is to be performed. 2. A memorandum to Council Members shall be provided in the event the legal proceeding is, or expected to, result in legal service costs exceeding \$50,000.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.3 Administration of Leases and Licences
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.49A(4) - Execution of documents
Function	Sign and exercise all rights, functions or duties incumbent on the City in respect of any lease or licence agreement that is in effect, or Council has given its approval to bring into effect.
Delegates	Chief Executive Officer
Conditions	Unless it is an exempt disposition, if the dealing with the lease or licence will be one that falls under the disposition of property provisions of s. 3.58 of the Act, then the dealing is not to occur unless it has been referred to Council for determination.
Policy	Policy - Lease and Licence
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.4 Compensation for damage incurred when performing executive function
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.22(1) - Compensation s. 3.23 - Arbitration
Function	1. In accordance with the procedure prescribed by the Act, assess and determine the extent of damage to private property arising directly from performance of executive functions and make payment of compensation [s. 3.22(1)]. 2. Where compensation is unable to be determined and agreed between parties, give effect to arbitration in accordance with s. 3.23.
Delegates	Chief Executive Officer
Conditions	1. Limited to settlements which do not exceed a material value of \$10,000. 2. Settlements under the City's insurance policy are not included.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.5 Power of entry
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.31 - General procedure for entering property s. 3.32 - Notice of entry s. 3.33 - Entry under warrant s. 3.34 - Entry in an emergency s. 3.36 - Opening fences
Function	1. Authorise a person to enter land, premises or thing without the consent of the owner or occupier unless the owner or occupier objects to the entry [s. 3.31(2)]. 2. Give notice of entry [s. 3.32]. 3. Seek and execute an entry under warrant [s. 3.33(2)]. 4. Execute entry in an emergency, using such force as is reasonable [s. 3.34(1) and (3)]. 5. Give notice of intent to open a fence [s. 3.36].
Delegates	Chief Executive Officer
Conditions	The authority is to be exercised in accordance with the criteria contained within the following sections of the Act: 1. General procedure for entering property [s. 3.31(1)] 2. Notice of entry [s. 3.32] 3. Entry under warrant [s. 3.33] 4. Entry in emergency [s. 3.34] 5. Opening fences [s. 3.36]
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
16 Oct 2023	Amended delegation	Added authority to appoint authorised persons	CS45/10/23
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.6 Declare vehicle is abandoned vehicle wreck
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.40A - Abandoned vehicle wreck may be taken
Function	1. Give notice to the owner of a vehicle removed pursuant to s. 3.40A(1) that the vehicle may be collected from a place specified during such hours as are specified in the notice [s. 3.40A(2)]. 2. Declare that an impounded vehicle is an abandoned vehicle wreck [s. 3.40A(4)].
Delegates	Chief Executive Officer
Conditions	1. Subject to the requirements for sections 3.40A(1), (2) and (3) being undertaken as required. 2. Section 3.45 Notice to include warning - a notice is to include a short statement of the effect of the relevant provisions of sections 3.46, 3.47 and 3.48. 3. Disposal of a declared abandoned vehicle wreck to be undertaken in accordance with delegated authority 1.1.7 Dealing with confiscated, impounded or uncollected goods. 4. Compliance with r. 29A Abandoned vehicle wrecks, value etc. prescribed for [s. 3.40A(5) (c)]. NOTE: Declared abandoned vehicle wreck may only be removed and impounded by a person duly authorised under s. 3.40A(1).
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.7 Dealing with confiscated, impounded or uncollected goods
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.39 - Power to remove and impound s. 3.40A - Abandoned vehicle wreck may be taken s. 3.42 - Impounded non-perishable goods s. 3.44 - Notice to collect goods if not confiscated s. 3.46 - Goods may be withheld until costs paid s. 3.47 - Confiscated or uncollected goods, disposal of s. 3.48 - Impounding expenses, recovery of
Function	1. Authorise an employee of the local government to remove and impound any goods that are involved in a contravention that can lead to impounding [s. 3.39(1)]. 2. Authorise an employee of the local government to remove and impound a vehicle that is determined to be an abandoned vehicle wreck [3.40A(1)]. 3. Issue a notice to an alleged offender that impounded goods may be collected from a specified place at a specified time [s. 3.42(1)(b) and s. 3.44]. 4. Refuse to allow goods impounded under s. 3.39 or s. 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government [s. 3.46]. 5. 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(1)]. 6. Sell or otherwise dispose of any vehicle that has not been collected within the period prescribed by the Act [s. 3.47(2)]. 7. Recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s. 3.48].
Delegates	Chief Executive Officer
Conditions	Impounding of goods, where the goods are involved in a contravention of a local law or regulations, is limited to the grounds prescribed by regulation 29 of the <i>Local Government (Functions and General) Regulations 1996</i> .
Express power to subdelegate	Local Government Act 1995 s 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review - Amended	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.8 Disposal of sick or injured animals
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.47A - Sick or injured animals, disposal of s. 3.48 - Impounding expenses, recovery of
Function	1. 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. Recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods [s. 3.48].
Delegates	Chief Executive Officer
Conditions	1. An animal must not be destroyed unless — a. because of the state of the animal, destroying it is urgent; or b. reasonable steps have been taken to notify the owner and allowed the owner a reasonable opportunity to collect the animal. 2. Sub-condition b. does not justify the destruction of an animal before it has been impounded for at least 7 days.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.9 Closing certain thoroughfares to vehicles
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.50 - Closing certain thoroughfares to vehicles s. 3.50A - Partial closure of thoroughfares for repairs or maintenance s. 3.51 - Affected owners to be notified of certain proposals
Function	1. Close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding four weeks [s. 3.50(1)]. 2. Determine to close a thoroughfare for a period exceeding four weeks, and before doing so, to: a. Give public notice, written notice to the Commissioner of Main Roads, and written notice to prescribed persons and persons that own prescribed land; and b. Consider submissions relevant to the road closure(s) proposed [s. 3.50(1), (2) and (4)]. 3. 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]. 4. Before doing anything to which s. 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s. 3.51].
Delegates	Chief Executive Officer
Conditions	1. 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)]. 2. Maintain access to adjoining land [s. 3.52(3)].
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.10 Reserves under control of the local government
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.53(3) - Control of certain unvested facilities s. 3.54(1) - Reserves under control of local government
Function	1. Agree the method for control and management of an unvested facility which is partially within two or more local government districts [s. 3.53(3)]. 2. Do anything for the purpose of controlling and managing land under the control and management of the City, that the City could do under s. 5 of the <i>Parks and Reserves Act 1895</i> [s. 3.54(1)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.11 Obstruction of footpaths and thoroughfares
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 r. 5(2) - Interfering with, or taking from, local government land r. 6 - Obstruction of public thoroughfare by things placed and left r. 7A - Obstruction of public thoroughfare by fallen things r. 7 - Encroaching on public thoroughfare
Function	- 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: - Prevent damage to the footpath; or - Prevent inconvenience to the public or danger from falling materials [r. 5(2)]. - 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 [r. 6(2) and (4)]. - 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 [r. 6(6)]. - 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 [r. 7A]. - 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 [r. 7].
Delegates	Chief Executive Officer
Conditions	- Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. - In addition to those matters prescribed by regulation 6(4) the City may impose conditions on a permission to obstruct a thoroughfare, which may require a proponent to: - Where appropriate, obtain written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. - Provide 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 construction at the completion of works. - Provide evidence of sufficient Public Liability Insurance. - Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023

Adoption references	T2/6/23
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Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.12 Public thoroughfare - dangerous excavations
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 r. 11(1), (4), (6) and (8) - Dangerous excavation in or near public thoroughfare
Function	1. 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 it in or securely fence the excavation [r. 11(1)]. 2. 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 [r. 11(4)]. 3. Impose conditions on granting permission [r. 11(6)]. 4. Renew a permission granted or vary at any time, any condition imposed on a permission granted [r. 11(8)].
Delegates	Chief Executive Officer
Conditions	1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. In addition to those matters prescribed by r. 11(6), the City may impose conditions on a permission to obstruct a thoroughfare, which may require a proponent to: a. Where appropriate, obtain written permission from or enter into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. b. Provide 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. c. Provide evidence of sufficient Public Liability Insurance. d. Provide pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.13 Requirement to construct, repair or remove crossing
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 r. 12(1) - Crossing from public thoroughfare to private land or private thoroughfare – Sch. 9.1 cl. 7(2). r. 13(1) - Requirements to construct or repair crossing – Sch. 9.1 cl. 7(3).
Function	1. 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 [r. 12(1)]. 2. Determine the specifications for construction of crossings to the satisfaction of the local government [r. 12(1)(a)]. 3. Give notice to an owner or occupier of land requiring the person to construct or repair a crossing [r. 13(1)]. 4. 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 [r. 13(2)].
Delegates	Chief Executive Officer
Conditions	1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. Specification of a crossing is set out in Policy - Crossovers and unless otherwise provided, crossings approved are to be of a specification set out in that policy. 3. Requirements of r. 14 – the local government cannot – a. under r. 12 construct or approve the construction of; or b. under r. 13(1) require the construction of a crossing to which this regulation applies unless the local government has consulted with Main Roads, and Main Roads has approved in writing the construction of the crossing.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.14 Private works on, over or under public places
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Uniform Local Provisions) Regulations 1996 r. 17 - Private works on, over, or under public places – Sch. 9.1
Function	1. 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 [r. 17 (3)]. 2. Impose conditions on permission [r. 17(5)], including those prescribed [r. 17(6)].
Delegates	Chief Executive Officer
Conditions	1. Actions under this delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. 2. The function is unable to be exercised in respect of the construction of things by or on behalf of the Crown [r. 17(2)]. 3. Approval is not to be granted unless the applicant has provided, in advance, sufficient information or undertaken sufficient measures to account for those matters prescribed by r. 17(6) and r. 17(8).
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.15 Notices requiring certain things to be done by owner or occupier of land
Category	Development Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.25 - Notices requiring certain things to be done by owner or occupier of land s. 3.26 - Additional powers when notices given
Function	1. Give a person who is the owner or, unless Schedule 3.1 indicates otherwise, the occupier of land a notice in writing relating to the land requiring the person to do anything specified in the notice that — a. is prescribed in Schedule 3.1, Division 1; or b. is for the purpose of remedying or mitigating the effects of any offence against a provision prescribed in Schedule 3.1, Division 2 [s. 3.25(1)]. 2. Do anything the local government considers necessary to achieve, so far as is practicable, the requirements of a notice issued pursuant to s. 3.25 of the Act where the person who is given the notice fails to comply with it [s. 3.26(1)]. 3. Recover the cost of anything done by the local government pursuant to s. 3.26(2) as a debt due from the person who failed to comply with the notice [s. 3.26(3)].
Delegates	Chief Executive Officer
Conditions	Clauses 4(2) and 5(3) of Schedule 3.1 prescribe that a notice cannot be given to an occupier who is not an owner.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	D13/6/24
28 Jul 2025	Amended delegation	Annual Review	D2/7/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	1.1.16 Expressions of interest for goods and services
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.57 - Tenders for providing goods or services Local Government (Functions and General) Regulations 1996 r. 21 - Limiting who can tender, procedure for r. 23 - Rejecting and accepting expressions of interest to be acceptable tenderer
Function	1. Determine when to seek expressions of interest and to invite expressions of interest for the supply of goods or services [r. 21(1)]. 2. Give Statewide public notice that expressions of interest are sought [r. 21(3)]. 3. Reject an expression of interest that is not submitted at a place, and within the time, specified in the notice [r. 23(1)]. 4. Reject an expression of interest that is submitted at a place, and within the time, specified in the notice but that fails to comply with any other requirement specified in the notice and reject that expression of interest without considering its merits [r. 23(2)]. 5. 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 [r. 23].
Delegates	Chief Executive Officer
Conditions	Expressions of interest can only be called for items in adopted budget.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Procurement
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO") An additional minor amendment is recommended to link the ability to call an EOI to the need for the funds to be allocated in an adopted budget or the Long Term Financial Plan.	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.17 Tenders for goods and services
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s. 5.42 - Delegation of some powers and duties to CEO s. 5.43(b) - Limits on delegations to CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s. 3.57 - Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996</i> r. 11 - When tenders have to be publicly invited r. 13 - Requirements when local government invites tenders though not required to do so r. 14 - Publicly inviting tenders, requirements for r. 18 - Rejecting and accepting tenders r. 20 - Variation of requirements before entry into contract r. 21A - Varying a contract for the supply of goods or services

Function	1. Publicly invite tenders if the consideration under a contract is, or is expected to be, more, or worth more, than \$250,000 [r. 11(1)]. 2. Determine a sole supplier arrangement if there is good reason to believe that, because of the unique nature of the goods or services, or for any other reason it is unlikely that there is more than one potential supplier r. 11(2)(f)]. 3. Publicly invite tenders although not required to do so [r. 13]. 4. Determine in writing, before tenders are publicly invited, the criteria for deciding which tender(s) should be accepted [r. 14(2a)]. 5. Decide the information that is to be disclosed to those interested in submitting a tender [r. 14(4)(a)]. 6. Vary tender information after public notice of invitation to tender, and before the close of tenders, taking reasonable steps to give each person who has sought copies of the tender information is provided notice of the variation [r. 14(5)]. 7. Reject a tender that is not submitted at a place, and within the time, specified in the invitation for tenders [r. 18(1)]. 8. Reject a tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation without considering the merits of the tender [r. 18(2)]. 9. Accept or reject tenders after written evaluation [r. 18(4)]. 10. Request a tenderer to clarify the information provided in the tender, in order to assist in deciding which tender would be the most advantageous to accept [r. 18(4a)]. 11. Decline to accept any tender [r. 18(5)]. 12. Accept the next most advantageous tender to the City if, within 6 months of the day on which the tender was accepted, a contract has not been created between the City and the tenderer [r. 18(6)]. 13. Accept the next most advantageous tender to the City if, within 6 months of the day on which the tender was accepted, a contract has been entered into and the City and the tenderer agree to terminate the contract [r. 18(7)]. 14. Determine that a variation needed for the supply of required goods or services is minor, and then negotiate minor variations with the successful tenderer before entering into a contract [r. 20(1)]. 15. Choose the next most advantageous tenderer if the chosen tenderer is unwilling to enter into a contract to supply the varied requirement or the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement [r. 20(2)]. 16. Vary a contract for the supply of goods or services if the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or the variation is a renewal or extension of the term of the contract entered into [r. 21A (a) and (b)].
Delegates	Chief Executive Officer

Conditions	1. Authority to accept or reject tender is to be conducted in accordance with the requirements of the regulations where - a. there is a budget provision up to a value of \$1,000,000; or b. it is a multiple year contract (including extension thereof) up to a total value of \$2,000,000. 2. Where the budget has not been adopted, the Chief Executive Officer can perform all functions outlined in this delegation with the exception of determining a tender provided that the specifications of the invitation to tender includes a provision that its award is subject to the budget being adopted by Council. 3. Tender exempt (Sole supplier) arrangements may only be approved where a record is retained that evidences - a. a detailed specification; b. the outcomes of market testing of the specification; c. the reasons why market testing has not met the requirements of the specification or competitive analysis; d. rationale for why the supply is unique and cannot be sourced through other suppliers; and e. the expense is included in the adopted Annual Budget. 4. Tenders may only be called where there is an adopted budget for the proposed goods or services, with the exception being in the a. period immediately prior to the adoption of a new budget, and where the - b. proposed goods or services are required to fulfil a routine contract related to the day to day operations of the local government; c. current supply contract expiry is imminent; and d. value of the proposed new contract has been included in the draft budget proposed for adoption. 5. A minor variation may only be entertained if - a. the proposed variation does not alter the nature of the goods and/or services procured; b. the proposed variation does not materially alter the specification or structure provided for by the initial tender; and c. the proposed variation is less than 10% of the original tendered price. A tender cannot be varied outside the above definition.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Procurement
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
22 Apr 2024	Amended delegation	Amended by Council 22 April 2024 - regulation 18(5) function added	CEO/2/4/24
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO") An additional minor amendment contains a requested amendment to condition (1)(b) to increase the value threshold of the CEO's delegated authority to accept or reject a tender to \$2,000,000 for a multi-year contract. Currently, the value threshold delegated to the CEO is \$1,500,000 for this purpose.	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Deletion of r. 21 as an Express Power as this is suitably provided for already in delegation 1.1.16, amendment of function 9's phrasing for clarity and deletion of function 17 as it is a duplicate of function 13.	CS4/6/26

Delegation	1.1.18 Panels of pre-qualified suppliers for goods and services
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO s. 5.43(b) - Limits on delegations to CEO
Express power or duty delegated	Local Government (Functions and General) Regulations 1996 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) and (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 - Contracts with pre-qualified suppliers
Function	1. Determine that there is, or will be, a continuing need for the goods or services to be supplied by a panel of pre-qualified suppliers [r. 24AC(1)(b)]. 2. Before inviting applications, determine in writing the criteria for deciding which should be accepted [r. 24AD(3)]. 3. After public notice has been given, vary information by taking reasonable steps to give each person who has sought detailed information about the proposed panel or submitted an application, notice of the variation [r. 24AD(6)]. 4. 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 [r. 24AH(2)]. 5. Assess applications, by written evaluation of the extent to which each application satisfies the criteria to accept, and decide which (if any) are most advantageous to accept [r. 24AH(3)]. 6. Request the person who submitted an application to clarify information in it [r. 24AH(4)]. 7. Decline to accept any application [r. 24AH(5)]. 8. Enter into a contract, or contracts, for the supply of goods or services with a pre-qualified supplier [r. 24AJ].
Delegates	Chief Executive Officer
Conditions	In accordance with r. 24AJ of the <i>Local Government (Functions and General) Regulations 1996</i> , a contract (within the panel contract) must not be formed with a pre-qualified supplier for goods/services for a period exceeding 12 months, which includes options to extend the contract.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Procurement
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023

Adoption references	CS20/6/23
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Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Amendments to clarify Express Powers and amendments to phrasing of functions for consistency with the legislation.	CS4/6/26

Delegation	1.1.19 Disposing of property involving land and buildings
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.58(2), (3) and (5) - Disposing of property s. 9.49B - Contract formalities Local Government (Functions and General) Regulations 1996 r. 30 - Dispositions of property excluded from Act s. 3.58
Function	1. Give local public notice of a proposed disposition of property [s. 3.58(3)(a)]. 2. Dispose of local government property to the highest bidder at public auction [s. 3.58(2)(a)]. 3. Dispose of local government property by way of private treaty [s. 3.58(3)]. 4. Dispose of local government property where the disposition of land is an exempt disposition in the circumstances prescribed by r. 30(2)(a), (d), (e), (f) and (g) of the <i>Local Government (Functions and General) Regulations 1996</i> [s. 3.58(5)(d)]. 5. Negotiate the terms and conditions of a sale with the purchaser and enter into a contract of sale with the purchaser on behalf of the local government [s. 9.49B].
Delegates	Chief Executive Officer
Conditions	1. A Council resolution must be effect in order to commence the process for a disposition of property for any of the methods prescribed by Functions 1 - 4 above. 2. Disposal of land and buildings must comply with the requirements of s. 3.58 of the Act, unless the disposal is an exempt disposition pursuant to r. 30 of the <i>Local Government (Functions and General) Regulations 1996</i>. 3. If a public auction is decided to be the method of disposal, a reserve price shall be set by independent valuation not less than 6 months old, if the reserve price is not achieved at auction, negotiation may be undertaken by the delegate to achieve the sale at up to a -10% variation on the set reserve price. 4. If a public tender is decided to be the method of disposal and the tender does not achieve a -10% variance on a valuation not less than 6 months old for the disposal of the property, then the CEO shall determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. 5. Where a disposition of property is to be by private treaty, public notice is to be provided in accordance with s. 3.58(3)(a) prior to Council considering the matter. 6. If it is decided a private treaty is the preferred method of disposal, the delegate may negotiate the sale of the property up to a -10% variance on a valuation not less than 6 months old, and consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. 7. Execution of any documents relating to the administration of the disposition must be in accordance with ADM 21 Authority to Sign Documents. 8. Any Contract for Sale entered into under delegated authority by the CEO, be reported in the relevant Executive Director's report for Council's information.

Policy	FIN 7 - Disposal of Assets ADM 21 - Authority to Sign Documents
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	16 October 2023
Adoption references	CS45/10/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.20 Disposing of property other than land or buildings
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.58(2) and (3) - Disposing of property Local Government (Functions and General) Regulations 1996 r. 30(3) - Dispositions of property excluded from Act s. 3.58
Function	'property' includes the whole or any part of the interest of a local government property but does not include money. - Dispose of property other than land or buildings to – - the highest bidder at public auction [s. 3.58(2)(a)]. - 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 tender [s. 3.58(2)(b)]. - Dispose of property that is an exempt disposition prescribed by r. 30 of the <i>Local Government (Functions and General) Regulations 1996</i> within 6 months after – - it was put out to the highest bidder at public auction, in accordance with section 3.58(2)(a) of the Act, but either no bid is made or any bid made does not reach a reserve price fixed by the local government [r. 30(2a)(a)]. - it was the subject of a public tender process called by the local government, in accordance with section 3.58(2)(b) of the Act, but either no tender is received or any tender received is unacceptable [r. 30(2a)(b)]. - Dispose of property other than land or buildings where – - the market value is determined as less than \$20,000 [r. 30(3)(a)]. - the entire consideration received for the disposal is used to purchase other property and the total value of the other property is not more, or worth more, than \$75,000 [r. 30(3)(b)].
Delegates	Chief Executive Officer
Conditions	- Any asset disposal other than land or buildings is to be conducted in accordance with the requirements of Council Policy FIN 7 – Disposal of Assets. - Any property other than land or buildings that is not an exempt disposition and is proposed to be disposed of shall not exceed a market value of \$150,000 (excluding GST). - Delegated authority for the disposal of land or buildings is provided by '1.1.19 Disposing of property involving land and buildings'.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	FIN 7 - Disposal of Assets
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.

Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
12 Jun 2023	New delegation	Nil	T2/6/23
24 Jun 2024	Amended delegation	Disposal thresholds clarified	T2/6/24
4 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.21 Payments from municipal and trust funds
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Financial Management) Regulations 1996 r. 12(1)(a) - Payments from municipal fund or trust fund, restrictions on making
Function	Make payments from the municipal and trust funds [r. 12(1)(a)].
Delegates	Chief Executive Officer
Conditions	1. Ensure efficient systems and procedures record the accounts and records of transactions in accordance the <i>Local Government (Financial Management) Regulations 1996</i> [r. 5 and r. 11]. 2. A list of accounts paid from the municipal fund and trust fund under this delegation are to be presented to Council each month.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.22 Defer, grant discounts, waive or write-off debts
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.12 - Power to defer, grant discounts, waive or write off debts s. 6.16 - Imposition of fees and charges
Function	1. Defer payment or payments in relation to money owed. 2. Waive or grant a concession in relation to money owed [s. 6.12(1)(b)]. 3. Write off an amount of money which is owed [s. 6.12(1)(c)]. 4. Recover a fee or charge for goods and services provided [s. 6.12(1)(c)]. 5. In the event of monies owed to the City under r. 34AE of the <i>Local Government (Administration) Regulations 1996</i>, authority to seek the Inspector's approval in accordance with r. 19AA of the <i>Local Government (Financial Management) Regulations 1996</i>.
Delegates	Chief Executive Officer
Conditions	The conditions of use of this delegation are subject to the following limitations: 1. The local government cannot grant a waiver or concession for a rate or service charge [s. 6.12(2)]. 2. A write off of a debt incurred as a result of an administrative error on behalf of the City shall not exceed \$10,000. 3. Any grant of a concession or waiver, either singular or multiple to a person or organisation does not exceed a total sum of \$2,000 in any two consecutive financial years. 4. Any write off of debt, not being due to an administrative error, that does not exceed \$2,000. 5. Promotional activities run by or facilitated by the City at its recreation facilities are not subject to the limits prescribed by 3. and 4. above, however any such concession or waiver must have the written approval of the CEO. 6. The limits prescribed by 3 above do not apply to the waiver of the Domestic Waste and Recycling Fee "Not exceeding 1.3m³ - without valid pass - green waste" where, in the opinion of the CEO, there has been a major storm event generating significant damage to vegetation. A driver's licence demonstrating residency within the City must be presented at the weighbridge or other documentation demonstrating residency. The duration for which the waiver applies is to be at the discretion of the CEO.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Rates Assistance & Financial Hardship Elected Member Entitlements
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023

Adoption references	CS20/6/23
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Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review - Minor amendment	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Added Condition 6 as per council resolution	CS4/6/26

Delegation	1.1.23 Power to invest and manage investments
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s. 6.14 - Power to invest <i>Local Government (Financial Management) Regulations 1996</i> r. 19 - Investments, control procedures for
Function	1. Invest money held in the municipal fund or reserve fund that is not, for the time being, required for any other purpose [s. 6.14(1)]. 2. Establish and document internal control procedures to be followed to ensure control over investments [r. 19].
Delegates	Chief Executive Officer
Conditions	The delegation is to be exercised in accordance with: 1. Regulation 19 of the <i>Local Government (Financial Management) Regulations 1996</i>. 2. Section 20 of the <i>Trustees Act 1962</i>. 3. Council's Investment Policy.
Express power to subdelegate	<i>Local Government Act 1995</i> s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Investments Policy
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.24 Rate record amendment
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.39(2)(b) - Rate record s. 6.40 - Effect of amendment of rate record
Function	Authority to determine any requirement to amend the rate record for the five years preceding the current financial year [s. 6.39(2)(b)].
Delegates	Chief Executive Officer
Conditions	Delegates must comply with the requirements of s. 6.40 of the <i>Local Government Act 1995</i> . NOTE: Decisions made using this delegation may be reviewed by the State Administrative Tribunal.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.25 Agreement for payment of rates and service charges
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.49 - Agreement as to payment of rates and service charges s. 6.56(1) - Rates or service charges recoverable in court s. 6.60 - Local government may require lessee to pay rent s. 6.64 - Actions to be taken
Function	1. Enter into an agreement, or make an alternative arrangement, with a person for payment of a rate or service charge due and payable by the person [s. 6.49]. 2. Recover, as well as the costs of proceedings, if any, for the recovery of a rate or service charge that remains unpaid after it becomes due and payable, in court [s. 6.56(1)]. 3. If payment of a rate or service charge imposed in respect of any land is due and payable, give notice to the lessee of the land requiring the lessee to pay to the local government any rent as it falls due in satisfaction of the rate or service charge [s. 6.60 (2)]. 4. Give to the lessor a copy of the notice with an endorsement that the original of it has been given to the lessee [s. 6.60(3)]. 5. Recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with the notice [s. 6.60(4)].
Delegates	Chief Executive Officer
Conditions	1. Agreements must be in writing and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. 2. The delegation is subject to s. 6.47 of the <i>Local Government Act 1995</i> and the <i>Rates and Charges (Rebates and Deferments) Act 1992</i>.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Rates Assistance & Financial Hardship Policy - Smarter Way to Pay
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.26 Determine due dates for rates or service charges
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.50 - Rates or service charges due and payable
Function	Authority to determine the date on which rates or service charges become due and payable to the City [s. 6.50(1)].
Delegates	Chief Executive Officer
Conditions	The due date determined is to be in accordance with the requirements prescribed by s. 6.50 of the <i>Local Government Act 1995</i> .
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.27 Rate Record - Objections
Category	Corporate Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.76 - Grounds of objection
Function	1. Extend the time for a person to make an objection to a rate record [s. 6.76(4)]. 2. Consider an objection to a rate record and either allow it or disallow it, wholly or in part providing the decision and reasons for the decision in a notice promptly served upon the person who made the objection [s. 6.76(5) and (6)].
Delegates	Chief Executive Officer
Conditions	1. Objection to be received within the required timeframe identifying all relevant information as required by s. 6.76(2), unless an application for an extension has been granted (4). 2. Objection is to be considered promptly. 3. Written notice of the decision, including a statement of the reason for the decision to be promptly served on the person who has made the objection. 4. Objections that are allowed must not exceed \$50,000 in lost revenue per property per financial year. Amounts greater than this must be referred to Council. 5. Amendments to the rate record must be within budget. 6. Amendments to the rate record must not exceed \$50,000 in lost or increased revenue per property. Amounts greater than this must be referred to Council for determination. NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.29 Contract formalities
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.49B - Contract formalities
Function	1. Authority to determine, make, vary or discharge any contracts or agreements [s. 9.49B (1)]. 2. The function described in 1. above extend to all administrative actions, duties, and negotiations with the parties and any other contract related aspect required to give effect to the finalisation of a contract or a variation to a contract.
Delegates	Chief Executive Officer
Conditions	1. The delegate shall only determine a contract or agreement, as the case may be, where a budget item has been approved by Council for that contract or agreement, for the current financial year and the financial value of the contract is within the approving authority of the delegate. 2. In accordance with s. 9.49B(2) of the <i>Local Government Act 1995</i>, nothing prevents Council from making, varying or discharging a contract under its common seal. 3. This delegation expressly excludes those matters prescribed by s. 9.49A of the <i>Local Government Act 1995</i> and cannot be used for the dealing or execution of deeds, leases, or any document that requires the application of the Common Seal. 4. A contract variation shall only be made if the variation does not change the scope or nature of the contract [r. 21A].
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Procurement
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	CS20/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.30 Appointment of Poundkeepers
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Miscellaneous Provisions) Act 1960 s. 449 - Pounds, establishing; poundkeepers and rangers, appointing
Function	Appoint fit and proper persons to be poundkeepers [s. 449].
Delegates	Chief Executive Officer
Conditions	1. The CEO is to decide that the appointee is a fit and proper person to be appointed as a poundkeeper. 2. The appointee is to be furnished with a Certificate of Appointment, signed by the CEO.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.31 Free use of local government facilities
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 6.12(1)(b) - waive or grant concessions in relation to any amount of money
Function	Waive or grant a concession in relation to hire, use or leasing of a building or facility of the local government, where the building or facility would ordinarily attract a fee for such use.
Delegates	Chief Executive Officer
Conditions	The function shall only be used where - 1. The grant, concession or otherwise 'free' use of a facility is in association with a partnership agreement already in effect between the local government and an external organisation, or as a component of a partnership agreement that is being considered by the local government; or 2. The grant, concession or otherwise 'free' use of a facility is of a "one off" nature by a community organisation or other not-for-profit entity that benefits the residents of the City; and 3. The term does not exceed twelve (12) months; and 4. The agreement does not apply to a commercial organisation; or 5. The grant, concession or otherwise 'free' use of a facility is at the request of a State or Commonwealth Government agency in direct connection with an emerging or ongoing emergency.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	Policy - Lease and Licence
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.32 Donations, community grants and requests for financial assistance
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government (Financial Management) Regulations 1996 r. 12(1)(a) - Payments from municipal fund or trust fund, restrictions on making
Function	Make a donation, or award a grant, to an eligible organisation or individual as prescribed by relevant Council policy.
Delegates	Chief Executive Officer
Conditions	A donation or grant shall only be made if the applicant meets the criteria prescribed by Council Policy COMD1 - Financial Assistance.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Policy	COMD1 - Financial Assistance
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.34 Sponsorship and grant applications, agreements and acquittals
Category	Community Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.49A(4) - Execution of documents
Function	Sign sponsorship or grant applications, agreements and acquittals on behalf of the City of Armadale.
Delegates	Chief Executive Officer
Conditions	1. Delegates are authorised to apply for and execute sponsorship and grant agreements where the City's contribution component falls within an adopted budget, forms part of the four year budget, or is consistent with a Council resolution to consider a budget allocation in a future budget; or 2. If such a sponsorship or grant is opportunistic in nature, not in the current budget, but is consistent with a plan, or strategy and has a clear benefit to the community. 3. Delegates are not authorised to apply for and execute grants where any additional contribution of funds in excess of the City's budget amount is required. This will require a budget variation to be approved by Council* before the CEO can exercise this delegation. *Absolute majority required
Express power to subdelegate	Subdelegation of this function is prohibited by s. 5.43(ha) of the Act.
Policy	ADM 18 - Common Seal ADM 21 - Authority to Sign Documents
Record keeping	1. Exercise of the authority is to be recorded in the City's records management system and Attain. 2. Where the common seal is affixed the particulars are to be recorded in the Common Seal Register.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	1.1.35 Particular things local governments can do on land that is not local government property
Category	Technical Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.27 - Particular things local governments can do on land that is not local government property
Function	Do any of the things prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> even though the land on which it is done is not local government property and the local government does not have consent to do it [s. 3.27(1)]
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	T2/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	T4/6/24
9 Jun 2025	Amended delegation	Annual Review	T4/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26

Delegation	1.1.36 Legal Representation for Councillors and Employees
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power or duty delegated	Authority to exercise the provisions of clause 7.1 of the associated Management Practice, ie. In cases where a delay in the approval of an application would be detrimental to the legal rights of the applicant, the CEO may authorise financial assistance for legal representation costs in accordance with the provisions under Policy ADM 17 – Legal Representation for Councillors and Employees, provided that an application so approved by the CEO, must be subsequently reported to the next Council Meeting whereat Council may exercise any of its powers under this Policy, including its powers under clause 6.3 which reads, “the Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs”.
Delegates	Chief Executive Officer
Conditions	Only in cases where the applicant is the CEO, to on-delegate to the Executive Director Corporate Services.
Subdelegates	Executive Director Corporate Services
Statutory framework	Section 5.42 Local Government Act
Policy	ADM 17 – Legal Representation for Councillors and Employees (Clause 7.1 of the associated Management Practice)
Date adopted	27 May 2019
Adoption references	Resolution - CS43/5/19

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.37 Recognition of Service by Councillors
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power or duty delegated	The decision on the type of gift to be provided to a retiring Councillor is to be made by the Chief Executive and the Mayor which may include discussions with the relevant Councillor.
Delegates	Chief Executive Officer
Conditions	Nil
Statutory framework	5.42(1) and 5.100A Local Government Act 1995 34AC Local Government (Administration) Regulations 1996
Policy	EM 14 - Recognition of Service by Councillors
Date adopted	27 May 2019
Adoption references	Resolution - CS43/5/19

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.39 Execution of Documents - Landgate
Category	Development Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power or duty delegated	That Council, pursuant to s. 9.49A of the <i>Local Government Act 1995</i>, delegates to the Chief Executive Officer, Executive Director Development Services, Executive Director Technical Services, Head of Strategic Planning, Place and Development, Manager Statutory Planning and Manager Strategic Planning, authority to sign the following documents and/or deeds on behalf of the City, including lodgement, removal, withdrawal, surrender or modification: ▪ Notifications, covenants and easements under the <i>Transfer of Land Act 1893</i>; ▪ Reciprocal access and/or parking agreements; ▪ Rights of carriageway agreements; ▪ Caveats under the <i>Transfer of Land Act 1893</i>; and ▪ Easements or deeds of easement under the <i>Land Administration Act 1997</i> and/or <i>Strata Titles Act 1985</i>.
Delegates	Chief Executive Officer Executive Director Development Services Executive Director Technical Services Head of Strategic Planning, Place & Development Manager Statutory Planning Manager Strategic Planning
Conditions	Nil.
Policy	ADM 18 - Common Seal ADM 21 - Authority to Sign Documents
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	27 May 2019
Adoption references	Resolution - D31/5/19

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Position title 'Executive Manager Development Services' amended to 'Head of Strategic Planning, Place and Development'. 'Manager Strategic Planning' added as a delegate.	D3/6/26

Delegation	1.1.40 Authority to sign Memorandums of Understanding
Category	Office of the CEO
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.49A(4) - Execution of documents
Function	Authority to sign Memorandums of Understanding.
Delegates	Chief Executive Officer
Conditions	Authority to sign Memorandums of Understanding (MOU) if they satisfy the following conditions - • Formalises an existing working arrangement or relationship between the City and government agency/ies, department/s or other government/s; • There is no additional financial contribution in excess of existing budgets required to give effect to the City's obligations under the MOU; • The usage of the City's assets or human resources in order to give effect to the City's obligations under the MOU will not unreasonably interfere with the expected provision of services to the community; and • Is consistent with existing policies and strategies. Memorandums of Understanding to be entered into other than reference in item 1 are to be presented to Council for approval.
Policy	ADM 18 - Common Seal ADM 21 - Authority to Sign Documents
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	29 June 2021
Adoption references	Resolution - CS43/6/21

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	1.1.41 Planning, building and other development related applications where the City is the applicant / land owner
Category	Development Services Directorate
Head of power	Part 01 - Local Government Act 1995
Delegator	Council
Express power to delegate	Local Government Act 1995 s 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 9.49A(4) - Execution of documents
Function	Authority to sign planning, building and other development related applications where the City is the applicant and/or the land owner.
Delegates	Chief Executive Officer
Conditions	Where the City is the applicant, the landowner and/or land manager (reserves), works must be in accordance with works identified in the current budget or where works are being performed by another party, consistent with the purpose of the reserve and any existing planning instruments or approvals, concept plans or strategies.
Policy	ADM 18 - Common Seal ADM 21 - Authority to Sign Documents
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	24 August 2020
Adoption references	Council Meeting of 24 August 2020 - CS39/8/20

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes at this time.	D3/6/26

Part 02 - Local Laws

Local Laws

Delegation	2.1.1 Local Law Relating to Dogs - licencing and administration
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Council
Express power to delegate	Dog Act 1976 s. 10AA - Delegation of local government powers and duties
Express power or duty delegated	Local Government Act 1995 s. 3.18 - Performing executive functions Dog Act 1976 s. 10AA(3) - Delegation of local government powers and duties Local Law Relating to Dogs cl. 3.2 - Limitation on the number of dogs cl. 4.5 - When application can be determined cl. 4.6 - Determination of application cl. 4.7(b) - Where application cannot be approved cl. 4.8 - Conditions of approval cl. 4.11 - Form of licence cl. 4.13 - Variation or cancellation of licence cl. 4.14 - Transfer cl. 4.15 - Notification cl. 7.4 - Failure to pay modified penalty
Function	1. Approve an application for an exemption to keep or permit to be kept on premises more than two (2) dogs but not greater than six (6) dogs [cl. 3.2(4)]. 2. Revoke or vary an approval for an exemption granted by the local government [cl. 3.2(4)(c)]. 3. Determine an application for a kennel licence in accordance with the requirements of cl. 4.5 and 4.6 [cl. 4.5, 4.6]. 4. Form an opinion that an applicant will not be sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare [cl. 4.7(b)]. 5. Impose conditions on an approval for a kennel licence [cl. 4.8(1)]. 6. Determine the form of a kennel licence to be issued to a licensee [cl. 4.11]. 7. Vary the conditions of a kennel licence [cl. 4.13(1)]. 8. Cancel a kennel licence for any of the grounds prescribed by the local law [cl. 4.13(2)]. 9. Approve the transfer of a kennel licence to another person with or without conditions as considered appropriate [cl. 4.14(2) and (3)]. 10. Give written notice for any of the matters prescribed by cl. 4.15 of the local law [cl. 4.15]. 11. Allow such further time to a person to pay a modified penalty of an infringement notice issued for a breach of the local law [cl. 7.4, 7.5]. 12. Further delegate the power or duty [s. 10AA(3)].
Delegates	Chief Executive Officer
Conditions	Nil.

Express power to subdelegate	<i>Dog Act 1976</i> s. 10AA(3) - Delegation of local government powers and duties
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	2.1.2 Administration of City of Armadale Local Laws
Category	Office of the CEO
Head of power	Part 02 - Local Laws
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.18 - Performing executive functions
Function	Exercise powers or functions of the following City of Armadale Local Laws: 1. <i>Activities and Trading in Thoroughfares and Public Places Local Law 2001</i> (cl. 5.3 and cl. 5.7 excepted). 2. <i>Environment, Animals and Nuisance Local Laws 2002</i>. 3. <i>Extractive Industries Local Law 2000</i> (cl. 3.1(2), cl. 3.1(3)(a) and cl. 8.1 excepted). 4. <i>Fencing Local Law 2011</i>. 5. <i>Health Local Laws 2002</i>. 6. <i>Livestock in Public Places and Wandering at Large Local Law 2015</i>. 7. <i>Parking and Parking Facilities Local Law 2002</i> (limited to cl. 2.3(1)(a), cl. 7.2, cl. 9.1(1) and cl. 9.1(6)). 8. <i>Pest Plant Local Law 2013</i>. 9. <i>Removal of Refuse, Rubbish and Disused Materials Local Laws 1997</i>. 10. <i>Street Numbering Local Law 2010</i>. 11. <i>Cat Local Law 2024</i> (cl. 3.1 and cl. 4.4(f) excepted).
Delegates	Chief Executive Officer
Conditions	1. The delegation is unable to be used where a local law requires a Council resolution in order to exercise a power or function. 2. The delegation is of no effect where a power, function or duty in a local law is granted directly to a local government employee or an authorised person. 3. A summary of trading permits approved and cancelled under the Activities and Trading in Thoroughfares and Public Places Local Law, shall be reported monthly to Council via the Information Bulletin. 4. Where a dedicated delegation exists for a particular local law or a function of a particular local law, this delegation shall not be used in its place.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
24 Jun 2024	Amended delegation	Annual Review - Minor amendments - change of the category from "CEO functions and powers" to "Office of the CEO"	CS33/6/24
24 Feb 2025	Amended delegation	Added Cat Local Law 2024	CS8/2/25
23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.18 - Performing executive functions Local Government Property Local Law cl. 2.1 - Determinations as to use of local government property cl. 3.2 - Application for permit cl. 3.3 - Decision on application for permit cl. 3.4 - Conditions which may be imposed on a permit cl. 3.5 - Imposing conditions under a policy cl. 3.6 - Compliance with and variation of conditions cl. 3.9 - Renewal of permit cl. 3.10 - Transfer of permit cl. 3.11 - Production of permit cl. 3.12 - Cancellation of permit cl. 3.13 - Activities needing a permit
Function	1. Make a determination in accordance with clause 2.2 of the local law [cl. 2.1(1)]. 2. Determine the form of an application for a permit under the local law [cl. 3.2(2)(a)]. 3. Require an applicant to provide additional information reasonably related to an application for determining an application [cl. 3.2(3)]. 4. Require an applicant to give local public notice of an application for a permit [cl. 3.2(4)]. 5. Refuse to consider an application for a permit which is not in accordance with clause 3.2 (2) of the local law [cl. 3.2(5)]. 6. Approve, or refuse, an application for a permit unconditionally or subject to conditions [cl. 3.3(1)(a) and (b)]. 7. Determine a form of permit and issue a permit to an applicant [cl. 3.3(2)]. 8. Give written notice of a refusal to approve an application for a permit, to an applicant [cl. 3.3(3)]. 9. Impose conditions that are not prescribed by a clause of the local law on a permit [cl. 3.3(4)]. 10. Refuse an application for a permit on grounds that are not prescribed by a clause of the local law [cl. 3.3(5)]. 11. Impose conditions on a permit as specified in the local law [cl. 3.4]. 12. Impose conditions on a permit by reference to a policy [cl. 3.5(2)]. 13. Vary the conditions of a permit [cl. 3.6(1)]. 14. Renew a permit, prior to the expiry of the permit [cl. 3.9(1)]. 15. Approve the transfer of a permit to another person subject to any conditions [cl. 3.10 (2)]. 16. Refuse the transfer of a permit to another person [cl. 3.10(1)(c), 3.10(2)]. 17. Cancel a permit if the permit holder has not complied with the local law or a condition of the permit [cl. 3.12(1)]. 18. Exempt a person from compliance with clause 3.13(1) upon application by that person [cl. 3.13(2)].
Delegates	Chief Executive Officer

Conditions	Nil.
Express power to subdelegate	<i>Local Government Act 1995</i> s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	2.1.4 Local Government Property Local Law - administration
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Council
Express power to delegate	Local Government Act 1995 s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	Local Government Act 1995 s. 3.18 - Performing executive functions Local Government Property Local Law cl. 2.3 - Discretion to erect sign cl. 3.7 - Agreement for building cl. 4.7 - Removing or damaging flora cl. 4.8 - Signs cl. 6.1(2) - No unauthorised entry to function cl. 8.4 - Disposal of lost property cl. 8.5 - Liability for damage to local government property cl. 9.2 - Local government may undertake requirements of notice
Function	1. Erect a sign on local government property to give notice of the effect of a determination which applies to that property [cl. 2.3]. 2. Where a person applies for a permit to erect a building on local government property the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building [cl. 3.7]. 3. Give written consent to a person to remove flora on or above local government property [cl. 4.7(1)]. 4. Erect a sign on local government property specifying any conditions of use which apply to that property (subject to sub-clause (3)) [cl. 4.8(1)]. 5. Exempt a person from paying an admission fee to a function on local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised [cl. 6.1(2)]. 6. Dispose of an article of lost property left on any local government property if not claimed after 1 month [cl. 8.4(1)]. 7. Dispose of an item of property left on any local government property that is of minor clothing, undergarments, consumable personal effects or other item of nominal financial value [cl. 8.4(2)]. 8. Issue a notice to a person who has unlawfully damaged local government property, that the person is required to pay the costs of: a. reinstating the property to the state it was in prior to the occurrence of the damage; or b. replace that property [cl. 8.5(1)]. 9. Undertake the requirements of a notice issued by the local government and recover the costs of doing so from the person to whom the notice was issued, as a debt [cl. 9.2].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Local Government Act 1995 s. 5.44 - CEO may delegate powers and duties to other employees
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.

Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	2.1.8 Bush Fire Brigades Local Law
Category	Community Services Directorate
Head of power	Part 02 - Local Laws
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments <i>Local Government Act 1995</i> s. 5.42 - Delegation of some powers and duties to CEO
Express power or duty delegated	<i>Local Government Act 1995</i> s. 3.18 - Performing executive functions Bush Fire Brigades Local Law cl. 2.2 - Name and officers of bush fire brigade cl. 3.1 - Local government responsible for structure cl. 3.3 - Appointment of Training Coordinator Rule 2.7 - Termination of membership Rule 2.11 - Objection Rights
Function	1. Appoint persons to be - a. a Captain; b. a First Lieutenant; c. a Second Lieutenant; d. additional Lieutenants if the local government considers it necessary; e. an Equipment Officer; f. a Training Officer; g. a Secretary; and h. a Treasurer [cl. 2.2(1)(c)]. 2. Determine an appropriate structure through which the organisation of bush fire brigades is maintained [cl. 3.1]. 3. Appoint a Training Coordinator for the district [cl. 3.3]. 4. Dismiss a person from a membership of a bush fire brigade [Rule 2.7(1)(d)]. 5. Deal with an objection to a decision involving clauses 2.5(1)(b), 2.7(1)(c), 2.7(1)(d) 2.8(3)(b), 2.8(1) or 2.8(3)(a) of the local law by a. dismissing the objection; b. varying the decision objected to; or c. revoking the decision objected to, with or without – i. substituting for it another decision; or ii. referring the matter, with or without directions, for another decision by the Committee.
Delegates	Chief Executive Officer
Conditions	When considering the appointment of office holders of a bush fire brigade, the local government is to have regard to the qualifications and experience which may be required to fill each position.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023

Adoption references	C15/6/23
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Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Part 03 - Building Act 2011

Permit authority functions of the Building Act 2011

Delegation	3.1.1 Building Act 2011 - Powers and duties
Category	Development Services Directorate
Head of power	Part 03 - Building Act 2011
Delegator	Council
Express power to delegate	<i>Building Act 2011</i> s. 127(1) - Delegation: special permit authorities and local governments
Express power or duty delegated	All powers and duties exercisable by the local government as a permit authority or as an owner of land under the <i>Building Act 2011</i> .
Function	Exercise and discharge all or any of the powers and duties of the local government as a permit authority under the <i>Building Act 2011</i> .
Delegates	Chief Executive Officer
Conditions	1. A delegation of a local government's powers or duties may be only to a local government employee [s. 127(3)] (local government employee, in relation to a local government, means a person employed by the local government under the <i>Local Government Act 1995</i> section 5.36) 2. The delegation must be in writing executed by or on behalf of the delegator [s. 127(4)] 3. Except as provided for in subsection (6A), a person to whom a power or duty is delegated under this section cannot delegate that power or duty [s. 127(5)].
Express power to subdelegate	<i>Building Act 2011</i> s. 127(6A) - Delegation: special permit authorities and local governments
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	3.1.2 Building Act 2011 - appointment of authorised persons
Category	Development Services Directorate
Head of power	Part 03 - Building Act 2011
Delegator	Council
Express power to delegate	Building Act 2011 s. 127(1) and (3) - Delegation: special permit authorities and local governments Building Regulations 2012 r. 4A(2) - Authorised persons
Express power or duty delegated	Building Act 2011 s. 96(3) and (6) - Authorised persons Building Regulations 2012 r. 4A(2) - Authorised persons (s. 93(2)(d)) r. 4B(1) - Identity cards r. 70(1) and (2) - Approved officers and authorised officers
Function	1. Appoint an employee as an authorised person [s. 96(3)]. 2. Revoke, in writing, an instrument of authorisation [s. 96(6)]. 3. Designate a person as an authorised person to inspect or test existing buildings located in the district of the local government for the purpose of monitoring whether specified Part 8 provisions are being complied with [r. 4A(2)]. 4. Give an identity card to each person designated by it as an authorised person under r. 4A [r. 4B(1)]. 5. Appoint a specified employee to be an approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> [s. 6(a), r. 70(1) and (1A)]. 6. Appoint a specified employee to be an authorised officer for the purposes of the <i>Criminal Procedure Act 2004</i> [s. 6(b), r. 70(1) and (2)].
Delegates	Chief Executive Officer
Conditions	1. An appointment pursuant to r. 70(1) of the <i>Building Regulations 2012</i> ("approved officer") can only be made if the person is an employee of the City to whom power to perform a function under s. 9.19 or s. 9.20 of the <i>Local Government Act 1995</i> is delegated under s. 5.44(1) of that Act. 2. An appointment pursuant to r. 70(2) of the <i>Building Regulations 2012</i> ("authorised officer") can only be made if the person is an employee of the City and has been duly authorised by the Chief Executive Officer pursuant to s. 9.10(2) of the <i>Local Government Act 1995</i>. 3. An authorised person for the purposes of s. 96(3) and s. 99(3) of the <i>Building Act 2011</i> is not an approved officer or authorised officer for the purposes of r. 70 of the <i>Building Regulations 2012</i>. 4. Where the term 'employee' is used, this means a person employed by the local government pursuant to s. 5.36 of the <i>Local Government Act 1995</i>.
Express power to subdelegate	Building Act 2011 s. 127(6A) - Delegation: special permit authorities and local governments
Record keeping	1. Exercise of the authority is to be recorded in the City's records management system and Attain. 2. A copy of the authorisation is to be kept on the relevant employee's personnel file.

Date adopted	28 October 2024
Adoption references	CEO2/10/24

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Part 04 - Bush Fires Act 1954

An Act to make better provision for diminishing the dangers resulting from bush fires, for the prevention, control and extinguishment of bush fires, for the repeal of the Bush Fires Act 1937 2 and for other purposes.

Delegation	4.1.1 Bush Fires Act 1954 - Control Operations Likely to Create Bush Fire Danger
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 27D - Requirements for carriage and deposit of incendiary material <i>Bush Fires Regulations 1954</i> r. 39C - Welding and cutting apparatus, use of in open air r. 39CA - Bee smoker devices, use of in restricted or prohibited burning times etc. r. 39D - Explosives, use of r. 39E -Use of fireworks
Function	1. Give directions to a Bush Fire Control Officer regarding matters necessary for the prevention of fire arising from: a. a person operating a bee smoker device during a prescribed period [r. 39CA(5)]. b. a person operating welding apparatus, a power operated abrasive cutting disc [r. 39C(3)]. c. a person using explosives [r. 39D(2)]. d. a person using fireworks [r. 39E(3)]. 2. Determine directions or requirements for the carriage and deposit of incendiary materials (hot or burning ash, cinders, hot furnace refuse, or any combustible matter that is burning) [s. 27D]. <i>Note: this authority is also prescribed to a Bush Fire Control Officer, a Bush Fire Liaison Officer or an authorised CALM Act officer.</i>
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.2 Bush Fires Act 1954 - Recovery of Expenses Incurred through Contraventions of the Bush Fires Act
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 58 - General penalty and recovery of expenses incurred
Function	Recover expenses incurred as a result of an offence against the Bush Fires Act, being expenses incurred through the fulfilment of a duty or doing anything for which the Act empowered or required the City of Armadale or those on behalf of the City of Armadale to do [s. 58].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/21

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.3 Bush Fires Act 1954 - Variations to prohibited and restricted burning periods
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 17(10) - A local government may by resolution delegate to its mayor, or president, and its Chief Bush Fire Control Officer, jointly its powers and duties under subsections (7) and (8).
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 17(7)(a) shortening, extending, suspending or reimposing a period of prohibited burning times s. 17(7)(b) impose a further period of prohibition burning times s. 17(8) give notice of any variation s. 18(5)(a)(i) shortening, extending, suspending or reimposing a period of restricted burning times s. 18(5)(a)(ii) imposing a further period of restricted burning times s. 18(5)(b) vary the prescribed conditions by modifying or suspending all or any of those conditions.
Function	After consultation with an authorised CALM Act officer, if forest land is situated in the district, vary the prohibited and restricted burning times in respect of that year in the district or part of the district.
Delegates	Chief Bush Fire Control Officer Mayor
Conditions	Decisions under s. 17(7) must be undertaken jointly by both the Mayor and the Chief Bush Fire Control Officer, in accordance with s. 17(10) and must comply with the procedural requirements of s. 17(7)(b) and (8).
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the delegation is to be recorded in the City's records management system and Attain.
Date adopted	10 August 2020
Adoption references	C22/8/20

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.4 Bush Fires Act 1954 - Withdrawal of Infringements (Prescribed Power*)
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Enforcement Agency (means Local Government as defined within the Act)
Express power to delegate	<i>Bush Fires (Infringement) Regulations 1978</i> r4(a) - Prescribed Officers <i>*NOTE: This is not a delegated authorisation, this legislation prescribes who can withdraw infringements under the Bush Fires Act 1954, this being specifically the CEO and the Mayor. This prescribed power has been included within the Delegations register for ease of reference and clarity purposes.</i>
Express power or duty delegated	<i>Bush Fires Act 1954</i> s59A(5) - Alternative procedure - infringement notices
Function	Withdrawal of an infringement notice at any time within 60 days after the service of the notice for an offence against this Act.
Delegates	Chief Executive Officer Mayor
Conditions	Nil
Express power to subdelegate	Nil - Sub-delegation is prohibited by s48(3).
Record keeping	The exercise of this prescribed power is to be recorded in Attain.
Date adopted	10 August 2020
Adoption references	C22/8/20

Amendments			
Date	Type	Amendment	References
29 May 2026	Amended delegation	Review. Nil material changes.	---

Delegation	4.1.5 Bush Fires Act 1954 - Prosecution of Offences
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 59 - Prosecution of offences s. 59A(2) - Alternative procedure - infringement notice
Function	Authority to: 1. Institute and carry on proceedings against a person for an offence alleged to be committed against this Act [s. 59]. 2. Serve an infringement notice for an offence against this Act [s. 59A(2)].
Delegates	Chief Bush Fire Control Officer Chief Executive Officer Manager Ranger & Emergency Services Ranger Ranger Services Lead Senior Ranger
Conditions	1. Function 1 may only be exercised with the express approval of the CEO, or where the CEO deems necessary, Council's approval. 2. The CEO must not issue an infringement notice under section 59A, as the CEO has the power to withdraw infringements under r4(a) of the <i>Bush Fire (Infringement) Regulations 1978</i> .
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	10 August 2020
Adoption references	C22/8/20

Amendments			
Date	Type	Amendment	References
13 Nov 2025	Amended delegation	Added position - Ranger Lead	CD/110298/25
8 Jun 2026	Amended delegation	Annual Review. Add 'Ranger' position as a delegate, delete 'Fire Prevention Officer' and modify phrasing of condition 1 for clarity to ensure that delegates do not initiate a prosecution without first obtaining the CEO's approval (or Council as the case may be).	C2/6/26

Delegation	4.1.6 Bush Fires Act 1954 - Make Request to FES Commissioner - Control of Fire
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 13(4) - Duties and powers of bush fire liaison officers
Function	Authority to request of behalf of the City of Armadale that the FES Commissioner authorise the Bush Fire Liaison Officer or another person to take control of fire operations [s. 13(4)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/21

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.7 Bush Fires Act 1954 - Prohibited Burning Times - Control Activities
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 27(2) and (3) - Prohibition on use of tractors or engines except under certain conditions s. 28(4) and (5) - Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954</i> r. 15 - Permit to burn (Act s. 18), form of and apply for after refusal etc. r. 38C - Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r. 39B - Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Determine permits to burn during prohibited burning times that have previously been refused by a Bush Fire Control Officer [r. 15]. 2. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r. 38C]. 3. Determine, during a Prohibited Burning Time, if a fire-break around a landing ground for an aeroplane has been satisfactorily prepared [r. 39B(2)]. 4. Issue directions, during a Prohibited Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r. 39B(3)]. 5. Prohibit the use of tractors, engines or self-propelled harvester, during a Prohibited Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s. 27(2) and (3)]. 6. Recover the cost of measures taken by the City of Armadale or Bush Fire Control Officer, to extinguish a fire burning during Prohibited Burning Times, where the occupier of the land has failed to comply with requirements under s28(1) to take all possible measures to extinguish a fire the land they occupy (s28(4)), including authority to recover expenses in any court of competent jurisdiction [s. 28(5)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.8 Bush Fires Act 1954 - Restricted Burning Times - Vary and Control Activities
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 22(6) and (7) - Burning on exempt land and land adjoining exempt land s. 27(2) and (3) - Prohibition on use of tractors or engines except under certain conditions s. 28(4) and (5) - Occupier of land to extinguish bush fire occurring on own land <i>Bush Fire Regulations 1954</i> r. 38C - Harvesters, power to prohibit use of on certain days in restricted or prohibited burning times r. 39B - Crop dusters etc., use of in restricted or prohibited burning times
Function	1. Arrange with the occupier of exempt land, the occupier of land adjoining it and the Bush Fire Brigade to cooperate in burning fire-breaks and require the occupier of adjoining land to provide by the date of the burning, ploughed or cleared fire-breaks parallel to the common boundary [s. 22(6) and (7)]. 2. Declare that the use of any harvesting machinery on any land under crop during the whole or any part of any Sunday or public holiday in the whole or a specified part of the District during Restricted Burning Times is prohibited, unless written consent of a Bush Fire Control Officer is obtained [r. 38C]. 3. Determine, during a Restricted Burning Time, if a fire-break around a landing ground for an aeroplane has been satisfactorily prepared [r. 39B]. 4. Issue directions, during a Restricted Burning Time, to a Bush Fire Control Officer, regarding matters necessary for the prevention of fire on land used as a landing ground for an aeroplane [r. 39B(3)]. 5. Prohibit the use of tractors, engines or self-propelled harvester, during a Restricted Burning Times, and to give permission for use of same during the Restricted Burning Time subject to compliance with requirements specified in a notice [s. 27(2) and (3)]. 6. Recover the cost of measures taken by the City of Armadale or Bush Fire Control Officer, to extinguish a fire burning during Restricted Burning Times, where the occupier of the land has failed to comply with requirements under s. 28(1) to take all possible measures to extinguish a fire the land they occupy [s. 28(4)], including authority to recover expenses in any court of competent jurisdiction [s. 28(5)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.9 Bush Fires Act 1954 - Burning Garden Refuse/Open Air Fires
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 24F - Burning garden refuse during limited burning times s. 24G - Minister or local government may further restrict burning of garden refuse s. 25 - No fire to be lit in open air unless certain precautions taken s. 25A - Power of Minister to exempt from provisions of section 25 <i>Bush Fires Regulations 1954</i> r. 27(3) - Permit, issue of
Function	1. Give written permission, during prohibited times and restricted times, for an incinerator located within 2m of a building or fence, only where satisfied it is not likely to create a fire hazard [s. 24F(2)(b)(ii) and (4)]. 2. Prohibit or impose restrictions on the burning of garden refuse that is otherwise permitted under s. 24F [s. 24G(2)]. 3. Issue directions to an authorised officer as to the manner in which or the conditions under which permits to burn plants or plant refuse shall be issued in the District [r. 27(3) and r. 33(5)]. 4. Prohibit (object to) the issuing of a permit for the burning of a proclaimed plan growing upon any land within the District [r. 34]. 5. Provide written approval, during prohibited times and restricted times, for fires to be lit for the purposes of: a. camping or cooking [s. 25(1)(a)]. b. conversion of bush into charcoal or the production of lime, in consultation with an authorised CALM Act officer [s. 25(1)(b)]. 6. Prohibit the lighting of fires in the open are for the purposes of camping or cooking for such period during the prohibited burning times as specified in a note published in the Gazette and newspaper circulating in the District and authority to vary such notice [s. 25 (1a) and (1b)]. 7. Serve written notice on a person to whom an exemption has been given under s. 25 for lighting a fire in open air, prohibiting that person from lighting a fire and to determine conditions on the notice [s. 25A(5)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.10 Bush Fires Act 1954 - Fire-breaks
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 33 - Local government may require occupier of land to plough or clear fire-break
Function	1. Give written notice to an owner or occupier of land or all owners or occupiers of land within the District, requiring, to the satisfaction of the City of Armadale: a. clearing of fire-breaks as determined necessary and specified in the notice; b. act in respect to anything which is on the land and is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire; and c. as a separate or coordinated action with any other person carry out similar actions [s. 33(1)]. 2. Direct a Bush Fire Control Officer or any other employee to enter onto the land of an owner or occupier to carry out the requisitions of the notice which have not been complied with [s. 33(4)]. 3. Recover any costs and expenses incurred in doing the acts, matters or things required to carry out the requisitions of the notice [s. 33(5)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.11 Bush Fires Act 1954 - Appoint a Bush Fire Control Officer/s and Fire Weather Officer
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 38 - Local government may appoint bush fire control officer
Function	1. Appoint persons to be Bush Fire Control Officers for the purposes of the Bush Fires Act 1954, and: a. of those officers, appoint one as the Chief Bush Fire Control Officer and one as the Deputy Chief Bush Fire Control Officer; and b. determine the respective seniority of the other Bush Fire Officers so appointed (s38(1)). 2. Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the City of Armadale [s. 38(5A)]. 3. Appoint a Fire Weather Officer, selected from senior Bush Fire Control Officers previously appointed and where more than one Fire Weather Officer is appointed, define a part of the District in which each Fire Weather Officer shall have exclusive right to exercise the powers of s. 38(17) [s. 38(8) and (9)]. 4. Appoint deputy Fire Weather Officer/s as considered necessary and where two or more deputies are appointed, determine seniority [s. 38(10)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	4.1.12 Bush Fires Act 1954 - Control and Extinguishment of Bush Fires
Category	Community Services Directorate
Head of power	Part 04 - Bush Fires Act 1954
Delegator	Council
Express power to delegate	<i>Bush Fires Act 1954</i> s. 48 - Delegation by local governments
Express power or duty delegated	<i>Bush Fires Act 1954</i> s. 46 - Bush fire control officer or forest officer may postpone lighting fire
Function	1. Prohibit or postpone the lighting of a fire, despite a permit having been issued, where in the opinion of the Delegate the lighting of a fire would be or become a source of danger by escaping from the land on which it is proposed to be lit [s. 46(1A)]. 2. Where it is proposed that the fire will be lit on land within 3 kms of the boundary of forest land, and an authorised CALM Act officer is not available or has not exercised the power to prohibit or proposed a fire considered to become a source of danger, then the Delegate may make the decision [s. 46(1B)].
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	Subdelegation is prohibited by s. 48(3).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	26 July 2021
Adoption references	CEO3/7/2021

Amendments			
Date	Type	Amendment	References
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Part 05 - Cat Act 2011

An Act to —

- provide for the control and management of cats; and
- promote and encourage the responsible ownership of cats, and for related matters.

Delegation	5.1.1 Cat Act 2011 - administration of functions and powers
Category	Community Services Directorate
Head of power	Part 05 - Cat Act 2011
Delegator	Council
Express power to delegate	Cat Act 2011 s. 44 - Delegation by local government
Express power or duty delegated	Cat Act 2011 s. 9 - Registration s. 10 - Cancellation of registration s. 11 - Registration numbers, certificates and tags s. 12 - Register of cats s. 13 - Notice to be given of certain decisions made under this Subdivision s. 26 - Cat control notice may be given to owner s. 33 - Operator of cat management facility may have cat microchipped and sterilised s. 32 - Notice to be given to cat's owner, if identified s. 34 - Dealing with unidentified and unclaimed cats s. 37 - Approval to breed cats s. 38 - Cancellation of approval to breed cats s. 39 - Certificate to be given to approved cat breeder s. 40 - Notice to be given of certain decisions made under this subdivision s. 42 - Administration by local governments - local laws s. 49(3) - Recovery of costs to destroy a cat s. 77(4) - Administer regulations made under the Act

Function	1. Grant, or refuse to grant, the registration or the renewal of the registration of a cat [s. 9 (1)]. 2. Refuse an application under s. 9(1) of the Act if the delegate is satisfied one or more of the proscriptions of s. 9(2) of the Act apply [s. 9(2)]. 3. Require an applicant to give to the local government within a specified time of not more than 21 days, any document or information the local government requires to determine the application [s. 9(5)]. 4. Refuse to consider an application if the applicant does not provide the information required under s. 9(5) of the Act [s. 9(6)]. 5. Cancel the registration of a cat for any of the grounds prescribed [s. 10]. 6. Allot a registration number to a cat that the local government registers, and give the owner a registration certificate and a registration tag for the cat showing the registration number [s. 10(1)]. 7. Replace a lost, stolen or destroyed registration certificate or registration tag s. 11(2)]. 8. Maintain a register of cats containing the information prescribed, in a form the delegate thinks fit and correct any error or omission in the register [s. 12] 9. Issue a notice of decision to an applicant [s. 13]. 10. Give a cat control notice to a person who is the owner of a cat [s. 26]. 11. Give notice to the owner of a cat that their cat is held in the City's cat management facility [s. 32]. 12. Do anything necessary to ensure that a cat is microchipped or sterilised, or both, as is relevant, before the cat is reclaimed or otherwise transferred from a cat management facility [s. 33]. 13. Deal with an unidentified or unclaimed cat in the manner prescribed by s. 34 of the Act [s. 34]. 14. Grant, or refuse to grant, the approval or the renewal of an approval to breed cats [s. 37 (1)]. 15. Refuse an application under s. 37(1) of the Act if the delegate is satisfied one or more of the proscriptions of s. 37(2) of the Act apply [s. 37(2)]. 16. Require an applicant to give to the local government within a specified time of not more than 21 days, any document or information the local government requires to determine the application [s. 37(3)]. 17. Refuse to consider an application if the applicant does not provide the information required under s. 37(3) of the Act [s. 37(4)]. 18. Cancel an approval to breed cats if one or more of the things set out in section 37(2) of the Act apply [s. 38]. 19. Give a certificate to an approved cat breeder when the local government has given approval, and replace a certificate if it is stolen, lost or destroyed [s. 39]. 20. Issue a notice of decision to an applicant [s. 40]. 21. Administer a local law made under the Act and do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act [s. 42]. 22. Where an authorised person causes a cat to be destroyed in a humane manner, recover the amount of the costs involved in said destruction from the owner of the cat in a court of competent jurisdiction [s. 49(3)]. 23. Administer any regulation made under s. 77 of the Act to the extent that it relates to any place where the local government may perform functions, as if the regulation were a local law [s. 77(4)].
Delegates	Chief Executive Officer
Conditions	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Express power to subdelegate	<i>Cat Act 2011</i> s. 45 - Delegation by CEO of local government
Record keeping	Exercise of the authority is to be recorded in the City's records management system.

Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Part 06 - Dog Act 1976

An Act to amend and consolidate the law relating to the control and registration of dogs, the ownership and keeping of dogs and the obligations and rights of persons in relation thereto, and for incidental and other purposes.

Delegation	6.1.1 Dog Act 1976 - registration functions
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Council
Express power to delegate	<i>Dog Act 1976</i> s. 10AA - Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s. 3 - Appoint registration officer (<i>Terms Used - Registration officer means a person authorised by the local government to effect the registration of dogs pursuant to this Act</i>) s. 10AA(3) - Delegation of local government powers and duties s. 15(2) and (4A) - Registration periods and fees s. 16(3) and (4) - Registration procedure s. 17A(2) - If no application for registration made s. 17(4) and (6) - Refusal or cancellation of registration s. 26(3) - Limitation as to numbers - exemptions s. 26(3)(a) - Limitation as to numbers - exemptions - imposing conditions s. 26(3)(c) - Limitation as to numbers - exemptions - revoke or vary s. 62(2)(a) - Transitional provision for centralised registration system

Function	1. Authorise a person for the purposes of performing the prescribed office of Registration Officer [s. 3]. 2. Determine to refuse a dog registration and refund the fee, if any [s. 16(2)]. 3. 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: a. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i> [s. 16(3)(a)]; b. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease [s. 16(3)(b)]; c. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept [s. 16(3)(c)]; d. the dog is required to be microchipped but is not microchipped [s. 16(3)(da)]; or e. the dog is a dangerous dog [s. 16(3)(d)]. 4. Discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City of Armadale's District [s. 15(4A)]. 5. Where the registration of a dog is refused, not renewed or cancelled pursuant to s. 16(3) notify the applicant or the person in whose name the registration was effected, and that notification shall be accompanied by a statement in writing of the grounds upon which the decision of the local government was made [s. 16(4)]. 6. 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)]. 7. 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)]. 8. Where the City of Armadale Local Law Relating to Dogs places a limit on the keeping of dogs in any specified area but the delegate is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the delegate may grant an exemption in respect of those premises [s. 26(3)]. 9. Impose conditions in respect of an exemption given pursuant to s. 26(3) of the Act [s. 26(3)(a)]. 10. Revoke or vary an exemption given pursuant to s. 26(3) of the Act or a condition on an exemption [s. 26(3)(c)]. 11. Record in the centralised registration system any information that the local government is required under the Act to record in a register maintained by it [s. 62(2)(a)]. 12. Further delegate the power or duty [s. 10AA(3)].
Delegates	Chief Executive Officer
Conditions	1. The CEO may further delegate (subdelegate) to employees whom the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this delegation. 2. This delegation excludes powers and duties that are prescribed in the Act with the requirement for a resolution by local government, and the following clauses of the City's Local Law Relating to Dogs: a. cl. 2.1 - Charges and costs b. cl. 3.3(2) - Fees c. cl. 4.10(4) - Fees 3. Function 11 may only be used if the Director General has permitted the City to use and add information to the centralised registration system. NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal [s. 16A, 17(4) and (6)].

Express power to subdelegate	<i>Dog Act 1976</i> s. 10AA(3) - Delegation of local government powers and duties
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	6.1.2 Dog Act 1976 - dog control and enforcement functions
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Council
Express power to delegate	Dog Act 1976 s. 10AA - Delegation of local government powers and duties
Express power or duty delegated	Dog Act 1976 s. 10AA(3) - Delegation of local government powers and duties s. 29(5) and (11) - Power to seize dogs s. 33E(1) - Individual dog may be declared to be dangerous dog (declared) s. 33F(1) and (6) - Owner to be notified of making of declaration s. 33G(4) - Seizure and destruction s. 33H(1), (2), (3) and (5) - Local government may revoke declaration or proposal to destroy s. 33M(1)(a) - Local government expenses to be recoverable s. 39(1) - Dogs causing injury or damage may be destroyed s. 44 - Enforcement proceedings
Function	1. Recover monies due under the Act in relation to a dog for which the owner is liable [s. 29(5)]. 2. Dispose of or sell a dog which is liable to be destroyed [s. 29(11)]. 3. Declare an individual dog to be a dangerous dog [s. 33E(1)]. 4. Give written notice declaring a dog to be a dangerous dog (declared) to the owner of that dog [s. 33F(1)]. 5. Consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s. 33F(6)]. 6. Consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s. 33G(4)]. 7. Revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s. 33H(1)]. 8. 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)]. 9. Give notice in writing to the owner of a dog where s. 33H(1) has been exercised to revoke a notice made under s. 33F(1) or s. 33G of the Act [s. 33H(3)]. 10. Consider and determine to either dismiss or uphold an objection to a decision to revoke: a. a notice declaring a dog to be dangerous; or b. notice proposing to cause a dog to be destroyed [s. 33H(5)]. 11. Determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s. 15, up to the maximum amount prescribed, having regard to expenses incurred by the local government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s. 33M(1)(a)]. 12. Apply to the court for an order to destroy a dog [s. 39(1)]. 13. Authorise an employee to take proceedings under the Act, whether civil or penal [s. 44 (2)(b)]. 14. Further delegate the power or duty [s. 10AA(3)].
Delegates	Chief Executive Officer
Conditions	The CEO may further delegate (subdelegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this delegation.

Express power to subdelegate	<i>Dog Act 1976</i> s. 10AA(3) - Delegation of local government powers and duties
Statutory framework	<i>Criminal Procedure Act 2004</i> s. 3(1) - Terms used - 'public authority' for the purposes of the Act s. 20(1)(b) - Who can commence prosecution NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal [s. 16A, s. 17(4) and (6)].
Policy	Delegation - Legal proceedings
Record keeping	Exercise of the authority is to be recorded in the City's records management system.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	6.1.3 Dog Act 1976 - administration
Category	Community Services Directorate
Head of power	Part 06 - Dog Act 1976
Delegator	Council
Express power to delegate	<i>Dog Act 1976</i> s. 10AA - Delegation of local government powers and duties
Express power or duty delegated	<i>Dog Act 1976</i> s. 9 - Administrative responsibility s. 10AA(3) - Delegation of local government powers and duties s. 10A - Payments to veterinarians towards cost of sterilisation s. 11(1) - Staff and services s. 14 - Register of dogs s. 19 - Refund of fee on cancellation s. 27 - Licensing of approved kennel establishments s. 48(4) - Regulations to operate as local laws
Function	1. Duty of the local government to administer and enforce the Act [s. 9]. 2. Make payments to veterinarians towards the cost of sterilisation of a dog owned by an eligible person and issue directions to such veterinarians to be complied with as a condition of receipt of a payment [s. 10A(1)]. 3. Establish and maintain a dog management facility [s. 11(1)]. 4. Keep an accurate and up-to-date register of dogs registered by the local government, containing the form of information prescribed, and cause any error in, or omission from, the register to be corrected [s. 14]. 5. Where on the cancellation of the registration of a dog that was registered for an extended period, the person who was the registered owner returns the registration tag to the local government, the local government shall refund to the person such proportion of the registration fee as may be prescribed [s. 19]. 6. Grant or refuse to grant a kennel licence [s. 27(4)]. 7. Cancel a kennel licence if the delegate is dissatisfied with the conduct of the establishment [s. 27(5) and (6)]. 8. Undertake civil proceedings under this Act in the name of the local government [s. 44(2)(b)]. 9. Administer regulations made under section 48 of the Act to the extent that it relates to any place where the local government may perform functions, as if the regulation was a local law [s. 48(4)]. 10. Authorise the delegate to further delegate the power or duty [s. 10AA(3)].
Delegates	Chief Executive Officer

Conditions	1. The CEO may further delegate (sub delegate) to employees whom the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this delegation, with the exception of (8) above. 2. Function 2 is contingent on the delegate having the authorisation to make payments of the nature, type and spending limit granted to that person. 3. Function 2 is to be read in conjunction with s. 10A(2) of the Act where it is prescribed <i>"No payment shall be made under subsection (1)(a) to a veterinarian for the sterilisation of a dog unless the local government is satisfied that the veterinarian has complied with any direction issued under subsection (1)(b)."</i> NOTE: Decisions under this delegation may be referred for review by the State Administrative Tribunal [s. 16A, 17(4) and (6)].
Express power to subdelegate	<i>Dog Act 1976</i> s. 10AA(3) - Delegation of local government powers and duties
Policy	Delegation - Legal proceedings
Record keeping	Exercise of the authority is to be recorded in the City's records management system.
Date adopted	12 June 2023
Adoption references	C15/6/23

Amendments			
Date	Type	Amendment	References
10 Jun 2024	Amended delegation	Annual Review	C16/6/24
9 Jun 2025	Amended delegation	Annual Review	C2/6/25
8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Part 07 - Food Act 2008

An Act providing for the safety and suitability of food for human consumption, and for related purposes.

Delegation	7.1.1 Food Act 2008 - appoint Authorised Officers and Designated Officers
Category	Development Services Directorate
Head of power	Part 07 - Food Act 2008
Delegator	Council
Express power to delegate	<i>Food Act 2008</i> s. 118(2)(b) - Functions of enforcement agencies and delegation
Express power or duty delegated	<i>Food Act 2008</i> s. 122(1) - Appointment of authorised officers s. 126(13) - Infringement notices
Function	1. Appoint a person to be an authorised officer for the purpose of the <i>Food Act 2008</i> [s. 122(1)]. 2. Appoint an authorised officer, appointed under s. 122(1) of this Act, or s. 24(1) of the <i>Public Health Act 2016</i>, to be a designated officer for the purpose of issuing infringement notices under the <i>Food Act 2008</i> s. 126(13)]. 3. Appoint an authorised officer to be a designated officer (who is prohibited by s. 126(13) from also being a designated officer for the purpose of issuing infringements), for the purpose of extending the time for payment or modified penalties [s. 126(6)] and determining withdrawal of an infringement notice [s. 126(7)].
Delegates	Chief Executive Officer
Conditions	1. In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: a. Appointment of Authorised Officers as Meat Inspectors. b. Appointment of Authorised Officers. c. Appointment of Authorised Officers – Designated Officers only. d. Appointment of authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer. 2. Appointment is subject to any guidelines issued by the CEO, Department of Health that describe the qualifications and experience that are appropriate for a person to be appointed as an authorised officer. 3. A list of authorised officers appointed by the enforcement agency is to be prepared and maintained by the delegate. 4. The enforcement agency must provide each authorised officer appointed by the agency with a certificate of authority as an authorised officer, in the form prescribed by s. 123 (2).
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	7.1.2 Food Act 2008 - Prohibition Orders
Category	Development Services Directorate
Head of power	Part 07 - Food Act 2008
Delegator	Council
Express power to delegate	<i>Food Act 2008</i> s. 118 - Functions of enforcement agencies and delegation
Express power or duty delegated	<i>Food Act 2008</i> s. 65(1) - Prohibition order s. 66 - Certificate of clearance to be given in certain circumstances s. 67(4) - Request for re-inspection
Function	1. Serve a prohibition order on the proprietor of a food business [s. 65(1)]. 2. Give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s. 66]. 3. Give written notice to the proprietor of a food business on whom a prohibition order has been served, of the decision not to give a certificate of clearance after an inspection [s. 67(4)].
Delegates	Chief Executive Officer Executive Director Development Services Manager Health Services
Conditions	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. NOTE: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	7.1.3 Food Act 2008 - food business registrations
Category	Development Services Directorate
Head of power	Part 07 - Food Act 2008
Delegator	Council
Express power to delegate	<i>Food Act 2008</i> s. 118 - Functions of enforcement agencies and delegation
Express power or duty delegated	<i>Food Act 2008</i> s. 110 - Registration of food businesses s. 112 - Variation of conditions or cancellation of registration of food businesses s. 115 - Register of food businesses to be maintained <i>Food Regulations 2009</i> r. 51 - Enforcement agency may make list of food businesses publicly available
Function	1. Consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s. 110(1) and (5)]. 2. Vary the conditions or cancel the registration of a food business [s. 112]. 3. Maintain a register of food businesses in the district [s. 115]. 4. Make a list of food businesses maintained by the agency under s. 115(a) or (b) of the Act, or any part of such a list, publicly available [r. 51].
Delegates	Chief Executive Officer Executive Director Development Services Manager Health Services
Conditions	1. In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: a. <i>Food Act 2008</i> Regulatory Guideline No 1 – Introduction of Regulatory Food Safety Auditing in Western Australia. Food Unit Fact Sheet 8 – Guide to Regulatory Guideline No 1. b. WA Priority Classification System. c. Verification of Food Safety Program Guideline. 2. Where the local government is refusing an application for registration of a food business, the applicant is to be given notice of the refusal in writing setting out the reasons for the refusal [s. 110(8)] 3. The registration of a food business may only be cancelled on one or more of the grounds prescribed by s. 112(2), in the manner prescribed by s. 112(4) and (6) of the <i>Food Act 2008</i>. 4. Exercise of the delegated powers may be subject to any conditions or limitations imposed by the CEO of the Health Department of Western Australia for the performance of any of the local government's functions under the <i>Food Act 2008</i>. NOTE: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	7.1.4 Food Act 2008 - enforcement agency powers
Category	Development Services Directorate
Head of power	Part 07 - Food Act 2008
Delegator	Council
Express power to delegate	<i>Food Act 2008</i> s. 118 - Functions of enforcement agencies and delegation
Express power or duty delegated	<i>Food Act 2008</i> s. 54 - Cost of destruction or disposal of forfeited item s. 125 - Institution of proceedings
Function	1. Functions and powers of an enforcement agency where the local government is defined as an enforcement agency pursuant to s. 8 of the <i>Food Act 2008</i>. 2. Commence proceedings on behalf of the enforcement agency for an offence under the <i>Food Act 2008</i> and associated Regulations [s. 125].
Delegates	Chief Executive Officer Executive Director Development Services Manager Health Services
Conditions	In accordance with s. 118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. NOTE: in the context of <i>Food Act 2008</i> functions and powers, 'CEO' means the Chief Executive Officer of the Department of Health.
Record keeping	Exercise of the function is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Part 08 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911

An Act consolidating public health legislation and subsidiary regulations

Delegation	8.1.1 Public Health Act 2016 - enforcement agency functions
Category	Development Services Directorate
Head of power	Part 08 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
Delegator	Council
Express power to delegate	Public Health Act 2016 s. 21(1)(c) - Enforcement agency may delegate
Express power or duty delegated	Public Health Act 2016 s. 22 - Reports by and about enforcement agencies s. 24 - Designation of authorised officers s. 27 - List of authorised officers to be maintained s. 46 - Publication of current local public health plans s. 68 - Registration of registrable activity s. 71 - Variation of conditions, suspension or cancellation of registration s. 72 - Further provisions relating to suspension of registration s. 76 - Register of activities and premises to be maintained s. 78 - Activity licences s. 82 - Variation of conditions, suspension or cancellation of activity licence s. 83 - Further provisions relating to suspension of activity licence s. 86 - Register of licence holders to be maintained s. 216 - Issue of enforcement orders s. 218 - Extend period of compliance with enforcement order s. 219 - Enforcement agency may implement enforcement order s. 221 - Recovery of costs incurred by or on behalf of enforcement agency s. 223 - Certificate of clearance to be given in certain circumstances s. 224 - Request for assessment s. 262 - Cost of destruction or disposal of forfeited item s. 263 - Return of forfeited item s. 264 - Compensation s. 294 - Fees and charges may be fixed and recovered by enforcement agencies that are local governments
Function	Functions and powers of an 'enforcement agency' as defined by s. 4(1) of the <i>Public Health Act 2016</i> (as amended).
Delegates	Chief Executive Officer Coordinator Health Services Executive Director Development Services Manager Health Services
Conditions	Nil.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	8.1.2 Public Health Act 2016 - appointment of Environmental Health Officers
Category	Development Services Directorate
Head of power	Part 08 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
Delegator	Council
Express power to delegate	Public Health Act 2016 s. 21 - Enforcement agency may delegate
Express power or duty delegated	Public Health Act 2016 s. 17 - Appointment of environmental health officers
Function	Appoint one or more persons as an environmental health officer [s. 17].
Delegates	Chief Executive Officer
Conditions	1. A person cannot be appointed as an environmental health officer unless the person's qualifications and experience are approved by the Chief Health Officer, Department of Health [s. 18]. 2. An appointee may be a person employed by the local government under the <i>Local Government Act 1995</i> section 5.36, or a person engaged by the local government under a contract for services [s. 17(2)].
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	8.1.3 Health (Asbestos) Regulations 1992 - appointments
Category	Development Services Directorate
Head of power	Part 08 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
Delegator	Council
Express power to delegate	<i>Health (Asbestos) Regulations 1992</i> r. 15D(7) - Infringement notices
Express power or duty delegated	<i>Health (Asbestos) Regulations 1992</i> r. 15D - Infringement notices
Function	Appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> [r. 15D(5)].
Delegates	Chief Executive Officer
Conditions	1. A person cannot be appointed as both an authorised officer and an approved officer. 2. Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r. 15D (6)]. 3. This delegation is subject to relevant Department of Health Chief Health Officer Guidelines, as amended from time to time.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	8.1.4 Public Health Act 2016 - Designation of authorised officers
Category	Development Services Directorate
Head of power	Part 08 - Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911
Delegator	Council
Express power to delegate	Public Health Act 2016 s. 21 - Enforcement agency may delegate
Express power or duty delegated	Public Health Act 2016 s. 24(1) and (3) - Designation of authorised officers
Function	Designate a person or class of persons as authorised officers — 1. for the purposes of the <i>Public Health Act 2016</i> or another specified Act; or 2. for the purposes of the specified provisions of the <i>Public Health Act 2016</i> or another specified Act; or 3. for the purposes of the provisions of the <i>Public Health Act 2016</i> or another specified Act other than the specified provisions of that Act [s. 24(1)].
Delegates	Chief Executive Officer
Conditions	An enforcement agency must not designate a person or class of persons under s. 24(1) unless the enforcement agency - 1. considers that the person or, as the case requires, the persons in that class have appropriate qualifications and experience to perform the particular functions that the person or class of persons are to perform as authorised officers; and 2. has regard to any guidelines issued under s. 29.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 April 2025
Adoption references	D2/4/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Part 09 - Planning and Development Act 2005

An Act providing for a planning framework for local governments including Town Planning Scheme powers and the Planning and Development (Local Planning Schemes) Regulations 2015

Delegation	9.1.1 Developer Contribution Plans - acquisition of land, credit offsets
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, cl. 82 - Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2; Part 10, Division 1 - Powers of local government <i>Town Planning Scheme No. 4</i> Part 5A Development Contribution Areas; Schedule 9B Development Contribution Plans
Function	Administration of Part 5A of the City of Armadale Town Planning Scheme No. 4 in respect to Development Contribution Areas, where the Scheme expressly requires the local government to administer, manage and disburse Development Contribution Area funds and agreements, with the exception of – 1. Determination of Infrastructure Cost Schedules. 2. Determination of other fees and charges associated with administration of a Developer Contribution Plan. 3. Deciding to claim compensation for betterment under s. 184 of the <i>Planning and Development Act 2005</i>.
Delegates	Chief Executive Officer

Conditions	1. Prefunding or undertaking of infrastructure or administrative works leading to and including the granting of credits or payments for the infrastructure or administrative works that are identified in a Development Contribution Plan included in Town Planning Scheme No.4 or under interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 subject to - a. The Development Contribution Plan and/or budget allocation being approved by Council; b. The works will meet the objectives implicit in the Scheme text or interim contribution arrangements describing the infrastructure or administrative work; and c. the works are in accordance with the Development Contribution Plan or interim contribution arrangements text and specifications or guidance noted in the adopted or draft Infrastructure Cost Schedule, Cost Apportionment Schedule, Development Contribution Plan Report or Deed of Agreement; and d. it is timely to fund the works in the context of the Development Contribution Plan or interim contribution arrangements and taking into consideration forward financial planning for the Development Contribution Plan, Cost Contributions already received by the City and the need to act opportunistically to achieve the works; and e. the cost of works to be undertaken are at or below current market rates; or f. where the cost is higher than the estimated costs that the costs can be justified and that decisions are considered with due regard for points i and ii below: i. where in the opinion of the Chief Executive Officer works may significantly exceed the estimated costs for an entire infrastructure or administrative works item and have a significant financial impact on an overall Development Contribution Plan infrastructure program excluding cost increases for State Government service costs, the Chief Executive Officer shall refer the proposal to Council for consideration as to whether the work should be implemented as proposed, revised in scope, or deferred. ii. the granting of credits or payments may be conditional upon the proponent that is undertaking the works providing itemised records of expenditure with Credits being accrued only after receipt of expenditure records. 2. Acquisition of land and/or granting of credits or provision of payments pertaining to land identified in a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 shall be - a. approved by Council and/or contained in a budget allocation adopted by Council; b. at a value less than or equal to the land value established pursuant to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No. 4 and if provided for in the Development Contribution Plan an additional 10%; or c. at a value equal to or less than the land value established pursuant to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No.4 and if provided for in the Development Contribution Plan an additional 10% and any additional claim that is not significant and/or in accordance with advice from the City's valuer; d. taking into consideration forward financial planning, Cost Contributions already received by the City and the need to act opportunistically to achieve the works. 3. Advertisement of reviews of Contribution Costs, Infrastructure Cost Schedules and Assessed Values pertaining to a Development Contribution Plan included in Town Planning Scheme No.4 or interim contribution arrangements pertaining to a Development Contribution Plan that is to be included in Town Planning Scheme No.4 is to be conducted.
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Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers
Statutory framework	<i>Planning and Development Act 2005</i> s. 256 - Regulations for content of local planning schemes s. 257A - Model provisions, effect of s. 257B - Deemed provisions, effect of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> r. 8 - Contents of local planning scheme Schedule 1 - Model provisions for local planning schemes cl. 82 - Delegations by local government
Policy	Local Planning Policies may refer.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.2 Town Planning Scheme No. 4 - development control
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government
Express power or duty delegated	Authority to exercise functions and powers of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> under the Deemed Provisions, Town Planning Scheme No. 4, Local Planning Policies, and provide advice/recommendations to the Western Australian Planning Commission, Government Departments and DevelopmentWA on all referrals.
Function	1. Approve, with or without conditions or refuse – a. any strata, survey strata, subdivision or amalgamation application, referral or certificate; b. any application for a 'P', 'D' or 'A' use, 'Use Not Listed' or a 'Non-Confirming Use' and Works; c. any application for a sign(s) and/or advertising device, illuminated directional sign or directional sign; d. any application for an extension to the term of an existing development approval; e. applications for the establishment or variation of a development envelope, with the exception of development envelopes on lots larger than one (1ha) hectare that propose development envelope modifications that exceed the maximum development envelope size specified in Table 1 of Local Planning Policy 2.1 'Establishment or Amendment of Development Envelopes', unless the envelope has had previous approval and is not increasing in size; f. applications for two houses on one lot in a General Rural Zone; g. any application to vary standard development requirements in all zones; h. any application for parking a commercial vehicle, including an annual renewal of an approval previously granted; i. revoke an approval previously issued for parking a commercial vehicle; j. an amendment or cancellation of a development approval; k. any retrospective development applications; l. the necessity, duration and extent of advertising of development applications under Town Planning Scheme No. 4, the Residential Design Codes of Western Australia and any policy of Council; m. any requests to waive or refund in whole or in part payment of a fee for a planning service. 2. Refuse applications for 'X' uses in all zones in the district; 3. Where Local Planning Policy contains a discretionary function affecting the approval or refusal of an application and the policy refers to "Council" and/or "the City", approve or refuse that application based on its compliance with that policy; 4. Make recommendations and/or provide comment to state government departments/agencies on development application referrals.
Delegates	Chief Executive Officer

Conditions	1. Applications involving new unit developments (grouped, multiple, aged or single persons dwellings) within the River Road Heritage Precinct Area covered by Policy PLN 3.9 shall be referred to Council for determination where approval is recommended, excepting an amended application(s) that does not substantially alter the existing approval. 2. Applications within the General Rural and Rural Living zones involving the following new land uses or where a previous approval for the use does not exist on the lot shall be referred to Council for determination, where approval is recommended: 1. Industry – Extractive; 2. Place of Worship.
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 83 - Local government CEO may delegate powers
Statutory framework	<i>Planning and Development Act 2005</i> Western Australian Planning Commission delegated functions (delegated pursuant to s. 16 of the <i>Planning and Development Act 2005</i>) to local government officers pertaining to the exercise of prescribed functions of the Metropolitan Region Scheme and the <i>Strata Titles Act 1985</i> functions, as amended by the Commission from time to time. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government Metropolitan Region Scheme Referral requirements for certain applications to the Western Australian Planning Commission for determination that is of State or regional significance, as advised by the Commission, and certain development within Activity Centres under Clause 32 of the Metropolitan Region Scheme, as amended by the Commission from time to time. Town Planning Scheme No. 4
Policy	Local Planning Policies
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.3 Determine applications involving properties listed on the Heritage List or Local Heritage Survey
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government
Express power or duty delegated	Authority to determine development applications involving properties listed on the Local Heritage Survey and Heritage List.
Function	Approvals Approve applications involving properties listed on the Local Heritage Survey and/or Heritage List subject to the application satisfying the following criteria: Applications for development involving properties, objects, structures and places listed as Category '1 and 2': • The proposal is consistent with the current Town Planning Scheme and any Policy provisions that may be relevant; • Consultation has been undertaken with the Community Heritage Advisory Group (or its members) and no response, no objection or favourable advice is received. Applications for development involving properties, objects, structures and places listed as Categories '3 and 4' in the Local Heritage Survey: • The proposal is consistent with the current Town Planning Scheme and any policy provisions that may be relevant; and • Consultation has been undertaken with the Community Heritage Advisory Group (or its members). Refusals Delegated authority to refuse applications involving properties listed on the Heritage List and/or Local Heritage Survey if any of the following apply: • The proposal is not consistent with the current Town Planning Scheme and/or any relevant Policy provisions, or any other planning reason; • The proposal would have a detrimental effect on the integrity of heritage value of the site; • The advice received from the heritage referral agencies or the Community Heritage Advisory Group (or its members) is not favourable to the application. NOTE: Where an application has been submitted by a qualified heritage architect or is accompanied by a report from such a professional, this will assist in consideration of the application.
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers

Statutory framework	Town Planning Scheme No. 4 and Local Planning Policies <i>Planning and Development Act 2005</i> and State Planning Policies
Policy	Refer to relevant Local Planning Policies.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	27 May 2019
Adoption references	Resolution - D31/5/19

Amendments			
Date	Type	Amendment	References
28 Jul 2025	Amended delegation	Amended previous delegation. Updates DS 9.0. Format, updates references to heads of power and clarifying current terminology to be used.	D2/7/25
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.5 Issue, Refuse and Rescind Tree Preservation Notices
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2; Part 10, Division 1 - Powers of local government Town Planning Scheme No. 4 Schedule A, clause 80A
Function	1. Determine if a tree is sufficiently significant to warrant issuing a notice to an owner based on advice and assessment in accordance with Policy PLN 2.4; 2. Issue a notice if a tree is determined to be sufficiently significant, or if it is expedient to do so until such time as an assessment is completed; 3. Rescind a notice following an assessment or re-assessment of the tree in accordance with Policy PLN 2.4; 4. Refuse or decline requests to rescind a notice based on advice and assessment in accordance with Policy PLN 2.4; and 5. Refuse to issue a notice when a nomination is received seeking issuance of a notice and the City does not consider the tree sufficiently significant to warrant a notice.
Delegates	Chief Executive Officer
Conditions	Following the City's determination on individual Tree Preservation Applications that a report on the outcomes be listed in the Information Bulletin (Development Services) for Council information.
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> cl. 83 - Local government CEO may delegate powers
Statutory framework	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> r. 8 - Contents of local planning scheme Town Planning Scheme No. 4 Schedule A, cl. 80A
Policy	PLN 2.4 - Landscape Feature and Tree Preservation
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D/2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.6 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government
Express power or duty delegated	Perform all functions associated with applications for review to the State Administrative Tribunal and to exercise discretion on behalf of the local government.
Function	1. Administer and represent the City in proceedings at the State Administrative Tribunal and reach determination, where appropriate, of Applications for Review finalised through mediation by the State Administrative Tribunal under the <i>Planning and Development Act 2005</i>. 2. Make application for cost recovery on behalf of the City in association with the City's dealing with a matter before the State Administrative Tribunal.
Delegates	Chief Executive Officer
Conditions	Function delegated includes all necessary administrative actions and procedures associated with an action brought on behalf of the City in accordance with the delegated authority.
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 83 - Local government CEO may delegate powers
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.7 Structure Plans and Local Development Plans
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 82 - Delegations by local government
Express power or duty delegated	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes City of Armadale Town Planning Scheme No. 4
Function	Make recommendations and determinations in respect of Structure Plans and Local Development Plans in accordance with Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and Town Planning Scheme No. 4.
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2 - Deemed provisions for local planning schemes cl. 83 - Local government CEO may delegate powers
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	9.1.8 Enforcement and Direction notices - Planning and Development Act 2005
Category	Development Services Directorate
Head of power	Part 09 - Planning and Development Act 2005
Delegator	Council
Express power to delegate	<i>Local Government Act 1995</i> s. 5.42(1)(b) - Delegation of some powers and duties to CEO s. 5.43 - Limits on delegations to CEO
Express power or duty delegated	<i>Planning and Development Act 2005</i> s. 214 - Illegal development, responsible authority's powers as to s. 218 - Planning scheme or condition on development, contravening etc.
Function	1. Give a written direction to a person pursuant to s. 214 of the Act in respect of noncompliance with Town Planning Scheme No. 4. 2. Take action to enforce a contravention of the Town Planning Scheme No. 4 and illegal development. 3. Defend, initiate and/or commence legal proceedings for non-compliance with Town Planning Scheme No. 4.
Delegates	Chief Executive Officer
Conditions	Nil.
Express power to subdelegate	<i>Local Government Act 1995</i> s. 5.44 - CEO may delegate powers and duties to other employees

Statutory framework	Local Government Act 1995 s. 5.42(1)(b) - Delegation of some powers and duties to CEO s. 5.43 - Limits on delegations to CEO s. 5.44 - CEO may delegate powers and duties to other employees Planning and Development Act 2005 s. 214(2), (3) and (5) - Illegal development, responsible authority's powers as to s. 215 - Illegal development, responsible authority's powers to remove etc. s. 218 - Planning scheme or condition on development, contravening etc. Criminal Procedure Act 2004 The City of Armadale is a prescribed public authority for the purposes of r. 7A of the <i>Criminal Procedure Regulations 2005</i>. In accordance with s. 18 and s. 20(1)(b) of the <i>Criminal Procedure Act 2004</i>, the Chief Executive Officer and other local government employees nominated by the Chief Executive Officer are authorised to undertake legal proceedings for the purposes of s. 218 of the <i>Planning and Development Act 2005</i>. Section 218 provides – <i>218. Planning scheme or condition on development, contravening etc.</i> <i>A person who —</i> <i>1. contravenes the provisions of a planning scheme; or</i> <i>2. commences, continues or carries out any development in any part of a region the subject of a region planning scheme or any part of an area the subject of a local planning scheme, an improvement scheme or the Swan Valley Planning Scheme otherwise than in accordance with the provisions of the planning scheme; or</i> <i>3. commences, continues or carries out any such development which is required to comply with a planning scheme otherwise than in accordance with any condition imposed under this Act or the scheme with respect to the development, or otherwise fails to comply with any such condition,</i> <i>commits an offence.</i>
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	28 July 2025
Adoption references	D2/7/25

Amendments			
Date	Type	Amendment	References
22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Part 10 - Miscellaneous powers and functions

Including but not limited to -

Graffiti Act

Litter Act

Statutory Authorisations

Delegation	10.1.1 Graffiti Vandalism Act 2016 Functions
Category	Technical Services Directorate
Head of power	Part 10 - Miscellaneous powers and functions
Delegator	Council
Express power to delegate	<i>Graffiti Vandalism Act 2016</i> s. 16 - Delegation by local government
Express power or duty delegated	<i>Graffiti Vandalism Act 2016</i> s. 18 - Notice requiring removal of graffiti s. 19 - Additional powers when notice is given s. 22 - Objection may be lodged s. 24 - Suspension of effect of notice s. 25 - Local government graffiti powers on land not local government property s. 27 - General procedure for entering property s. 28 - Notice of entry s. 29 - Entry under warrant
Function	1. 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 a time set out in the notice [s. 18(2)]. 2. Where a person fails to comply with a notice: a. do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)]; and b. to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s. 19(4)]. 3. Deal with an objection to a notice [s. 22(3)]. 4. Where an objection has been lodged, to: a. take action to give effect to the notice: i. where it is determined that there are urgent reasons; or ii. it is reasonably likely to endanger the safety of any person, cause damage to property or a create a serious public nuisance if action is not taken [s. 24(1)(b)]. b. give the affected person notice with reasons in writing, before taking action [s. 24(3)]. 5. Determine to obliterate graffiti that is visible from a public place and that has been applied without the 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 to do it [s. 25(1)]. 6. Give notice of an intended entry to the owner or occupier of the land, premises or thing that is to be entered, specifying the purpose for which entry is required [s. 28]. 7. Obtain a warrant to enter any land, premises or thing [s. 29].
Delegates	Chief Executive Officer

Conditions	Where entry of property is required, the procedure prescribed by Part 3, Division 4 of the Act is to be followed. NOTE: Decisions made under this delegation may be referred for review by the State Administrative Tribunal.
Subdelegates	Executive Director Technical Services
Subdelegate conditions	Nil.
Policy	ENG 16 - Graffiti
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	8 June 2026
Adoption references	T5/6/26

Delegation	10.1.2 Litter Act 1979 - Withdrawal of Infringements
Category	Community Services Directorate
Head of power	Part 10 - Miscellaneous powers and functions
Delegator	Council
Express power to delegate	<i>Litter Act 1979</i> s. 26 - Authorised officers, appointment and jurisdiction of etc.
Express power or duty delegated	<i>Litter Act 1979</i> s. 30(4) and (4a) - Infringement notices
Function	Withdraw infringement notices issued on behalf of the City of Armadale within 28 days of an infringement being issued.
Delegates	Chief Executive Officer Head of Environment and Sustainability Manager Health Services Manager Ranger & Emergency Services Manager Statutory Planning
Conditions	Managers are only authorised to withdraw infringements issued by their own departments.
Record keeping	Exercise of the authority is to be recorded in the City's records management system and Attain.
Date adopted	29 September 2020
Adoption references	Council Meeting of 29 September 2020 - CS47/9/20

AMENDMENTS

Delegation	Date	Type	Amendment	References
1.1.2 Local Government Act 1995 - legal proceedings	24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24
1.1.2 Local Government Act 1995 - legal proceedings	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.2 Local Government Act 1995 - legal proceedings	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.3 Administration of Leases and Licences	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.3 Administration of Leases and Licences	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.3 Administration of Leases and Licences	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.4 Compensation for damage incurred when performing executive function	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.4 Compensation for damage incurred when performing executive function	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.5 Power of entry	16 Oct 2023	Amended delegation	Added authority to appoint authorised persons	CS45/10/23
1.1.5 Power of entry	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.5 Power of entry	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.5 Power of entry	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.6 Declare vehicle is abandoned vehicle wreck	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.6 Declare vehicle is abandoned vehicle wreck	9 Jun 2025	Amended delegation	Annual Review	C2/6/25

Delegation	Date	Type	Amendment	References
1.1.6 Declare vehicle is abandoned vehicle wreck	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.7 Dealing with confiscated, impounded or uncollected goods	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.7 Dealing with confiscated, impounded or uncollected goods	9 Jun 2025	Amended delegation	Annual Review - Amended	C2/6/25
1.1.7 Dealing with confiscated, impounded or uncollected goods	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.8 Disposal of sick or injured animals	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.8 Disposal of sick or injured animals	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.8 Disposal of sick or injured animals	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.9 Closing certain thoroughfares to vehicles	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.9 Closing certain thoroughfares to vehicles	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.9 Closing certain thoroughfares to vehicles	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.10 Reserves under control of the local government	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.10 Reserves under control of the local government	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.10 Reserves under control of the local government	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.11 Obstruction of footpaths and thoroughfares	10 Jun 2024	Amended delegation	Annual Review	T4/6/24

Delegation	Date	Type	Amendment	References
1.1.11 Obstruction of footpaths and thoroughfares	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.11 Obstruction of footpaths and thoroughfares	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.12 Public thoroughfare - dangerous excavations	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.12 Public thoroughfare - dangerous excavations	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.12 Public thoroughfare - dangerous excavations	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.13 Requirement to construct, repair or remove crossing	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.13 Requirement to construct, repair or remove crossing	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.13 Requirement to construct, repair or remove crossing	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.14 Private works on, over or under public places	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.14 Private works on, over or under public places	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.14 Private works on, over or under public places	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.15 Notices requiring certain things to be done by owner or occupier of land	24 Jun 2024	Amended delegation	Annual Review	D13/6/24
1.1.15 Notices requiring certain things to be done by owner or occupier of land	28 Jul 2025	Amended delegation	Annual Review	D2/7/25

Delegation	Date	Type	Amendment	References
1.1.15 Notices requiring certain things to be done by owner or occupier of land	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
1.1.16 Expressions of interest for goods and services	24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO") An additional minor amendment is recommended to link the ability to call an EOI to the need for the funds to be allocated in an adopted budget or the Long Term Financial Plan.	CS33/6/24
1.1.16 Expressions of interest for goods and services	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.16 Expressions of interest for goods and services	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.17 Tenders for goods and services	22 Apr 2024	Amended delegation	Amended by Council 22 April 2024 - regulation 18(5) function added	CEO/2/4/24
1.1.17 Tenders for goods and services	24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO") An additional minor amendment contains a requested amendment to condition (1)(b) to increase the value threshold of the CEO's delegated authority to accept or reject a tender to \$2,000,000 for a multi-year contract. Currently, the value threshold delegated to the CEO is \$1,500,000 for this purpose.	CS33/6/24
1.1.17 Tenders for goods and services	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.17 Tenders for goods and services	22 Jun 2026	Amended delegation	Annual Review. Deletion of r. 21 as an Express Power as this is suitably provided for already in delegation 1.1.16, amendment of function 9's phrasing for clarity and deletion of function 17 as it is a duplicate of function 13.	CS4/6/26
1.1.18 Panels of pre-qualified suppliers for goods and services	24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24

Delegation	Date	Type	Amendment	References
1.1.18 Panels of pre-qualified suppliers for goods and services	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.18 Panels of pre-qualified suppliers for goods and services	22 Jun 2026	Amended delegation	Annual Review. Amendments to clarify Express Powers and amendments to phrasing of functions for consistency with the legislation.	CS4/6/26
1.1.19 Disposing of property involving land and buildings	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.19 Disposing of property involving land and buildings	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.19 Disposing of property involving land and buildings	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.20 Disposing of property other than land or buildings	12 Jun 2023	New delegation	Nil	T2/6/23
1.1.20 Disposing of property other than land or buildings	24 Jun 2024	Amended delegation	Disposal thresholds clarified	T2/6/24
1.1.20 Disposing of property other than land or buildings	4 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.20 Disposing of property other than land or buildings	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.21 Payments from municipal and trust funds	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.21 Payments from municipal and trust funds	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.21 Payments from municipal and trust funds	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.22 Defer, grant discounts, waive or write-off debts	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24

Delegation	Date	Type	Amendment	References
1.1.22 Defer, grant discounts, waive or write-off debts	23 Jun 2025	Amended delegation	Annual Review - Minor amendment	CS4/6/25
1.1.22 Defer, grant discounts, waive or write-off debts	22 Jun 2026	Amended delegation	Annual Review. Added Condition 6 as per council resolution	CS4/6/26
1.1.23 Power to invest and manage investments	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.23 Power to invest and manage investments	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.23 Power to invest and manage investments	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.24 Rate record amendment	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.24 Rate record amendment	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.24 Rate record amendment	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.25 Agreement for payment of rates and service charges	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.25 Agreement for payment of rates and service charges	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.25 Agreement for payment of rates and service charges	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.26 Determine due dates for rates or service charges	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.26 Determine due dates for rates or service charges	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.26 Determine due dates for rates or service charges	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	Date	Type	Amendment	References
1.1.27 Rate Record - Objections	24 Jun 2024	Amended delegation	Annual Review	CS33/6/24
1.1.27 Rate Record - Objections	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.27 Rate Record - Objections	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.29 Contract formalities	24 Jun 2024	Amended delegation	Annual Review - Minor amendment (Category change from CEO Functions and Powers to "Office of the CEO")	CS33/6/24
1.1.29 Contract formalities	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
1.1.29 Contract formalities	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.30 Appointment of Poundkeepers	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.30 Appointment of Poundkeepers	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.30 Appointment of Poundkeepers	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.31 Free use of local government facilities	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.31 Free use of local government facilities	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.31 Free use of local government facilities	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.32 Donations, community grants and requests for financial assistance	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.32 Donations, community grants and requests for financial assistance	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.32 Donations, community grants and requests for financial assistance	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	Date	Type	Amendment	References
1.1.34 Sponsorship and grant applications, agreements and acquittals	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
1.1.34 Sponsorship and grant applications, agreements and acquittals	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
1.1.34 Sponsorship and grant applications, agreements and acquittals	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
1.1.35 Particular things local governments can do on land that is not local government property	10 Jun 2024	Amended delegation	Annual Review	T4/6/24
1.1.35 Particular things local governments can do on land that is not local government property	9 Jun 2025	Amended delegation	Annual Review	T4/6/25
1.1.35 Particular things local governments can do on land that is not local government property	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	T5/6/26
1.1.36 Legal Representation for Councillors and Employees	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.37 Recognition of Service by Councillors	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
1.1.39 Execution of Documents - Landgate	22 Jun 2026	Amended delegation	Annual Review. Position title 'Executive Manager Development Services' amended to 'Head of Strategic Planning, Place and Development'. 'Manager Strategic Planning' added as a delegate.	D3/6/26
1.1.40 Authority to sign Memorandums of Understanding	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26

Delegation	Date	Type	Amendment	References
1.1.41 Planning, building and other development related applications where the City is the applicant / land owner	22 Jun 2026	Amended delegation	Annual Review. Nil material changes at this time.	D3/6/26
2.1.1 Local Law Relating to Dogs - licencing and administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
2.1.1 Local Law Relating to Dogs - licencing and administration	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
2.1.1 Local Law Relating to Dogs - licencing and administration	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
2.1.2 Administration of City of Armadale Local Laws	24 Jun 2024	Amended delegation	Annual Review - Minor amendments - change of the category from "CEO functions and powers" to "Office of the CEO"	CS33/6/24
2.1.2 Administration of City of Armadale Local Laws	24 Feb 2025	Amended delegation	Added Cat Local Law 2024	CS8/2/25
2.1.2 Administration of City of Armadale Local Laws	23 Jun 2025	Amended delegation	Annual Review	CS4/6/25
2.1.2 Administration of City of Armadale Local Laws	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	CS4/6/26
2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
2.1.3 Local Government Property Local Law - Approve, issue and determine conditions of permits	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	Date	Type	Amendment	References
2.1.4 Local Government Property Local Law - administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
2.1.4 Local Government Property Local Law - administration	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
2.1.4 Local Government Property Local Law - administration	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
2.1.8 Bush Fire Brigades Local Law	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
3.1.1 Building Act 2011 - Powers and duties	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
3.1.2 Building Act 2011 - appointment of authorised persons	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
4.1.1 Bush Fires Act 1954 - Control Operations Likely to Create Bush Fire Danger	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.2 Bush Fires Act 1954 - Recovery of Expenses Incurred through Contraventions of the Bush Fires Act	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.3 Bush Fires Act 1954 - Variations to prohibited and restricted burning periods	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.4 Bush Fires Act 1954 - Withdrawal of Infringements (Prescribed Power*)	29 May 2026	Amended delegation	Review. Nil material changes.	Nil
4.1.5 Bush Fires Act 1954 - Prosecution of Offences	13 Nov 2025	Amended delegation	Added position - Ranger Lead	CD/110298/25

Delegation	Date	Type	Amendment	References
4.1.5 Bush Fires Act 1954 - Prosecution of Offences	8 Jun 2026	Amended delegation	Annual Review. Add 'Ranger' position as a delegate, delete 'Fire Prevention Officer' and modify phrasing of condition 1 for clarity to ensure that delegates do not initiate a prosecution without first obtaining the CEO's approval (or Council as the case may be).	C2/6/26
4.1.6 Bush Fires Act 1954 - Make Request to FES Commissioner - Control of Fire	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.7 Bush Fires Act 1954 - Prohibited Burning Times - Control Activities	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.8 Bush Fires Act 1954 - Restricted Burning Times - Vary and Control Activities	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.9 Bush Fires Act 1954 - Burning Garden Refuse/Open Air Fires	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.10 Bush Fires Act 1954 - Fire-breaks	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.11 Bush Fires Act 1954 - Appoint a Bush Fire Control Officer/s and Fire Weather Officer	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
4.1.12 Bush Fires Act 1954 - Control and Extinguishment of Bush Fires	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
5.1.1 Cat Act 2011 - administration of functions and powers	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
5.1.1 Cat Act 2011 - administration of functions and powers	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
5.1.1 Cat Act 2011 - administration of functions and powers	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26

Delegation	Date	Type	Amendment	References
6.1.1 Dog Act 1976 - registration functions	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.1 Dog Act 1976 - registration functions	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
6.1.1 Dog Act 1976 - registration functions	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
6.1.2 Dog Act 1976 - dog control and enforcement functions	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.2 Dog Act 1976 - dog control and enforcement functions	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
6.1.2 Dog Act 1976 - dog control and enforcement functions	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
6.1.3 Dog Act 1976 - administration	10 Jun 2024	Amended delegation	Annual Review	C16/6/24
6.1.3 Dog Act 1976 - administration	9 Jun 2025	Amended delegation	Annual Review	C2/6/25
6.1.3 Dog Act 1976 - administration	8 Jun 2026	Amended delegation	Annual Review. Nil material changes.	C2/6/26
7.1.1 Food Act 2008 - appoint Authorised Officers and Designated Officers	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
7.1.2 Food Act 2008 - Prohibition Orders	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
7.1.3 Food Act 2008 - food business registrations	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
7.1.4 Food Act 2008 - enforcement agency powers	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
8.1.1 Public Health Act 2016 - enforcement agency functions	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26

Delegation	Date	Type	Amendment	References
8.1.2 Public Health Act 2016 - appointment of Environmental Health Officers	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
8.1.3 Health (Asbestos) Regulations 1992 - appointments	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
8.1.4 Public Health Act 2016 - Designation of authorised officers	22 Jun 2026	Amended delegation	Review. Nil material changes.	D3/6/26
9.1.1 Developer Contribution Plans - acquisition of land, credit offsets	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.2 Town Planning Scheme No. 4 - development control	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.3 Determine applications involving properties listed on the Heritage List or Local Heritage Survey	28 Jul 2025	Amended delegation	Amended previous delegation. Updates DS 9.0. Format, updates references to heads of power and clarifying current terminology to be used.	D2/7/25
9.1.3 Determine applications involving properties listed on the Heritage List or Local Heritage Survey	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.5 Issue, Refuse and Rescind Tree Preservation Notices	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.6 Exercise discretion on behalf of Council to reach determination, where appropriate, of appeals processed by mediation	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.7 Structure Plans and Local Development Plans	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26
9.1.8 Enforcement and Direction notices - Planning and Development Act 2005	22 Jun 2026	Amended delegation	Annual Review. Nil material changes.	D3/6/26

Delegation	Date	Type	Amendment	References
123 Defer, write off, grant a concession or authorise a waiver for monies owing	26 Jun 2023	Repealed	Replaced by 1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing	CS20/6/23
CORPS 2.0 Agreements for Payments	26 Jun 2023	Repealed	Replaced by 1.1.25 Agreement for payment of rates and service charges	CS20/6/23
CORPS 9.0 Rate Record Amendment	26 Jun 2023	Repealed	Replaced by 1.1.24 Rate record amendment	CS20/6/23
CORPS 10.0 Determine Due Date for Rates or Service Charges	26 Jun 2023	Repealed	Replaced by 1.1.26 Determine due dates for rates or service charges	CS20/6/23
CORPS 11.0 Disposal of Property	16 Oct 2023	Repealed	Replaced by "1.1.19 Disposing of property other than land or buildings"	CS45/10/23
CORPS 12.0 Waive or grant concessions for promotional activities in recreation centres	26 Jun 2023	Repealed	Replaced by 1.1.22 Defer, write off, grant a concession or authorise a waiver for monies owing	CS20/6/23
CORPS 19.0 COVID-19 Pandemic	26 Jun 2023	Repealed	N/A	CS20/6/23
CS 3.0 Free use of facilities	12 Jun 2023	Repealed	Replaced by 1.1.31 Free use of local government facilities	C15/6/23
CS 5.0 Request for assistance	12 Jun 2023	Repealed	1.1.32 Donations, community grants and requests for financial assistance	C15/6/23
CS 6.0 One-off use of facilities	12 Jun 2023	Repealed	Replaced by 1.1.31 Free use of local government facilities	C15/6/23
CS 11.0 Dog Local Law	12 Jun 2023	Repealed	Replaced by 2.1.1 Local Law Relating to Dogs - licencing and administration	C15/6/23
DS 3.0 Sale of land assets	16 Oct 2023	Repealed	Replaced by "1.1.19 Disposing of property involving land or buildings"	CS45/10/23
DS 5.0 Environment, Animals, and Nuisance Local Law	27 May 2019	Repealed	This delegation was repealed at the Council meeting of 24 August 2020 - CS39/8/20 Refer to new delegation Administration of Local Laws	Resolution - D31/5/19
DS 6.0 Fencing Local Law	27 May 2019	Repealed	This delegation was repealed at the Council meeting of 24 August 2020 - CS39/8/20 Refer to new delegation Administration of Local Laws	Resolution - D31/5/19

Delegation	Date	Type	Amendment	References
DS 16.0 Approve or refuse to grant demolition permit	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Council Revoked - 26 October 2020 (DS68/10/20)
DS 17.0 Conditions of building permit or demolition permit	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 18.0 Duration of building permit or demolition permit	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 20.0 Conditions of occupancy permit or building approval certificate	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 21.0 Approve or refuse to extend duration of occupancy permit or building approval certificate	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 23.0 Revoke building orders	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 24.0 Give effect to building order if non-compliance	27 May 2019	Revoked	Council Revoked - 26 October 2020 (DS68/10/20)	Resolution - D31/5/19
DS 28.0 Designate Authorised Officers (Public Health Act 2016)	28 Apr 2025	Repealed	Replaced by '8.1.4 Public Health Act 2016 – Designation of authorised officers'	D2/4/25
DS 29.0 Appointment of Authorised or Approved Officer (Asbestos Regs)	28 Apr 2025	Repealed	Replaced by '8.1.3 Health (Asbestos) Regulations 1992 – appointments'	D2/4/25
DS 30.0 Enforcement Agency Reports to the Chief Health Officer	28 Apr 2025	Repealed	Replaced by '8.1.1 Public Health Act 2016 – enforcement agency functions'	D2/4/25
DS 32.0 Commence Proceedings (Public Health Act 2016)	28 Apr 2025	Repealed	Replaced by '8.1.1 Public Health Act 2016 – enforcement agency functions'	D2/4/25
DS 33.0 Appointment of Environmental Health Officers	28 Apr 2025	Repealed	Replaced by '8.1.2 Public Health Act 2016 – appointment of Environmental Health Officers'	D2/4/25

Delegation	Date	Type	Amendment	References
DS 37.0 Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911 - Power or duty of the local government (enforcement agency) under these Acts	28 Apr 2025	Repealed	Replaced by '8.1.1 Public Health Act 2016 – enforcement agency functions'	D2/4/25
New TBC Lease - Wallangarra Riding and Pony Club - Deed of Variation of existing lease	12 Jun 2023	Repealed	Repealed by Council 12/06/2023	C15/6/23
New TBC Administration of Leases and Licences	26 Jun 2023	Repealed	N/A	CS20/6/23
NEW TBC Notices requiring certain things to be done by property owner/occupier	12 Jun 2023	Repealed	Replaced by 1.1.15 Notices requiring certain things to be done by owner or occupier of land	T2/6/23
NEW TBC Requirement to construct and repair crossing	12 Jun 2023	Repealed	Replaced by 1.1.13 Requirement to construct, repair or remove crossing	T2/6/23
NEW TBC Confiscated or Uncollected Goods	12 Jun 2023	Repealed	Replaced by 1.1.7 Dealing with confiscated, impounded or uncollected goods	C15/6/23
NEW TBC Disposal of sick / injured animals	12 Jun 2023	Repealed	Replaced by 1.1.8 Disposal of sick or injured animals	C15/6/23
NEW TBC Cat Act 2011 - Administration and enforcement	12 Jun 2023	Repealed	Replaced by 5.1.1 Cat Act 2011 - administration of functions and powers	C15/6/23
NEW TBC Dog Act 1976 - Power or duty of the local government under any provision of this Act.	12 Jun 2023	Repealed	Repealed by Council 12/06/2023	C15/6/23
NEW TBC Appointment of Authorised Persons / Authorised Officers	12 Jun 2023	Repealed	Repealed by Council 26/06/2023	CS20/6/23
NEW TBC Declare vehicle is an abandoned vehicle wreck	12 Jun 2023	Repealed	Replaced by 1.1.6 Declare vehicle is abandoned vehicle wreck	C15/6/23

Delegation	Date	Type	Amendment	References
NEW TBC Crossing from public thoroughfare to private land or private thoroughfare	12 Jun 2023	Repealed	Replaced by 1.1.13 Requirement to construct, repair or remove crossing	T2/6/23
NEW TBC Administration of Lease to Wallangarra Riding and Pony Club Inc - Fletcher Park	12 Jun 2023	Repealed	Repealed by Council 12/06/2023	C15/6/23
NEW TBC Payments from Municipal and Trust Funds	26 Jun 2023	Repealed	Replaced by 1.1.21 Payments from municipal and trust funds	CS20/6/23
NEW TBC Procurement of Goods and Services	26 Jun 2023	Repealed	Replaced by 1.1.6 Expressions of interest for goods and services, 1.1.7 Tenders for goods and services, and 1.1.8 Panels of preferred suppliers	CS20/6/23
NEW TBC Administration of Local Laws	26 Jun 2023	Repealed	Replaced by 2.1.2 Administration of City of Armadale Local Laws	CS20/6/23
NEW TBC Give local public notice of changes to scheduled Council or Committee meetings	26 Jun 2023	Repealed	Repealed by Council 26/06/2023	CS20/6/23
NEW TBC Administration of Rates Assistance & Financial Hardship Policy	26 Jun 2023	Repealed	1.1.25 Agreement for payment of rates and service charges	CS20/6/23
NEW TBC Administration of A Smarter Way to Pay Policy	26 Jun 2023	Repealed	Replaced by 1.1.25 Agreement for payment of rates and service charges	CS20/6/23
NEW TBC Action, notices, proceedings, prosecutions and withdrawals - Local Government Act 1995	26 Jun 2023	Repealed	Replaced by 1.1.2 - Local Government Act 1995 - legal proceedings	Repealed by Council 26 June 2023 - CS20/6/23
NEW TBC Local Government Act 1995 - Power of Entry	26 Jun 2023	Repealed	Replaced by 1.1.5 Power of entry	T2/6/23
NEW TBC Power to Invest	26 Jun 2023	Repealed	Replaced by 1.1.23 Power to invest and manage investments	CS20/6/23

Delegation	Date	Type	Amendment	References
NEW TBC Action, notices, proceedings, prosecutions and withdrawals - any other written law	16 Oct 2023	Repealed	No longer required	CS45/10/23
NEW TBC Building Act 2011 - Designate Employees as Authorised Persons	28 Oct 2024	Repealed	Replaced by '3.1.2 Building Act 2011 - appointment of authorised persons'	CEO2/10/24
TS 1.0 Things Local Government can do on land that is not Local Government Property	12 Jun 2023	Repealed	Replaced by 1.1.35 Particular things local governments can do on land that is not local government property	T2/6/23
TS 2.0 Reserves under control of Local Government	12 Jun 2023	Repealed	Replaced by 1.1.10 Reserves under control of the local government	T2/6/23
TS 3.0 Authority to close roads	12 Jun 2023	Repealed	Replaced by 1.1.9 Closing certain thoroughfares to vehicles	T2/6/23
TS 5.0 Approval of Private Works on a Public Place	12 Jun 2023	Repealed	Replaced by 1.1.14 Private works on, over or under public places	T2/6/23
TS 6.0 Pest Plant Local Law	13 May 2019	Repealed	This delegation was repealed at the Council meeting of 24 August 2020 - CS39/8/20 Refer to new delegation Administration of Local Laws	Resolution - T32/5/19
TS 8.0 Activities and Trading in Thoroughfares and Public Places Local Law	13 May 2019	Repealed	This delegation was repealed at the Council meeting of 24 August 2020 - CS39/8/20 Refer to new delegation Administration of Local Laws	Resolution - T32/5/19
TS 10.0 Extractive Industries	13 May 2019	Repealed	This delegation was repealed at the Council meeting of 24 August 2020 - CS39/8/20 Refer to new delegation Administration of Local Laws	Resolution - T32/5/19